

ACES TERRIER

THE ASSOCIATION OF CHIEF ESTATES SURVEYORS & PROPERTY MANAGERS IN THE PUBLIC SECTOR

VOLUME 26 ISSUE 1 SPRING 2021



ACES

SINCE 1908 MANAGING PUBLIC PROPERTY FOR THE PUBLIC GOOD



HOME OF THE KNOWLEDGE NETWORK

1,700 EXPERTS, 40 LOCATIONS
ACROSS THE UK

We've built the UK's largest commercial property network to give us an unrivalled knowledge of our market. This empowers our clients to unlock hidden value and outperform their objectives.

Take advantage: lsh.co.uk

**Lambert
Smith
Hampton**



ACES TERRIER

The Journal of ACES - The Association of Chief Estates Surveyors & Property Managers in the Public Sector

EDITORIAL

Betty Albon

Welcome to the 2021 Spring Terrier.

In putting together this issue, I've learnt just how many agencies and groups are involved with trying to deal with the all-important issues of helping improve mental and physical health by way of encouraging the use of open spaces of all categories, in both urban and rural settings. I honestly had no idea of the opportunities for the public sector to harness the skills, experience, and enthusiasm of academic and professional organisations, and volunteers. This is evidenced by the range of articles, all dealing with similar but different aspects of this subject. There are numerous website links to pursue.

Apart from this, there are also a range of articles covering public sector housing, property strategy, and planning, including a couple of scoops referring to very recently announced initiatives, as well as the professional aspects of our work, so hopefully something for all members and your work colleagues. It can be downloaded from the ACES' website www.aces.org.uk/library/

While ACES' Terrier continues only to be available electronically, our publisher, Marcus Macaulay, has stepped up on making it more interactive. Please do take advantage of reading on-line, and passing the pdf and link to colleagues.

While every reasonable effort has been made to ensure the accuracy of the information and content provided in this document at the date of publication, no representation is made as to its correctness or completeness and no responsibility or liability is assumed for errors or omissions.

The views expressed by the authors are not necessarily those of ACES. Neither the authors or ACES nor the publisher accept any liability for any action arising from the use to which this publication may be put.

Published by Marcus Macaulay Design & Photography
(07572 757834) www.marcusmacaulay.com

CONTENTS

ACES National

Council Meeting - Trevor Bishop.....	04
Membership news - Trevor Bishop.....	06

Professional

Value of parks - Chris Worman.....	08
Fields in Trust - Helen Griffiths.....	10
Shared Assets - Tom Carman.....	13
The Land Trust - Christine de Ferrars Green.....	16
Nature Health Network - Jim Mitchell.....	18
Climate crisis and health - Andy Bell.....	20
Residential landscape design - John Lockhart.....	21
Health Impact Assessments - Michael Chang.....	24
Social prescribing - Helen Stubbs.....	25
Traditional market transformation - Steve Hadfield.....	28
Sites for housing - Janice Morphet.....	31
Self and custom build - Andrew Baddeley-Chappell.....	33
Assessing viability in planning - Tony Mulhall.....	37
Use Classes Order - Ralph Veevers.....	39
Fit for Future workplaces - Brian Thompson.....	42
Civil service relocation - Dan Francis.....	47
Culture of intimidation - Chris Brain.....	51
Auctions - Richard Watson.....	53
Corporate property strategy - Zaman Sheikh.....	56
Strategic Covid issues - Tony Bamford.....	59
Business rates and Covid - Andrew Williams.....	62
Legal snippets.....	64

Branches news

London - Heather Hosking.....	67
Welsh - Gerry Devine.....	68
Eastern - Sara Cameron.....	69
Heart of England - Alison Hext.....	70

Other interest areas

More musings - Simon Eades.....	72
Herdwick tales - Dave Pogson.....	75

Cover photo: Photo supplied by Chris Worman,
courtesy of Rugby Borough Council



NATIONAL COUNCIL

Notes of ACES Council Meeting on 22 January 2021

Trevor Bishop, ACES Secretary secretary@aces.org.uk

As a result of the continuing restrictions ACES Council was again conducted by remote video and voice conferencing. Simon Hughes, President, kindly hosted the meeting through the MS Teams platform and 33 members joined the meeting.

Detailed reports on the majority of these topics are published on the ACES' website www.aces.org.uk

President's report

The President, Simon Hughes, reported on his activities since his inauguration in November 2020. Alongside the main ACES business related to ACES' Terrier, website, membership, budgets and consultations, this had also focussed around meetings with key sponsors and partners in line with business plan objectives.

The President noted that he was very keen to get out to the branches as soon as C-19 restrictions eased sufficiently, but in the meantime welcomed invitations to the virtual branch meetings over the next few months. The President also acknowledged the tremendous work of ACES' members in supporting the current national response to C-19 in so many ways.

Secretary's report

The Secretary, Trevor Bishop, reported on matters arising during the period from the last Council meeting and provided an update on membership changes, and progress with collection of membership subscriptions. Because of delays in getting out invoices, the collection rate was down compared to the same time last year. As

well as supporting the President with the 2020 Annual Conference and arranging the 2020 national AGM, a considerable amount of time had been spent on matters arising after the launch of the new website, supporting the Editor on production of the Terrier, supporting Malcolm Williams and others with the Diploma Course in Public Sector Asset Management, and supporting the Business & Marketing Manager on the Business Plan.

Financial matters

The Treasurer, Willie Martin, presented a report on the financial position of the Association for the first 6 months of 2020/21. It was reported that the C-19 restrictions had had a significant impact on finances compared to the original forecast. This was largely down to the annual conference changing from a live to a virtual format and the consequent return of some sponsorship funding, albeit some has been retained for the 2021 conference.

The Treasurer reported on the current budget position and noted in particular, a significant income stream from the Diploma in Public Sector Asset Management. In terms of the overall financial position, the Treasurer reported that this remains healthy with no areas of concern in terms of income or expenditure.

ACES' website

The secretary reported on the ACES website. After the launch in July 2020, a number of technical issues had arisen, including the need to transfer the site

and associated email facilities onto new servers. This was compounded by anti-spam regulations which impacted on the notifications of forum posts and the dispatch of electronic emails. It was also noted that there was still a significant number of website registrations outstanding.

There was good news to report in that the online payment system had worked well for those that used it; the site was very flexible for adding new pages; site usage statistics were available; and there was the opportunity to consider improvements in functionality.

Branches

Several branch reports were submitted for the meeting and these are published on the ACES website for the information of members. Charles Coats reported that the rural branch had been extremely proactive and influential throughout 2020 on a number of major new initiatives and this created positive times for ACES in the rural sector. Some branch representatives were able to join the virtual meeting and their contributions were appreciated.

Membership matters

The secretary referred to the detailed breakdown of membership as reported in the 2020/21 Winter Terrier. The total membership at the time of reporting was 383 and there was still a slight upward trend over the last 3 years [Ed – see the latest membership position in this edition of ACES' Terrier].

ACES Terrier

The Editor, Betty Albon, presented a detailed report on ACES' Terrier advertising rates for 2021, and an analysis of the expenditure and income associated with the production of ACES' Terrier.

Council approved 3 recommendations from the Editor:

- Advertising rates for 2021 – advertising rates to remain as at 2020
- To print or not to print – until the lockdown situation alters dramatically, not to print ACES' Terriers. ACES Council must consider this at an appropriate time, probably informed by a member survey [Ed – a paper will be presented to ACES Council on 23 April]
- Access to ACES' Terriers – continue to make ACES' Terriers available on the public area of the website.
- The Editor reported on branch submissions for the Terrier and, acknowledging the difficult times, requested that branches keep them coming as it showed the value and strength of our networking.

Business Plan

The Business & Marketing Manager, Neil Webster, reported on business and marketing activity that had taken place since the last meeting and further actions proposed in line with the agreed key outcomes. It was noted that the development of key partnerships had strengthened significantly, and a key focus was on widening the number of ACES sponsors, while maintaining quality.

Recruitment focused initiative

The Business & Marketing Manager updated Council on proposals to address recruitment problems faced by members. In 2020 the initiative had focussed on the annual conference which included a helpful presentation by Hays. The next stage was to focus on how ACES could assist new members in the public sector to the profession, and a further recruitment drive for ACES members.

Annual Conference 2021

The President reported on the latest

developments with regard to the timing and format of the Conference and a number of measures had been put in place including securing the venue, engaging with sponsors, identifying speakers, and development of the social programme. There was some debate about the continuing uncertainty and agreed that thought would be given to preparing for a number of eventualities. It was noted that planning included a virtual element in the run up to the main event and that it was planned to survey members for their views.

AGM 2021

The Secretary confirmed that the venue for the 2021 was secured in the grandiose surroundings of the City Hall, Cardiff. While not certain to take place as a live event, it was hoped this will be the case and members should remember to make arrangements nearer the time.

ACES Award for Excellence

The Senior Vice President, Chris Rhodes, reported that he would be making the usual arrangements for the Award this year in due course.

The President noted that the President's Award will run alongside this and will report further.

Asset valuations for local authorities

The Secretary reported on the increasing calls for assistance and guidance from members on asset valuation matters arising out of the uncertainties in the current circumstances. The need for a national drive was noted, followed by structured dissemination to branches.

Chris Brain, in his role as Liaison Officer for Valuation, pointed to a number of key factors that needed addressing, including such matters as dealing with material uncertainty in valuations and Red Book advice on property inspections.

It was agreed that there was a need to get guidance out to members soon and that it was essential that all ACES members received the same information and advice. In this regard, it was considered that a national webinar should be established with Chris Brain providing a key input and Chris also offered a 20–30-minute CPD slot at branch meetings to run alongside this.

Asset management in the public sector

Malcolm Williams reported on the very successful delivery of the first tranche of the ACES/CIPFA Diploma in Strategic Asset Management. The second iteration was commencing shortly, and plans were already in place for the third course later in the year. As well as the learning gained by delegates, the courses have resulted in financial benefits to the Association.

It was agreed that articles in journals such as MJ and EGI would be a good idea.

Thanks were given to Malcolm for his efforts with this and to the ACES members who had stepped up to deliver the course elements.

Unleashing the potential of retired members

Derek Rowell had put together 2 reports on issues principally affecting retired members of the Association.

The first report touched on the potential of retired ACES members to offer valuable skills experience and knowledge which would be much needed as we emerged into a post pandemic world. Derek set out his ideas how this might be harnessed and taken forward, and commented on the key skills possessed by retired members that could be shared throughout the Association and beyond. A number of ACES members had expressed interest in getting involved and Council was supportive of the initiative. Council members put forward their thoughts on specific areas where retired members could further support the Association and there was general appreciation that retired members were very much valued.

The second report concerned homes for older people in a post Covid world and Derek talked through an interesting and thought-provoking presentation on this subject, which would take an increasingly high priority as the population continued to age [Ed – see 2020/21 ACES' Terrier for full article by Derek]. There was scope for more strategic thinking about assets in this area and it was recognised that ACES could play a key role in re-shaping the delivery of homes for older people in a more cost effective and considerate way.

It was agreed that these initiatives would be taken forward by Derek, supported by key Council members and those that had already volunteered. In particular, a task force assembled by the President will be

set up to deal with the homes for older people challenge.

Co-ordinators and external working groups

Several Liaison Officer reports were received, and these have been published on the ACES website for the information of all members. Verbal reports were also given by officers present at the meeting. Once again, thanks went to the Liaison Officers for their efforts at this difficult time, in

producing detailed and topical reports which were appreciated by members.

Other business

Chris Rhodes advised Council that he had started to formulate ideas with regard to the location and format of the 2022 National Conference during his presidency. It was agreed that an item will be included on the next Council agenda and Chris is aiming to present a draft financial plan to the July 2021 Council.

Future meetings

ACES Council
23 April 2021
Virtual Meeting

ACES Council
16 July 2021
Birmingham (subject to restrictions)

Annual Conference
23/24 September 2021
Virtual

Annual Meeting
12 November 2021
Virtual or Cardiff

ACES MEMBERSHIP

Trevor Bishop MRICS, ACES Secretary secretary@aces.org.uk

I list below the changes in membership between 1 January and 31 March 2021.

New members approved

There were 11 new applications approved during the period:

First Name	Surname	Organisation	Branch Ref
Mark	James	Caerphilly County Borough Council	W
Angela	Graham	East Ayrshire Council	S
Josie	Palmer	Hampshire County Council	R
Elizabeth	Williams	Horsham District Council	SE
Daniel	Cook	Newport City Council	W
Chris	Hewitt	Norfolk County Council	E
Sharon	Taylor	NPS Norwich Ltd	E
Annemarie	Durkan	Office of Public Works (Republic of Ireland)	S
Michelle	Moore	Preston City Council	NW
Karen	Nickel	Wigan Council	NW
Simon	Campkin	Bournemouth, Christchurch and Poole Council	SW

Members transferred during the period.

One member transferred during the period:

First Name	Surname	Branch Ref
Amy	Rushton	E

Resignations

The following 11 members resigned during the period:

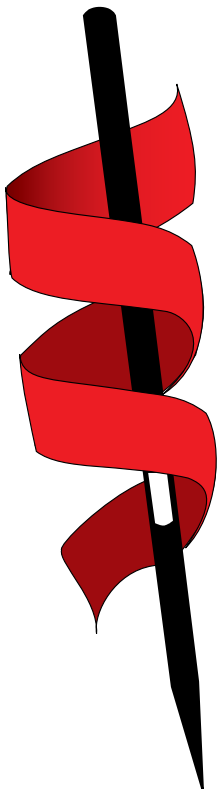
First Name	Surname	Organisation	Branch Ref
Richard	Barrett	ACES Retired Member	L
Fiona	Blick	Bridgend County Borough Council	W
Sarah	Chaudhry	London Borough of Havering	L
Simon	Moore	Mid Sussex District Council	SE
Bee	Lewis	Milton Keynes Council	HoE
Benjamin	Hanks	Newport City Council	W
Angela	Western	NPS Norwich Ltd	E
John	Wiggins	Preston City Council	NW
David	Harris	Sandwell Metropolitan Borough Council	HoE
Tim	O'Mullane	Southend-on-Sea Borough Council	E
Karen	Maddison	University of York	NE

I also must report, with great sadness, the death of retired member, Peter Scarlett [Ed – see obituary in 2020/21 Winter ACES'Terrier].

Membership

Summary of current membership at 31 March 2021:

Total Membership	
Status	Number
Full	224
Additional	61
Honorary	33
Associate	25
Retired	42
Total	385



'Why not use the ACES website for free* advertising of your job vacancies?

The ACES website Job Vacancies page (open to all) caters for member and non-member organisations advertising for public sector property posts.

The page gives a summary of the available post with the details of location, salary and closing date and provides a link to the organisation's own website for further details and application form etc.

The Job Vacancies page is currently available to ACES member organisations to advertise opportunities **at no cost.**

You gain direct access to likely candidates already working in the public sector property arena with the expertise and experience that you are looking for.

The new and improved ACES website enables advertisers to enter their vacancy details direct online and include their logo, website links and required details (subject to approval by ACES Secretary).

*The cost per advert for non-members is currently £100.00 for a maximum of 4 weeks' exposure on the ACES website; this is still excellent value!!

Contact the ACES Secretary, Trevor Bishop MRICS, at secretary@aces.org.uk for further information.



Chris has over 37 years' experience in the parks industry and is currently Rugby Borough Council's Parks and Grounds Manager. He has also been a Green Flag Award judge from the start of the awards and over the past 25 years of volunteering, has had the opportunity to judge many 100s of parks both around the UK and beyond. He has undertaken a number of international judging tours including Spain, the Middle East, Mexico and America. For his service to the Green Flag Awards and public parks he was awarded an MBE in the Queens 90th Birthday honours in 2016. In March 2020, he was made a fellow of the Landscape Institute, and is a founder member of the Parks Management Association.

THE VALUE OF PARKS Parks to the rescue

Chris Worman MBE chris.worman@rugby.gov.uk

Chris draws our attention to the critical need for parks: "we need to stop referring to parks as a non-statutory service. These very words imply it's not important, when in reality our parks and green spaces are an essential part of all of communities so should be treated as such."

The benefit of parks

The value of parks to all our communities was well demonstrated during 2020. With green spaces being the only public space to remain open resulted in an unprecedented demand. Anecdotal evidence suggests that park use more than doubled during the year. This is a trend that is likely to continue for many years to come as more people have recognised the value of exercising outdoors and locally.

The benefits of parks were already widely known before the pandemic, but the role they have played, and continue to play, have pushed parks to the forefront of the public's

mind, as parks have come to our rescue. The vital role they have played in supporting the nation's mental health cannot be overestimated. They have helped to enhance quality of life during a challenging period in our history. They have provided emotional wellbeing, reduced depression, anxiety, and fatigue, reduced stress, and improved our resilience. They have reduced rates of hyperactivity and inattention to keep us physically fit.

Parks in crisis

However, parks themselves have been in crisis for many years and while many people





have rediscovered these green spaces, they have found them neglected, untidy, and with few facilities left, such as drinking water and toilets.

As we see lockdown restrictions coming to an end, we need to consider what investments will be needed to make the 'New normal' work in our parks, particularly given that C-19 will be with us in some form for the foreseeable future.

The increased demand comes with implications for the very infrastructure of our parks. Warm dry days are bringing a large increase in visitors, volumes of litter and problems with car parking. The impact of increasingly wet winters has led to extensive damage to the footpath networks and grass areas, some of which will take many months, even years, to repair. The loss of toilets over the years has seen a rise in defecating in our parks. These issues will all repeat until such a time that correct long-term investment is addressed. Already our communities are demanding that facilities are replaced and improved at a time when the financial pressures within local government are themselves at breaking point. Yet with millions of pounds of emergency funding being allocated to heritage, the arts and sports, to date, parks once again have been overlooked. The silence from the government is deafening and disappointing as Rishi Sunak was once our Parks Minister.

Access to quality green space is not equal and this is most evident in our most disadvantaged communities across the UK. Where only 8% of white British residents have no access to a garden, this raises to nearly 25% across the BME population. This

makes outdoor green spaces even more vital to address both health and access inequality. We also need to recognise that poor quality green spaces benefit no-one, and society loses out on the collective benefits good quality, well managed green spaces can bring.

As we start to move into the recovery phase from one global crisis, we move ever closer to the next one. Which of course is climate change. Once again, our parks and green spaces will be at the forefront of the practical response to help mitigate things such as high levels of rainfall, providing shade in the intense heat, encouraging local biodiversity, and improving air quality.

So where is our national vision?

We owe it to the tens of thousands of people that have sadly died, and the many thousands more in the NHS and key services that have pulled us through this, to bring a legacy of change and improvement to our nation's green spaces. A legacy where we value things that matter, that provide a sense of community and place, and where the wider public benefit is acknowledged, and not on how much it costs to cut the grass.

Equally, we need to stop referring to parks as a non-statutory service. These very words imply it's not important, when in reality our parks and green spaces are an essential part of all our communities so should be treated as such. I would go as far as to say they are essential infrastructure and should receive the same priority as our roads and railways.

All Party Parliamentary Group

All is not yet lost. In September 2020 a new All Party Parliamentary Group (APPG) was established to address the most urgent issues affecting our parks and green spaces including, but not limited to: funding, skills, inequality of access and provision, climate change, biodiversity, and the impact they have on the nation's health and wellbeing. The big difference between this and the Parks Action Group (which the government has not convened for over 18 months) [Ed – Chris is a member of PAG and wrote about this in 2018 Spring Terrier] is that this is a cross-party group of MPs who are keen to push this agenda further. The Chair is Lilian Greenwood, MP for South Nottingham.

Moreover the group will be celebrating and advocating the benefits of parks and green spaces by providing a voice within parliament for the sector. The national environment charity Keep Britain Tidy, which manages the Green Flag Award, which is the international standard for parks and green spaces, is providing the secretariat for the APPG. It's also important to note that the APPG crosses over party politics and aligns with aspirations that are hard not to agree with. To quote a recent interview with a member of the public on the BBC Politics East Midlands programme: "I can only see the benefits of investing in parks".

We are therefore not only at a critical moment for our nation's parks and green spaces. But we are at a critical moment in how we will respond to a public health crisis. Let's not forget history, as it was in response to a public health crisis that parks were originally created.

Will we fulfil a vision whereby our parks and green spaces are part of integrated thinking around sustainable inclusive communities, providing equal access to quality parks and green spaces in every neighbourhood, delivering on health and wellbeing, biodiversity, climate change and community cohesion.

Or will this be the end of our parks as we manage decline until ultimately, they close and are lost forever. The choices are that stark, and that real; I for one will not be resting until they get the true recognition they deserve.



Helen is Chief Executive of green space charity Fields in Trust – a UK-wide charity established 95 years ago to champion and support our parks and green spaces by protecting them for people to enjoy in perpetuity. Helen is an experienced and knowledgeable commentator on issues related to parks, playing fields and recreational spaces. She has recently overseen a pioneering partnership with Liverpool City Council legally to protect 100 parks and green spaces – over 1,000 hectares – with Fields in Trust.

FIELDS IN TRUST

Protecting green spaces for good

Helen Griffiths info@fieldsintrust.org

Fields in Trust is a charity protecting some of our green spaces. “The issue of green space provision needs to be considered in parallel with how we future proof these assets as part of a “whole place” approach to healthy, liveable, local neighbourhoods.” This is illustrated in the case study of the project in Liverpool.

Throughout the coronavirus pandemic we have realised just how vital our local parks and green spaces have been for our communities. Their proven contribution to our physical health and mental wellbeing have long been recognised. We are all aware that decent quality green infrastructure is linked to the wider determinants of health and inequality, which plays a key role in delivering public health, environment, and social policy goals. However, it became clear over the last 12 months that access to these precious spaces is not equally distributed and there is now a new-found understanding of how important it is to have accessible green space close to home. These are valuable places; places where we can all move, breathe, run and play.

Green Space Index

At Fields in Trust, we have been examining for some time the provision and distribution of green spaces. Over the last 2 years our Green Space Index (GSI) has analysed Great Britain's parks and green spaces and presented detailed online maps identifying national, regional and local variances in green space provision, and considering the protection of green spaces in a more strategic way.

Our analysis shows that there is around 215,000 hectares of publicly accessible green space across Great Britain, which is less than 3 sq m per person. But, of course, it is not shared equally. We have determined that there are almost 2.7m people who

currently live further than a 10-minute walk from their nearest park or green space. Our findings also show that only 6% of our current park and green space provision is legally protected with Fields in Trust. This legal protection – in perpetuity – ensures that they cannot be developed for other purposes and will always be available for future generations for play, for sport and the enjoyment of nature.

The 2020 Green Space Index helped us to forecast what the picture might look like for parks and green spaces in the future, and how the loss of these places might impact on the health and wellbeing of our communities and the neighbourhoods that lack equitable provision. For example, by 2025, we expect that simply as the UK population grows, the number of people who live more than a 10-minute walk from their nearest park or green space will have increased by about 6.5%. This assumes that current provision of green space remains static, which we know is not always the case. The issue of green space provision needs to be considered in parallel with how we future proof these assets as part of a “whole place” approach to healthy, liveable, local neighbourhoods.

Levelling-up

Inequity has been a recurring theme in recent years, so further data analysis aligned with our measure of provision in the GSI has informed our approach to “levelling-up” inequity through focusing



215k
hectares

of total green space
provision in Great Britain



2.69m
people

in Great Britain not living within a
ten-minute walk of a green space



32.94
square metres

of green space provision
per person in Great Britain



12.7k
hectares

of legally protected green
space provision in Great Britain

our work in strategic locations. We have identified locations where a combination of poor green space provision and other factors such as lower socio-economic status, and poor health indicators, identify the areas where ensuring green spaces protection will have the most impact for the local communities.

Protecting Liverpool's parks portfolio

A positive example where applying the GSI and data analysis has prioritised the provision and protection of green infrastructure can be seen in Liverpool City Council's pioneering decision legally to protect all its parks and green spaces - a total of 100 sites comprising over 1,000 hectares. In the first year we will protect 20 parks and the full programme will be completed in 3 years.

Our assessment shows Liverpool's green space provision is below the national average. In addition, 1 in 6 people in Liverpool do not have access to private gardens, compared to 1 in 8 nationally. Therefore access to public parks is crucial to ensure their multiple health and wellbeing benefits are delivered for the residents of the city. With the population of Liverpool set to increase by 10.3% over the next 20 years, any future loss of parks and green spaces would disproportionately impact the most disadvantaged and underrepresented communities, who would be missing out on these benefits, as well as opportunities to get out into nature, have a kickabout, and connect with their neighbours.

The work that we did in Liverpool was to identify, in the first instance, where there was the most significant strategic need for green space – determining which communities stood to benefit the most from having guaranteed access to local parks. Our strategic review of the city's green space looked at access by ward and analysed existing accessible space against benchmark standards, combined with a range of other demographic and socio-economic indicators, to identify robustly specific areas of acute strategic need. Using this approach, the green spaces with the greatest potential to improve physical and mental wellbeing in the community were identified for protection. This modelling resulted in a first phase protection of 20 parks and green spaces, 10 of which are small local green spaces in areas of strategic need, and 10 are the major city centre parks.

TO THE
PARK
10 min

**2.7m of us do not
have a park or
green space within
a ten-minute walk
of home.**

This approach will result in 20% of the anticipated total number of spaces becoming legally protected within the first year – but will ensure 60% of residents in the city are no more than a 10-minute walk from a protected green space.

Revaluing parks and green spaces

Liverpool City Council's decision to protect its whole portfolio of parks and green space

is based, not on the cost to maintain, but on the evidence of the health, wellbeing and community benefits they deliver. Ensuring everyone in the city has access to free, local outdoor spaces for sport, play and recreation, forever, delivers invaluable advantages, as demonstrated so clearly during the Coronavirus pandemic, where they have become such a central and important part of our lives.

But the benefits are not just health related. Green spaces enhance our neighbourhoods, can help mitigate climate change, provide locations for education, and they frequently become the stage for community festivals and cultural celebrations.

Parks have been a vital resource during the coronavirus pandemic and will continue to be an important part of our recovery. As we consider the ways in which we might "Build Back Better" for everyone in our cities, towns and villages, local parks and green spaces have much to contribute to community health and wellbeing – whether for active travel, as a component of a 20-minute neighbourhood, or simply for the placemaking contribution to complete communities.

It is important to manage these precious community assets to maximise their contribution across the whole policy agenda. Parks are the most universal of our public services, used by all, from pre-school children, through park runners and dog walkers, to retired adults....parks are used at every stage of life. They have been vital resources for everyone over the last year. Sadly, their distribution is not equitable, and they continue to be threatened with imminent loss to development. Fields in Trust is working to encourage our local authorities, our councillors and our MPs to protect green spaces for good, to ensure we will always be able to enjoy the health, wellbeing, community and environmental benefits they provide. Because once lost, a green space is lost forever.

Further case study resources can be found online – including a map of the first phase of protected green spaces at www.fieldsintrust.org/liverpool! This dedicated landing page will grow into a report on the Liverpool programme as it develops over the next 3 years.



ACES

NATIONAL PRESIDENTIAL CONFERENCE 2021

Soundings have been taken, from sponsors, members, and key partners around the 2021 ACES presidential conference to understand whether we should hold a physical and a virtual conference in 2021.

After very careful consideration, ACES will now focus on holding the 2021 Conference as a virtual conference only and make this the best possible event for ACES members. Planning is well underway, and we have secured a number of topical subjects, key speakers and sponsorship.

The format will reflect the lessons learnt at the 2020 Conference and build on these. The virtual sessions will be delegate friendly in duration and timing. All sessions will be free to the public sector but ACES Members can pre-register and would have priority booking. We will maintain our track record of bringing forward topical and essential subject matter presented by excellent speakers and aimed towards both experienced and new practitioners.

We are aiming for the Conference to take place around the end of September but keep an eye on e-briefs and the website for confirmation of dates and times.



Tom is Consultancy Coordinator at Shared Assets - a 'Think-and-Do-Tank' that supports the management of land for the common good. Shared Assets believes that with land we can create opportunities for people to address a wide range of social, environmental, and economic issues.

Tom has a background in supporting community ventures, private businesses and public bodies to grow and improve their work on land, particularly within new and alternative food and farming systems. He is also a Director of a veg box scheme in Oxford and a Director of Oxford Social Enterprise Partnership which provides capacity building support to social enterprises in the Oxfordshire region.

SHARED ASSETS

Park side of the moon

Tom Carman tom@sharedassets.org.uk

Tom here illustrates the value of parks, especially when the voluntary, community and social enterprise sector is involved, as in the partnership project between Shared Assets and Islington and Camden LBCs. He sees scope for further collaboration with parks managers, to improve access for all.

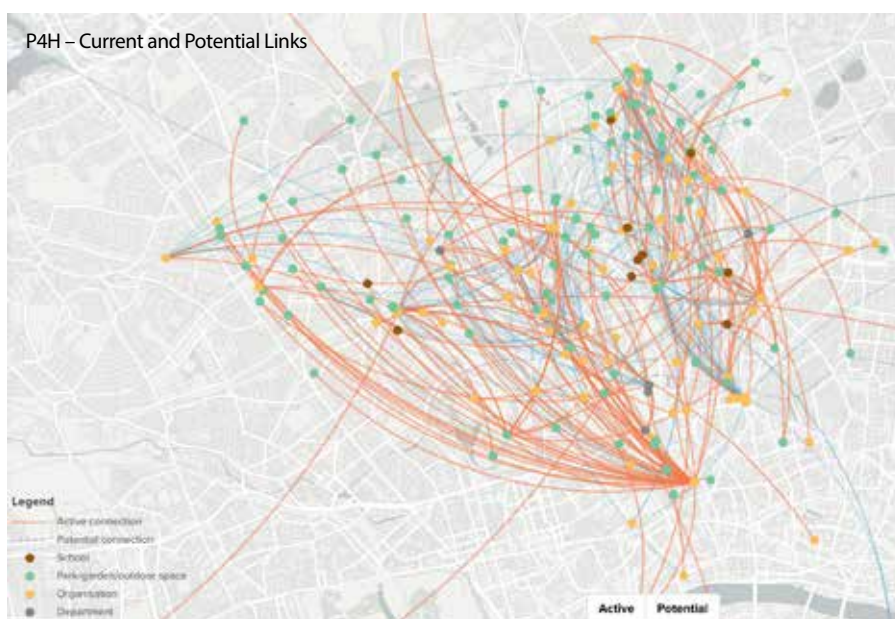
Parks have been giving many of us a place to escape our screens, desks and houses, and the increased use and enjoyment of parks is expected to continue long into the future. With more adventurous minds and bodies in parks, it's natural and exciting that people, communities and organisations start to explore the 'park side of the moon' – the unexplored areas and potential uses of local parks that can bring people together, improve our health or give respite and relaxation at the end of the day.

As owners, maintainers and users of the UK's estate of public parks, local authorities have an important role in fostering and nurturing the growth in interest in park use - by creating a supportive and collaborative

environment for people to explore ideas, and by building confidence in 'permission' for people to use parks in new ways.

Future Parks - Parks for Health

There are some fairly stereotypical stories of how parks are currently used and there is nothing wrong with the playground, sport, socialising, family time, fresh air and community uses that we are all familiar with in parks. But as Shared Assets (www.sharedassets.org.uk) has explored in blogs such as 'Why Parks Matter to Racial Justice' (<https://sharedassets.org.uk/uncategorized/why-parks-matter-to-racial-justice/>), not



everybody has good access to parks or the potential benefits they bring. This is part of Shared Assets' interest in the [Future Parks Accelerator](https://www.futureparks.org.uk) (<https://www.futureparks.org.uk>) programme – a group of 9 projects across the UK that are finding new ways to manage and fund parks and open spaces across entire towns and cities.

Parks in the future can be a force for good beyond their traditional uses, which is why Shared Assets is particularly pleased to have been working with the Islington and Camden *Parks for Health* (<https://www.futureparks.org.uk/camden-islington>) project. The councils here are focusing on how parks and green spaces could be used to improve health and wellbeing, and plan to do this by developing closer links to the NHS, health providers, doctors and health charities.

As part of this project, Shared Assets has supported the 'Parks for Health' team to research and map current and potential connections between parks and those in the Voluntary, Community and Social Enterprise (VCSE) sector (see P4H map on page 13). As well as mapping connections, this research has some powerful further uses. It will be used to create and deliver a programme of capacity building measures (training, masterclasses and workshops) to take forward more of the promising activities and ideas that research respondents, particularly VCSE groups, want to carry out in parks. The research has also uncovered some useful principles and lessons for parks managers, officers and users that can be used to nurture ideas and create a supportive environment.

Foundations

Getting the foundations right is really important - there are some basic actions parks managers can take, or simple concepts that parks managers can become familiar with, to set new activity in parks in a useful direction.

Broad concept of health and wellbeing

There is a wide interpretation of what health and wellbeing means. This covers physical activity such as walking groups or sports clubs. It can also refer to supportive mental health activities such as horticultural therapy. Similarly, simply socialising with friends and family is seen as a way to maintain healthy community and peer

connections. Health and wellbeing can also cover the health of the natural environment, with dedicated conservation efforts in parks contributing to the absence of illness from improved air quality.

Given the variety of potential health uses of parks, there are an equally wide range of 'ways of working' or working styles that VCSE groups present - and having an open mind to listening, shared learning and empowerment approaches is critical across councils, VCSE groups and participants.

Broad concept of parks

Traditional public parks with facilities, cafes and play areas are commonly thought of as parks. But consideration does need to be given to other green or open spaces that, while they may not be parks team managed, do have a connection with local authorities and communities nearby. Grass verges outside high street shops and cafes can be considered parks. Similarly, the quads or green spaces that are part of housing estates are play areas for residents, and have high potential for running activities that improve all the health and wellbeing outcomes mentioned previously. Parks managers need to be prepared and assisted to work beyond traditional concepts of parks, and have huge enabling power to apply their vast park management skills to other green spaces.

Working beyond parks is vital to working with non-park users. Estates and people living in communities with a strong identity also have a very strong sense of 'place', and it can be difficult to bring communities from their comfortable places to unfamiliar ones. Bringing skills from park management to

estates and other green spaces can be a shared learning experience, and encourage non-park users to start to explore green spaces beyond their usual comfort zones.

Get the basics right

It's clear that basic facilities such as benches, loos and cafes make all the difference in thriving park use. Under-resourced parks are open to neglect and abuse, and the counter is true too - a cafe where people can stop for a coffee when unexpectedly bumping into an old friend; seek shelter from torrential rain during a football match; or relieve themselves when caught short (!) gives people confidence to use parks over ones that don't have those facilities. Parks managers who know their assets well and want to encourage non-park users to use their parks should consider if parks near to underserved communities have the basic facilities for communities to use parks in confidence, and what they will do to resolve any under provision.

Building blocks

Getting the foundations is important, but there are also lessons and principles that parks' managers can use that can be built on, to make sure new activities can thrive in the long term.

Permission and confidence building

A quick anecdote here - I once asked a friend if I needed permission from someone to practice some open water swimming in the Thames (the Oxford end). Their

Three women jogging in park
Photo courtesy of Islington London Borough Council



Bloomsbury Square, photo courtesy of Islington London Borough Council



response was “if you don’t ask permission, you can do whatever you want!”. As much as I like the sentiment, doing whatever you want isn’t the lesson here (and isn’t something that should always be encouraged) - the lesson is in the nature of the relationship and culture surrounding people and land - one of confidence and needing permission.

Arguably, this is something that needs to change, but currently the power dynamic that comes from ‘ownership’ (of any asset, not just parks) needs to be recognised, with local authority parks managers viewed as ‘owners’ or permission-givers. Many potential parks users are unsure who to ask permission of, if they will be granted it, or how to go about asking permission. When parks managers are explicit and visible, showing that they can and want to be approached to discuss using parks in different ways, it fosters more meaningful relationships; when ideas are worked on together, it can bring enjoyment and fun to collaborations.

Wealth of activity and relationships to build on

There are plenty of established partnerships and collaborations taking place in parks, which speaks to the great power and agency that VCSE groups have in delivering meaningful health outcomes. Sometimes those collaborations won’t be known by parks managers, but that’s OK - being

content with positive unknown activity is an important milestone in the journey of parks managers and users. Creating the environment in which those relationships can take place is an important role that parks managers can focus on.

Particularly worth mentioning are parks ‘Friends Of’ groups, who are seen as allies of parks and often foster relationships and connections across local VCSE groups, beyond those that parks managers can do alone. ‘Friends Of’ groups do suffer from diversity and inclusivity challenges - the role parks managers can play is to work with ‘Friends Of’ groups to connect potential new park users (particularly non-park users) to ‘Friends Of’ groups, so that new users can make use of the impressive infrastructure of these groups - this particularly helps with building a sense of place.

Sustainability and longevity

There are also some solid requirements for long-term success and sustainability in health projects in parks. For example, fewer finite projects with hard measures, cut-offs and exclusions allow for creativity and growth of networks.

Similarly, what is important is ensuring that exit strategies are realistic but sensitive. Having a range of exit strategies available to use is helpful; a change of ownership of an activity from one person to another is an exit; or continuation of

funding or in-kind officer support is also an equally valid ‘exit’ strategy.

Equity and equality for low capacity groups is essential - there are several low capacity VCSE groups wanting to use parks, but these are the groups that need and also deserve the most support. Putting more time and resources into helping lower capacity groups to navigate park systems and processes, or reducing or removing those barriers for lower capacity groups, can lead to better health outcomes in the long run.

A new model for park development

The research from the Parks for Health project has both uncovered new, and reinforced existing, principles that parks managers can use to nurture the rise in interest in park use. What might be equally important are the next steps of this work.

Shared Assets will be using this research as part of a wider experimental approach to growing capacity in parks. The approach uses the research to then work with a team of parks officers and VCSE representatives, to co-design a programme of capacity building activity that will help take forward the more promising activities and ideas identified in the research. This collaborative approach is fun and exciting, and one we see as a front runner in the range of ways that parks can be managed in the future.



Christine is an experienced real estate lawyer, a partner at Mills & Reeve and a specialist in estate management strategies for residential developments.

Euan is a chartered surveyor with over 30 years' experience in economic development and regeneration. He has been Chief Executive of the Land Trust since its launch in 2004.

Euan started his career working for Glasgow District Council on the Glasgow Eastern Area Renewal project, and after a long spell in the private sector, joined Scottish Enterprise as Head of Property in 1992. Subsequently he became English Partnerships (now Homes England) Director with responsibility for the National Coalfields Programme, (responsible for the restoration of over 100 coalfields across England) and the development of new joint ventures, one of which became the Land Trust.

The Land Trust, which he has led since its inception, provides cost effective and sustainable management solutions for public open space and green infrastructure. Euan is a strong advocate for long-term investment in public open spaces and over the last 16 years, has driven the Land Trust in building its robust model for successfully managing public open space in a sustainable way. <https://thelandtrust.org.uk/>

THE LAND TRUST

Management of green spaces

Christine de Ferrars Green Christine.deFerrarsGreen@Mills-Reeve.com and Euan Hall

Christine sets out the challenges of maintaining green spaces. She is here in conversation with Euan Hall, Chief Executive of the Land Trust, on the management of green spaces for communities.

Considerations in maintaining green spaces

The health and wellbeing aspects of the availability and use of green spaces has come to prominence in the past year. They have, of course, been an integral part of the planning of our cities, towns and villages for many years, while the emphasis on good quality open spaces in our new communities has been a focus for planning authorities for some time in consenting new developments.

In the past, these spaces were adopted by local authorities, town and parish councils, taken into public ownership, and the upkeep funded from the public purse. While that model persists, more often than not local authorities are now moving away from seeking adoption and instead looking for community-led solutions for the long-term stewardship of these open spaces.

While residents' owned management organisations, community trusts and, more recently, community interest companies, are often chosen to be the owner and guardian of green spaces and shared facilities in new developments, they may not always be the best solution.

There are considerable responsibilities to be mindful of in taking on extensive open spaces, particularly if they serve the dual or multi-function of recreation land, sustainable urban drainage schemes, wildlife reserves, or just general amenity land. Securing the funding, managing and maintaining the physical features, and ensuring a high quality long-term

maintenance regime will not always be best vested in the residents themselves, although it is fundamentally important that those who benefit from the open spaces have a say in how they are looked after.

Increasingly, we are seeing local planning authorities taking a more interventionist approach in s106 agreements, imposing planning obligations that require the long-term management organisation to be approved by the council, and to establish an in-perpetuity income stream and managed endowment as well as full community engagement.

In conversation

The Land Trust, a national land management charity specialising in open space management, has a focus on just these issues. Its Chief Executive, Euan Hall explained more about the Trust's activities, and their focus on working with local authorities and other public sector organisations. My thanks to Euan for his time in talking with me.

First, can you tell me about what the Land Trust does and its charitable objectives.

The Land Trust is a national land management charity with responsibility for maintaining over 80 parks and green spaces across England.

We have 5 key charitable objectives that shape everything we do. These are: health and wellbeing; environment



and biodiversity; community and social cohesion; education and learning; and economic prosperity.

We are committed to the long-term sustainable management of open space for community benefit and our vision is to improve the quality of people's lives by creating high quality, sustainable green spaces that deliver environmental, social and economic benefits.

Delivering economic and social value is an increasingly important part of what we do and in 2019-20 our social value model, showed that our management of our green spaces created over £20m of economic and social value for the communities who live and work around our sites.

So, what sort of green spaces does the Trust manage?

The Trust manages a wide variety of green spaces, from public parks and nature reserves, to green space within residential property developments.

They all present different challenges and opportunities, and our team of estates managers and officers work closely with our managing partners and volunteer workforce, to deliver a range of activities and opportunities for our communities, while also ensuring that the biodiversity and wildlife that call our sites home are also able to thrive.

How do you work with local authorities and public sector organisations?

The Trust was initially launched by English Partnerships (now Homes England) in 2004

to provide secure sustainable long-term management of public open space across England. Since becoming an independent charity in 2010, we have continued to work closely with Homes England, taking ownership of surplus public open space funded by endowments, relieving the tax payer of the long-term financial burden and ensuring that the green infrastructure is maintained for public benefit.

At Halsnead garden village, we are working closely with Knowsley Borough Council to ensure that its vision for the village is delivered through the provision and sustainable management of green and blue infrastructure. We are working with each residential developer to ensure that the green/blue infrastructure is managed as 'one', as it transfers to our control as each phase completes.

We have also worked with Teignbridge District Council to design 2 new SANGs –

suitable alternative natural green space - to support new residential development in the district. These sites will transfer to the Trust, with endowments to secure the future management. Teignbridge Council's green space team will most likely be appointed by the Land Trust to manage these.

What's been happening in the past year?

The past year has probably been one of the most important in the Trust's history. Although many of our activities have understandably been affected by the C-19 pandemic, our sites have played an incredibly important role in protecting the mental and physical wellbeing of the communities who live and work around our sites.

Unlike many organisations, we went to great effort to keep as many of our sites open as possible for our communities to use throughout the periods of lockdown and restrictions to our lives. We know that this has been hugely appreciated by the users of our sites.

We conducted a survey in the early months of 2021, to understand how people have used our sites during the preceding 12 months and the positive impact it has had on them. Over 300 people responded to the survey, with 90% of participants saying that the use of our green spaces had a positive effect on their physical and mental health throughout the pandemic, while there was also a 20% rise in the number of people using our green spaces every single day.

And finally, what opportunities do you see in the future?

I think the C-19 pandemic has really reinforced the important role that well



Euan Hall and Andrew Carrington, Managing Director, Housebuilding (Strategic) Countryside Properties, Beaulieu green spaces, Chelmsford

managed green spaces can play within communities and wider society.

Working with others, we need to ensure that government recognises and reinforces this through guidance such as the Model Design guide – currently out for consultation – and the NPPF.

We were involved with the Building Better Building Beautiful commission as part of the stewardship group. Unfortunately, the work of that group hasn't yet percolated through to the draft Model Design guide.

We have developed a niche in the SANG's market around the Thames Basin Heath special protection area and can only see this role growing as pressure continues to provide more houses in the area.

We are also active in the nascent biodiversity net gain market, looking at how we can use our existing sites and new sites to help developers and local authorities ensure net gain.

Importantly, our endowment investment model gives substantial assurance around the long-term protection of both SANGs

Beaulieu



and biodiversity net gain payments. That isn't something that every organisation can offer. If we want to make a change, we must think long term – which we do in calculating endowments.

We also recognise that the ESG

agenda (that is environmental, social and governance) is rapidly growing in importance with investors, and that well-managed green and blue infrastructure within developments can contribute to improving the ESG bottom line.



Jim is the Lead on health and wellbeing at the New Forest National Park Authority.

NATURE HEALTH NETWORK

A growing network to promote health in nature

Jim Mitchell Jim.Mitchell@newforestnpa.gov.uk

Jim describes another initiative where public sector agencies are coming together to improve health through nature, in this case involving national parks.

How often do you think about nature in your job? Do you factor in how you can help wildlife and encourage nature, in order to help increase health and wellbeing? The benefits of nature for our mental and physical health have never been clearer since the start of the C-19 pandemic. Now a diverse group of practitioners, policy makers and communities are coming together and recognising the benefits of connection to

nature – both to ourselves and to nature itself. Read on to find out about the work of the 'nature health network'.

The evidence of being in nature and the outdoors has been growing over decades. In the past few years, it's become increasingly evident that it is our connection to nature that really matters for our society. This is because it brings benefits for both humans and nature; it is a factor

in improved mental wellbeing, increased pro-environmental behaviours, and pro-nature conservation behaviours, to name just a few. Researchers at the University of Derby (www.derby.ac.uk/research/centres-groups/nature-connectedness-research-group/) have developed 5 'Pathways for nature connection' which set out how best to nurture this 'nature connectedness'. Our challenge is to design programmes, spaces and places to encourage these pathways, engaging with people's senses, emotion, meaning, beauty, and compassion.

Nature Health Network

The Nature Health Network was formed in the summer of 2020 by Bournemouth University, Public Health England and the New Forest National Park (on behalf of a group of southern National Park Authorities). Since then, the network has grown to over 250 members, and holds a monthly knowledge-share webinar, to explore practice and to make connections between those working in the health, environment and education sectors. Members are drawn from the NHS, countryside organisations, communities, academia and much more.

The network provides:

- **a platform** for practitioners, academics and advocates of nature based health solutions to showcase approaches to local, regional and national policy makers, decision takers and funders
- **a shared space** for collaboration, knowledge-sharing and learning; and
- **a seed bed** for innovation in nature-based learning and health solutions at the community level, testing approaches and evaluating success.

In March 2021 the network presented to the All Party Parliamentary Group on national parks, as part of a session on how protected areas can become better 'healing landscapes', following the effects on society of the global pandemic.

Although only running since last August, the network has grown quickly and is a voice for a wide range of speakers. Each month new members get a chance to introduce themselves and their interests, and hear and debate with guest speakers. Speakers have included Dr William Bird of Intelligent Health, Clare Olver from the Mersey Forest Natural Health Service, Dr Ryan Lumbar from the University of Derby, and Eva Sandberg from the Swedish Centre for Nature Interpretation.

Examples of activity generated through the network include:

- Barts healthcare NHS trust, introduction to nature training for medical students
- Planet Doctors, supporting/promoting communities to grow their own
- Good Life, supporting the set-up of telephone nature friendship group for older isolated people
- Supporting the development of Green Social Prescribing for Community Covid Recovery.

Layne Hamerston, Partnerships Manager at Bournemouth University, has been central to getting the network off the ground. Layne thinks the success of the network is down to the diversity of its membership, from GPs to rangers; from countryside managers to clinical commissioning groups; from freelancers to social prescribers. 'It works precisely because of it reflecting both delivery and strategy,' says Layne, 'people

leave with new knowledge and ideas every time, the feedback we have had has been very positive.'

Joining the network is easy - its open to anyone with an interest in making nature connections happen. A new website will soon be launched, and international collaboration is also planned for the autumn.

For more information on this initiative see www.bournemouth.ac.uk/nature-health-network

ACES Terrier is published quarterly by ACES. The inclusion of any individual article in the Terrier should not be taken as any indication that ACES approves of or agrees with the contents of the article.



ACES

The Terrier

ACES Secretary: Trevor Bishop MRICS

07853 262255 - 01257 793009 - secretary@aces.org.uk

ACES Editor: Betty Albon editor@aces.org.uk



Andy has been with the Centre for Mental Health since 2002. Previously working for the King's Fund, he began as Director of Communications, becoming Deputy Chief Executive in 2009. He is a member of the Mental Health Policy Group and was chair of the Mental Health Alliance between 2006 and 2008. Andy has carried out research on the implementation of national mental health policies and on local mental health needs assessments. He writes a regular blog on mental health policy for the Huffington Post.

CLIMATE CRISIS AND HEALTH

Flooding, the climate crisis and mental health: how councils can help build resilience in communities

Andy Bell Andy.Bell@centreformentalhealth.org.uk

Andy challenges that “The threat to our mental health is seldom acknowledged in discussions about climate change and its effects, yet the harm is already considerable”..... but that “mental health and climate resilience can be joined together to improve people’s wellbeing, reduce inequalities and boost safety.”

The climate crisis poses a threat to all of our futures and is already causing major risks to the lives and livelihoods of people and communities globally. The threat to our mental health is seldom acknowledged in discussions about climate change and its effects, yet the harm is already considerable, and likely to get worse over time without urgent and concerted action.

While this is a global crisis, it is also a local one, and for local councils, as stewards of their estates and environments, action starts at home.

Research has shown that people and communities affected by flooding experience both immediate and longer term harm to mental health as a result. Levels of depression, anxiety and post-traumatic stress disorder have been shown to be higher among people whose homes have been flooded. Risks to mental health are higher for women and for people on lower incomes, and there is some evidence that it may be higher for people from racialised communities (1)

This is a costly problem. Poor mental health not only brings prolonged distress to those affected, but it also carries a significant financial cost for individuals,

families, businesses, local councils, the NHS and national government. And that’s on top of the already high cost of flood damage itself.

The implications of the link between climate-related damage and mental health are wide-ranging. It adds further support to the case for action to reduce the risk of flooding – both in terms of national and international measures to address the climate crisis, and of local action to reduce the risk to specific areas facing the highest risks. And it is highly likely that other environmental risks – from coastal erosion to heatwaves – will have similar effects on people’s mental health.

So while action to address climate change is by necessity a global undertaking, the steps that can be taken to build climate resilience often happen within communities. And that’s also where mental health is made, creating the possibility that actions that make a locality climate resilient can also benefit mental health. From creating communal green spaces such as allotments and gardens (that boost wellbeing and community connection at the same time as reducing heat and flood risk, and enhancing biodiversity) to building

warm, well-insulated homes (which have a direct benefit to mental health, as well as reducing carbon emissions), mental health and climate resilience can be joined together to improve people's wellbeing, reduce inequalities and boost safety.

As the pandemic, the Black Lives Matter movement, and the response to the death of Sarah Everard have all made abundantly clear over the last 12 months, physical safety is fundamental to psychological safety, and our health is determined by our environment and circumstances, not by our

'character' or 'lifestyle'. Inequality kills, and it is toxic to mental as well as to physical health. So creating environments that address entrenched inequalities is likely to boost mental health very significantly.

Local councils are at the heart of action to prevent or mitigate climate change and its effects on people's lives. The built environment, green spaces and physical fabric of the places we live in are major determinants of our health. Maximising their potential to boost mental and physical health, while also combating the long-

term risks from climate change, will benefit everyone and help to build a fairer, safer and more resilient society.

Reference

1. Cruz J, White PCL, Bell A, Coventry PA. Effect of Extreme Weather Events on Mental Health: A Narrative Synthesis and Meta-Analysis for the UK. 'International Journal of Environmental Research and Public Health'. 2020; 17(22):8581. <https://doi.org/10.3390/ijerph17228581>



John is Chairman of Lockhart Garratt (www.lockhart-garratt.co.uk) one of the UK's largest independent environmental planning and forestry consultancies. He has 30 years' experience as a rural chartered surveyor, specialising in a range of areas including strategic woodland management, environmental planning and development and green infrastructure. He served as Chairman of the RICS Rural Professional Board.

John has participated in numerous government-led forums on forestry, tree health, carbon and biodiversity net gain and has presented on business opportunities around woodland creation, natural capital and green infrastructure. He currently leads on green infrastructure and environmental net gain on a number of large-scale development projects. He is also Non-Executive Director to the Forest Service Board.

RESIDENTIAL LANDSCAPE DESIGN

Has Covid been good for residential landscape design?

John A. Lockhart FRICS FBIAC CEnv john.lockhart@lgluk.com

John argues that things need to change – access to green space needs to be at the heart of new housing designs, using a landscape-led approach. To assist, the Building with Nature benchmark has been set up as the UK's first green infrastructure standard, making it easier to deliver ecosystem services for people and wildlife.

2020 may be behind us, but the new year saw a new lockdown, and while we now have a roadmap out of the current situation, life still seems far from back to normal. It was a year of many challenges, and just 12 months ago, very few of us could have predicted how dramatically our lives would change as a result of C-19.

New ways of working

One of the most significant changes has been the shift to home working and the dynamic of working patterns evolving to meet the challenges that we face. Many people now see home working as the new normal, replacing the traditional 9 to 5 and commute with a more balanced, fluid approach to both life and work. For some, this has meant a better work-life balance.

However, for many others, the challenge of home working has been more difficult.

For those without the space to facilitate home working, it's meant that their homes, which prior to the pandemic, served a single purpose, now have to fulfil multiple roles. Many lack the space to separate work and home life, meaning the traditional boundaries between the two have become increasingly blurred.

A new appreciation of our outdoor spaces

These internal changes have also had an external impact. The outdoors has become an essential escape for many, whether that be private gardens, public open spaces, or the wider countryside. The increased focus and enjoyment of nature and the great outdoors is seen as one of the few positives to arise from the pandemic, creating an appreciation of natural assets such as fresh air, green spaces, and exercise that was

Penny Wakefield Woodland Park, Bardon 1 site, Ellistown, Leicestershire, courtesy Lockhart Garratt



previously taken for granted.

However, the experience for those without a private outdoor space, or in urban locations where access to green space is reduced, is a very different one. The pandemic also highlights crucial social needs. As a species that thrives on physical and emotional connections to friends and family, the reality of lockdown and restrictions on movement emphasises the loss of these important social interactions.

Therefore, it's unsurprising that the hardship of lockdown has been accompanied by a resurgence in a traditional sense of community. While I would argue that this has always been present, the need for community

attachment and the desire to help and assist friends, family, neighbours and local businesses has once again been brought to the fore.

Designing for change

As designers, we need to adapt to and plan for the changing requirements of a post-Covid world. The traditional model of residential master planning, which focused on density and return no longer allows for the creation of the kind of homes and spaces that people now want to inhabit.

This is evidenced by a huge upsurge in the housing market, driven in part by the government's Stamp Duty Land Tax holiday,

but also by the desire to move out of densely populated urban settings in favour of more traditional suburban and rural locations, where access to useable private gardens, public open spaces and the wider countryside is greater.

This means that landscape designers, planners and architects need to reconsider their approach to residential design, focusing on providing homes and places that allow people to incorporate the lifestyle changes that Covid triggered in 2020; and in turn to enhance society by creating homes and communities that have the capacity to accommodate change.

Putting green space at the heart of design

By creating developments where access to green space sits at the heart of the design ethos, we can create greener and more accessible places. As landscape and green infrastructure designers, we have long advocated the use of a landscape-led approach, where the provision and location of green infrastructure on site is at the heart of the design process – and in turn sets the framework for development.

One of the key challenges is how we can now take this forward and bring it into project thinking at the earliest possible point. The emerging Environment Bill 2019-20 has seen the focus on mandatory biodiversity net gain, with the requirement to demonstrate a 10% gain in biodiversity, as against the pre-development baseline position.

However, by simply focusing on biodiversity, you can miss the real target of the wider – some would say more sustainable – goal of broader environmental net gain. There are many other benefits that are critical to our natural capital and wider society that would be encompassed under a wider environmental net gain approach. For example:

- Clean air
- Clean water
- Carbon sequestration
- Flood prevention
- Soil protection
- Food/timber production
- Physical health and wellbeing
- Landscape; and
- Pollination.



This is widely recognised by many of our clients and partners, many of whom are keen to understand how they can demonstrate a commitment to go above and beyond their statutory requirements and deliver green infrastructure of truly multifunctional value.

Building with Nature

The Building with Nature standard (<https://www.buildingwithnature.org.uk/>) provides an independent assessment of a development's delivery of good green infrastructure. Formed from a collaboration between Gloucestershire Wildlife Trust and the University of the West of England; and born out of a mutual desire to have a proactive approach to nature-friendly development that is sensitive to location and context, the organisation cares about long-term maintenance and management.

The Building with Nature benchmark has been set up as the UK's first green infrastructure standard, making it easier for those charged with designing, delivering and maintaining green infrastructure to deliver ecosystem services for people and wildlife.

The assessment comprises 23 standards divided into 4 elements:

CORE – the fundamental basis of all green infrastructure designs. This set of 5 standards reviews the multi-functionality, relevance, design, resilience, and long-term management of the scheme

WELLBEING – assesses the public benefit in terms of accessibility, and the promotion of healthy living and lifestyles

WATER – assesses how the sustainable

drainage is incorporated into, and enhances, the green infrastructure network

WILDLIFE – how the design deals with nature: protection, delivery, and enhancement of habitats, consideration of relevant species, and the connectivity of surrounding habitat networks.

We are now able formally to assess and accredit projects through the standard, to provide the independent evidence base to demonstrate how projects have gone beyond the mandatory requirements for biodiversity net gain, to deliver real gains to the wider green infrastructure.

This voluntary approach provides a demonstrative and collaborative approach to planning applications, and ensures that multifunctional greenspace is delivered in a meaningful and relevant manner.

Moving forward

All of the above are now providing the tools to ensure that projects consider these factors at the outset and through this, achieve a much greater social and economic return from development.

Furthermore, while development densities may be reduced as a result of this approach, there is real value in providing homes that are not only liveable, but which meet the changed requirements of a post-Covid world.

Lockhart Garratt is a multi-disciplinary planning, forestry and environmental consultancy. The company provides a full suite of landscape architecture services for clients in both the public and private sectors. www.lockhart-garratt.co.uk



Michael is a chartered town planner and leads Public Health England's planning and health programme. He is a Visiting Fellow at the University of West of England's World Health Organisation Collaborating Centre for Healthy Urban Environments, Panel Chair for the Essex Livewell Development Accreditation and member of the Urban Land Institute's Health Leaders Network 2021.

Dr Manuj Sharma is a Public Health Registrar for PHE with experience of working at local, regional and national level on health protection and health improvement projects. He continues to undertake research at University College London and his collective portfolio of work is focused on improving health and tackling inequality.

HEALTH IMPACT ASSESSMENTS

Building in health and wellbeing: value of health impact assessments

Michael Chang MRTPI Michael.Chang@phe.gov.uk and Dr Manuj Sharma MFPH

Michael and Manuj outline the guidance, use and value of undertaking health impact assessments. They include important reference documents for members to follow up.

Introduction

Public Health England (PHE) published a guide in October 2020 as part of efforts to improve the use and coverage of health impact assessments (HIA) in planning and development processes at local levels. This guide describes the health and wellbeing outcomes that are influenced through the built and natural environments and how these outcomes can be optimised.

There is an increasing recognition that an individual's physical and mental wellbeing is dependent on the quality of the environment in which they live, work and grow, not just the quality of healthcare provision. In the 2020 Spring edition of *The Terrier*, PHE's Tim Chapman and Centre for Mental Health's Andy Bell made a strong case on how good property management can improve health and wellbeing of a community [Ed – see also Andy Bell's article in this issue of *ACES' Terrier*].

Publications from property industry bodies such as the UK Green Building Council, highlight how the commercial sector is showing greater interest in health, wellbeing and productivity of its workforce and aiming to improve this through better buildings and workplace facilities. The report by *The Urban Land Institute* identifies wellbeing as a significant investment opportunity for the property industry, arising from increasing evidence on how "healthier" buildings can help increase rental rates and building value.

Though it has taken a pandemic for this realisation to sink in, what matters now is

the action we in the built environment and development professions take to improve health, and what tools we need to achieve this. Health impact assessments is one tool available systematically to identify and assess a project against a specific set of health and wellbeing issues. The use of HIA in policy development and urban development projects and public service settings isn't new. However it is seeing a rapid resurgence, given the importance of this agenda.

What is a health impact assessment?

The World Health Organisation defines HIA as a combination of process and methods used by those planning, deciding and shaping changes to the environment, to evaluate the significance of the health effects of a plan or project. A HIA helps decision-makers in local authorities and wider stakeholders make choices about actions to best prevent ill-health, promote good health, and reduce health inequalities.

How HIAs can support good property management for improved wellbeing?

Resources include the Institute for Environmental Management and Assessment regular journal edition on [Health Impact Assessments in Planning](#) (October 2020) and the Royal Town Planning Institute's February edition [Health Outlook on HIAs](#) (February 2021).

There are particular opportunities for surveyors and property managers to utilise HIAs to help secure the best social and economic value for public assets. These include:

- Embracing HIA as a process to build improved ways of working between property and asset managers and public health professionals on shared corporate priorities around health and wellbeing
- Using HIA as a process among partners to compare and present information about potential significant health impacts of property occupants to

decision-makers and investment managers

- Improving the decision-making and investment processes to highlight the wider range of potential social, economic and environmental values to be accrued by delivering healthier buildings and infrastructure, and
- evaluating and documenting lessons to inform and improve delivery of future building redevelopments, refurbishments and new build projects.

Public Health England is an executive agency of the Department of Health and Social Care set up in 2013 with statutory responsibilities around health improvement and reducing health inequalities. Its vision for healthy places is that everyone, wherever they live, should be able to live, work and play in a place that promotes health and wellbeing; sustains the development of supportive and active communities; and helps reduce health inequalities. PHE's health improvement functions will soon move into the new [Office for Health Promotion](#) from Autumn, 2021, as announced on 29 March 2021.



Helen is Senior Transaction Manager within NHS Property Services Ltd, focussing on the disposal of surplus health assets and acquisition of new assets to support the delivery of primary and community health care. She has 23 years of public sector experience previously with The Crown Estate, Forestry Commission Scotland, and Redcar and Cleveland Borough Council. She is Secretary of the North East Branch and Junior Vice-President of ACES.

SOCIAL PRESCRIBING

The use of public sector assets for health

Helen Stubbs

Helen describes the important initiative of social prescribing, illustrating it with NHS Property Services' projects, where community facilities help with mental health issues. She stresses: "It is important that local authorities continue to utilise their assets to help improve the wellbeing of the community."

The C-19 pandemic has taken a huge toll on the mental health and wellbeing of communities across England. With the country facing unprecedented cases of mental illness, loneliness and chronic disease, and up to 10m people needing either new or additional mental health support as a result of the pandemic (1), this health crisis needs to be addressed, fast. However, if we are to tackle this and ensure that people stay healthy in the years to come, we will need to find solutions beyond just medical intervention.

What is social prescribing?

The NHS Long Term Plan includes a focus on helping people stay healthier for longer and supporting community activities that

help improve people's wellbeing - otherwise known as social prescribing. The theory behind social prescribing is that the fitter, healthier and more socially connected people are, the less likely it is that they will need to access local GPs or other health professionals. Social prescribing enables GPs, nurses and other primary care professionals to refer people to a range of local, non-clinical services to support their health and wellbeing, including activities such as gardening, cooking and art classes. This is something that members of the public want too, with a survey undertaken by NHS Property Services (NHSPS) revealing that nearly one fifth of respondents want access to additional community services such as support groups, exercise classes or nutrition programmes (2). The NHS is



Offerton Health Centre garden

therefore developing social prescribing networks across the country, and at NHSPS we are transforming sites to help facilitate these, in order to bring health and social care together to address the wider determinants of health and wellbeing. In turn, this will hopefully help reduce the pressure on NHS services and address some of the challenges that local authorities are facing.

In practice, supporting social prescribing initiatives that improve community wellbeing can be as simple as turning a small outdoor space into an allotment, allocating kitchen space to a weekly evening cooking class, or giving a charity access to unused space to run a food bank. A recent report that we conducted with The King's Fund revealed how, instead of focusing on major new projects, smaller transformations can make lasting and impactful change on communities. The report – 'Social Prescribing and NHS Facilities' – recommends creating welcoming environments for people to carry out a broader range of activities in and around their current healthcare facility. It also highlights the need to make it practically easier for communities to use local facilities, enabling us to create more vibrant social prescribing hubs, by removing bureaucratic rules which, for example, only grant access to facilities on an exceptional basis, and contractual agreements and requirements that prevent changes to facilities, however small, to be approved by a contractor.

Across the country, spaces are being



The Listening Place, North London

adapted to address local health and social needs for little to no cost. It is easier than people think, and there are many examples, including one of our sites in Scunthorpe, where the reception area is being reorganised and the café improved, creating space and a more welcoming environment simultaneously. In addition to this, in Tyne and Wear, an overgrown

plot of land next to the Houghton Primary Care Centre has been transformed into a beautiful community garden. Following the creation of the garden, we partnered with the nearby Sunderland Recovery College which now oversees the garden and runs courses there for people recovering from mental health problems. People from the local community have also started coming



The Listening Place

back to the space and are helping to maintain the garden and grow food for the community. Offerton Health Centre is used by the Learning Disability Resource Centre. Its outdoor space has been transformed into a multi-use garden, including growing beds, sensory garden, outdoor gym and outdoor meeting space. The centre is used by adults with a range of learning disabilities, and also a local dementia group uses it at weekends.

There are also bigger scale projects such as an onsite kitchen refurbishment at Axminster Community Hospital, which is now used by a local charity running cooking classes, meals on wheels and re-enablement services. At Hunter Street Medical Centre in North London, a unit has been refurbished to create 6 listening rooms for the charity: The Listening Place, which will use the space to support more people within the capital and, importantly, will allow them still to socially distance while being able to speak with people face to face. In Rotherham, a site is being fully refurbished to make the space functional for community groups.

It's not just the NHS that is seizing this opportunity. There are hundreds of examples of local authorities making

community environments more welcoming and helping residents to feel like the space is theirs. It is important that local authorities continue to utilise their assets to help improve the wellbeing of the community.

The role of local authority assets

Asset managers within public sector organisations hold the key to unlocking the therapeutic potential of social prescribing in their communities. By providing space on a flexible basis, and utilising tenancy at will or licences, rather than traditional leases, community groups will be encouraged to make use of the space. Consideration towards reducing the rent to below market value, or even to a nil basis, will help support charitable organisations to run their services from the buildings, and the potentially increased foot-flow to libraries, town halls, or leisure centres will have additional benefits that will offset a rental income.

By way of example, we hold a head lease of a community health centre, within which there is 128 sq m of shell space. Our teams worked with a local voluntary

sector organisation to develop a proposal to turn the space into a self-contained unit – with its own entrance, kitchenette and toilet facilities. The cost of the fit-out is being funded using NHSPS capital and the space will be let to a single voluntary sector organisation on a tenancy at will at nil cost. We will cover the facilities management costs of the space, so that the space is “free” for the voluntary organisation to use. The voluntary organisation will then manage the space on a daily basis, ensuring it is made available to social prescribing groups that deliver the services identified as being required in that locality. The occupation of the space is on a “sharing” basis and no landlord and tenant arrangement has been created, thus avoiding breach of the head lease provisions. The rent attributable to the space is already counted by NHSPS as an unrecoverable sum and therefore there is no change to the accounting arrangements.

Community needs

Now more than ever it is important not only to understand the needs of the community, but also to ensure that these needs are met. Local facilities like libraries or community gardens are so much more than just spaces; they are community assets that can help people feel connected with their community and improve their wellbeing. As the new financial year begins and the end of the pandemic is in sight, people will need support from their communities to recover from the aftermath of C-19. Together, we will tackle and overcome the health crisis that we are facing.

Notes

1. Nick O'Shea. Covid-19 and the nation's mental health: October 2020. Available at: <https://www.centreformentalhealth.org.uk/publications/covid-19-and-nations-mental-health-october-2020>
2. Figures from YouGov Plc. Total sample size was 2014 adults. Fieldwork was undertaken between 17-20 July 2020. The survey was carried out online. The figures have been weighted and are representative of all GB adults (aged 18+).



Steve is the Markets & Business Development Manager at Tameside MBC, operating market halls and open markets in the town centres of Ashton-under-Lyne and Hyde, and market events across the borough of Tameside in Greater Manchester. He has worked for the local authority for 23 years, and for the last 16 years working within the Markets Service. He has been able to gain an understanding of how the alignment between strategic vision and sound operational knowledge are an essential requirement for those who operate markets for their organisations.

TRADITIONAL MARKET TRANSFORMATION

Ashton-under-Lyne is more than a market

Steve Hadfield

Steve has been able to use traditional markets as a major driver of local investment and growth. The hard work of the Markets Service culminated last year with receiving the MJ Award for Innovation in Property & Asset Management. The work featured at ACES' On-line Conference in 2020.

Context

The decline of the traditional town centre has been a cause for considerable concern for some time. Slower consumer spending, the rise in online shopping and cuts to local authority budgets, has meant that the number of empty shops and amenities has grown.

Steve took up the job of Markets Manager

in 2018 with no illusion about the scale of the task that we faced. However, by making the best possible use of local knowledge and working hand-in-hand with traders and other partner organisations, the markets team has turned Ashton-under-Lyne Market into a major driver of local investment and growth, recognised in the MJ Award, for which the council is very proud.

In response to the unprecedented



economic pressures and financial uncertainty we have faced since 2010, Tameside Council chose to develop an ambitious strategic vision to underpin our approach to transforming our town centres, public buildings and communal spaces. Known as "Vision Tameside", it brings together a number of strands of investment and development including: rationalising the council estate; enhancing our public service offer; raising the skill levels and health outcomes of our residents; and improving our digital infrastructure. It is also the catalyst for an enriched gateway into Ashton-under-Lyne town centre, creating a new public realm and pedestrian routes to link the historic market square and our new transport interchange.

More than a market

The council understood from the beginning that markets would play a key role in the regeneration of the local area. As well as working closely with the existing stall holders and other partners to continue the successful operation of Ashton Market, our service has fed into a number of the council's wider objectives. This work includes improving the mental health and life expectancy of our residents, protecting our shared environment, and strengthening links with local partners in the private, public and voluntary sectors.

Wellbeing Corner

Tameside's healthy life expectancy continues to lag behind its neighbours in Greater Manchester: delivering a significant



improvement in this is a key goal of the council's corporate objectives. This cannot be achieved without giving our residents the opportunities to make healthier choices around their life and well-being. Working with other council services and external partners, the markets team opened the Tameside Wellbeing Corner. Located in what was proving a difficult to let vacant unit within the market hall, the Wellbeing Corner provides space for a variety of services from organisations such as Be Well Tameside, Active Tameside, Healthy Tameside and the NHS, to build service visibility and engage with the public around health and social issues and consultations within a community setting.

Services offered to date have included free blood pressure checks, signing people up for support to stop smoking or drinking, mental health drop-ins and consultations on the Council and Clinical Commissioning Group budget for the next financial year. The Wellbeing Corner also has a private room if visitors wish to speak to an advisor about something confidential. Placing the Wellbeing Corner in the market means that it is located in the centre of the community; and services based there estimate that they have received 10 times more footfall and interest than if they had been based somewhere like the hospital, GP surgery or council offices.

Kid's Cookery Club

Another scheme that has met with success is our Kids Cookery Club, a series of monthly events which teach 6 children per session, up to the age of 12, how to make healthy dishes such as pizzas, vegetarian burgers and fish cakes using only fresh, natural ingredients. The cookery lessons are delivered by prominent local demonstration chef Joan Budge, and 94% of the ingredients used during the sessions are sourced from our own market traders. Since the Cookery Club began in June 2019, many local children have been educated about nutrition and cooking, encouraging them to try new things and equipping them with valuable life skills.

Compostable bags and free water

A second key objective in our Corporate Plan is making sure that we are meeting our obligations to protect the environment, both locally within Tameside and feeding into the wider Greater Manchester

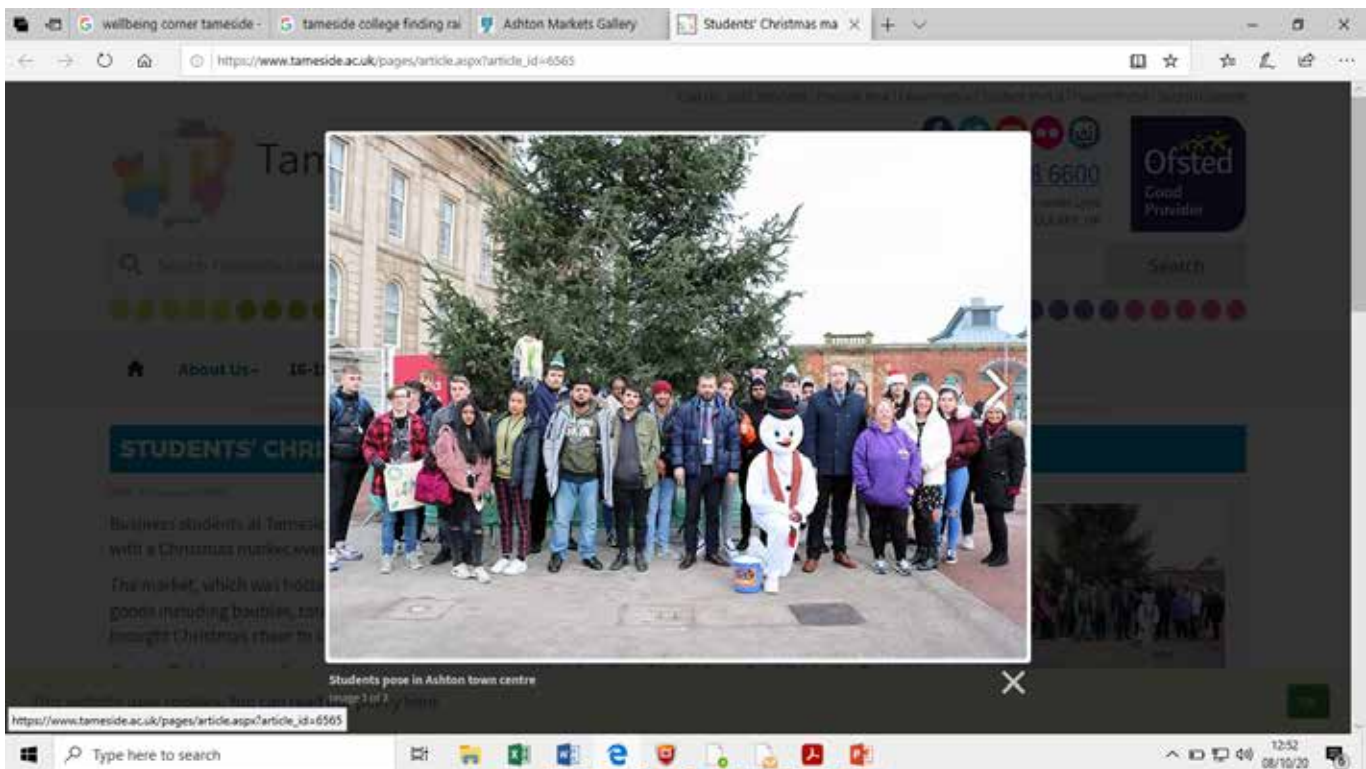


Environment Plan. In co-operation with the council's Environmental Services, the markets team has played a supporting role in driving forward Tameside's green agenda, by encouraging behaviour change within the market and in the wider community. A particular focus has been the elimination, wherever possible and reasonable, of single-use plastics in the market. With the agreement of the market traders, Ashton Market was (as far as we know) the first market in the country to introduce compostable bags as standard. This pioneering initiative has also been supported by the markets team, working closely with the council's communications service, producing letters and FAQs on the change and what it means for both market traders and members of the public.

In addition, all of the market traders with tap water on their stalls have signed up to the Refill scheme, allowing residents to use their facilities to refill their water bottles for free. This has reduced the amount of plastic bottles being purchased, as well as promoting healthier options around lifestyle and hydration.

Youth Market

A number of projects have been launched to introduce young people to markets, achieving a balance between the market's heritage and the needs of a new generation of customers and traders. This has involved developing a close relationship with our local education providers, in particular



Tameside College, in order to plan a series of joined-up events. From 16 to 17 December 2019, business students in the college hosted a Christmas Market in the outdoor market ground, selling a variety of hand-crafted Christmas-themed products such as cupcakes, baubles, keyrings, mince pies and sweet cones to the public. The money raised was donated to 2 charities - Cancer Research UK and local charity Finding Rainbows.

As part of a national scheme driven forward by the National Market Traders Federation (NMTF), Tameside also introduced its first Youth Market in June 2019. The event was a great success, with 3 of the young traders being selected to appear on the BBC and represent Tameside at the National Youth Market Final in Stratford-upon-Avon. Further partnership working with the Tameside College business department and the NMTF was undertaken, with a view to hosting an expanded version of the Youth Market, although this has unfortunately been put on hold as a result of C-19. Once it is safe and appropriate to revive the event, we hope that it will see around 50 young traders selling various commodities and providing entertainment. Tameside College will also work closely with the council's communications and design services to create unique branding for the event.

Despite this setback, the pandemic has provided us with an unexpected opportunity to further expand our market offer to young people through the launch of a specialised markets website and

accompanying app. Launched on 21 January 2021, this will allow local student market traders to signpost customers to their businesses so they can continue to buy, sell and expand while adhering to social distancing guidelines. Other plans in development include the College's tourism students operating a pop-up travel agency within the market hall, and the introduction of a work experience programme across some of the existing businesses and traders.

Showcase for art

The expansion of the cultural offer has been driven by the transforming of vacant stalls at the rear of the market hall into an art space. Created in cooperation with the market team and the council's cultural and museums services, following its opening in November 2019, the space has showcased the work of the local art community, as well as artworks and exhibits from Tameside's museums and galleries. In operational terms, the 2 aims of the art space are to attract footfall to the back of the market hall, and to bring in customers with a cultural interest who may not normally visit. Students, local artists and creative businesses are also given the opportunity to showcase their creative talents and sell their work. In the first 4 months after its opening, enough bookings were made to cover the next 2 years. Traders have given positive feedback on the impact for their businesses, and the markets team is currently speaking

with cultural services colleagues to further discuss the art space's potential.

Markets as the catalyst

Over the past 2 years Steve has been able to redesign the service structure and establish strong inter-council and broader stakeholder networking. This has enabled working in a joined-up way with partners such as Tameside College, local schools, shopping centres, independent high street businesses, town and neighbourhood teams, and the NMTF. This important work is reinforcing the council's commitment to the successful delivery of its market offer, and is a significant contributing factor in the wider work the council is undertaking around the rejuvenation of the borough's town centres.

We are also putting in place the foundations to ensure that our partnership-driven focus becomes embedded within the markets team for the long term by identifying future leaders within the team, and giving them the confidence and appetite to develop themselves to meet future needs and corporate priorities.

There is no doubt that C-19 has brought new challenges for our markets and town centres. However, there is a commitment throughout the markets team that we will continue to deliver a service that is responsive to both the needs of our residents and the wider objectives of Tameside Council.



SITES FOR HOUSING

Local authority direct provision of housing: the issue of land

Professor Janice Morphet, BSc, MA, PhD, Dip TP FRTPI FAcSS j.morphet@ucl.ac.uk and Dr. Ben Clifford ben.clifford@ucl.ac.uk

Janice and Ben are now on their third tranche of research, this time concentrating on looking at the range of local authority initiatives for the direct provision of housing and the important role of land within these approaches.

Janice is a Visiting Professor in the Bartlett School of Planning at University College London. Janice was a Senior Adviser on local government at DCLG 2000-2005, having been Chief Executive of Rutland CC, Director of Technical Services at Woking, and Professorial Head of the School of Planning and Landscape at Birmingham Polytechnic.

Ben is Associate Professor in Spatial Planning and Government at the Bartlett School of Planning, UCL. His research interests centre on the relationship between state modernisation and the planning system in the UK. Recent work has included projects on devolution and spatial planning, planning for national infrastructure, the implications of office-to-residential permitted development, and local authority delivery of housing. He has been working on a project looking at the relationship between organisational form of planning services and the realisation of the public interest.

Jan has recently published a book 'Changing contexts in spatial planning' (2018 Routledge) and a joint book by Policy Press 'Reviving local authority housing delivery.'

Previous research findings

Since 2017, we have been researching the ways in which local authorities in England have increasingly been directly providing housing. We have published 2 reports on our findings from research in 2017 and 2019 [Ed – see 2020 Spring Terrier] and are now engaged in a third round of research to chart this emerging and developing activity (1).

Before this research was undertaken, these activities were perceived as a fragmented set of local initiatives that were small and responding to particular circumstances, such as when housing associations would not take on affordable housing properties secured through s106 agreements. However, in 2017, our first research showed that over 50% of local authorities had some form of company to support housing delivery and there were over 50% councils still holding housing through the Housing Revenue Account (HRA).

The research showed that the reasons behind this increasing role of local authorities in providing housing fell into several groups: the need to replace income lost from the removal of the Revenue Support Grant by central government (under austerity), the increasing pressures and duties for homelessness, local political pressure from the electorate, the failure of the planning system to provide the type

and tenure of housing needed and lastly, to support local businesses. The 2019 research showed that the number of councils engaging in housing delivery had increased and many more were forming companies. At the time of this research, the government lifted the debt cap on the HRA, so it was then unclear what impact this might have on these activities. As we are starting to see in the 2021 research project, it appears that, for local authorities providing housing, this has moved from the margin to the mainstream. However, one of the key barriers that councils face in fulfilling these objectives is the availability and price of acquiring land. Yet, some councils have managed to identify and find more land. How have they done this?

Identifying sites for housing

In 2019, our research found that 95% of local authorities were building on their own land while 44% were acquiring it. There were also projects being undertaken through One Public Estate initiatives with other public bodies, and some councils were sharing sites across their borders, such as in the councils around Bristol. However, if councils were building on their own land, how was this being identified and then how is it being developed? The first method

that has been used by some councils is a systematic review of all land and buildings in the councils' ownership. In Rotherham, this identified 200 sites in the HRA. This also extends beyond land which has been purchased or identified for housing use. In some councils, these systematic development assessments have been undertaken by small multi-professional teams including planning, housing, finance and legal officers, together with an architect or development surveyor.

Through this approach, we have seen the identification and subsequent redevelopment of car parks as housing in Bournemouth, Brentwood, Craven and Guildford, disused facilities as on the Isle of Wight, and the development of a small sites programme as in Ealing and Havering. In addition to these, some sites have been identified on existing housing estates through the redevelopment of garages or unused buildings. Some councils such as Bromsgrove, Spelthorne, Mid Suffolk, North Tyneside and Nottingham have converted their own offices into residential use. In other cases, council land has been appropriated into the Housing Revenue Account for new development. Councils acquiring land for housing development include major purchases such as at Cheltenham. Recent research has identified that some local authorities are also acquiring retail centres with a view to redeveloping them for housing use (2).

The development of these sites, once identified or acquired, has varied according to local circumstances or preferences. The car park developments in Bournemouth, for example, have been undertaken by the council-owned Bournemouth Development Company with a range of different joint ventures tailored to each site. Here the developments have varied in type and tenure and some has been student accommodation – a growing housing type being delivered by councils. The same approach has been taken in Lancashire and Yorkshire in Craven, Hyndburn and Blackburn. Here the developments are funded on an individual basis with a JV partner, whether a development company or housing association, in a partnership arrangement.

In some councils such as Lancaster, land has been provided for development by Community Land Trusts, an approach which is also common in other more rural areas including Suffolk and Devon. In some cases, councils have not wanted

directly to develop the land that they have identified in their ownership. Instead, they have obtained planning consent and then put the site on the market, either for disposal or a joint venture partner, such as the Isle of Wight, whereas others, like Cotswold council, have been purchasing sites with planning consent for development. Overall a large number of councils are acquiring or disposing of land in an active way. Some local authorities have contacted land owners directly, particularly where there are existing consents but little activity from their agents, to see whether they would be willing to dispose of their sites to the council.

Another method of engagement with the provision of housing land is through the identification of locations for sustainable urban extensions, garden communities and new towns. In identifying these through planning policies, local authorities are sometimes using land in their ownership or creating value for other organisations through their direct intervention. While these initiatives are often classified ultimately as private sector housing completions, it is the work undertaken by local authorities that enables these sites to come into the development pipeline.

Proactive development interventions

Sites owned by both local authorities and others are also being brought into use through a range of proactive development interventions. These include supporting applications for infrastructure provision through Homes England schemes including the Housing Infrastructure Fund, and might also include funding from the LEP as in Cheltenham, or through the Combined Authority growth fund as in the West of England, West Midlands, and Cambridge and Peterborough. Some local authorities are also engaging in these direct activities to support development through loans or sale of land or built facilities to be repaid later, as in Plymouth and Bristol.

Other councils have started to engage in the development and delivery of housing through a range of specific joint ventures with other councils. These include the Norse group in Norfolk, the SCAPE group in Nottinghamshire, and Blueprint in Nottingham. Norse has joint ventures in a range of councils including Amber Valley, Great Yarmouth, High Peak and Medway.

Some of these arrangements include the provision of technical expertise and skills such as engineering, architecture and cost consultants. Some councils have been increasing the roles of their own project management capability and teams for projects, including Haringey, Brighton and Hove, and Wolverhampton.

Some councils are developing housing schemes through One Public Estate such as Derby City Council and Gloucestershire County Council, although not all of these schemes result in housing delivery. In London, the Mayor is undertaking a range of housing developments with TfL, whereas the Essex Housing Company, owned by Essex County Council, has purchased a former hospital for housing development in Colchester. Some county councils are active in housing delivery, including Cambridgeshire, Nottinghamshire and Surrey through companies and joint ventures.

In addition to properties for conversion or development, councils are also purchasing existing housing. In some cases, this is former right to buy stock that makes sense as part of wider estate strategies for management and development. Many councils are purchasing street properties to meet the needs of the homeless or for temporary accommodation, whereas others are adding to the general stock through this method. Some councils are purchasing new homes from developers such as Brent or buying s106 properties to add to their portfolios, although there appears to be continuing major management and quality issues to be resolved at the local level. In 2021, we are finding that councils are taking a much firmer and proactive line on negotiation of the s106 properties, requiring a housing provider to be identified at the outset of planning application negotiations or, in the case of Elmbridge, placing size limits on the size of s106 dwellings to ensure that they can be used for affordable housing. In some councils, land is being required instead of s106 properties so that the council can ensure that the homes provided meet specific local needs.

Changing trends?

In the recent past, we have seen an increase in local authorities selling their land off as an income generation stream, but this trend now appears to be changing, with an increasing emphasis on looking at landholdings for delivering a wider range

of objectives like housing delivery. While, for a variety of historical reasons, the extent of land own by authorities can vary considerably, a multi-professional joint approach can often identify much more land within the local authority's ownership which could support housing development than may have first been realised. A variety of means of delivery can then be utilised to achieve a range of objectives for authorities,

including place-making, tackling homelessness, improving the quality of housing design, to the benefit of residents as well as income generation.

Our ongoing research is continuing to demonstrate the range of local authority initiatives for the direct provision of housing and the important role of land within these approaches.

References

1. Reports available at <https://www.rtpi.org.uk/research/2019/july/local-authority-direct-delivery-of-housing-ii-continuation-research/>
2. <https://www.egi.co.uk/news/custodians-of-social-value-councils-plan-new-community-uses-for-malls/>



Andrew is the CEO of the National Custom and Self Build Association (NaCSBA), the body that lobbies for policy and wider support to boost the delivery of custom and self build homes. NaCSBA's aim is to make custom and self-build a mainstream choice for all those seeking a home of their own.

Contact: Duncan Hayes
media@nacsba.org.uk

SELF AND CUSTOM BUILD

Self and custom build is poised to take its rightful place in our housing market

Andrew Baddeley-Chappell ceo@nacsba.org.uk

Andrew outlines the wealth of opportunities (including new government funding) now available: "what we want local authorities to start embracing is the fact that custom and self build, which can include community led housing, has huge potential for supporting wider local plan ambitions. These go beyond meeting housing need, and are keys to the principles of Building Back Better."

Ten years

2021 marks 10 years since a government/industry working group published: 'An Action Plan to Promote the Growth of Self Build Housing' https://nacsba.org.uk/wp-content/uploads/2018/08/nacsbadocs_2011_07_anactionplanto.pdf

For the first time, this addressed what self build actually was, and what it could and should be. It set out the key challenges of land, planning and finance, and put forward an action plan for change, drawing on lessons from abroad. In the foreword, Grant Shapps, then Housing Minister wrote: "I pledge that I will continue to push for the actions necessary to make self build an easier option for everyone."

Ten years on and much has happened. The

National Planning Policy Framework now references the sector; the exemption from Community Infrastructure Levy has been introduced; and the Right to Build legislation is in place. The sector is now served with increasingly experienced providers, not least with regard to mortgage finance. However, sector growth continues to lag behind the target identified in the Action Plan, which anticipated a doubling of the market in 10 years, while the Right to Build legislation forecast an accelerated doubling in 3 years. Neither target has been met.

NaCSBA acknowledges that this is linked to the continued challenges of access to land, planning permission and finance. It remains the case that only those with the greatest resources are typically able to navigate the current system.



Graven Hill, photography courtesy of Dan Abrams



The Glade, Graven Hill

Since legislation commenced in 2016, NaCSBA has been tracking activity around the local authority registers and the picture of demand for self build they represent. And we've had a continuous dialogue with government about the very mixed picture that is presented by practice. While the Right to Build legislation is increasing its impact over the planning process, too many barriers have been put in place, with many local authorities operating outside the spirit and the letter of the legislation.

NaCSBA has assembled a strong evidence base to highlight the challenges being faced by those individuals that the legislation

is seeking to help - and government is listening to us.

Recently, it announced a suite of reviews and funding to bolster activity, as it recognises the need for more and better homes, and the role that housebuilding has in our post pandemic recovery. The list of government support is considerable, and is outlined below.

As the largest custom and self build site, Graven Hill in Oxfordshire has a range of custom build homes, including 3-storey town houses, terraced, semi- and detached designs www.gravenhill.co.uk

Right to Build Task Force

Originally a NaCSBA initiative and now an independent entity, the Right to Build Task Force works with local authorities and other stakeholders to share and promote best practice in custom and self build. Since 2020 the Ministry of Housing, Communities and Local Government has funded the Task Force to provide workshops with every English local authority, to provide insight into how councils can support delivery through planning and policy.

To support its work, the Task Force has published planning guidance and delivery advice notes on its website www.righttobuild.org.uk. Freely available, the 'Planning Guidance for Custom and Self Build' complements the legislation and National Planning Policy Guidance with examples of detailed good practice, while the advice notes provide wider insight into the delivery of custom and self build homes.

Review of the legislation

The current legislation sets out the duties for local authorities, but does not include penalties for failing to meet these. Equally, tools designed for limiting activity, such as local connection tests, have become widely used, even though they were originally intended to be applied as exceptions. Given these challenges, NaCSBA welcomed a government review of the Right to Build legislation to ensure it is working to support those people wanting to build. Announcing the review, Housing Secretary Robert



Water Lilies

Water Lilies by Bright Green Futures involves terraced eco, self build homes, set around a courtyard www.brightgreenfutures.co.uk

Jenrick MP said *"We are backing people who want to design and build their own home and I have launched a review to ensure councils provide enough land and take proper consideration for these homes when making planning decisions in their area."*

Publication of data

For the first time, government has released the data that councils collect on self and custom build in their area, with a commitment to publish this annually. This is an important step in ensuring that reporting is more robust, which is essential if we are to measure progress against targets.

For several years, NaCSBA has compiled its own data on local authority performance around the Right to Build, and the government data complements our own work. This highlighted some of the challenges raised by NaCSBA, including large scale removal of entries and barriers that prevent people from joining registers.

Chief Planner's endorsement

In her February newsletter, Chief Planner, Joanna Averley, set out her support for the sector and stressed the Right to Build Task Force's role in engaging with local authorities to support their understanding

of the route. *"Self and custom builders are well placed to build high-quality, well-designed homes that are energy efficient, accessible, affordable and welcomed by their communities."*

Planning Practice Guidance updated

In addition to the upcoming review of the legislation, the government recently updated its own planning guidance for custom and self build. This goes some way to addressing areas of concern around the existing legislation, and stresses that registers are now likely to be a material consideration in planning matters. Furthermore, it states: *"Authorities are advised to ensure that they provide clear information to individuals and groups on the rationale underpinning local eligibility tests."* The relevance of the registers for those seeking affordable home ownership is also highlighted <https://www.gov.uk/guidance/self-build-and-custom-housebuilding>.

Help to Build Equity Loan

The nature of most custom and self build homes has meant that the existing Help to Buy Equity loan scheme is not an available option. Government has committed to address this unfairness with a Help to Build scheme specifically designed to meet their needs. This will allow self builders with small deposits to access the market so they can enjoy the benefits of having a home that is built to their specifications, wants,

and needs. We hope the scheme will run for several years, and further details are eagerly awaited.

Custom and Self Build Fund

Access to land has been a constant limiting factor to the growth of self build, and government has committed to a fund to support local authorities to bring forward plots for custom and self build on publicly owned land. At the time of writing the fund has not been officially launched, but it is expected imminently.

Brownfield Land Release Fund

Originally announced in January as the loosely named Brownfield Land Release Fund, the £100m fund will make provision for finance for: brownfield development; estate regeneration; development on public sector land; and, to support self and custom build serviced plots to come forward.

This is crucial as it demonstrates that big government is putting its money where its mouth is, and it will support the bringing forward of carefully selected sites for custom and self build. Although the details are yet to be announced, NaCSBA hopes the fund will be a vital source of funding for local authorities who are active in the sector, for example those with supportive policy, enabling them to apply to bring forward sites on their own land. This should facilitate pilot projects, which can then become

Goldcrest Custom Homes external and internal shell views



exemplars, to galvanise other authorities into action.

This is key, as the supply of land, and the associated delivery of projects, is the next piece in the delivery puzzle.

Effectively, the land release fund has the potential to turn local aspirations into homes – and the recent guidance makes it clear that this can include a range of tenures, including affordable homes. It's also important to note that this can include a range of more dense applications, such as terraced homes, for example Bright Green Future's Water Lilies site in Bristol, or even customised apartments, such as Goldcrest Custom Homes' Atheldene Road scheme in London. Such approaches emphasise that custom and self build is not reliant on large detached plots, but can be a flexible model for a range of land uses.

Goldcrest Custom Homes' Forty Atheldene Road development offers shell apartments that buyers can customise
www.goldcrestcustomhomes.co.uk

Moving forward, the future is bright, and NaCSBA is clear that this approach leads to more and better homes that more people aspire to live in, and that communities are happier to see built. But what we want local authorities to start embracing is the fact that custom and self build, which can include community led housing, has huge potential for supporting wider local plan ambitions. These go beyond meeting housing need, and are keys to the principles of Building Back Better, with beauty, community and placemaking at their heart.

For authorities and public sector land stakeholders, an important part of sharing this message is the wider picture that

custom and self build feeds into. For example, in land terms, the sector can help ensure that public land assets are used to generate better housing and boost local economic activity. Construction in general boosts the wider economy, and local house building boosts the local economy. We know this because custom and self build is typically delivered by Small to Medium-sized Enterprise (SME) housebuilders.

As well as providing a route to work for these companies, SME housebuilders are key training providers, offering 7 in 10 construction apprenticeships nationally. And importantly, these small companies have better retention rates for trainees than many large-scale operations that arrive to build out an estate, and then disappear. [source: <https://www.gov.uk/government/statistics/apprenticeships-in-england-by-industry-characteristics-2018-to-2019> - Table 1F.]

Going back to the beginning, many in the sector have forgotten that the Right to Build legislation was originally aimed at *"diversifying housing supply and revitalising smaller builders who have not experienced the same level of recovery as the large housebuilders since the financial crisis."* This stands true, and as the custodians of place, ACES' members can support this activity.

For news of the release of the Help to Build or the custom and self build fund keep an eye on NaCSBA at www.nacsb.org.uk



Tony is an Associate Director, Professional Groups and Forums, and Senior Specialist, Land, at the RICS. He has worked in a wide range of areas of planning and property in both the public and private sectors. He is actively involved in promoting an understanding of development economics within the planning system and has given evidence to the UK House of Commons Select Committee on Town Centre Planning Policy. He represents RICS in a number of bodies, including the International Federation for Housing and Planning. He has presented at UN/World Bank Conferences and gives occasional lectures at several universities.



ASSESSING VIABILITY IN PLANNING

RICS new guidance on assessing viability in planning under the NPPF 2019

Tony Mulhall tmulhall@RICS.org

Hot off the press, Tony outlines the purposes, context and content of the new guidance (published 31 March 2021). There are fundamental changes to when and how land value is assessed.

At the end of March 2021 RICS published a new Guidance Note 'Assessing viability in planning under the National Planning Policy Framework (NPPF) 2019 for England' 1st Edition GN 2021 <https://www.rics.org/uk/upholding-professional-standards/sector-standards/land/assessing-viability-in-planning-under-the-national-planning-policy-framework-2019-for-england-rics-guidance-note-1st-edition/>

The guidance note is intended to help professionals working in planning and development to apply the government's national planning policy, currently focused on delivering 300,000 dwellings p.a. Government is trying to balance the need to deliver local plan objectives which affect us all, with ensuring land for development comes forward. It has prescribed a way for assessing viability for this purpose and helps professionals in the sector to do this more transparently, and more speedily. The guidance note also responds to Judge Holgate's suggestion that RICS produces additional guidance in this area of practice.

This is not just important for professionals but for members of the public too. Assessments of viability provide key information to enable decisions to be made on how much affordable housing

and community infrastructure may be deliverable in an area. This happens either when local plans are being prepared, or decisions are being made on planning applications.

Previously, viability mainly took place at the development management stage, when planning applications were being decided. Government wishes to have most viability assessments conducted when the local plan is being made, rather than at the planning permission stage. By doing so, it intends local polices to inform landowners and developers about the extent of planning obligations related to development in the area, so that these costs are taken into account in setting the price paid for land.

This is national planning policy for England and the RICS guidance note adheres to government's required approach. These include the methods for establishing benchmark land value and the standardised inputs required for planning purposes in the government's Planning Practice Guidance (PPG) 2019.

The guidance was produced by a working group, which in addition to RICS members, comprised representation from the RTPI, The Planning Officers Society, The Law Society, the Greater London Authority, and

the Valuation Office Agency. During the course of preparation, RICS also received valuable feedback from the planning and development sector through informal and formal consultations.

'This is a very good example of the sector coming together during a difficult period to produce professional guidance on delivering essential infrastructure and affordable housing.' Simon Radford, FRICS, Chair of Working Group

Key changes in policy and professional guidance

RICS's 'Financial viability in planning' Guidance Note 2012 was published to help surveyors give effect to the NPPF 2012. Government's 2012 policy was produced in the aftermath of the global financial crisis. Although its ministerial preface emphasised the importance of the golden thread of sustainable development running through the policy, critics saw it as creating conditions aimed at supporting the private sector to deliver development in general, and housing in particular.

There were 2 important aspects to this policy. One was the inclusion in the policy of a requirement for competitive returns to the landowner and to the developer as material considerations in deciding a planning application. The determination of a competitive return was seen as being assessed through use of market metrics, while reflecting planning policy. In producing the 2012 Professional Guidance, RICS adhered to the government policy position at the time and produced guidance which provided for the 'benchmark land value' to be calculated on this basis.

The second important point in the 2012 government policy was that although there was an area-wide viability assessment carried out, the main viability assessment on a development would be conducted at the decision taking stage when a planning application was made.

Both of these national planning policy positions have now changed, and RICS guidance has changed to reflect this. Protecting a competitive return to landowner and developer has been removed from the policy and replaced with a government prescribed approach and standardised inputs as a way of determining the all-important benchmark land value. Market metrics are to be used as a cross-check. **Under no circumstances is price paid for land to be used as a rationale for**

not fully complying with planning policy obligations [Ed – my bold].

Government policy also now requires the majority of viability assessments to be carried out at the plan making stage through the use of site typologies and development typologies. Only where the applicant can demonstrate material difference from the circumstances at the plan making stage will a viability assessment be admitted, and this is at the discretion of the planning official.

What the guidance note contains

The guidance note consists of 5 chapters and a number of appendices elaborating on aspects of detail. A glossary of terms is provided at the front covering the main PPG terms, and a supplementary glossary is provided in Appendix E explaining wider planning and development terms.

Chapter 1 sets out government's national planning policy context through the NPPF and Planning Practice Guidance 2019, in which assessment of viability in planning is set. It also outlines the distinction between viability assessment at plan making and at development management stages.

Chapter 2 describes the professional compliance requirements for chartered surveyors when undertaking financial availability assessments. It also explains the distinction between a financial viability assessment for planning purposes and a market valuation for secured lending purposes.

Chapter 3 provides detailed advice on the viability assessment process for plan making and decision taking, particularly the collaborative process at plan making stage enabling realistic site and development typologies to be produced.

Chapter 4 The methods and standardised inputs are prescribed in the PPG and additional advice is provided in this chapter on how to apply these in practice with supporting evidence.

Chapter 5 focuses on Financial Viability Assessments and benchmark land value (BLV). The PPG states that **'it should be set at a level that provides the minimum return at which a reasonable landowner would be willing to sell'** [Ed – my bold]. This is to be arrived at by starting with the existing use value and adding a premium. A series of steps are described to arrive at the BLV in accordance with government practice guidance.

Appendices expand on some of the chapter details including: Viability assessments for plan making; Existing Use value; Alternative Use Value; analysing market evidence to support the premium

The challenge in producing guidance of this kind is to provide useful additional advice without going beyond what government states in its guidance.

The bigger picture

Delivering housing and economic growth, at the same time as reducing carbon emissions and protecting the environment, are key elements of government policy, not just in the UK but internationally. The built environment has a big role to play in the reduction in carbon omissions, through building to higher standards and mitigating the impact of development on the environment. That the private sector carries out a significant amount of our development achieving these goals, while maintaining the business case to develop, is important. Assessing viability through the planning system in a way that is transparent for all stakeholders in the process is an important measure. This professional guidance helps to do this in accordance with government policy.

What about planning reform?

Planning policy is constantly evolving, and government is in the process of completely reforming the planning system. This will include changes to the way development contributions will be calculated; government is looking at different approaches based on the assessment of gross development value, as outlined in its White Paper. Implementation of this reform will take some time, and there will be a transition period where permissions granted under the old regime are being implemented with the new regime in place. In the meantime, this professional guidance will continue to apply, along with our mandatory requirements for carrying out viability appraisals for planning purposes 'RICS Financial Viability in Planning: conduct and reporting' Professional Statement 2019 <https://www.rics.org/uk/upholding-professional-standards/sector-standards/building-control/financial-viability-in-planning-conduct-and-reporting/>



Raoul is Head of Planning at Cluttons and has over 20 years' experience providing planning and development advice to both public and private sector landowners and developers on a range of urban development projects.

USE CLASSES ORDER

The Impact of Class E extends far beyond the high street

Raoul Veevers Raoul.Veevers@cluttons.com

Raoul presented the changes to the Use Classes Order to ACES in December, with his colleagues Jonathan Rhodes (Head of Valuation) and Matthew Peake (Head of Commercial & Strategic Asset Management). He kindly agreed to write an article on this ever-changing area of government interest.

Last summer saw the most significant change to the planning use classification in over 30 years. It's been in force now for over 7 months. So how's it going? Has it provided the market with the flexibility it was seeking? Does it give local planning authorities enough control? Do they need it?

Well in truth, it's difficult to tell as we've been stuck in our houses for most of that time, and the impacts of the pandemic are still playing out and will continue to do so for some time. However, there are few indications of what may follow.

Do I need to say how bad it's been?

Even before the global pandemic struck, the previous planning regime was struggling to cope with the pace of change and the need to repurpose vacant/underutilised units. Town centres have been under increasing pressure from rising occupational costs, store closures and a drop off in footfall. Government statistics estimate that from June 2019 to June 2020, there has been a net reduction of 5,350 retail units in town centres in England.

What is it and which box do we put it in?

Mixed use development has for some time been the favoured approach to revitalising our towns and cities. More recently, mixed use development seems to have become turbocharged with a range of uses that

we would expect to see in a town centre redevelopment now being concentrated within a single building, or even a single unit. This has largely come about through the need to repurpose large redundant department stores, such as Debenhams, that are too big easily to find a single occupier. This has led to true mixed use buildings with retail and cafes at ground, a range of leisure uses in the basement; and offices, hotel or residential above.

New uses and new ways of using land and buildings have always challenged the Use Classes Order, leading to healthy debates with planning officers and eventually amendments to the Order. Examples are the creation of separate Use Classes A4 (pubs and drinking establishments), A5 (take away) and C4 (small Houses in Multiple Occupation). In planning, this would traditionally have been accommodated through a flexible permission (allowing a planning unit to flit between 2 uses for a period of 10 years) or simply by applying for lots of different uses. The limitation has been that the flexible permission is only limited to 2 uses and the multiple permission only really allows for the first use.

There was no real flexibility, particularly in town centres, to change between a series of 'town centre' uses. The trend for pop ups, meanwhile uses, or just mixed use spaces have become more familiar. To many, the general perception was that the planning process was clunky and slow to adapt to changes in use that were needed to repurpose vacant properties. And to

the government, the situation in our town centres was just getting worse and it had to do something about it.

How has the government reacted?

A series of initiatives such as the £3.6bn Towns Fund, the £830m Future High Street Fund and £6.1bn Business Improvement Districts have sought to boost town centre economies, to recover from the pandemic and deliver regeneration. The government's ambition is *'to create vibrant, mixed use town centres by allowing greater freedom to change to a broader range of compatible uses'*.

The government is keen to remove the legislative restrictions to market growth by *'cutting out unnecessary bureaucracy'*. This was delivered in July 2020 through a reform to the Use Classes Order, by introducing greater flexibility to allow properties to change to compatible (commercial) uses without the need for planning, greatly assisting the growing need to repurpose properties and boost town centres.

Use Classes Regulations 2020

On 1 September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force. It has largely reordered the previous Use Classes with only industrial and storage or distribution (B2/B8); and the residential C Class uses remaining the same. Three new Use Classes are created – Class E (commercial, business and service), Class F.1 (learning and non-residential institutions) and Class F.2 (local community). These have been formed by grouping 'compatible' uses together. I will concentrate on Class E as this is the most contentious. The range of uses and their previous use classes that now form a single use class are shown in the box.

Class E
Sale of goods (A1), sale of hot food and drink (A3), provision of financial services, professional services or others appropriate to a commercial, business or service locality (A2), indoor sport, recreation or fitness (D2), provision of medical or health services (D1), creche, day nursery or day centre (D1); and an office, research and development, or any industrial process which can be carried out in a residential area (B1a,b,c).

What does it allow?

A change of use within the same use class does not constitute development and would not require planning permission. It would therefore avoid an assessment against development plan policy that may protect that use. For example, policies seeking to retain retail (A1) in town centres or general policies protecting offices. It essentially allows a series of uses the ability to operate concurrently within the same building at the same time, or even at different times of the day. This provides a huge amount of flexibility to landlords, occupiers and developers.

To ease the implementation there is a transition period lasting for a year, until July 2021, during which time the former Use Classes will be recognised for the purpose of permitted development rights. Any planning applications submitted before 1 September 2020 will have the benefit of the former classifications, and those submitted post that date will be subject to the new classifications. Up until 31 July 2021 landowners, occupiers and applicants have the luxury of being able to choose how they wish to classify their use. This is relevant where permitted development rights may exist.

The changes may not apply to all land and buildings. The planning use of land or a building can be controlled through restrictive planning conditions and legal agreements attached to a permission. These will still apply and should be checked if you are seeking a change of use under the new Regulations. The changes will also have implications for leases, where landlords may seek an element of control, while also seeking greater flexibility. There are various examples of how this is playing out. In some instances, landlords are applying greater pragmatism by trusting that the use is limited due to the nature of that space. Alternatively, greater collaboration is being seen, where partnerships are formed between the public and private sector to ensure a mix of uses across a wider area and actively encourage urban regeneration.

There have been mixed reactions to these changes. Some welcome the greater flexibility to adapt to the market, while others are concerned about undermining an already weakened high street. The Regulations were unsuccessfully challenged by Rights: Community: Action Ltd in the High Court late last year and have therefore survived.

Greater planning controls?

In response, we can expect local planning authorities to seek to protect their town centres, particularly comparison retail space. However, their powers are relatively limited. A change within the same use class does not constitute development, or permitted development, and therefore it cannot be rescinded through Article 4 Directions.

The local planning authority would therefore really only be able to assert control through development, the application of policy, and the determination of planning applications. However, as stated above, change of use within Class E would not constitute development and in the majority of cases would be powerless. We can therefore expect planning policy to counter the flexibility in the Regulations by being more specific about the nature of the use of development. For example, the London Borough of Brent is reviewing its development plan and it no longer refers to use classes within it. It uses more general descriptions like retail, restaurant and takeaway. We can expect a similar approach to the protection of other uses such as offices. Restrictive planning conditions and legal obligations may also be used more widely than before.

It's not just about retail: what about offices?

Lockdown, and the dramatic switch to homeworking, vacated almost all of our national office space overnight, much of which is located in our town and city centres. The activity of the working population contributes to their vibrancy and without it many city centres are ghost towns. Many people – and I am not one of them – have discovered that they prefer to work from home and employers have discovered that most staff work better in their home environment. Less time commuting and more time with family or doing other activities.

We have experienced a re-localisation of retail, with the inactivity of major centres being counter balanced by the renaissance of local and more provincial centres/parades. The working population has shifted to their homes and in doing so, has reinvigorated those areas with established residential populations. Hybrid working is likely to become the norm, at least in the short term, as workplaces adjust to the health and safety requirements of the Covid world, reduced capacities preventing all

staff from being in the office at the same time; and staff choosing to retain at least an element of home working in their week.

This is reflected in the announcement last week that Nationwide is closing 3 of its offices in Swindon and telling its 13,000 staff they can work from anywhere. And they're not alone: Santander has announced that the company will be reducing its office space and moving its headquarters from London to Milton Keynes; BA will continue to let staff work from home after lockdown ends; BP has told employees to work 2 days a week from home. Companies are all reviewing their occupational and space requirements, potentially resulting in reduced footfall, shifting locational requirements (localisation of offices), which impacts on those services that support the office economy, such as city centre gyms, coffee shops, sandwich bars, restaurants etc. The growth of these services is also likely to become more localised.

Town centres to residential?

Where there is a surplus of space, or even where there's not, there is even greater flexibility on the way. I mentioned the transition period following the Regulations coming into force which ends on 31 July 2021. Up until then, offices (Class B1a) can change to residential (Class C3) under permitted development rights (Part 3, Class O of Schedule 2 GPDO). From 1 August 2021 the separate office use class (B1a) will cease to exist and without a change to the General Permitted Development Order this right would disappear with it.

In December 2020, the MHCLG published a consultation on its intention for the current permitted development rights for office to residential. This hugely controversial proposal is to allow for all Class E uses to change to residential without the need for planning permission. The intention is that:

'where there is a surplus of retail floorspace, quality residential development will help diversify and support the high street.'

It appears that if people want to continue to work from home, then homes will have to move to work. Areas are recognised as being more vibrant when they have a residential population, and this approach is being applied to town centres. Vacant spaces created by the decline in town centre activity will be filled by new homes, or at least that is the intention. This isn't entirely new, as limited rights currently exist

for converting retail to residential; however, they have area limitations and do not apply in conservation areas. The MHCLG's proposal is very different, in that it has no size limitations and it would be the first time that restaurants, indoor sports facilities and creches etc would have the right to change to residential.

Quality control

The prior approval process provides some comfort that basic environmental standards are met (daylight, noise, fire safety) and it relies on national space standards to control unit sizes. Design will undoubtedly be an issue when converting these buildings to residential use, and any external alterations will require planning permission, providing local planning authorities with some control over external appearance.

The intention is for these changes to facilitate investment and to revitalise town centres. However, given the extent of change, it is likely that many local planning authorities will be cautious of letting the market decide and, in relation to permitted development rights, will use Article 4

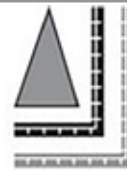
Directions to protect their main centres. These changes will then possibly have the greatest impact outside the areas they were originally intended to assist. They do not just concern town centres; they apply to all property in England where Class E uses exist.

The creation of Class E, and the proposal for its associated permitted development rights, forms one of the most significant deregulations of commercial property. Town centres and offices have suffered significantly and the impact of Covid has been huge. The Bank of England has suggested that recovery could be quicker than expected. Do we need to give our centres time to recover, at least a bit, before these rights are imposed, or can commercial property rely on a combination of market forces and protectionist local

planning authorities for its revitalisation? The consultation ended in January with significant concerns raised about the extent of these new rights. We will all be monitoring closely the MHCLG's response.

[Ed - Government confirmed on 31 March that this new permitted development right will be introduced from 1 August 2021].

Raoul and his colleagues have agreed to write a further article in ACES' Terrier on this fast-moving and ever-changing planning environment.



BPS

Chartered Surveyors

PROPERTY ADVISORS TO THE PUBLIC SECTOR

- Asset management
- Negotiating planning gain
- Property review and strategic property management
- Development consultancy
- Procurement
- Acquisitions and disposals
- Feasibility assessments and financial appraisals
- Valuations
- Landlord & tenant advice

A BESPOKE PERSONAL SERVICE

Call Andrew Jones
01483 565433



Brian is a freelance advisor to the public sector, having held senior positions within local government, property consultancy practices and management consultants. He is currently advising several councils on transforming their headquarters facilities, in line with new operating models for public service delivery. He is a member of the RICS Public

FIT FOR FUTURE WORKPLACES

A perspective on post-Covid workplace and portfolio strategies

Brian Thompson brian@realestateworks.co.uk, Richard O'Neil Richard.ONeil@hlmarchitects.com and Guy Brett guy.brett@avisonyoung.com

Based on research for their recent publication 'Fit for Future', the authors here draw out the main findings, including some interesting contrasts between the public and private sectors <https://www.avisonyoung.co.uk/documents/38901/59345308/Fit+For+Future.pdf/b3c34bf3-1cbb-4953-b6d6-a815eff25161>

"We are looking at lessons to learn from the pandemic rather than treating it as just another speed bump to get over."
Commercial Lead, Developer

Whose future?

Much research and many predictions about the long-term impact of C-19 emerging over the last 12 months have been generic in nature. Subtle distinctions between business sectors and occupier types have not been drawn, so you have to question the relevance and value of the output.

The public and private sectors are driven by different motivations, and can respond in very different ways to the same changes to their operating environments. We discovered that the public sector:

- Demonstrated a greater intent to reduce the environmental impact of its assets
- Measure productivity in a systematic manner to a lesser degree
- Does not expect the workplace to be re-designed and better managed as a result of the pandemic to the same extent
- Is significantly less tied to current locations because of remote working and the use of IT to help deliver services; and

- Expressed a significantly greater intent to realise value from freehold assets to sustain business operations.

Each of the above findings warrants detailed discussion but space does not permit – at least not in this article!

What we did

Last summer, HLM Architects, Avison Young and realestateworks teamed up to investigate how organisations across the globe and across business sectors were planning their futures and what that meant for their workplaces and their asset portfolios.

We wanted to expand the debate beyond the design of the workplace and the delivery of FM services to enable social distancing and support a safe working environment.

"Whilst much has been written on matters such as the way to manage space during and in the immediate aftermath of the pandemic, we believe there continues to be a dearth of informed opinion and lateral thinking on long-term real estate strategy and the future of the workplace."
Paul Bagust, RICS

With the support of RICS, contacts within ACES, and networks such as Corenet, we launched our online questionnaire and embarked on 'face to face' interviews with real estate leaders from, for example, local

Is your workplace and asset
strategy Fit for Future?
read more in the following pages

Levelling-up or fighting back?
#bettertowns roadmap
can lead you to the
right solution

Contact:

Richard O'Neil
richard.oneil@hlmarchitects.com

Brian Thompson
brian@realestateworks.co.uk



#BigTownAudit

*Find out how to steer your town
towards a better future*



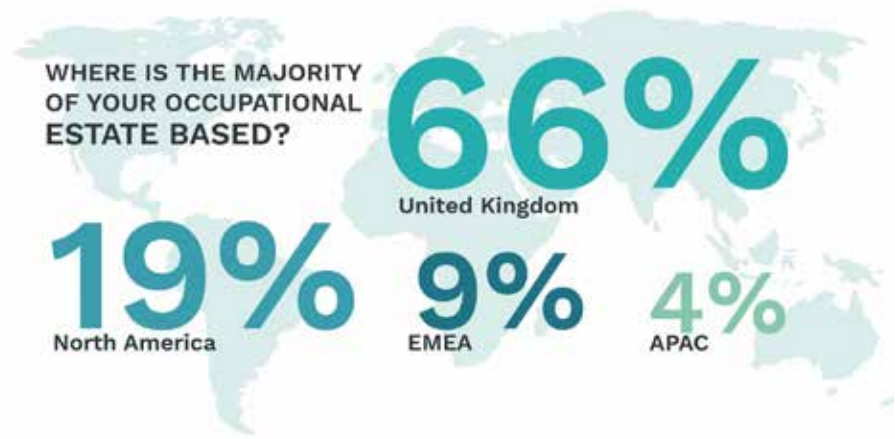
[click for BigTownAudit](#)

Sector Group. He has also helped to prepare an update to the RICS Public Sector Property Asset Management guidelines.

Richard is a Director at HLM Architects and Head of the practice's Asset & Workplace sector. He has worked with local government and public sector agencies for over 20 years, using architecture and creative thinking to drive value through effective estate portfolio and workplace strategies. Richard is advising clients on how to achieve Net Zero Carbon objectives, promoting Modern Methods of Construction techniques and driving social value principles through design.

Guy leads Strategic Business Advisory services and worked at PricewaterhouseCoopers (PwC) and Ernst & Young for 20 years, focusing on real estate strategy. He has worked extensively on complex public sector property transformation projects, including public-public partnerships, local authority trading companies, One Public Estate, cost reduction and property portfolio and workplace strategies. He is currently advising Cabinet Office on its Well-Maintained and Net Zero Carbon initiative.

Figure 1: Geographic distribution of responses



government, property development, manufacturing, banking, property investment, mining and insurance services.

The distribution of responses, by location and sector, is shown in Figures 1 and 2.

We raised some challenging issues in our engagement with the market and uncovered some surprising perceptions and expectations.

What we found

The Fit for Future report collates our findings and predictions into 3 discreet sections covering:

- Organisation – the power of the people, support for wellbeing, sustainability and technology as an enabler
- Workplace – the purpose of the workplace, cultural change, the use of space, and productivity; and
- Portfolio – locational strategies, scale of operations, cost management, and sourcing strategies.

Rather than simply repeating what we have set out in our report, we have looked at a number of current themes facing the public sector and aligned findings from our research to those themes. The themes are:

- The town and place making
- Green growth
- Organisational change

The town and place-making

Belt-tightening and employee expectations for flexible working and 'work near home' will mean a significantly reduced floor space in city centres for some organisations. Just a quarter of real estate leaders were confident that their city centre footprint would not change.

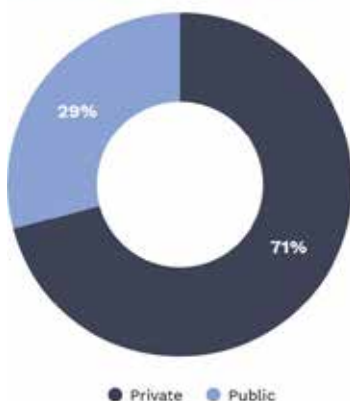
"City centre spaces will have to work harder to justify costs as we look at a 'hub and spoke' model." Director of Real Estate, EMEA

Several organisations across the public and private sectors are actively considering locations closer to where their workforce live and want to work. They are motivated by staff wellbeing, sustainability and resilience – and perhaps cost reduction.

"We want to be able to provide touch-down offices closer to where our staff live and at the same time reduce costs." Head of Facilities, Law firm

Figure 2: Responses by sector and industry

In what sector do you operate?



What is your primary industry?



Whether those organisations moving functions out of the city centre actually translates into reduced occupier space demand will depend on longer-term social distancing regulations, as well as the extent to which reduced densities are designed into re-purposed workplaces. In the UK, with

Photograph 1: Work is a process, not a location



lease lengths typically in excess of 8 years, and relatively high workplace densities, the shift from the city centre (if it takes place) will be slow.

The trends have both positive and negative impacts for local place making and the levelling up agenda. The woes of the high street and retail that are supported by major commercial office districts are likely to be exacerbated. As business investment withdraws, the signs of deprivation will become more apparent, impacting the health and wellbeing of local communities. Re-purposing and re-imagining the high street were already priorities for local authorities before C-19 but all is not doom and gloom.

“Our workforce plan is to recruit over time more people from outside London on flexible homeworking contracts to reduce wage and property costs.” Managing Partner, Professional services firm

Local economies and small commuter towns could benefit from an expansion of satellite offices, co-working accommodation, and home working. The fact that people are spending more time and money in their local neighbourhood is a trend that many will watch with great interest. This could lead to significant increases sustained in the daytime population of some smaller towns, and act as a counter-balance to disruptive forces that are affecting the high street as we have known it.

As this article is being refined, news emerges of another ‘satellite’ town less than 20 minutes from London where the local authority has leased space to an established co-working operator. The cost of a dedicated

desk per annum is perhaps 20% of the London equivalent! The local authority and others would do well to analyse the scale and extent of organisations happy to support a ‘relocation’ of some staff to such satellites – and monitor the organisational and individual satisfaction with the new regime.

“Co-Space signs 10-year lease with Stevenage Borough Council” Property Week, 26 March 2021

Green Growth

The pandemic became an unplanned environmental experiment. We witnessed the impact of enforced change on a global scale. Within the UK, 2020 was a record for renewable energy, accounting for almost 42% of the country's electricity. The UK was fossil-fuel free for over 2 months. Reduced travel, enforced road closures with tangible place making benefits for our town centres, improved air quality and wellbeing.

“The green agenda is now being taken seriously and has been brought into sharp focus by the pandemic.” Head of Assets and Place, Local authority

Post-pandemic resurgence in industrial activity and fossil fuel energy use may wipe out recent environmental improvements. Or perhaps there is still a narrow window of opportunity for long-term environmental ‘good’ to come from something bad. By witnessing the positive environmental impact from this unplanned experiment, much more extensive and proactive behavioural change can underpin a green recovery.

Despite many public sector survey respondents believing they had already understood the Climate Emergency and were beginning to embed sustainability into their service delivery models, the survey suggests that there will now be greater impetus to reduce environmental impact through investing in places of work, asset performance, achieving Net Zero Carbon interventions, and supporting greener travel to work arrangements.

“We used to look at the ‘green’ agenda as a distinct programme of activity divorced from others. Now the property strategy and our ‘green’ objectives are interwoven and will remain so.” Head of Property, Local authority

Indeed, 56% of respondents expect to adapt their buildings to become more energy efficient and consume fewer resources as a consequence of the pandemic. Re-purposing and re-imagining assets will become more important to the public sector.

Respondents advocated that environmental sustainability would extend well beyond building assets. This will now embrace a more holistic approach, including location, accessibility, fostering the benefits of the hybrid workplace model, communication technologies, and the desire to create sustainable workforces and communities.

What will become important is how organisations measure equitable value from investing in decarbonisation.

“Our high hurdle rate for return on equity hinders investment to decarbonise – we need to recalibrate how we measure benefits.” Director, Global Real Estate, Multinational chemical company

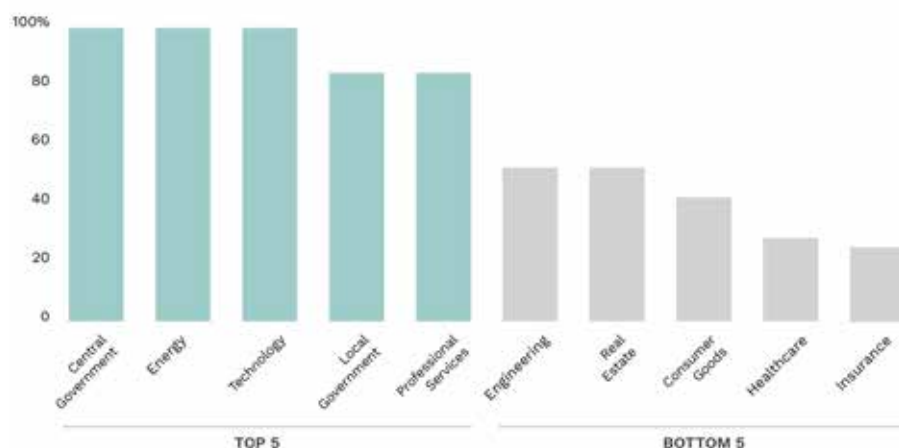
We found that long-term, sustainable health and wellbeing strategies are a given, and the positive environmental impact of the pandemic during 2020 has created an opportunity to foster behavioural change. People will expect their governments, landlords, and employers to make environmental protection a priority when planning the post-pandemic recovery. This has implications for what we termed the ‘war for talent’.

Figure 3 points towards the rising expectations of the workforce that must be addressed. These expectations include a meaningful response to sustainability, but much more beyond.

Figure 3: Meeting the expectations of the workforce

The expectations of the workforce will be increasingly difficult to meet in the workplace unless it is adapted

By Industry



43%

measure the productivity of employees in a systematic and evidence-based manner

78%

expect the workplace to be adapted to enable it to perform additional social functions

55%

expect their workplace to be re-designed and better managed to improve productivity as a consequence of the pandemic



People

- Will you be systematically capturing the preferences of your workforce in terms of place of work?
- Are you capturing and learning from employee perceptions of productivity under different working models?
- Have you explored the role of the workplace in defining the culture and brand of the organisation?
- How will you design a workplace that attracts employees, makes them feel safe and at home and supports all their needs?



Place

- How will technology and physical workplaces together be leveraged to provide employees with choice and autonomy and support hybrid working models?
- Are you using smart building technology to automate and optimise workspaces for an enhanced user experience?
- What perceived benefits to employee productivity, wellbeing and social/ business connectivity has the virtual workplace enabled that need to be sustained?
- Has your footprint strategy been reviewed to reflect business changes triggered or accelerated by the health crisis?
- Have you reviewed the costs and benefits of relocating staff and activities to lower cost locations, for example, wellbeing, resilience and potential productivity benefits?



Policy

- Do you have a decarbonisation strategy that is based on a modelled trajectory for achieving net zero carbon?
- Do you have policies or principles in place to enable a healthy work life balance to be achieved?
- Have you considered providing flexible touch down space (or satellite offices) to support 'work near home' policies?
- Have you considered adjusting the balance between core and flexible occupancies and exploring the smaller and more flexible options that are increasingly available?
- Are you discussing the opportunities for both landlord and tenant to benefit from any negotiation or renegotiation?

Organisational change

We have already touched on new models in relation to potential impacts on towns and place-making, and in support of the sustainability agenda.

In many locations, the public sector is THE employer. The concept of community wealth building refers to the large local authority, higher education institution or health trust as the 'anchor institution', whose presence and purchasing power gives it the ability to create and retain wealth in many ways, on behalf of the local community.

We encountered several public sector bodies last summer actively addressing how they might 'level up' within their boundary, dispersing economic benefit to a wider range of communities, while simultaneously addressing the clear desires of many employees for sustained patterns of remote and flexible working.

"Covid19 has been a catalyst rather than a direct cause of the change in direction and operating model of the council." Head of Property, Local authority

Interesting challenges lie ahead for those contemplating the future of the town hall or civic centre when functions, roles and people have been distributed elsewhere. Will One Public Estate and greater collaboration provide the answer to this and similar challenges?

Perhaps the programme will, to use that well-worn phrase, be turbo-charged now, as greater focus is placed on imaginative solutions for surplus space across the public sector estate.

Portfolio change

Portfolio change in terms of scale, nature, and purpose is also expected to emerge as occupiers robustly review and challenge the rationale for retention of every property asset.

Approximately 50% of those participating in the research admitted that they occupy their workspaces because they are there, rather than because of the added value brought to their organisations!

This suggests we need to get better at calculating and then demonstrating how real estate genuinely supports the core business.

From well-meaning to wellbeing

The meteoric rise of wellbeing up the public and private sector agendas has been fascinating to watch. And adaptation of the workplace is regarded by the majority of real estate leaders as a fundamental requirement, if the expectations of the workforce are to be met.

"We used to measure the satisfaction of employees with the workplace but not in any consistent or systematic way. We know we need to do better going forward." Property Asset Manager, Global bank

We witnessed a subtle shift in the balance of power between employer and employee. It is our view that a new balancing point has been or will be reached that gives the employee more flexibility and freedom. Organisations will necessarily need to shift their focus towards outputs and outcomes, but this may require a cultural gear change. Since the workplace promotes and amplifies the prevailing culture of any organisation, the arguments in favour of revisiting the purpose of the workplace continue to mount up.

Research into practice

To move beyond just creating a highly insightful piece of research, we thought it

helpful to intersperse the findings with check lists comprising questions that need to be posed and then answered to better plan, manage and implement your new workplace and portfolio strategies.

We have extracted and copied opposite a sample of the questions posed:

If we were to repeat the research (Fit for Future II), do you think we should focus on any different topics? **Please share your thoughts and help shape the future!**

CIVIL SERVICE RELOCATION Civil Engineering – how the proposed relocation of 22,000 civil service roles might impact London and the north



Dan is the Head of Research at Carter Jonas. He oversees the firm's programme of market and topic-based research across a wide range of sectors, with a day-to-day focus on the commercial market. He has over 25 years of experience, undertaking client projects and providing insight into the latest property market trends.

Dan Francis Daniel.Francis@carterjonas.co.uk

Dan's speculates about the 'levelling up' proposal to relocate civil servants. He considers the scale of the government's ambition, the potential benefits and drawbacks for London and the northern regional markets, and whether it is a desirable strategic objective. And is a rethink now required, post Covid?

The March 2021 Budget confirmed the government's intention to relocate 22,000 civil service roles out of London and the south east by 2030, through the Places for Growth programme. The intention is to relocate a wide range of roles to the north of England, as part of the broader 'levelling up' agenda.

How realistic and ambitious is the proposal?

The concept of relocating large numbers of public sector staff is, of course, not new. The 2004 Lyons Review proposed the relocation of 20,000 roles out of London and the south east over a 6-year period. More recently, 14 super-hubs have been created in many of the UK's main regional commercial centres, led

by HM Revenue and Customs – although this has been driven by the benefits of improving and consolidating the central government estate, rather than by relocation out of London and the south east.

The scale of the current proposal is considerable, and 22,000 roles represents a quarter of all civil servants located in London. However, the timescale of 2030 means it will take nearly a decade to implement fully.

Importantly, the 2030 target date goes well beyond the next election (and indeed beyond the subsequent one), so political priorities may well change significantly. Given the need to adjust to the new realities of Brexit, the ongoing turbulence around Covid, and the high probability of further unforeseen events, there will doubtless be many higher priorities for the government.

There are also many practical issues around implementation, and there is an important distinction between roles and people – while roles may be transferred out of London, many staff may not actually move. Experience shows that there can be a high attrition rate among employees in long-distance moves, for a range of personal and practical reasons. As an example, the Office for National Statistics relocated to Newport in 2005/6 as part of the Lyons initiative, but only about 10% of the staff chose to relocate, resulting in a “brain drain” from the service.

The March 2021 Budget confirmed Darlington as the location for a new campus consisting of around 750 roles. This will include around 400 roles from the Treasury, with the remaining 350 roles split across a variety of other government departments. This represents only a fraction of the total proposed relocation programme. However, the Lyons programme demonstrates what can be achieved – the target of 20,000 roles was reached early and was eventually exceeded, with over 25,000 roles relocated.

What is the potential impact on London?

Based on the government’s current average occupational density of 9.2 sq m per full time employee (FTE), relocating 22,000 roles could mean around 2m sq ft being vacated in the London office market. This would be principally in the Victoria and Westminster sub-markets.

Given office stock in these sub-markets of 21m sq ft, 2m sq ft represents nearly 10% of the total office space. Even in normal conditions, this would have a significant market impact, but it will be compounded

by the current uncertain outlook for office demand. Of course, civil servants are based in a variety of locations across London, and therefore some impact could occur in other sub-markets.

This approach comes at a time when central London is already struggling economically because of Covid, and it would exacerbate the inevitable reduction in space occupied as the working from home revolution plays out (as well as being a psychological blow). The lack of available quality stock across the regional markets will necessitate pre-lettings to accommodate the proposed scale of role relocations, and these generally have a lead-in time of 3–4 years. This phasing, plus the overall 10-year timescale, will help to cushion the impact on the London office market.

The civil service occupies a mix of government-owned and leased stock, and it is the leasehold estate that is likely to bear the brunt of the downsizing, based around those buildings with upcoming breaks and expiries. There are likely to be good opportunities for conversion to residential (particularly for some older buildings with architectural merit) and given the timescale, the market should be well into recovery phase.

Most of the released office stock is likely to be secondary, and would probably need major refurbishment if retained as office space. This will also depend on the long-term outlook for office occupier demand, and the type of space that will be required in the future.

In the wake of last year’s announcement that the Greater London Authority is leaving City Hall for the Royal Docks in Newham, we could now be seeing a broader trend towards government roles being relocated out of central London.

What is the potential impact on the north of England?

The ongoing working from home revolution will probably mean most employers across the public and private sectors will require less space, although it remains an open question as to the extent. Therefore, it is likely that considerably less new space would be required by the civil service than is vacated. In addition, the space in new bespoke buildings could be utilised more efficiently than the current mixed bag of buildings in London.

Assuming the current average occupational density of 9.2 sq m per FTE

reduces to, say, 7 sq m per FTE, then only 1.5m sq ft would be required, compared with a potential 2m sq ft being vacated. This is still a considerable requirement, especially if it is focussed on locations in northern England outside of the established office centres, such as Leeds and Manchester. It is, for example, about twice the combined average annual take-up of Sheffield, Newcastle and York (measured over the last 5 years).

The public sector has already been the lynchpin of take-up in some key regional markets over the last 12–18 months, particularly as the private sector has been holding fire in the current uncertainty over both the path of economic recovery and future office working patterns.

There is a shortage of quality office stock across most major regional markets. The top 10 regional markets have seen very limited development in the last economic cycle following the 2008 recession, and there has been little or no significant grade A stock actively coming through the development pipeline in most smaller towns and cities in the north of England (although many have potential sites for such stock).

The government’s proposal will provide regional developers with an opportunity to bring forward schemes. For those towns and cities that are chosen for the new hubs, the potential opportunities can be far broader than simply the economic benefit of the jobs created, including place making and the reinvigoration of town centres. Local authorities can play a significant role, and there can be benefits to a joined-up approach between local and central government. For large relocations, a further consideration is the impact on local housing markets in terms of demand, supply and pricing.

Is it the right strategic objective?

It is easy to see the ‘push’ benefits of relocating civil servants out of London. Occupancy and labour costs will be lower (although this will be partly offset by the costs of implementing the proposals). It also provides an opportunity to offer higher quality accommodation that meets a wide variety of objectives, including improved energy efficiency, lower running costs, layouts better suited to collaborative working, and ‘wellness’ features that improve the health and wellbeing of staff.

The ‘pull’ benefits are perhaps even higher up the government’s list of priorities, given



WE HAVE ACTED FOR **154** LOCAL AUTHORITIES

Our specialists have an in-depth understanding of the day-to-day operational requirements of local authorities which allows us to provide tailored estate advisory services to meet your operational needs. The strategic and planning advisory services we offer are supported by the practical implementation of agreed strategies, using informed market knowledge and expertise gained through the successful delivery of transformative projects.

To discuss your current requirements, please contact:
Alexandra Houghton, Head of Public Sector
alexandra.houghton@carterjonas.co.uk | 07880 004520

OUR LOCAL AUTHORITY EXPERIENCE:

3,500 assets assessed
using our Location & Asset
Strategy Review methodology

4 joint venture partner
procurement exercises undertaken
in the past 24 months

2,691 tenancies under
management

8 estate regeneration
CPOs currently being advised
on across 5 local authorities

12 local authorities we provide
annual asset valuations for

its 'levelling up' agenda to boost economic growth in regions outside of London and the south east, particularly in the north of England, and to make policy and decision-making less London-centric.

20% of all civil servants are based in London, which accounts for a corresponding 20% of the overall stock in the central estate. Given London's size and status, this does not appear unduly weighted towards the capital, when one considers that 25% of UK output is generated there.

But of course, the objective is to help increase the level of output contributed by the rest of the UK. There are sound economic arguments for this, and it is one of the keys to raising the UK's woeful productivity performance as the economy rebuilds post-Covid.

The original Lyons project gives cause for optimism on the potential benefits to the regional economies. Research in 2015 by the Spatial Economics Research Centre found that the Lyons strategy did indeed benefit local economies. It estimated that for every 10 civil service jobs that relocated to an area, 5.5 local private sector jobs were created (although there was some crowding-out of the manufacturing sector).

The over-centralisation of government decision-making in London is widely acknowledged as a problem for the UK (and England in particular). Although a fifth of civil servants are London-based, the picture looks very different when considering the

seniority of roles. According to the Institute for Government, 68% of senior civil servants are located in the capital, while only 9% of the less senior grades are located there. In the northern regions, the picture is reversed. The north east, for example, accounts for 7% of all civil servants, but has only 2% of senior civil servants.

The relocation strategy is targeted across all civil service grades, with an objective that many senior-grade roles are relocated. This is a vital element for the success of the project, but the decision-making process must also be devolved. The government's proposal is unlikely to succeed by simply relocating large numbers of civil servants to some selected cities in the north, if key decisions continue to be taken in London.

In reality, there is likely to be a natural limit to how much relocation can occur. London remains the nation's capital, and it is perhaps inevitable that the most important policy decisions will be taken there. Many of the senior roles will still need to be in London for much of the time, and there will probably be resistance to the proposals. The risk, therefore, is that it will be predominantly the lower level jobs that will move, potentially undermining the concept.

Then there is the question of which towns and cities should benefit, and there will inevitably be winners and losers. The agglomeration of skills has always been a key ingredient of economic success, both for organisations and places. Successful

places build on their existing strengths, specialisations and skillsets, and it can be difficult to create them artificially.

Choosing the optimum locations will be a fine balancing act - the wrong choices could be detrimental to the civil service, while not providing the hoped-for economic benefit. Rapid access to London could be an advantage if senior civil servants are required to attend meetings in London on a regular basis. Therefore, HS2 may well influence where the new regional civil service hubs are based.

But perhaps there is a more fundamental question mark over this approach, to uproot jobs from one part of the country to another. Is this concept now outdated, given the increase in home working and speculation as to how the entire office model and its role in supporting businesses might evolve?

ADVERTISING IN ACES TERRIER

The Terrier is a good way to get your company known to public sector surveyors. ACES represents the chief estates officers and their staff, who are the property, strategic asset management and valuation professionals in public sector organisations throughout the UK. Membership includes the range of local authorities, the Government Office, fire, police and health authorities and the Valuation Office Agency.



	4 x The Terrier plus website	The Terrier single edition
Full page	£2300	£800
Half page	£1800	£600
Quarter page	£1500	£500

If you wish to discuss advertising please get in touch.

Betty Albon editor@aces.org.uk or Trevor Bishop secretary@aces.org.uk

Advertising rates for 2021/22 to remain the same



CULTURE OF INTIMIDATION

Chris Brain FRICS chris@chrisbrainassociates.com

Chris spent nearly 25 years working in local government, involved in estate management and strategic asset management. Having moved on to CIPFA in 2003, Chris has been delivering property consultancy and training across the public sector. In 2019, he established his own consultancy, Chris Brain Associates, and he continues to support the public sector with property consultancy and training throughout the UK, in strategic asset management, organisational efficiency, and asset valuation.

Chris is a member of ACES and is ACES' Valuation Liaison Officer.

Rather a different article from Chris, but some salutary lessons. While Chris focuses on the culture and process surrounding the property dealings of the council, he suggests that the detailed report should be studied for your own authority's transactions.

"Arrests, intimidation, dubious contracts and squandered millions - how England's 10th biggest local authority failed the people it was supposed to serve."

That was the opening line in a recent story in the Independent on the report issued in March 2021 into the goings on at Liverpool City Council, including some rather dodgy looking property deals. There is no question that the reputation of Liverpool has hit a low.

History will judge how the current low compares with the low it reached in the Derek Hatton era of 1985, when the council set an illegal "deficit budget" which committed it to spending £30m more than its income.

The 1985 situation was all about external politics of course, and was part of a wider rate increase rebellion against the government of the day. The current situation, set out in painful terms in the report from Max Caller CBE, is much more rooted in matters of internal politics.

The report runs to nearly 70 pages so there is plenty in there for you to digest, and too much to cover every single angle in this article. To give you a flavour of the contents though, I am going to set out some of more alarming issues raised. That will enable you to decide whether you feel that someone in your organisation should be reading the report in detail, and establishing how you compare.

Following a 3-month investigation, inspectors described an authority where "dubious" contracts were regularly handed out, key records were routinely destroyed and staff who dared voice concerns – or even ask questions – were intimidated.

Among major issues highlighted were senior councillors benefiting financially from funding decisions, a scrutiny process described as "sketchy", and the handing of at least one major contract to a direct family member in breach of all regulations.

I want to focus this article on what the report tells us about the culture and process surrounding the property dealings of the council.

In total, inspectors analysed 65 sample property transactions entered into by the council between 2015 and 2020. Not a single one was found to be entirely satisfactory. Who knows what might have been uncovered if the inspectors had gone back further than 2015, given that the mayor, Joe Anderson, where many of the reports findings focus attention, first took office as Council Leader in 2010, and became its first elected mayor in 2012.

This sample was selected because of the method chosen for securing an offer; the particular policy initiative which was relevant; or because the sites could be linked to the police investigations. The inspectors were obviously keen not to apply 20/20 hindsight when reviewing the transactions, but it seems it soon became clear that *"a depressingly familiar pattern emerged."*

In case after case, the inspection team noted that there was no attempt to seek any form of market test. Sometimes valuations were prepared on a number of bases, but rarely on the basis of a likely alternative planning scenario, even though this is a requirement of the General Disposal Consent. It would seem that the concept of preparing an informal planning brief was absent.

Alternative valuation scenarios were also prepared which discounted the likely highest valuation. These valuations were almost entirely prepared in-house. Not every site started here; some did not have a valuation recorded on file until it was needed to certify the proposed deal – a clear case of bad professional practice, which surely demands that a valuation should be undertaken prior to commencing negotiations.

More often than coincidence would allow, the person/company who was found at that point to have acquired the lease was drawn from a very restricted pool. In many cases, Heads of Terms were agreed, certified as being best value reasonably obtainable in the market and recorded as being authorised, but failing to fulfil the requirements of the council's scheme of delegation to enable them to rely upon it.

One might have hoped that this pattern might have been identified by the legal services team dealing with property conveyancing, who would have been familiar with the scheme of delegations and stopped some of these transactions in their tracks. This is part of the belt and braces governance process that many local authorities will deploy.

Sadly in Liverpool's case, the in-house legal team did not have the resources to handle the number of cases, so outside solicitors were commissioned, directly by the regeneration directorate without going through the City Solicitor. As the report concludes of this situation: *"This meant that the City Solicitor never had oversight of the scale and scope of activity and could never ensure a consistent approach which protected LCC's interests and ensured compliance with Standing Orders."*

The report finds that the focus of outside solicitors was on getting the deals done, as it was for council officers. There was a clear lack of proper oversight, and some of the comments in the report about how the consideration for disposals were routinely eroded during the conveyancing process, is grim reading indeed.

Very often, when the planning service sought to agree routine s106 agreements as part of the planning process, the costs of this were sought and usually agreed to be deducted from the consideration. Overage clauses were trimmed back effectively to make them unenforceable. Pre-emption clauses, designed to allow LCC to buy back the property if development did not proceed, were undermined.

Inspectors found that at the point of exchange, it was often necessary to recertify the value as the existing delegated authority did not cover the new terms. As the report quite nicely summarises:

"This was always forthcoming. From time to time, both legal and finance officers raised concerns, but no-one thought it correct to call a halt, reflect on where the deal now was and whether it was still right to continue. Instead, the files were full of, 'what do we now do to get this deal over the line.' Securing LCC's best interests were not on the agenda. When officers tried to resist, implied threats were employed."

The litany of disaster was by no means isolated to deals negotiated by the in-house property team. In one case where the council employed CBRE to undertake a valuation – because the property was so specialised that the in-house team felt it should not value it – CBRE eventually wrote to the council saying that the position had been reached that they could no longer certify that the negotiated price was best value.

The council officer interviewed about this transaction by the inspectors said there was a subsequent meeting, where CBRE retracted that statement. But there was no record kept of the meeting, and no follow up correspondence. When the delegated authority was put through, best value was internally certified, even though it was acknowledged that the in-house team did not have the valuation expertise to value the property. All very mirky, and again indicative of a culture that was all about getting the deals done, rather than ensuring proper governance of public assets.

The inspectors have said that in many instances in the files, it was hard to establish what deal actually was approved and who authorised it. There is evidence of retrofitting an approval to the final contract.

There is no question in the minds of the inspectors that there was extreme pressure brought on council officers to get the property deals done. I am sure we would all like to think that we would have acted beyond reproach, and that in the face of threats we would have stood our ground and ensured that proper valuation and delegation procedures were followed. But who among us can truly know what it was like working in that pressured culture, and how we would have responded?

Is it possible to finish this article on a

high point? Well, yes it is. The inspection team reviewed the latest tranche of 'Small Site' disposals late in the inspection period. The project was being managed by 2 graduate surveyors and they had been allocated the project before the suspensions and arrests, and then allowed to manage the process with little intervention.

The records on this project, according to the inspectors, demonstrated understanding with both professional practice and delegated authority procedure. The decision record was properly prepared and documented.

The graduates had recognised the risks to the council in releasing all the sites in one tranche to the developer that had offered the best price, and decided to release each one only on satisfactory completion of the current site. The inspectors noted that while the records were not perfect, they were an example of what good professional practice in a local government setting should look like.

Hopefully, the council's property team will find a way of putting this experience behind it and look to a brighter future.

On another positive note, in October 2020 the property team engaged external consultants to appraise the health of the management of the corporate property estate. The resulting report set out a number of recommended work streams that will support the council in adopting and implementing a corporate property management approach.

Shocking though the Liverpool report is, I have a suspicion that elements of what went on will have been experienced by many others in other councils - to some degree.

Whether the Liverpool report will be a critical wakeup call or turning point for local authority governance remains to be seen. But what it does do is raise serious issues around ethics and officer independence from local politics. It is a timely reminder of how things can and do go wrong, once good governance and scrutiny in public affairs is not taken seriously.



Richard has been specialising in auctions since 2001 and has successfully sold a wide range of commercial, residential and mixed use property from London, to Scotland, to the Isles of Scilly. He sits on both the RICS & NAVA Auction Committees which influence and set industry standards.

Providing an arms-length and transparent method of marketing and transacting, auction is popular with any person handling third party money.

AUCTIONS

How Covid-19 has launched auction to the forefront

Richard Watson Richard.Watson@knightfrank.com

Richard explains how using auction as a means of selling assets has many advantages, especially in a Covid world.

Auction, as a route to market, has come a long way over the last 10 years, transforming from a place where only the truly initiated dare transact, into a marketplace where owner occupiers are increasingly selling to other owner occupiers using reservation agreements, rather than unconditional contracts.

The ease of coordinating many assets types, the speed and certainty of selling, combined with the confidence that market value will be achieved, has led to an increase in popularity for this route to market.

How has Covid impacted public auctions?

You might have thought that the ban on public gatherings may have had a serious impact on public auctions, but the reverse is true. The C-19 pandemic has acted as a catalyst to speed up the use of auction as a way of exposing assets to a wide audience, who then have the confidence to compete in an open environment to establish price.

In addition to this, because venues do not need to be booked, sellers are increasingly choosing a day and time that suits them to close down the transaction, rather than a fixed date dictated by the auctioneer. This has the added benefit that marketing periods can be extended where an asset demands it.

Variations of contract types have increased

Another unexpected trend is that sellers increasingly use contract terms which are

not as onerous as standard unconditional contracts. A good example of this is in the residential sector, where no contract is exchanged, rather a reservation agreement is entered into by both seller and purchaser.

These agreements limit the liability of the purchaser to a non-refundable deposit, typically 10% of the purchase price, and grants the purchaser more time simultaneously to exchange and complete, typically within 40 business days.

Pre-pandemic, there was much debate about the lack of an exchange of a contract weakening the seller's position, but practice has taught us that once a buyer puts a deposit down and benefits from the comfort that the seller cannot treat with anyone else, they complete.

There has also been the introduction of clauses with regard to contamination, or for the sale of sites where they must be developed within 3 years, else the local authority has an option to buy the land back for £1. This helps to ensure that the type of buyer is correct for the asset being sold, and the objectives of the seller met.

Establishing market value

This is crucial; every seller wants to know that they have achieved the correct price. While sale by auction achieves an asset's market value, by definition, some public body sellers are including a contract condition that allows for the asset to be valued post sale.

If the valuation comes back within 10% of the sale price, then the transaction proceeds. If not, then the contract falls

away. This prevents over-valuation of assets prior to sale, which will result in an abortive marketing campaign and abortive costs.

Speed and certainty

Naturally, allowing the market to establish price via competitive bidding is a much more efficient way of establishing price and removes protracted negotiations. The framework also gives purchasers very clear directives as to the steps needed to be taken to achieve a purchase.

Use of technology

Technological improvements, driven in part by C-19, forcing people to embrace new ways of doing business, have helped streamline the flow of information, expedite transaction times, and offer even greater transparency. It enables anyone to participate in a sale and for there to be a level playing field for all competitors.

Inspections

Since C-19, the use of photography, Matterport Tours, drone shots and personal

video tours has exploded. Property portals quickly improved their sites to support these functions and buyers have become more accustomed to relying upon them.

It is now only a request of the truly focussed buyer to inspect, rather than a stage 1, 'what is it you're selling' request. This has helped improve the flow of information and reduces abortive trips to properties.

So what does the future hold?

As can be seen, C-19 has had only positive influences on sale via public auction. It has driven improvements to the flow of information, pushed through the use of differing contract terms, broadened the pool of potential buyers and levelled the playing field for all to participate. It has also reduced the barrier of entry into the market, that is, more firms are able to conduct sales now that the cost of hosting a public sale has been removed. No longer do hotels need to be hired and staffed at the seller's expense. It has therefore shifted instructions towards firms that are able to add value to an instruction, by having

complementary service lines and expertise.

For me at Knight Frank, it has meant working closely with professional teams involved in areas such as hotels, care home, land, planning, and leasehold enfranchisement, as well as using our network of offices, both commercial and residential, around the UK. The variety of transactions is obvious from the examples referenced in the box.

This certainly keeps my work interesting.

Examples of sales

<https://knight-frank.sdlauctions.co.uk/property/28369>

<https://knight-frank.sdlauctions.co.uk/property/28538>

<https://knight-frank.sdlauctions.co.uk/property/28710>

<https://knight-frank.sdlauctions.co.uk/property/27343>

<https://knight-frank.sdlauctions.co.uk/property/28542>



NATIONAL PRESIDENTIAL CONFERENCE 2021

Soundings have been taken, from sponsors, members, and key partners around the 2021 ACES presidential conference to understand whether we should hold a physical and a virtual conference in 2021.

After very careful consideration, ACES will now focus on holding the 2021 Conference as a virtual conference only and make this the best possible event for ACES members. Planning is well underway, and we have secured a number of topical subjects, key speakers and sponsorship.

The format will reflect the lessons learnt at the 2020 Conference and build on these. The virtual sessions will be delegate friendly in duration and timing. All sessions will be free to the public sector but ACES Members can pre-register and would have priority booking. We will maintain our track record of bringing forward topical and essential subject matter presented by excellent speakers and aimed towards both experienced and new practitioners.

We are aiming for the Conference to take place around the end of September but keep an eye on e-briefs and the website for confirmation of dates and times.

The support you require

We understand the changing priorities for the public sector and the need to strike a balance between improving asset performance and demonstrating value for money.

Knight Frank can give the support you require, providing a range of specialist skills and market intelligence, to ensure that you can deliver the best outcomes.

We are approved suppliers on a number of government frameworks, making it easy for you to work with us.

For further information contact:

James Leaver

Partner

+44 20 7861 1133

james.leaver@knightfrank.com

Alastair Paul

(Rural Consultancy)

+44 1279 213 350

alastair.paul@knightfrank.com

Sarah Moran

Senior Surveyor

+44 20 3866 7872

sarah.moran@knightfrank.com



Zaman is an Estates Surveyor at Babergh and Mid Suffolk District Council and a RICS Young Surveyor of the Year finalist. He has an undergraduate degree in law and has recently completed an MSc in Real Estate Finance and Investment. Zaman is currently sitting the APC while also working towards his conveyancing licence.

CORPORATE PROPERTY STRATEGY

The concept of corporate property strategy within local authorities

Zaman Sheikh

Zaman summarises research carried out in understanding the concept of corporate property strategy within local authorities. Mixed methods of research were used in the study, utilising an in-depth literature review, a survey questionnaire, and semi-structured interviews.

So, what is a corporate property strategy?

In short, it is the ability to utilise businesses assets in order to assist with the businesses core aims. Or, more formally defined by RICS as:

"Strategic Property Asset Management is the process which aligns business and property asset strategies, ensuring the optimisation of an organisation's property assets in a way which best supports its key business goals and objectives" (RICS, 2012).

The use of real estate to assist with a company aim where that organisation's primary function may not be linked to property is often overlooked, or indeed, the assets are unintentionally utilised with no 'strategy' in place for how to use them.

Research has been carried out in order to understand how a company, particularly local authorities within the UK, are using their operational and non-operational assets in order to meet their corporate objectives. The research focus and aims are primarily to understand how the whole concept of corporate property strategy has been implemented within local authorities, what advantages these have provided, and what are the current limiting factors and risks associated in making a corporate property strategy more effective.

The research sought to answer the 4 key objectives:

The first key objectives will look at corporate property strategy holistically

across all types of corporations and companies, and not just limited to local authorities. This had been done through mixed methods of research using primary and secondary methods, through an in-depth literature and a survey questionnaire.

1. What are the benefits of corporate property strategy and how is it implemented?

The next 3 aims focused on local authorities through primary research mechanisms by interviewing those property departments of local authorities.

2. What are the current asset and property management strategies employed by that local authority?
3. How can the current corporate property strategy employed by local authorities change?
4. How can the current corporate property strategy employed by local authorities improve?

Research findings

Survey questionnaire

A short questionnaire survey was utilised in order to establish the parameters in which industry professionals understand the meaning, and what are the perceived benefits of a corporate property strategy.

The results of the questionnaire are reproduced:

Q1 – Do you know what is meant by Corporate Property Strategy?

- Yes (12 chose this answer – 66.67%)
- No (6 chose this answer – 33.33%)

Q2 – Does your current workplace have a Corporate Property Strategy?

- Yes (8 chose this answer – 44.44%)
- No (10 chose this answer – 55.56%)

Q3 – Is it Effective?

- Yes – (6 chose this answer – 33.33%)
- No- (12 chose this answer – 66.67%)

Q4 - Do you believe a Corporate Property Strategy has benefits?

- Yes (15 chose this answer 83.33%)
- No (3 chose this answer 16.67%)

Q5 - What do you think are the main benefits of Corporate Property Strategy?

- Revenue generation (2 chose this answer – 11.11%)
- Cost reduction (2 chose this answer – 11.11%)
- The ability to better meet a company's core business aim (2 chose this answer – 11.11%)
- All the above (12 chose this answer – 66.67%)

Q6 - What do you think the biggest challenge for employing an effective Corporate Property Strategy within Local Authority is?

- Politics (3 chose this answer – 16.67%)
- Lack of property related knowledge with senior decision makers (2 chose this answer – 11.11%)
- Poor property records (1 chose this answer – 5.56%)
- All the above – (12 chose this answer – 66.67%)



Interview findings

For the semi-structured interview, 4 participants were selected from the property departments of these local authorities. They were all officers with a degree of influence within their councils.

Key objective 1 – What are the benefits of corporate property strategy?

Interviewees shared the consensus that implementing a corporate property strategy showed key strategic benefits, particularly in relation to revenue generation, cost reduction and

'maximising value' while aligning to the businesses' needs. Key points to note from interviewees were:

1. Corporate Property Strategy creates a sustainable income model by creating a clear framework for councillors to follow
2. Corporate Property Strategy creates sustainable income whilst aligning with the council's overall objectives and aims
3. Corporate Property Strategy creates sustainable income through foresight and planning of asset utilisation and management
4. Corporate Property Strategy is a major

contributor to reducing costs and ensures councils' cores objectives and services are supported.

The thoughts and views of the participants clearly align with the research of historic and modern literature. Roulac (2001) and Edwards & Ellison (2009) both agree that employing a corporate property strategy provides benefits to an organisation. Both discuss and imply the notion of 'maximising value'. This is something that all participants implied when interviewed - the notion that an effective corporate property strategy would in turn maximise the value of each asset and therefore create sustainable income as a result.

Cost minimisation and reduction was a point which participant D specifically mentioned, this directly applicable to evidence recorded by Lindholm and Nenonen (2006) which states that cost minimisation and revenue generation are key ways in which a corporate property strategy (CPS) could benefit a business. These views were shared by the participants when they had mentioned that a CPS would allow for sustainable income to be generated; this can be seen as a synonym of 'revenue generation'. Lindholm and Nenonen (2006), although the research is dated, it is confirmed later by more modern research by Deloitte (2018), which implies that a CPS can add value to a company by either "cost reduction and increasing income", again a viewpoint shared by all participants.

Participants shared a common consensus that not only was implementing a CPS beneficial for local authorities on a financial level, but it would also be beneficial in assisting to achieve the local authorities' overall and overarching corporate aims. Participant B stated that an effective CPS would allow for the council to better carry out council services and functions. The participants have clearly expressed that an effective CPS would allow the local authorities to reach their corporate aims more effectively and have a variety of benefits.

Key objective 2 – What are current property and asset management strategies employed by councils?

It is interesting to note the comparisons in the current property strategies among the local authorities interviewed. When asked what their current corporate property strategies were, Participant A stated that a

lot of its council's strategy is outsourced to external surveyors. The case and argument for this has been made previously by Martin (2004), where it is stated that an internal property strategy may be distracting for the business' core and main aims: a council's main aim is generally public interest, so it can be argued to a degree that the property function within a council is not a key concern. Despite this, however, the participant did stress that the model is focused on generating a sustainable income rather than disposals of key assets. This again aligns with principles of "increasing revenue and cost reduction" as mentioned by Deloitte (2018).

Two participants interviewed shared the view that their councils adopted more focus on sustainable income rather than disposals of assets to create capital receipts, also, the current strategy is focused on creating a community balance, in accordance with the councils' overall objectives. This is something that the other participants did not mention in detail when asked about what the current strategies are.

One interviewee mentioned that its council currently does not have a corporate property strategy, but is working on formulating one; this demonstrates that the council is aware a proper property strategy has its benefits. One participant had demonstrated that its council was advanced in implementing a CPS and had, in fact, a document available to the public to show the strategic asset management plan had a time frame of 10 years, reviewed every year. The document states that some of its aims are as follows:

- *To support efficient and effective service delivery*
- *To support regeneration and development and enable the council to achieve its objectives*
- *To rationalise, develop and improve the portfolio to underpin the capital programme and revenue budget through development, income generation, property acquisition and disposals" (anonymised).*

In regard to current management practices, literature and research carried out by CIPFA (2018), Edwards & Elison (2009), Hartmann S, et al (2009) and the RICS, all share the view that an accurate

database of property records should be kept, outlining various details of the portfolio and individual assets.

All interviewees had mentioned that they had access to an asset database and a land terrier system. However, they stressed the need to improve these and the importance of keeping the land terrier systems updated. Ultimately, it was agreed that an effective land terrier and property register system was a primary tool needed to maximise the CPS.

Key Objectives 3 and 4 - How can the current corporate property strategy employed by local authorities change? How can the current corporate property strategy employed by local authorities improve?

There is a direct correlation with these 2 objectives.

All interviewees had stated that decisions that were made in relation to the property were heavily influenced by political motives, a view and response that was shared within the survey, with over 16% voting for it in isolation, and 66.67% voting for it to include the other challenges in employing a CPS. The interview participants had outlined that if this was not the case, then the decision-making process would be quicker.

Participant B outlined that the council is accountable to the public and therefore political. Political influences within the decision-making process often cause barriers in utilising a CPS, as demonstrated in literature by Langston & Lodge-Kristensen (2002). Scheffer et al (2006) had mentioned how senior management may not have sufficient knowledge of corporate real estate, a view that participant B and C both shared; they both touch upon how council members may not have relevant property-related knowledge or background. This would therefore confirm the notion that decisions that would be made may not be strategically sound, but more motivated by the political agenda.

The participants mention the difficulty of disposing of assets that may be a financial burden or risk to the council from the strategic estate perspective. However, none of the participants expanded on detail as to why this is. It is noted that as councils are accountable to the general public and are local authorities, the statutory requirements that they

must follow, notably s123 of the Local Government Act, 1972, where the council must give notice of the intention to the general public when disposing of assets, the council members and cabinet must also consider the decision accordingly.

One council specifically stated that political influence did not hinder the ability to affect CPS; in comparison to the other participants, he felt that it was not a challenge because there is a high level of support for its strategy; that particular council is highly detailed and transparent in regard to its asset management strategy and has a published asset management plan. The council has also employed foresight of thought and planning for future years: it is also undergoing a staffing restructure and needs to employ key members of staff that can facilitate the 'asset management'. This ties in with views and notions expressed by Sheffer et al (2006) and shared by Martin (2004) from Jones Lang LaSalle: if there are experienced and experts in place, the corporate property will be effective.

C-19 and the global pandemic is also stated by participants to have been a challenge that they need to change and improve on within the corporate property strategy.

Conclusion

Implementing a corporate property strategy has clear benefits, through increasing revenue, reducing costs and a smoother alignment to the business aims.

The main issues and challenges faced by local authorities seem to come from the lack of detailed property register data and effective land terrier software, as well as political influence, which can create delays in transactions, which can be detrimental. Lack of property-related knowledge among senior management and cabinet members are also factors that limit the effectiveness of strategic management of local authority assets.

Recommendations

Recommendations are as follows:

1. Implement and integrate a central strategic asset management document, which is transparent and widely available to public and members of cabinet
2. Integrate an effective property

management data base, software and GIS land terrier systems, which allows for decisions to be made on a case by case basis, on individual assets as well as holistically

3. Carry out workshop and seminars led by property professionals within the council to senior management and cabinet members
4. Implement a clear decision-making process that is shared throughout the council.

Further reading

Langston, C. & Lauge-Kristensen, R. 2002, 'Strategic management of built facilities', Butterworth-Heinemann, Oxford. Pg. 19

Lindholm, A.L. and Nenonen, S., 2006. A conceptual framework of CREM performance measurement tools. Journal of Corporate Real Estate.

Chartered Institute Public Finance & Accountancy, 2018. 'Strategic Property Asset Management Framework'. London: CIPFA

Delliotte, 2018. A Strategic Approach to

Real Estate Management. Inside Magazine, Part 03 - from corporate strategies & people perspectives (18)

Martin, L., 2004. The case for strategic real estate outsourcing. Strategic Direction

Naoum, S.G., 2012. Dissertation research and writing for construction students. Routledge

RICS, 2012. 2nd Edition, 'Public Sector Asset Management Guidelines'. Peterborough : RICS.



Tony is ACES' Liaison Officer for C-19, as well as rating and taxation. He has worked in senior management roles at a variety of local authorities across England and Wales. He specialises in strategic management, transformation and change. He has government, council and public sector contacts across the globe.

STRATEGIC COVID ISSUES Update on all things Covid

Anthony Bamford MBA MRICS MBIFM MCMI anthonybamfordmba@gmail.com

In this article, Tony looks at some of the key strategic issues influenced by C-19, including rating and taxation, and considers where local authorities and public bodies can provide maximum benefit in the future, as hopefully the worst of the pandemic has passed.

Introduction

It is always difficult looking into the proverbial crystal ball, but the wholesale changes brought by the pandemic and the sudden changes in outlook caused by the virus and disease, and the world's strategic responses to it, make this particularly difficult. Having sounded that note of caution, the following issues are likely to become a range of important drivers in the real estate, asset management, property and regeneration areas.

People voting with their feet

One of the most important issues resulting from the pandemic is that people will return to normal as they feel it appropriate or safe. I have broadly put people into 3 categories: adventurous, "back to normal",

and cautious (ABC). In the first group are those who perceive C-19 as having little effect on them and their lifestyle once restrictions are lifted. They will not just seek to return to normal, but make up for the lost time of last year. The back to normal will be less adventurous but probably form the bulk of people. These will be most important for retail and associated businesses and local authority high streets, as well as supporting the businesses that are council tenants. Finally, the cautious will be most careful for their health, both for medical and psychological reasons and avoid what are perceived as higher risk environments. These traits will be present in the office, in addition to the wider world. For managers, engagement and empathy will be important skills, alongside communication.

Schools and public buildings

The biggest single factor here will be the return to school, staggered across the devolved nations and commenced as a whole in England at the beginning of March. The P1 Brazil version of the SARS-CoV-2 coronavirus has now reached UK shores and will be an important factor in the success of this strategy. In Brazil, widespread reinfection of those previously ill with the original virus and many more children susceptible to this, and spreading it among their peer and families, were observed according to BBC World Service reports earlier in the year.

Schools are considered probably to be the single largest factor affecting the reproduction rate (R) of the virus. Further scientific analysis has established that the P1 version of the virus, in addition to being more transmissible, is a more serious infection. However, developing research suggests that existing vaccines can have a positive effect, possibly even on those already infected. This area of research is developing quickly at the time of writing. Naturally, such developments and news will have effects on the ABC groups suggested above, and how they respond to a potential return to more normalised lives.

Mass vaccination

At the time of writing in March, well over 25m people have had their initial vaccinations across the UK, with the core Pfizer BioNTech and AstraZeneca Oxford products proving extremely effective across major population trials. The UK's early implementation and scale of the programme has boosted the UK currency, with Sterling up against both the Dollar and Euro. These macro indicators are hopefully an early sign that with a fair wind, the UK will be ahead of other countries in strengthening commercial activity and consequent benefits for families and individuals, financial and psychological security. There have also been knock-on effects for company share prices and this optimism will have a wider effect across the economy. For some authorities, this will be directly felt by tenants and occupiers of non-operational estates, in addition to the cultural and leisure parts of council portfolios.

Long Covid

Both data and anecdotal evidence is

pointing to a significant issue in this area in the future. Some reports have suggested that as many as 1 in 3 intensive care patients have to be readmitted and overall, the proportion of long Covid sufferers is around 1 in 10 of those that catch the virus. In the UK, with some 5m confirmed virus cases (informed estimates suggest this could really be as high as 8 or 9m) and the US with some 28m virus cases, this will mean a large cohort of patients requiring appropriate interventions, care and support, in some cases for the rest of their lives, where heart, brain and other important organs have been affected, in addition to the lungs. Health and social care will be the 2 central pillars for this, and strategic asset management will be a key support factor in this broader initiative. It is likely there will be hot spots, such as east London, needing particular support.

Psychological and mental health will also be important issues affecting both those confirmed cases of Covid and the population at large. Charities, welfare groups and MPs are already pointing out this impending crisis, and assets and property will again have an important role to play both immediately and over time. Multi-partner and interdisciplinary organisations, groups and teams are likely to have important urgent requirements across health and social care and services sectors. Housing associations and other partners will be important players in the provision of larger care homes and sheltered housing and other property offers for those with emerging and established needs. Based on the estimates above, physical long Covid might affect up to one million people in the UK, and the mental health issues will be more numerous.

Commercial and retail

According to reports in early March, 15m sq ft of retail across the UK and some 20,000 jobs (850 per day) had been lost due to the pandemic by mid-February 2021. Despite the additional help offered in the budget - in some cases trailed beforehand quite extensively - such as the £5bn fund for businesses, this emphasises the scale of change in the UK. One effect both here and in the US in Detroit and Oakland, California, is that the pandemic has dramatically reduced funding for regeneration, but also the future market

and viability of earlier proposals. The examples of Detroit and Oakland reflect and emphasise the difficulty of "levelling up". A pandemic such as this is a factor which bears down hardest on the least buoyant areas. The prospective freeport proposals are one of a range of tools being put forward to try and address this. A further strategic finance day on 23 March has pointed a way to initiatives around the green agenda and other strategic objectives. The importance and urgency of rate reform is increasingly widely noted, and the Chancellor is expected to bring proposals forward in the autumn.

Commercial estates/ landlord and tenant

As the pandemic has continued, the levels of rent payments made to landlords have dramatically reduced in some cases, with the Shaftesbury Estate in central London reporting recently in the Financial Times that only 47% of due rent from the Christmas quarter had been collected several weeks afterwards. Other substantial negative effects have been Capital and Counties writing down their Covent Garden asset by 30% (Bloomberg). However, SEGRO, which rapidly, aggressively and shrewdly expanded into distribution some years ago, continues to thrive. In the office sphere, HSBC recently announced it planned to reduce its office estate globally by 40%. In a pandemic scenario, even the largest companies must adapt as local authorities have done in the austerity era. Furthermore, as with every recession (although this one is sui generis being health and safety related) corporate casualties will be notable during the "recovery phase".

Government financial support in the main commercial centres of the United States and European Union, in addition to here in the UK, will be essential in keeping financial market and corporate sentiments positive. The new US administration has developed an unrivalled support framework both in scale and breadth. It is noticeable that some 40% of the latest major US stimulus package has been earmarked for state and local government to utilise for support and provides an interesting comparison to the UK devolved arrangement. The moratorium on UK landlords evicting tenants has been extended to May 2021 for residential tenancies, and June 2021 for commercial

tenancies, based on news reports mid March 2021. In the US, Bloomberg has reported major write downs on retail mall values, with some now assessed at having the value that the asset was priced at in 2016. There is a tendency for what happens in the US to be reflected over here so shopping centre values are going to be severely depressed. Such assets bought as investments by local authorities will clearly become a matter of regret.

Rating and taxation

Although delayed, the review of rating is something that is becoming more and more pressing. While rates were a major burden on the likes of Arcadia and Debenhams, the financial models for the businesses have led them to the present position. Other retailers such as Marks and Spencer, whose Chief Executive recently wrote in the Financial Times, have pointed out how significantly this near 400-year-old tax has on them. Separately, the FT reported that around a third of rates income comes from retail premises, although they only comprise some 6% of rateable properties. Council tax is also becoming more high profile with a major report in the Guardian about inequity. Although there are technical issues around the comparisons drawn, the centre and scale of debate is clearly significant and growing.

More generally, the devolved administration in Wales has been looking at council tax (its last revaluation was in 2003 in comparison to 1991 in England), a commercial tax rather than rates and other alternatives. In some cases - especially closer to the English border - this could create anomalies and distortions. As indicated above, a fuller review of rates and associated issues is now expected in the autumn. With online retail comprising 60% of business this month, as against 30% a year ago, the landscape seems to have changed drastically and possibly for ever. The pandemic has been a major cause of disintermediation for businesses where their customer reach and relationship has changed for the long term.

Ventilation and wider building design

A recent programme with a leading academic (Cath Noakes) specialising in ventilation and pathogens had a surprising

amount of information relevant to the wider real estate design and construction sectors. Professor Noakes was asked to set up a Sage subgroup urgently to advise government on this issue. With poor ventilation being a factor that could increase fourfold infection of airborne pathogens such as the coronavirus, this emphasises the importance of this issue. Furthermore, steps such as air cleansing using UV-C light can be incorporated into existing heating, ventilation and air conditioning systems. Moreover, there is an important role at the building planning and design stage, to help both the immediate pandemic issue and those that may occur in the future. This is an extremely practical risk mitigation and resilience creation factor at the building planning, design and construction phases, as well as retrofitting steps. There are links here to the wider disease concerns set out in my last article [Ed – see 2020 Summer and Autumn Terriers] which touched on WHO discussions and the wider picture. Professor Noakes has received a Royal Academy of Engineering President's Special Award for Pandemic Service. A National Science and Media Museum online exhibition honours the 19 award winners: <https://www.scienceandmediamuseum.org.uk/whats-on/engineering-response-covid-19>.

Conclusion

Dr Liam Fox MP recently explained (Times radio interview) that pre-pandemic 800,000 people were aloft in planes at any one time and a further 1.2m afloat, travelling and cruising. With this level of inter-connectedness, these numbers emphasise the path to the pandemic and the risk and likelihood of similar occurrences in the future. The changes in mandatory business arrangements and mask wearing in the US in states such as Texas and Mississippi may have local effects, but these can show up elsewhere in the world within days. In the UK and US vaccination programmes continue to develop quickly. In the US 100m have been vaccinated and in the UK around one third of the population.

Financially the budget has set out a 5-month extension of the business support schemes through furlough, grants and loans and other measures. The stepped outturn of these support frameworks will be crucial as the routemap out of lock

down takes place. Serious virus changes notwithstanding, the direction of travel has now been widely established. Green deals energy efficiency and other ongoing initiatives are expected out of the Treasury and these are likely to be developed and be refined further in the coming months.

A number of important issues for operational and investment portfolios have been set out against the broader picture of prospective pandemic recovery. Individual sectors such as theatre, where a number of local authorities have interests, will continue to have significant challenges. Tenants in the leisure and hospitality industry will also have longer term practical issues. Most local authorities are considering such matters on a case by case basis.

Bibliography

Evans P and Wurster TS: Blown to bits, how the new economics of information transforms strategy. Harvard Business School Press 2000

Gratton L: The shift, the future of work is already here. Collins 2011

Holmes A: Managing through turbulent times, the 7 rules of crisis management. Harriman House 2009

Montague T: True story, how to combine story and action to transform your business. Harvard Business Review Press 2013



Andrew is a senior partner with Wilks Head and Eve and has been with the partnership for over 25 years. He has considerable experience in both public sector, having worked for the Valuation Office, and private sector. He is also a member of the RICS, a member of the IRRV and is a recognised European Valuer, TEGoVA, as well as being a RICS Registered Valuer.

Andrew has appealed before the Valuation Tribunal and also appeared before the Upper Chamber (Lands Tribunal).

BUSINESS RATES AND COVID

Business rates and the lasting effects of Coronavirus

Andrew Williams Dip BSc (Hons) MRICS FIRR V REV awilliams@wilks-head.co.uk

Andrew draws our attention to a range of business rates matters.

Well, who would have thought a year has gone by since the first lockdown and while we have seen schools reopening, we still have restrictions in place and the impact of this event will no doubt have a long lasting effect on us all.

Business rates has for the most part, seen the government step in and offer aid in the form of relief through the extended retail relief scheme, and grants for small businesses and retail, hospitality and leisure.

The coronavirus pandemic has led to many businesses becoming impacted by the situation and changing the way in which some of us work, many of us from home, which has identified its own challenges.

The retail sector

Retail and food establishments relying on footfall from office workers in cities and town centres have had a nasty reality check. That of course is in addition to the structural shift in shopping patterns, which has moved vast amounts of people's shopping habits online, probably permanently. Large retail sectors have gone into administration including Arcadia, Debenhams and the closing of some John Lewis stores. This will have a major impact on some shopping centres as these stores were the anchors of the centres.

Even before the first lockdown, we had seen the retail sector experiencing higher levels of vacancy and the move to online shopping, but the current situation has even further added to that; and does this then lead to other industries being at risk

of this? This would potentially lead to - much like retail - further sectors going into administration/closures which for public houses and restaurants is a real possibility. The alterations that have been made to premises to allow them to reopen, along with the different ways of working, will create financial issues for many businesses.

Government assistance

Alongside deferral of a quarter's VAT and self-employed tax, business rates came into sharp focus with a government relief scheme for certain types of property and the government offering grant schemes of either £10,000 or £25,000 to assist in dealing with business shut down.

The government has tried to help businesses through this pandemic with the introduction of the extended retail relief for the 2020/21 rate year, which was due to end on 31 March, and has now been extended to 30 June 2021. A lower relief of 66% will apply from 1 July 2021 to 31 March 2022. The government will offer Restart grants, which will be up to £6,000 per property for non-essential retail and up to £18,000 per property for the hospitality, accommodation, leisure and gym businesses, but does this go far enough?

Sectoral challenges

The gradual easing of restrictions from 29 March 2021 will see outdoor sports facilities such as tennis and open-air swimming pools, reopen, and people will

be able to take part in formally organised outdoor sports. From 12 April we will see the opening of non-essential retail such as hairdressers and nail salons, and public buildings including libraries and community centres.

Public houses which can open for outside trading on 12 April face issues around limiting numbers, which will reduce revenue potential.

The aviation industry is another of the largely affected sectors, especially as we don't know if we can travel this summer. The result of all this is to take a break in the UK and have a staycation. That message has been a saviour – at least in the short term to the UK hospitality industry, which suffered heavily through lockdown.

The arts sector has been devastated through the lockdown and live entertainment, with theatre and concerts still off the agenda. Major sporting events including football are still struggling with how fans might attend a match safely.

In the form of regulation or draft law, we have a new planning regime emerging. This brings forward an accelerated process for getting new homes actually built, but also addresses the decline of retail in high streets and how property and uses are to be

re-purposed. We have a short-term Stamp Duty benefit to restart the housing market.

Revaluation 2023

The next revaluation will not now take place until 2023. It is debatable whether this will help or add to further uncertainty. The Valuation Office Agency we know was working towards a 2021 revaluation with an antecedent valuation date (AVD) of 2019, but this of course was pre-covid and so rental levels were understandably more static. The AVD has historically been 2 years prior to the Valuation date so with a 2023 revaluation, this would make it April 2021. The prospect of the shorter periods between rating revaluations has for the moment evaporated, but the government needs the money raised from business rates as nobody seems keen on a domestic Council Tax revaluation for predictable political reasons, so we are left looking at increasing other taxes, online sales taxes and similar.

With so many industries affected, will the postponement in the revaluation to 2023 and the new AVD at 2021 leave us in a better or worse position that we are now? – only time will tell.

Mitigating business rates liabilities

There are of course the 'losers' who have not been able to benefit at all from any of the government's announcements on reliefs and grants. What is available to those that are not eligible for the extended retail relief scheme? For those businesses that fall outside the scope of the extended retail relief scheme and facing financial difficulty, there are still potential routes available for mitigating rates and this includes local authorities which, while having properties that were captured within the scheme, were prohibited from access to the reliefs or grants.

Temporary reliefs for wholly vacant or partly occupied property can be potential routes for mitigating rates – through Section 44A and empty rates relief applications which can be made through the Billing Authority, but supporting evidence is often required; what constitutes a wholly empty property can sometimes cause confusion.

Offices have been hit hard by the C-19 pandemic with many remaining shut. With a fifth of all UK properties liable for business rates being offices, occupiers have already appealed their business



A NAME YOU CAN TRUST IN PROPERTY

IN ADDITION TO A WIDE RANGE OF SERVICES AVAILABLE TO PUBLIC SECTOR CLIENTS, OUR KEY SPECIALISMS INCLUDE:

RATING APPEALS

Advice regarding the 2017 Revaluation and the forthcoming 2021 Revaluation including exemptions and relief



WH&E REVENUES ASSURANCE - RATE RETENTION

- Full rates retention support
- Appeal risk forecasting 2005, 2010 & 2017
- Rate yield enhancement
- Added Value Services – advice on all rating issues

VALUATIONS

Services include:

- HRA & GF Portfolio valuations (*Full & Rolling programmes*)
- One off Best Value Valuations
- 'Right to Buy' valuations further to s.125 notices
- Acquisition & Disposal work
- Specialised Property Valuations
- Landlord & Tenant

BUILDING SURVEYING

Services include:

- Dilapidations for both Landlord & Tenant's
- Building Reinstatement Valuations
- Defect Diagnosis & Maintenance Planning
- Planning Advice
- Party Wall Matters

Get In Touch:
020 7637 8471
wilks-head.co.uk

Wilks Head and Eve LLP, 3rd Floor,
55 New Oxford Street, London WC1A 1BS
gharbord@wilks-head.co.uk



All services prepared in line with the relevant RICS regulations

rates assessments based on the impact of C-19 having a devastating affect stopping offices functioning normally, with the government urging staff to work from home where they can. We have been told that 70% of office workers are now used to working from home and prefer it.

Rating surveyors believed another potential option for mitigating rates was through a material change in circumstances through Check Challenge and Appeal, the 2017 appeal procedures - but the timing of these was important because of the material day and so with the increased gradual reopening, the opportunities for these become limited.

Material change of circumstances

With a large proportion of staff working from home, some firms have lost

profitability. To try and recover some of the costs, the number of businesses appealing business rates on the grounds of material change of circumstances (MCC) is higher than ever. It has been estimated that the number of outstanding C-19 checks is sitting at 350,000.

The government on 25 March made a statement saying that our business rate system is designed to provide a stable source of income for local authorities and that with regular revaluations, market-wide economic changes affecting property values, such as from C-19, can only be properly considered at these general revaluations, and that MCC appeals should be intended to consider individual cases, such as roadworks near a property that affect its value.

The government intends to introduce primary legislation with retrospective

effect, to clarify that C-19 is not an appropriate use of MCC.

The government of course will offer support and ways to try and keep the economy going, but with billions invested into financial aid, and a further £1.5bn to be distributed to different sectors, it will certainly be interesting to see how much the government can and will go to support businesses if we go into a further lockdown.

What is clear, is that when we do return to what we might describe as "normal", those new norms in lots of aspects will be different to pre-Covid norms.

LEGAL SNIPPETS

Below are extracts from Mills & Reeve "Exciting Disruptors" which are of relevance to public sector property professionals. My thanks to Mills & Reeve for letting me reproduce them from its Exciting Disruptors community.

Responsible real estate

Charlotte Buckley [Ed – posted in February 2020, but much holds true for 2021 and beyond].

In the words of Greta Thunberg: 'we need everyone ... *if it's not you who should do it, then who else? If not now, then when?*' For the real estate industry this question has become impossible to ignore.

Boris Johnson has placed climate change targets at the top of the government's agenda. The government's target: to reach net-zero carbon emissions by 2050. Data suggests that in the UK the operations of buildings account for 30% of the country's emissions. The Bank of England's Mark Carney warned in early 2020 that companies need to raise their game in tackling climate change or risk seeing their corporate assets become obsolete. Alas, there is no doubt that reducing our carbon footprint is proving to be the one of the biggest challenges facing the industry.

Where do we start?

The UK Green Buildings Council published its net-zero carbon framework in April

2019. This attempts to provide clarity in this area and identifies: (1) the construction process and (2) the use and operation of buildings, as the key target areas. The framework provides guidance on achieving net zero carbon outcomes and this new wave is forcing developers and investors in real estate to make a positive long term sustainability commitment. We shall start to see the efficient use of energy and water in our buildings, the use of renewable energy such as solar, pollution and waste reduction measures, good indoor environmental air quality, the use of non-toxic, ethical and sustainable materials, and the consideration of the environment in design, construction and operation, including the use of automatic light sensors, green roofs and electric car chargers in parking bays.

Tenants are creating demand and driving change with commitments to corporate social responsibility, a desire for a better indoor environment, wanting to achieve lower operating costs and calling for an enhanced market value for their letting space. With this in mind, it is estimated that over half of the existing building stock in the UK will

need to be refurbished. This creates a big infrastructure challenge: to revamp existing buildings with net zero carbon targets. A huge investment going forward.

Key policy advisers are appealing to government to do more to support the sector by providing legislation, regulation and incentives to meet green targets. A clear enforcement process is needed for transparency and to tighten minimum standards in order to facilitate change. Some suggest that there needs to be a real focus on holding developers to account on their net zero claims.

Not only are our university, investor and occupier clients having to respond to change and make a plan, but so are our real estate agents, architects and building consultants. Will this worldwide shift in attitudes force the marriage of profit and eco-consciousness?

Sustainability has been on the agenda for a while, but it is very much the trend for 2020. If our clients are going to retain a competitive edge and not be left with sub-standard real estate assets that are difficult to sell and let, then investment and planning in this area is very much required. Not just by the big players (who must surely lead) but by all interested parties.

How can the Central Business Districts survive the pandemic?

Sarah Cooke

After months where working from home (WFH) was the default working pattern for the majority of office workers up and down the country, businesses are now starting to re-introduce "working from the office" (WFTO). However, most employers are looking to move towards a blended model which will involve a balance of home and office working. Some are bringing back only a proportion of their workforce. Others are bringing staff back into the office for only part of their working week. A proportion are even closing down offices entirely.

There has been much discussion about WFH v WFTO and the effects of each on office workers and the businesses that employ them. However, many, in the real estate industry and beyond, are now looking at how the change in working patterns will affect the areas in which those offices are located: in particular, central business districts (CBDs).

The financial performance of non-office business within CBDs and, in fact, the atmosphere and "buzz" of the CBDs, has always been underpinned by the sheer numbers of people attending the offices around and within them across the working week. Whatever there was a demand for – refreshments, essential items, leisure shopping, gyms, dry-cleaning (to name but a few) – was catered for. But now demands have changed. Not just for the short, defined period of lockdown, but for an extended period – possibly forever. Not just because there are fewer people WFTO but also because WFTO itself has changed. There are fewer face-to-face meetings taking place – Zoom calls are now commonplace. People are more cautious of visiting shops and restaurants during lunchbreaks and around their diary commitments.

Areas that were a hive of activity from early on a Monday morning through to Friday evening now feel like it's the weekend every day. But for businesses which relied on the trade that huge numbers of office workers created – the "Pret economy"; the retailers; the city-centre gyms – that's a problem. Many pre-Covid businesses will not survive and that can't fail to have a material impact on our CBDs. However in the longer term, putting

aside the effects of any future restrictions, the number of office workers returning to the CBDs is likely to steadily increase. Creativity and innovation will result in new businesses serving the needs and demands of office workers. Existing businesses will evolve.

So what will our CBDs look like in 6 months; a year; 5 years? What does this mean for investors and occupiers? Where are the opportunities and what legislative, financial and governmental policy support is needed to seize them? There's no single answer and opinions are going to be divided. Each CBD has its own personality; will face slightly different challenges; and will adapt differently. The CBDs which adapt most successfully will perhaps be those that take heed of an observation made by famous Cantabrigian Charles Darwin: "It is not the strongest of the species that survives, nor the most intelligent that survives. It is the one that is the most adaptable to change."

Re-purposing real estate: Opportunities and challenges

Victoria Trebilco

Against a backdrop of ongoing Covid-19 restrictions, with prolonged home working, these are challenging times for many real estate sectors: notably office, retail and leisure. While the pandemic may bring new opportunities to repurpose struggling assets for alternative or mixed-uses, it also reminds us of the complexities of achieving a successful repurposing project.

The pandemic challenges whether our current "traditional" real estate models can continue in future. Will areas of the city and high street become community or education focussed, with less emphasis on retail and office use? Retail to residential conversions are already well-documented. Is there scope to convert existing under-used sites to meet the increased demand for the science and technology sector? Can struggling out of town retail be converted to last-mile logistics hubs?

For the willing investor and developer, there are certainly opportunities. But the art of repurposing real estate does not come without its challenges. In addition to the usual planning hurdles:

- There is no 'one size fits all' approach. Location, demand and local

infrastructure must all be carefully analysed to determine the best long-term use of a property. We currently lack data about repurposing to help streamline this initial analysis phase

- Success invariably depends on the right collaboration between the private and public sector. Any successful scheme must have the support of the local authority, who will want to ensure local needs are met, together with the ability to tap into relevant private sector expertise
- Economic viability remains key. Developers must carefully weigh up whether the repurposed scheme will be worth more as offices, retail or residential. The conversion of out of town retail to last-mile logistics has potential but is currently held back by the fact that retail rental values are typically higher than industrial, making such projects not economically viable
- Sustainability considerations are becoming ever more important. To ensure their redevelopments are future-proofed, developers must give detailed consideration to the project's environmental impact ranging from big picture considerations, such as whether to refurbish an existing building or embark on a complete redevelopment (the latter having greater environmental implications), to the finer design details of a new scheme
- Perhaps the most challenging element, thrown into sharp focus by current times, is the time taken for projects to come to fruition. There is a danger that by completion, the market and demand for the intended use may have changed. Repurposing as a kneejerk reaction to the pandemic may be revealed to be a foolhardy decision in a few years. Horizon scanning is key.

The pandemic aside, the long term success of repurposing projects lies in incorporating sufficient flexibility and a good mix of uses so that a development can be easily adapted to subsequent market changes. Of course, the concept of the mixed use scheme is not new and there are numerous recent examples of schemes with a strong blend of uses. The Great Northern development of a former warehouse in Manchester by Trilogy, for

example, has combined offices, food and drink, retail, entertainment and lifestyle uses including a cinema and gym. An innovative mixed use development at the site of the old Nestle factory in Hayes combines both industrial and residential uses, seeing warehouses constructed alongside 1,000 new homes. Developers must continue to think creatively to meet changing needs.

So while the current climate brings real opportunities for repurposing struggling assets, there are complexities to be overcome. Long term success will lie in thinking creatively, sustainably and flexibly to ensure that such schemes can adapt to often fast-changing market forces. It will be ever more important for investors and developers to work closely with local authorities to achieve beneficial planning outcomes which allow for just that.

Building Better, Building Beautiful Commission: Planning proposals

Christine de Ferrars Green
and Claire O'Reilly

A series of proposals to local planning policies have been announced by the Housing Secretary, Rt Hon Robert Jenrick MP following a report by the Building Better, Building Beautiful Commission.

The announcement proposes a new way of approaching development focussing on community, heritage, sustainability and beauty, and empowers councils to reject planning applications on the basis of "ugliness", lack of quality or ones that do not preserve local heritage.

There are proposed changes to the National Planning Policy Framework (NPPF) which will increase focus on quality, design and the environment in planning and will specifically include the word "beauty" within the planning rules. Following the Commission's recommendations, the NPPF will emphasise the role of planning to protect and enhance the environment and the importance of well-designed, beautiful spaces in sustainable development.

Other changes to the NPPF include:

- tightening of Article 4 directions
- clarification on the number of affordable homes required in housing developments

- emphasis on large-scale developments to provide sustainable transport options; and
- setting clear expectations for housing developments to be of a high quality.

The government has also produced a draft "National Design Code" containing a checklist of design principles for new developments and guidance on how to achieve successful design. The draft Code outlines 10 characteristics of good design and focuses on areas such as the layout of streets (including an aspiration for all streets to be tree-lined), the quality of façades of buildings, the environmental performance of buildings and the importance of local heritage and architecture in new design.

Using the National Design Code as a guide, every council will be encouraged to create its own design codes, with local communities central to the process. These codes will be publicly available and will be heavily influenced by community engagement through an accessible system of consultation with the public.

To support councils and communities with these design codes, the government has created an "Office of Place" to "pioneer design and beauty within the planning system". This is currently in an interim phase, but the intention is for the department to be running within the year.

Crucially, the future of planning under these proposals is focussed on local issues and creating spaces that will be beautiful today and in the future.

Patient capital investment in real estate development

Christine de Ferrars Green

We have recently hosted a series of incredibly informative and fascinating discussions on patient capital investment in real estate development, in our series of "on the sofa with.....".

Patient capital investment represents a long-term commitment to a real estate development project. It is made by investors who can wait for a return on their capital through the whole development cycle of a project. It is a key feature of the master developer model seen to its best effect on large-scale strategic sites. Patient capital allows a holistic approach to place making, community and sustainable development, providing augmented returns from the

added value of higher quality achieved over a longer timeframe.

Our first discussion was with Nigel Hugill, Chief Executive, Urban&Civic. Nigel describes the "hockey-stick" of patient development finance as requiring investors to commit to "net money out 3-7 years; net money back 15-20 years". He emphasises the importance of institutional funding of strategic sites being directed not at the long-haul of achieving planning consent (the preserve of those with "*a bespoke set of skills and a certain masochism*") with a return when the development site is sold by promoter to housebuilder. But rather that funding should be directed at place making: early delivery of the green spaces, community facilities and schools – and earlier than the housebuilder's standard viability appraisal, return on capital investment and development margin usually allows.

The master-developer model, backed by patient capital, allows for one developer to take responsibility for implementing the site-wide elements of the development planning permission and planning obligations and with that, take a comprehensive approach to the delivery of infrastructure and community facilities at the right time for the community. In turn, this allows housebuilders to focus on doing what they are best at – building. This will often be on a fully serviced land parcel and to a site-wide design code. As the planning risk and the wider infrastructure burden is removed, the housebuilder can focus on delivering a quality product. It leads to a democratisation of the housing development land market, making it accessible on an equal footing to a range of housebuilders, specifically to small and medium sized enterprises.

Over time, patient capital put to work on strategic projects will yield a premium return on investment, accelerate housing delivery, achieve higher quality new homes and lead to better placemaking.

[Ed – From Mills and Reeve - you can watch 4 recordings of discussions with leaders in this field, each approximately of 40 minutes' duration, [here](#)].

HEATHER HOSKING, LONDON BRANCH

Meeting on 4 December 2020

The meeting was held on-line. 18 members and guests attended. Chris welcomed everyone and introduced Sara Cameron, Secretary of Eastern Branch, a guest to hear the presentation.

Presentation on experiences of an apprentice surveyor – Sydney Downs on her first year with the Estates Department of the Ministry of Justice

Sydney gave a very interesting account of her first year working for the MoJ as an apprentice surveyor. She gave an overview of the type of work that she has been involved in since joining the MoJ in September 2019, the pros and cons of taking on a UCEM degree in commercial real estate while working full-time, with 20% release time allocated for study, and her progress through the degree course in her first year. She also responded to questions from attendees. Heather Hosking gave a view on the employer's experience of taking on apprentices, which has been very positive. Sara Cameron also outlined her experience of arranging apprenticeships.

Covid-19 update

The main themes that emerged from the discussions were:

- i. There has been much improved cooperation between local authorities and health organisations, as they have worked together to find suitable testing sites and to identify and secure sites for the mass vaccination programme
- ii. Operational changes – authorities are starting to consider the long-term strategies for office provision post-pandemic, including reduced office accommodation in new civic offices. However, many people do not want to work solely from home, favouring opportunities to meet within teams to share and exchange ideas
- iii. Investment property income – one council continues to receive requests

for rent holidays and that payment arrangements are being put in place for some tenants. Each case is considered on its own merits.

CPD

Neil Webster advised that he would try to arrange CPD events for branch meetings to cover the subjects put forward in feedback from the annual conference. Other topics considered were a presentation on connecting buildings to fibre; fire safety for residential blocks; change in Treasury rules on the use of funding from the Public Works Loan Board and the possible implications for the acquisition of income producing investment properties. Local authorities' Section 151 officers were meeting on 4 December to discuss the changes to the rules.

Exchange of information

- One council reported that a contractor had been selected as a development partner for 3 large sites to provide housing and a new civic centre
- A county council is seeking registered providers to develop an extra care scheme and possibly other sites across the county, with the aim of reducing the demand for places in care homes
- A council is acquiring sites for house building and is focusing on "localities"
- The corporate landlord model is being rolled out in more than one council
- A Voluntary Services Policy has been launched, which aligns rental discounts to the value/contribution made by the body to the locality
- The DfE has produced new estate management guidelines and a new programme of condition surveys. It is thought that these might be used to set future funding arrangements.

Meeting 29 January 2021

The meeting was held on-line. 26 members and guests attended.

Presentation on Independent Living – Tessa Gooding, Inner Circle Consulting

Tessa gave a very interesting presentation on independent living (also known as extra care housing) explaining the importance of tailoring housing and social care to meet the needs of an increasing ageing population. She gave examples of strategies on which Inner Circle has been working with local authorities, and information on the policy requirements that need to be adopted to ensure that independent living accommodation is developed in suitable locations. She gave details of the savings to social care budgets that can be achieved if independent living accommodation can be provided to older people at the optimum time, when compared with the cost of care home placements that might otherwise be required.

Covid-19 update

The main focus of C-19 related work has been on establishing vaccination centres, in partnership with the NHS, across Greater London.

ACES National Conference 2022

Senior Vice President Chris Rhodes is proposing to hold the 2022 conference both as a physical event and with an element of on-line webinars. Venue options are being reviewed, focusing on the Sutton area. Speakers, sponsorship and the social programme are being developed. Chris emphasised that he wants the conference to be a whole branch event, with as many members involved as possible and he would welcome any offers of help at any time.

Exchange of information

- One council has a commitment to deliver 11,000 new homes, and that funding sources are being investigated, including cross subsidising the affordable housing through the development of private for sale units
- Two councils have been successful in

their applications for the government's High Street Fund

- A council is considering taking forward plans for a 2,000-unit green village, and a Get Britain Building scheme is being progressed
- A council has an ambitious regeneration and development strategy, looking to include income producing assets that can be retained in schemes
- Another council's office will not be fully reopening and staff will be relocating elsewhere; this is in response to reduced office working which has allowed the consolidation of accommodation
- A council's portfolio is being reviewed to establish how it could be made zero carbon compliant
- Another public sector organisation has a requirement for meeting room space in specified locations
- Work has been carried out to develop a policy on lettings to voluntary community sector organisations, based on a fixed rent model, where

voluntary groups' rents are subsidised, and they pay approximately a quarter of the market rent. The council is proposing to ringfence the community sector portfolio so that the subsidy can only be applied to properties within it, to stop voluntary groups from leasing council-owned investment properties and then requesting a rent subsidy

- One council stated that applications have been received from housing associations to amend the restrictions on the use of properties imposed on transfer from social rented to residential let on tenancies, to enable the housing associations to increase the borrowing values against which they can secure loans
- A public sector organisation is providing space for team meetings, with the expectation that teams would meet once or twice a week, and that staff would work from home for the rest of the week. However, staff had missed the informal "water cooler" discussions and personal interaction.

AOB

- A webinar presented by Gleeds had suggested that there was confidence in the construction industry going forward, despite the effects of BREXIT and C-19; greater importance would be placed on the use of frameworks, and that social value and sustainability would be given importance, as well as price
- Right to Regenerate Consultation – the government has been consulting on proposals to give parties the right to identify properties in local government ownership and seek to transfer ownership. The requests are sent to the Secretary of State and the local authority has to give compelling reasons not to sell. The requestor will have the right of first refusal. This raises serious issues for local authorities in compliance with s123 requirements and asset management planning, and clarity on the effect of income generating properties was required. ACES has responded to the consultation, and it is anticipated that many local authorities will respond to voice their opposition.

GERRY DEVINE, WELSH BRANCH

The traits and trials but benefits too of technology

There is no doubt that technology has assisted people during the pandemic, to continue with life socially and also in many fields of work, at least when it is all functioning as intended. When it isn't, it can be rather frustrating, so thank you to all the attendees of the Welsh Branch meeting on 17 March, who patiently 'talked among themselves' while the Branch Secretary had to restart his computer to get Teams to function properly and enable him to join the meeting. Among the attendees, we welcomed RICS Wales Public Affairs Officer, Sam Rees, Heart of England Branch Secretary, Alison Hext, and ACES President, Simon Hughes, for his branch visit. This time it was sadly only virtually, but we live in hope that the AGM in Cardiff in November can take place as a physical event. It was also a reminder that ACES members are always welcome to

attend meetings of other branches as well as their own, now so much easier to do when virtual; just one of the benefits of technology; 'Beam me in', Teams!

Once under way, Branch Chairman Geoff Bacon (who, curiously, has never been seen in the same room as Pep Guardiola) dealt with the usual formalities before inviting the President to address the meeting. Simon picked up on the feedback from January's ACES' Council meeting, explaining more about the Retired ACES (RACES) and Future ACES (FACES) initiatives, before reflecting further on the great success of the 2020 ACES Conference and the large numbers, including many non-ACES members but public sector, who were able to join in because it was online. Then, looking to the future and this year's conference, caution needs to be the watchword and so contingency plans are being made to go 'virtual' again.

Simon was also pleased to note that we had RICS participation, before revealing

that he used to work with current RICS President, Kathleen Fontana, and had been able to speak to her about the current discontent at, and with, RICS. In this regard, he had been very pleased with the numbers of responses to the ACES survey, and these were being collated to take back to a further meeting with RICS. Simon also said he hoped to see articles in the ACES Terrier about how different public sector organisations had coped with, and responded to, the Covid emergency [Ed – thanks Simon, and come on ACES' members].

Tony Bamford updated us on his work as ACES' C-19 Officer and CLAW Leadership Board Chairman; Jonathan Fearn, spoke about CLAW widening its base from the 22 local authorities in Wales, to include the blue light organisations. Jonathan also spoke about the new CLAW website, which would include space for ACES and plans for CLAW projects and the CLAW Conference in November.

Sam Rees, RICS

Sam made a wide-ranging presentation on his work at RICS Wales and on the wider RICS issues and news, including building safety; fire safety training for existing surveyors; discussions with Welsh Government, Qualifications Wales, colleges and universities about training and courses for future surveyors; Covid guidance for construction sites, offices and other building environments; and CPD support packages. As well as the 'Defining Our Future' consultation, RICS is also working with RIBA, Constructing Excellence and others on various projects, as well as lobbying, with the Federation of Master Builders, for VAT to be cut for building repair and improvement works, to stimulate retrofitting to improve building performance.

Luke Brennan and Nigel Thomas, Welsh Government

Luke, Head of Estates Public Sector Collaboration, provided updates on

various Welsh Government and Ystadau Cymru (YC - Wales Estates) projects and initiatives, including the Community Asset Transfers Research project, Skills and Training Review, Good Practice guidance, as well as a series of webinars leading up to the YC Conference and Awards at the end of the year.

Nigel, Head of Estates Expert Services, spoke about other Welsh Government initiatives following on from the creation of the Land Division. These included planning policy updates, the drafting of a CPO manual for Wales, news on the Land Release Fund and e-PIMS developments, and an update on the Remote Working Hubs initiative.

Other items discussed included the potential impact of the imminent changes to the IR35 off-payroll regime on payments to contractors and consultants; landlord and tenant responses regarding rent concessions during the pandemic phases (noting that some retail tenants had improved business cashflows); and plans for post-C-19 recovery and working practices for offices and other workplaces.

Chris Brain

Chris delivered our CPD presentations on Local government commercial property investment and the impact of the new PWLB borrowing rules, as well as a roundup of local government news topics such as the Public Sector Asset Management Guide issued in 2020 by CIPFA; the Welsh Government review of the performance of councils; the Good Governance Toolkit; potential changes to procurement policy post OJEU; social partnership working; Diverse Councils; air quality and 'insourcing'.

In summary, a very promising start to our 2021 season!

SARA CAMERON, EASTERN BRANCH

21 people attended the 17 February fortnightly catch-up meeting.

Meeting agenda

Landlord and Tenant matters – rent concessions, rent deferment during C-19

- Finding out who has paid what, when and how is needed as a preliminary measure – to be discussed as an ongoing topic

Testing and vaccinations centres

- One council's headquarters is to be a vaccination centre
- In more than one location, anti-terrorism police may be called upon to deter vandalism of vaccination centres, and security matters need to be addressed
- Another council has an area of concern with the anti-mask protestors putting posters up of anti-mask propaganda.

Market activity

The general consensus is that the market is struggling and several sales have been withdrawn. In contrast, one agent reported that there is a buoyant residential market, achieving high values for sites. However, transactions are getting to solicitors, but deferred payment mechanisms and funding of schemes are being looked at although the interest is still there in the market.

The logistics and warehousing market is doing well; parcel companies are at 90-100% of Christmas capacity; retail is struggling and expectations of take up are as low as in 2008.

Elections

- In Suffolk elections take precedence over vaccinations. Vaccinations services will be suspended for election services
- Locations have been fixed for ballot papers
- Possible conflict between vaccinations/elections

Any other issues

- Some councils are considering working up a partnership for the provision of mortuaries; C-19 has highlighted issues with current provision and services, including non-invasive post mortems necessary for a range of reasons, facilities which are limited within East Anglia.

Actions/Discussions

- What assumptions are other councils making on the future of C-19 and the return to working environment in the short and long term? What changes are needed for space planning and changing the layout of furniture space? Downsizing?
- How is workspace use policed? Does compliance require a physical presence in the building by managers, to ensure compliance?
- Is there a need for physically removing work stations in response to space planning to force individuals to keep

distance? Can space be let to NHS to improve working relationships?

- Should desk space be allocated to collaborative working areas and meeting rooms?
- Has account been taken for first aid cover and fire marshalling?
- If staff are to be expected to only work in the office for 2-3 days a week, will HR work with teams and determine a desk allocation which is

to be made available to their service, based on a rota?

- Are desk booking apps that specifies the desk that is to be booked to be essential for future occupation?
- Should we be looking at quality space and considering the wellbeing of spaces?

It was proposed to ask wellbeing experts to present at a future ACES branch meeting.

[Ed – Eastern held its branch meeting on 26 March at which speakers from Sharpe Pritchard spoke about the Right to Regenerate (see London branch notes for an outline) and Brian Thompson and Richard O'Neill summarised the findings of their collaborative work with Avison Young, to produce 'Fit for Future' (featured as a full article in this issue of ACES' Terrier)].

ALISON HEXT, HEART OF ENGLAND BRANCH

Branch Meeting on 4 February

Heart of England Branch had a successful meeting on 4 February which was well attended; we are rapidly becoming virtual meetings experts, although the gestures to let people know they are on mute are entertaining!

Chris Brain provided a timely update on asset valuations and the meeting followed with discussion on current matters. One branch member confirmed they had recently completed the ACES/CIPFA Strategic Asset Management Diploma and could recommend the course to others.

HoE is still looking for a new Treasurer to relieve Richard Allen from his long running duties. Anyone who would be

interested in taking up the post please let me know.

I was invited to attend the CLAW Branch meeting on 17 March and would like to take this opportunity to thank Gerry Devine and the Welsh Branch for the invitation. It is interesting to hear what issues are being raised by other branches - some the same, others quite different. Virtual meetings have a great advantage over in-presence meetings in this regard, but nothing makes up for meeting fellow ACES members in person and sharing ideas and experiences.

The next HoE virtual meeting is on 24 June and there will be a presentation on a joint venture between 3 local authorities [Ed – is that a "triple venture"?] and a mix

of financing sources, hosted by Worcester City Council. I am pleased to advise we will be joined by Simon Hughes, and I take this opportunity to extend an invitation to any ACES member who would like to join HoE for this meeting. Please contact me so I can send a Teams meeting invitation.

Details for the AGM on 4 November to be arranged.

ADVERTISING IN ACES TERRIER

The Terrier is a good way to get your company known to public sector surveyors. ACES represents the chief estates officers and their staff, who are the property, strategic asset management and valuation professionals in public sector organisations throughout the UK. Membership includes the range of local authorities, the Government Office, fire, police and health authorities and the Valuation Office Agency.



	4 x The Terrier plus website	The Terrier single edition
Full page	£2300	£800
Half page	£1800	£600
Quarter page	£1500	£500

If you wish to discuss advertising please get in touch.

Betty Albon editor@aces.org.uk or Trevor Bishop secretary@aces.org.uk

Advertising rates for 2021/22 to remain the same

NPS Group - delivering total estates and asset management

Surveys and
surveying

Strategic advice
(including health checks)

Strategic facilities
management

Integrated workplace
management

Valuation

Business
rating
services

Estates
management

Energy
management

Rural estates
management

For more information, contact:

Melvyn Stone
Estates Manager
melvyn.stone@nps.co.uk

nps.co.uk

nps group



Simon qualified as a chartered surveyor in 1980. He started his career in the commercial field, moving to private practice in 1983. In the mid-1990s he joined Great Yarmouth Borough Council and in 2006 moved to Waveney District Council (now East Suffolk Council). He retired in 2018.

MORE MUSINGS

Four candles or a trip into the unknown

Simon Eades

Earlier this year I found a set of photographs of 2 shops with first floor accommodation that I inspected in February 1996 – the time when I was unemployed - but shortly to start at Great Yarmouth Borough Council.

Coincidentally, that same evening I watched a programme on Ronnie Barker. I always enjoyed his acting and the programme dealt with his television career. It included his many years with Ronnie Corbett but also his career in later programmes where his early life in repertory theatre honed his dramatic successes. While he is remembered as a comedy actor, I feel his serious roles deserve more recognition and I think came to define his career.

The photos were taken on an inspection of 2 properties in North London. It was my first inspection for 4 months – I had been unemployed since the previous November - and in February 1996, I was asked by my father if I would be able to inspect a property on behalf of a client. He had been asked by his successor as senior partner who was acting as an executor of a will.

My initial reaction was that there were difficulties. When I left private practice, I had some rather tortuous negotiations in connection with my insurance position. I needed to be cautious and ensure that I would not be subject to any future claim in respect of work that I had undertaken in the past.

I knew that I would not have the appropriate professional insurance cover to complete the inspection, although the scope of the work was within my expertise. Under normal circumstances I would have been able to carry out the inspection.

The property was outside the areas I had worked in for the last 9 years although I had done some work in North London earlier in my career. I put this point to the instructing solicitor and, not surprisingly, he appreciated my position. He was well aware of my recent professional negotiations and after some discussions, he said he would like me to carry out the instruction if I wanted to. We agreed a basis of instruction to enable me to carry out the inspections. The instructions confirmed that my liability would be limited to the





level of the agreed fee.

I had just gone through a difficult termination of my employment and to put myself at risk so soon after ensuring that

my professional insurance position was secure may seem to some to have been slightly irresponsible, but I felt that I put the points clearly with the client's solicitor

and this was time well spent.

The 2 properties were fully let on leases of some length, but no rental valuations were required. The executors were more concerned with the condition of the properties and wanted the reassurance that the 2 tenants were complying with the terms of the leases in their entirety. I had completed property inspections in the past and each lease had an attached Schedule of Condition.

After some considerable thought, and discussing this with a trusted friend in the profession, I decided that I could complete the instruction. I confirmed my willingness and I was supplied with copy leases, including the Schedules of Condition and associated correspondence, and the appointments were made.

It was good to get back to some professional work. I read the 2 leases and the accompanying correspondence to get the background to the case and the client made the appointments on my behalf. I drove to the properties - in the shadow of White Hart Lane - which was of little relevance to a Norwich City supporter!

I parked up and went into the first property. It was an ironmonger's shop held on a 20 year lease from 1978 with an attached Schedule of Works.

As I entered the accommodation it looked just like the set of the Four Candles. I took a second glance and half expected to see Ronnie Corbett behind the counter! The reality is that it did look like a typical ironmonger's shop as the photos illustrate but, sadly, no Ronnies.

The current tenant took an assignment in 1986 when there were 10 years unexpired. The property was not in good condition and on first impression I felt that there was little evidence that the works required at the commencement of the lease had been completed. I was inspecting some 18 years after the commencement. The tenant was not present at the inspection and I was unable to pursue this point, so I continued with my inspection. I made a note to include this in my report. I completed my inspection using the Schedule of Works as a guide. The overall general condition was poor and my initial thought was that even if the works were carried out at the grant of the lease, it was clear that more work was required now to put the property into a good state of repair.

There was limited stock on the shelves. It was clear that the shop and business

had seen better days and I suspect it used to provide a good service for the locality. I was particularly concerned that the tenant sold paraffin through what could only be described as a primitive plastic hosepipe system with a tap and open jug operation, albeit in the storage area to the rear.

The first floor flat was in a poor decorative condition and the occupant confided that he was vacating shortly. I had not received any documentation for the first floor occupation.

The schedule that I produced contained over 50 separate items relating to both internal and exterior matters. I was assisted greatly by the schedule completed at the outset of the term. The only unanswered question was why the works seem not to have been carried out?

The adjoining second property had been kept in a much better condition, although there were some items that needed attention. My schedule on this property was shorter.

My reports were prepared and were sent to the instructing solicitor with a covering letter elaborating various points. I received an invitation to a full meeting at his office, to allow me to expand my comments and emphasise the immediate problems that would need attention. It was a good meeting and I felt that I had explained as fully as I could and asked if there was anything that was required. The instructing solicitor told me that he would discuss it with his client and they would come to a decision concerning the asset.

In looking back 25 years, I believe this instruction was pivotal. It made me think clearly again as to the insurance position of the chartered surveyor and it was not the last time that the question of professional indemnity cropped up in my professional career.

There was always the forlorn hope that this might be my last involvement with professional insurance. However, this was not to be as I became aware shortly after starting at Great Yarmouth Borough Council that there were issues with professional liability in the public sector as well. I may not have had a multiplicity of clients, but obviously I still had a professional reputation and standards to maintain.

The RICS had established a working party to review and bring together the existing guidance issued by the RICS to chartered surveyors practicing in the corporate and public sectors. The working party reported in July 1997, producing a recommended form of indemnity clause for those in the public sector. In reviewing the report after 25 years or so, it is refreshing to read a clear and concise RICS report – but that reflects the composition of the working party, who were well respected chartered surveyors and those from the public sector included several that played their part in both the RICS and ACES [Ed – ...modesty prevents.....].

In 2002 the RICS set up the Member Support Service following the Court of Appeal decision in *Merrett v Babb* where Mr Babb was found personally liable for damages for negligence, in circumstances where his previous employers – who would otherwise be vicariously liable – had no PI insurance. The initial levy was, from memory, £15 p.a. and did not continue for many years, but was another indication of how prepared an individual chartered surveyor has to be.

I always practiced with one eye on the possibility that I might have to support my position in court or in a similar situation, so it was essential that I knew the support I could expect – on the assumption I was correct!

Professional cover reappeared over the years as responsibilities changed and it became a standard question when I completed the annual forms to act as a Registered Valuer.

In more recent times, as an APC Chairman, I had to know and understand the principles as it formed part of the Ethics Competency at every assessment – a competency that has to be passed otherwise the candidate is referred automatically.

Postscript

In the last article the Editor observed that I had not indicated the current value of the Britannia Barracks. I am certain that in this case the occupiers have moved on, as a brief look on Google recently indicated that there are new occupiers at both of these properties.

ACES Terrier is published quarterly by ACES. The inclusion of any individual article in the Terrier should not be taken as any indication that ACES approves of or agrees with the contents of the article.



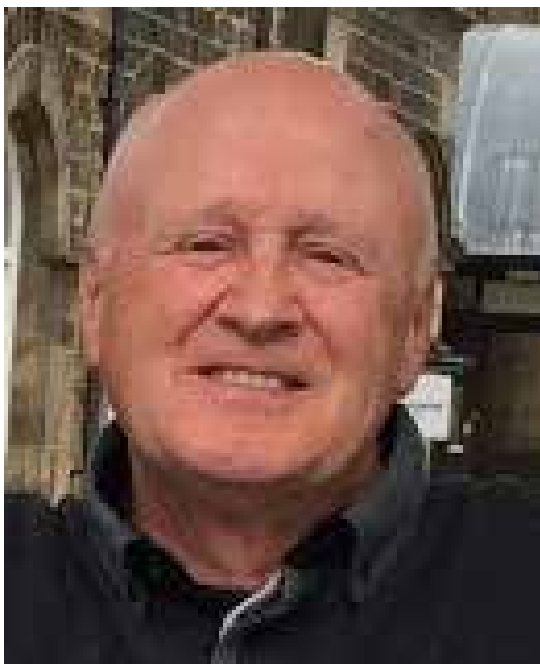
ACES

The Terrier

ACES Secretary: Trevor Bishop MRICS

07853 262255 - 01257 793009 - secretary@aces.org.uk

ACES Editor: Betty Albon editor@aces.org.uk



For 50 years until retirement Dave practiced as a surveyor in Lancashire and Cumbria, becoming a Fellow of the RICS and working for the Department of the Environment, Lancashire County Council, South Lakeland District Council and the NPS Group. During that time, he wrote articles on surveying topics and work experiences which allowed him to introduce some controversy, humour and the odd bit of fiction. <https://davidlewisogson.wordpress.com>

HERDWICK TALES

The U-turn

Dave Pogson

Selwyn is Property Services Manager for the fictional Herdwick District Council. From January to June 2001 his daughter Lisa is temporarily working in mainland China. Communication is difficult so he stays in touch by sending her an e-mail once each month. He tells her about his work and the people he encounters during it.

From: Selwyn@herdwickdc.gov.uk
To: Lisa345@hotmail.com
Date: 12 February 2001 17:42
Subject: Herdwick Tales

Dear Lisa

Thanks for your e-mail. I'm pleased that you're feeling happier and that you have settled into your new accommodation after your move to Huainan.

It's amusing to hear that you are regarded as something of a celebrity and were invited to meet the City Mayor simply because you are the only European in the province. It's even more amazing that your meeting with him was filmed for the local TV. I mean, he's the Mayor of a massive Chinese city while you come from a rural backwater (where the sheep outnumber the residents) and are just straight out of uni on a gap year. At least you have your American companion to spread the load of the civic engagements that are likely to follow, once word gets around that you and she are the only white people in that province. If you get the chance, can you use your privileged status to ask the Mayor if he can send someone round to the local industrial estate to ask what is happening about the complaint that I made via Shepdale Computer Centre to the Chinese supplier, about the destruction of my motherboard following the installation of their 30-gig hard drive into my home PC? I am now compelled to type this e-mail at work before I can go home. And yes, I did try to save that tenner by doing it myself and not paying Steve from IT to fix it for me. And yes, I will learn from it (can you hear echoes of your mam in that phrase?)

Well it was a slightly better day at work today.....plotting and politics combined.... but where to begin?

I suppose it all started about 12 months ago when young Lloyd Simpkin (his wealthy dad owns the local Ferrari franchise) was elected to the council as

the member for Lower Ayeside (or LA - like Los Angeles - as we know it), a prosperous ward out in the sticks.

With a name like Lloyd, it was inevitable that he had to be a bit of a 'banker', as the cockneys would say. That's not to say that he isn't intelligent. Unfortunately, he's a Tory and his stated ambition is to become Prime Minister (because he doesn't have a real job already). So it isn't hard to picture him as a William Hague clone with hair (Hague is currently Leader of Her Majesty's Opposition with the same ambition as Lloyd, although his tenure is looking shaky). Young Lloyd, although he must be older, only looks about 15 years of age. I keep wanting to ask him if his dad knows that he's not in school. Of course, being a part-time career politician, he puts himself about a bit and gets onto every committee and working party that he can shove his nose into, including one that I have to attend - the Affordable Housing Working Party - dealing with council-sponsored housing developments. And being a chancer, it wasn't long before he wanted to come up with an early success to make his mark in the community.

So he notices a bit of grazing land that the council owns in LA and publicly suggests that we develop it in partnership with Two Sheds Housing Association (they have the money to build) for low cost housing for local people, not knowing that it had already been turned down for planning permission by the council's own Planning Committee in the past (only a council could refuse consent on its own land for a scheme that another part of the council wants to use it for - it's an unreal world that I work in at the best of times.). Anyway he persists, and I get the unenviable task of trying to turn his dreams into reality.

Knowing that I have little chance of getting a straightforward consent after the first refusal, I needed to come up with a new angle. So I looked to the doctors



for a cure. By co-incidence, and life is full of these little co-incidences, the local doctors' practice is looking to expand into bigger premises and has been considering developing a new surgery on land owned by Herdwick Farmers' Cooperative next to their new supermarket. So far so good, but Herdwick Farmers' Cooperative is screwing the doctors for an arm and a leg for the site purchase. However, planning consent is not certain on that site either, although the general pressure of public opinion in LA is very much in favour of a new surgery somewhere.....anywhere. So the doctors ask 'can we buy the council's land instead for the surgery, subject to planning consent?'

This is where I have my brilliant idea. I suggest to the Affordable Housing Working Party that we sell half of our site to the doctors, on condition that we put in a joint planning application for the surgery on half, and affordable housing on the other half. If we sell the doctors' half to them at a reasonable price they will be happy, and we get some welcome money plus housing on the other half, where previously we couldn't, just by utilising the overwhelming

public pressure to get a new surgery. Simply amazing! They all go for it and Lloyd is my latest best friend and I am the hero of the hour. 'Or so I thought', to quote from Hugh Grant's best man speech in 'Four Weddings and a Funeral'. Things in the world of local government are never that simple. Anyway, I draw a red line on a map to show the field boundaries and bang in a joint outline planning application with Two Sheds HA as quickly as possible. Then I sit back and wait.

After a while, the public begins to hear about it as word gets around. A groundswell of NIMBYs and anti-social housing opposition is quite normal – the 'I don't want council tenants living next door to me as it will affect the price on my house' types. One bigoted old dear actually said to me 'I don't want to live next door to Rastas with Ghetto-blasters. That's why I left London.'

However we also get opposition from the 'don't spoil my view of the historic Ayeside Bridge' brigade led by the Civic Society, from the parish council which doesn't want anything in LA to change ever, and from neighbouring council

tenants living in an old folks sheltered housing complex who, surprisingly because the doctors queues are full of them, don't want to live next door to 'drug addicts living in cheap houses who will be breaking into the surgery every night to feed their habit, while slamming car doors when parking on the residents' car park'. Can you believe it? Every nutcase in LA has crawled out of the woodwork to have a pop at us.

Not surprisingly Lloyd, and a few other Tories from the working party who can see hordes of voters deserting them at the next election, start to get cold feet.

The next thing is that Herdwick Farmers' Cooperative hears about it and see that the chance of them making a quick buck by selling their alternative surgery site is disappearing fast. So they bang in their planning application double quick and now we have a race, the speed of which is, quite bizarrely, being controlled by our own planning department which announces that it is only prepared to recommend consent for one site, but won't say which one is favoured. Like all good local government officers, they want to sit

on the fence and feel which way the wind is blowing up their trouser legs.

Then Herdwick Farmers' Cooperative lops a chunk off their price for the land to rival our low asking price, as a gesture of goodwill to the community (i.e. their shoppers). The doctors then change their minds and decide they like the Herdwick Farmers' Cooperative site better at the reduced price. Can it get any worse? YES! Some of the councillors who are on the Affordable Housing Working Party, and who are supposed to want an affordable housing for locals development on our site, are also on the Planning Committee and are looking likely to vote against it. Hero status for me is now rapidly becoming persona-non-grata status and Lloyd is no longer my best friend. But I don't like to lose.

It all reaches a head at the next Affordable Housing Working Party. Lloyd, the William Hague man-child who proposed the scheme in the first place and who, I should have mentioned, originally argued in favour of the doctors being sold part of the site, now reveals his true political skills. In a move worthy of any future Prime Minister, he does a complete U-turn. He proposes that we withdraw our planning application entirely to give Herdwick Farmers' Cooperative a clear run at their site. The boy has no shame. I argue that we should leave our application alone as it is still the council Planning Committee which will make the final decision and there is still a chance so long as the Herdwick Farmers' Cooperative site doesn't get consent before ours. But wait, the planning department has deferred our application, which was submitted first, and has now scheduled them both for the same meeting. The B.....s!

This throws the advantage Lloyd's way. But just as he is about to win the day, the wily working party chairman, Councillor Bill Blackledge, a man who is as wide as he is tall, dresses like a miner on a day out to Blackpool, and represents a part of the council district as different from snobby LA as you can get, manages to stage a late rally. He is backed by a Liberal member who supports affordable housing as a business principle (they bring in customers to his local shop), hates Tories and sees slapping Lloyd down as good sport. They succeed in persuading the rest to amend our application so that it will go forward to the planning meeting, but only for half the site for housing alone, and no doctors'

surgery included. What a move! We are still in with a chance of something. The die is cast and we are set for the final showdown at the next Planning Committee. Phew ... I breathe a sigh of temporary relief.

Unfortunately, the relief doesn't last long. At the Planning Committee, the Herdwick Farmers' Cooperative application is up first and is approved without a murmur of protest. The press and public gallery is packed with NIMBYs and other assorted opponents, with a scattering of zimmer frames from the neighbouring sheltered housing scheme, all out for blood. They are allowed to address the committee and do so earnestly, despite a complete absence of facts. Members are swaying, but Councillor Bill pulls them back with a heart-felt plea on behalf of the homeless of Herdwick. It's going to be close. They take a vote, it's 5-5, but wait, Lloyd hasn't yet raised his hand.....it slowly rises from his side..... it's against! The housing scheme is lost and, unique in this council's history, it has turned down its own planning application on its own same site for the second time. The forces of darkness have triumphed in a dramatic finale.

And so, back to today and plotting and politics. I don't like to lose, but how to win without making enemies of influential members like Lloyd? There's no point in upsetting him, as he may pop up in future on the Personnel Sub-Committee and vote against my next pay rise out of spite. So a plan is formed with the help of willing Wesley, the Housing Manager, who wants the houses more than anybody because it's his responsibility to deliver these schemes to meet government targets (i.e. his job depends on it). He also has to explain to our housing association partners why we lost this scheme and their planning application fees along with it.

The plan is dastardly in its cunning. The council as a matter of policy will not appeal its own planning refusal decision. However, Two Sheds Housing Association's name appears as joint applicant on the planning application, so it can appeal the refusal to the Secretary of State for the Environment. The Minister's inspector can, if he is persuaded, overrule the council's decision and that would be final and binding on the council. So, sod Lloyd and the Planning Committee. The way to do it is to whisper it in Councillor Bill's ear so that he can suggest it at the next working party meeting and take Lloyd by surprise, having done a good lobbying job on everybody

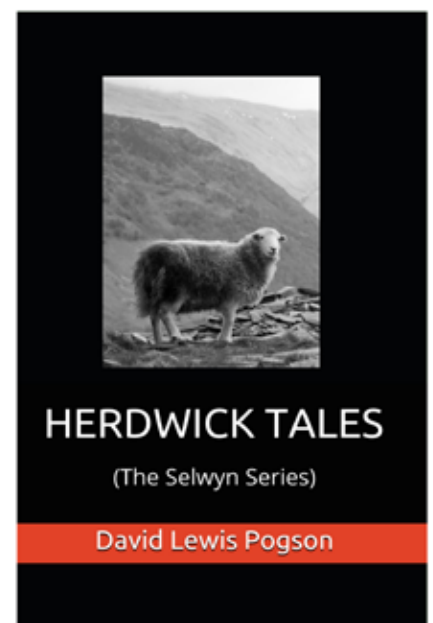
else in advance. It also has the advantage of keeping me out of the firing line. Wesley has agreed to deliver the message and I look forward to sitting on the side-lines while Bill stokes it up all over again.

The Chief Exec still hasn't got back to me about the proposed cut in the maintenance budget.

Other than that, as I said, a slightly better day today.

Write soon

Ed – Dave has assembled his collection of short stories in 'Herdwick Tales'. Please contact Dave direct.



If you're impatient to read more episodes in ACES Terrier then enjoy all 26 together now in paperback, Kindle or free on Kindle Unlimited. Just google 'Amazon Books' and type 'Herdwick Tales' into the search bar.



Valuation Office
Agency

DVS EXPERIENCED DELIVERY TO REGIONAL, LOCAL AND DEVOLVED GOVERNMENT.

Being part of the public sector means we understand the needs of our many public sector clients and the challenges they face. DVS has national coverage but prides itself on its local experience and knowledge.

OUR SERVICES

Red Book Valuations

Asset Valuations

- Housing Revenue Account
- General Fund
- Plant and Machinery

Viability Assessments for Planning

- Development Viability Studies
- Planning Appeals

Disposals and Development Consultancy

- S123 Best Price Compliance
- Development Appraisals

Compulsory Purchase and Compensation

- CPO Estimates
- Acquisitions and Negotiations
- Part 1 Claims

Heritage Property

- Valuations for Grants and Enabling Purposes

Strategic Asset Management

- Acquisition and Disposal Advice
- One Public Estate
- Consultancy Advice

Building Surveying Services

- Insurance Valuations
- Condition Surveys
- Dilapidation Reports

Clients Include:

- over 300 Local Authorities
- Parish Councils
- Police, Fire and Rescue Authorities
- MHCLG
- Welsh Government
- Scottish Government

National Head of Local &
Devolved Government
Simon Croft
Tel : 03000 500 867
Email : simon.croft@voa.gov.uk

DVS

Property Services
Division - Valuation
Office Agency

**Crown
Commercial
Service
Supplier**