

# ACES TERRIER

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

VOLUME 29 ISSUE 4 WINTER 2024-25





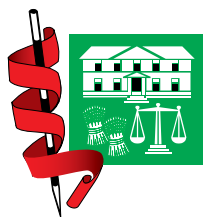
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# ACES TERRIER

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

## EDITORIAL

**Betty Albon** [editor@aces.org.uk](mailto:editor@aces.org.uk)

Welcome to the 2024/25 Winter Terrier.

ACES has a new President – Dan Meek, Director, Estate and Asset Management, at the Norse Group. Many of you will know him from his articles about rural matters featured in ACES' Terrier. Dan took over at the Annual Meeting, held in the prestigious offices of Fieldfisher in London on 15 November. This Terrier contains Dan's inaugural speech and several images taken on the day. It also features the panel session jointly presented by representatives from Fieldfisher and corporate members Lambert Smith Hampton. Thanks to all who made this day memorable.

Panel members were young professionals, and this leads me to refer to a few articles in this issue of interest to our FACES colleagues, including the changing direction of practicing (AI and communications) and some guidance to actual or potential counsellors helping APC candidates. Guidance is also given on important legislative changes to procurement and rating. There are more articles from presenters at ACES' National Conference on net zero and retrofit, plus much more.

Senior Vice President Alan Richards is on a roll and will be walking the Cancer Research UK/British Heart Foundation Public Sector Challenge London Bridges Walk on 18 January 2025. This will be a "limbering up" for the big one in September – Peak Pursuit 2025! I hope members will support the ACES team for that event. Watch out for more information, either walking or sponsoring.

I can hardly believe that the Selwyn series closes with this issue. The biggest of thank yous, Dave Pogson, for all the entertainment you've given your most avid reader – the Editor – and no doubt lots of other ACES' Terrier readers. I will miss you, Selwyn and his friends. But this issue has a bonus – see also Dave's article on AI and his invitation to colleagues.

Please share ACES' Terrier with colleagues - in hard copy and online [www.aces.org.uk/library/](http://www.aces.org.uk/library/).

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Cover photo: Dan Meek at ACES Annual Meeting, Fieldfisher's offices, London, courtesy of M Macaulay.



Antony is a partner at European law firm, Fieldfisher, where he is Head of Real Estate and also heads the Property Litigation team. He deals exclusively with contentious (and potentially contentious) issues relating to commercial, mixed use and residential property. Throughout his career, Antony has had a strong emphasis on public sector work, helping clients unlock value in their property portfolios and dealing with issues arising from public sector clients' ownership and development of their real estate holdings.

Antony is a regular speaker at ACES conferences and other events and is an honorary member of ACES.

## WELCOME

Antony Phillips [Antony.Phillips@fieldfisher.com](mailto:Antony.Phillips@fieldfisher.com)

Antony gave a warm welcome to us all to the meeting.

Fieldfisher has 23 offices in 12 countries and nearly 2,000 people, but this is our headquarters and where we're very proud to be here.

My connection with ACES goes back about 25 years and I think you were last here at Daniela's inauguration in 2016. So it's great to have you back here.

One of the brilliant things about being here is when you get a bunch of property professionals as we have here today; they

stand on the balcony and point out the development that they've worked on, whether it's Elephant and Castle, or going a bit west, say to Waterloo, Vauxhall, Battersea, or going the other way, to Surrey Quays, Docklands, or behind us the city. This ever-changing landscape is a fascination to all of us. And guess what - we have it every day, so lucky us.

It's brilliant to see you all here today. We've got an incredible agenda. You're in for a treat at lunch, because the food here is fantastic, so enjoy the day.





# PRESIDENT'S KEYNOTE ADDRESS

## 15 November 2024, Offices of Fieldfisher, London



This day has come around quickly. Sara's year has flown by!

I would like to start my address by thanking our hosts, Fieldfisher for allowing us to hold our AGM and luncheon in this amazing building. I am sure you will all agree, it is a wonderful venue with some of the best views of the city around us. So thank you Antony, we really appreciate your enduring support for ACES. I must, however, give special mention to some of Antony's excellent team who have all made today happen so seamlessly. I would like to thank Marcus Farrell, Honey Newbury, and Simone Hopman who have been busy working behind the scenes with Trevor and I to pull together today's AGM and luncheon.

Some of you may have even been here for a previous AGM. I, probably like all previous Presidents, am proud to follow in the footsteps of many eminent past Presidents, a couple of whom I would like to give special mention. Firstly, to Daniella Barrow, past President 2016/17 and Norse colleague, who gave me an early insight into ACES Council. Daniella also held her AGM here and it is fitting I am now able to hold my AGM here. And secondly to Charles Coates, President 1998/99. Charles was, I believe, the last member of the Rural Branch to be an ACES President. Charles has given, and continues to give as an honorary member of the Rural Branch, so much to ACES and again, I am very proud to follow in his footsteps.

Thanks also to our valued corporate sponsors for 2024/25 – Lambert Smith Hampton, Carter Jonas, Avison Young, and of course Norse Group. Without our sponsors the national conference would not have been the success it was; and members would not have benefitted from the frequent array of much-welcome CPD and networking opportunities, whether that be at branch meetings, or for example, the Avison Young Espresso briefings.

I appreciate there may be several members who don't know much about me, for the ACES Rural Branch is a bit of a niche hidden gem within the Association. Our branch members are unquestionably highly dedicated, enthusiastic and

passionate rural chartered surveyors busy arguing the cause of what some consider to be an oft overlooked treasure – the national council farms estate. I, like all my Rural Branch colleagues, am passionate about ensuring the about 200,000 acre estate spread geographically throughout England and Wales not only survives but flourishes, despite the obvious pressures on local authorities to release much needed capital through estate rationalisation and disposal programmes.

The national estate continues to receive industry recognition and support, whether that be through the two CPRE reports, in 2019 and 2022, or the more recent review chaired by and reported on by Baroness Kate Rock – the much publicised 'Rock Review', 2023. The Rock Review was the catalyst for creating the Farm Tenancy Forum – an industry steering group set up to advise DEFRA and Ministers on important policy, strategy, and legislative matters affecting the farm tenancy sector.

As an indicator of its importance, the new Labour Minister of State for Food Security and Rural Affairs, the Right Honourable Daniel Zeichner MP, has pledged to attend every meeting of ACES Rural Branch, of which there are four each year. I am proud to represent ACES at the Forum.

In my possession is an ACES Rural Branch attendance book dating back to May 1986. It makes for a fascinating historic record of who's who over the years. My first attendance of a Rural Branch meeting is recorded as being 10 October 2005. I am proud to say I have been a regular attendee ever since, and having taken over the Branch Secretarial role in 2022, I am pleased to report we have maintained a healthy and active branch membership meeting in person twice a year for some welcome networking and CPD. If ever I have a professional conundrum to deal with, I know I only need to pick up the phone to discuss and resolve with any number of ACES colleagues, and that for me epitomises the essence and spirit of the Association.

We talk about opportunities to encourage new starters into the profession. I am a great advocate of work placements

and placement years either prior to or, like my experience, during the actual degree programme. I did my degree placement with Devon County Council in 1996/97, assisting managing the County Farms Estate. I was instantly hooked on the huge social, economic and environmental benefits such an estate has to offer, and constantly delivers with no fuss, nor pomp and ceremony. While I took a graduate placement with the Duchy of Cornwall working on mainland Cornwall and the Isles of Scilly, where in those days we enjoyed the luxury of our own private launch and pilot to travel between the beautiful archipelago, I jumped at the chance to return on a permanent contract to Devon County Council in 1999, where I soon became a member of the RICS and fellow of the CAAV.

I am very proud to be a member of the RICS, an institution you will all be familiar with. I look forward to working with Neil Webster to continue to promote the important role public sector surveyors play in the property industry at the RICS Public Sector Forum. I am also extremely proud to be a member of the CAAV, an Association I suspect many of you won't have heard of. Well, let me tell you a bit about it.

The CAAV stands for Central Association of Agricultural Valuers and there are approximately 3,000 members in the UK. It is a parallel professional membership organisation with entry and assessment criteria more stringent and - dare I say - more challenging than the RICS APC. Essentially members are rural surveyors and valuers. Membership of the CAAV is held in extremely high esteem by our members and more particularly, our rural clients. As well as being involved in ACES for around the last 20 years, I have also been heavily involved with the CAAV, first as Secretary of our local association and for the past 15 years, as a member of the CAAV National Council, representing the 150 or so professional members from Devon and Somerset.

I believe today may be a first for the CAAV. To my knowledge, no CAAV President has previously been invited to the ACES AGM. I am pleased to welcome as my guest, and that of ACES, Mr Martin Hall, President of the CAAV. Welcome Martin, and I hope your successors will continue to be invited in future years, given most ACES Rural Branch members have dual RICS and CAAV professional membership. The CAAV secretariat, new and old, and ably

led by the infamous Jeremy Moody, has kindly provided countless highly topical presentations on matters of professional interest to the Rural Branch over the years, for which we are very grateful.

I must also pay tribute to our outgoing President, Sara Cameron, #President on Tour.

Having taken a sabbatical, Sara has had an amazing year and extended massively the reach and profile of ACES. Attending 101 meetings in a year is unprecedented. Its huge and no doubt Sara is probably physical and emotionally exhausted! Hats off to you Sara; it has been a truly amazing year, and ACES will be in far better stead for your incredible commitment and contribution. What I have noticed most, however, is the sense of fun that Sara brought to her Presidential year. Sara always delivered with a laugh and a smile, and I hope to continue conducting the affairs of the Association in a similar manner.

However, it is not normal for an ACES President to take a sabbatical. I will be a full time working President as per most Presidents that have gone before me. I will make best endeavours to serve the Association well, but it will be impossible to be as visible as Sara. I aim to visit each and every branch of the Association. Indeed, I look forward to doing so, and meeting many new ACES friends and acquaintances. I will also attend as many ACES stakeholder and networking events as time will allow.

As with all Presidents, I am already indebted to the huge amount of support the Management Team of Trevor Bishop, ACES Secretary; now joined by David Pethen, ACES Assistant Secretary; Chris Hewitt, National Treasurer; Neil Webster, Head of Engagement; Betty Albon, Editor of our wonderful Terrier journal; Marcus Perry, Branch Liaison Officer; and many others for the often hidden contributions they make throughout the year to ensure ACES remains the successful membership organisation that it is.

2024/25 brings some big challenges for us, not least the constitution review and membership review, ably led by past President Helen Stubbs; but also potential work around our data management, security and resilience, which Chris Hewitt has quite rightly flagged as an area of concern and potential weakness, and possibly a review of our legal structure.

The 'year nine initiative' Neil is leading on with Lara Newman of LocatEd, to promote the industry to future

generations of surveyors, deserves a plug. We hope this initiative gains further momentum and importantly the support of ACES members, the RICS, and of course public sector employers.

We all know everyone is struggling to recruit and retain public sector estates and valuation surveyors, but we all have a role to play in promoting what we do as a career. If it is any consolation, we are not alone. The problem is mirrored across industry and, as an example, the CAAV is currently tackling recruitment challenges proactively through a focussed promotional campaign called 'route to rural', and involving professional firms, universities and colleges. Furthermore, and only this week, I was pleased to be part of the CAAV's intensive and challenging entry and assessment examination process. I was one of hundreds of volunteer members giving up their time to invigilate over the two days of practical and written examinations for prospective new CAAV Fellows seeking to gain their dual professional membership.

Finally, it would be remiss of me not to promote the excellent ACES National Conference. Plans are under way to hold the conference on 25 September 2025 in the beautiful historic city of Bath. The Roman Baths and Pump Rooms have been reserved for the gala dinner on the eve of the conference and the Guildhall is reserved for the conference itself.

I say reserved and not yet booked as I am still working on the costings. It is perhaps of no surprise to many that inflation is affecting the hospitality industry quite severely. Venues such as these have seen huge cost increases in energy bills, staff, and even food and drink supplies. Conference venues and catering firms are having to pass on their costs like everyone else, which in turn is making the conference costs to delegates look increasingly more expensive year on year, which is of course unwelcome, particularly at a time when public sector employers are having to further tighten belts as the austerity measures continue to bite. In person CPD is perhaps now an unaffordable luxury for some of our members.

If we want to continue providing amazing conferences in high quality inspiring venues for our members and sponsors, we need to think very carefully about how they are funded. In that regard, I hope our corporate sponsors



continue to support us and contribute to the conference itself in future years, and I am also currently pursuing a couple of expressions of interest for new sponsors of the conference.

In the meantime, the conference agenda is being pulled together with the support of colleagues from both the South West Branch and the Rural Branch and some fantastic speakers have already been provisionally pencilled in. I hope as many of you as possible will be able to join me for a great day of networking and CPD.

Thank you.

## ACES Awards

Now is the presentation of the ACES Awards. We have five awards to present.

### Team of the Year

We had multiple nominations for this category but the team that won the award this year definitely pushed themselves well beyond their comfort zones, both mentally and physically, all for an exceptional good cause. They showed resilience, grit and determination, but most of all they demonstrated the strongest possible sense of camaraderie.

The winner is the Public Sector Challenge Team. Collectively the team raised £3,653 for Cancer Research UK by walking 40.05 kilometres, with a total ascent of 2,427 metres over three mountains (Pen-y-Ghent, Wherside, and Ingleborough) [Ed – see article in ACES Autumn Terrier]. Team leader Alan Richards, also Senior Vice President, accepted the award on behalf of the team, most of which are shown in the image.

### FACES Award

We wanted to hear about the amazing work being done by your apprentices, graduates, APC candidates and those in the first years of their professional careers. Telling us how they stand out to you and so we can celebrate them!

This year there was a clear and obvious front runner. The winner is a true ambassador of FACES. She was originally our nominated candidate for the MIPIM challenger award. Since attending MIPIM she has been a beacon for ACES and the public sector. She presented at SW Branch, has been an ambassador in schools, and more recently took part in a panel at the national conference.



Alan receiving the Team of the year award from Dr Steven Norris



Public Sector Challenge and support team, with Norse colleagues l-r – Richard Gawthorpe, Sara Cameron, Neil Webster, Alan Richards, Daniella Barrow, Dan Meek, Melvyn Stone



Jessie Leung

She has publicised ACES through social media and various other channels. And the FACES Award Winner is Jessie Leung.

#### Net Zero Champion

This award is to celebrate public sector net zero champions.

With the majority of public sector bodies signing up to the climate emergency pledge and actively working towards achieving net zero, we want to showcase significant milestones, projects, innovation and dedication to achieving a decarbonised public estate.

Having committed to achieving net zero by 2045, the winning authority has, since the baseline year of 2013/14 decreased its emissions by 55%, from 61,061 to 27,679 tonnes of carbon equivalent. This was achieved through delivering a complex mix of 28 actions across 6 themes. The themes include investment in energy efficiency and renewable energy technology; improving building controls; implementing new heating guidance across the authority; focusing on energy efficiency in new-build programme; and reduction in emissions factors for electricity.

And the Net Zero Champion is West Lothian Council.

#### Project of the Year

After a gap of almost 20 years following the closure of the Property Management and Valuation degree course at the then University of Glamorgan in the early 2000s, a BSc (Hons) Real Estate degree commenced in 2023 at the University of South Wales.

The absence of the degree course led to a substantial shortage of general



## Clive Ball

- *The innovative development of this course, with industry support, cross sector collaboration and a rapid development timeline would not have been possible without the driving force and passion of Clive Ball who played an instrumental and influential role throughout the innovative development of this course - Shane Galvin, Head of Pedagogical Transformation, USW.*
- *Specific mention should be given to Clive Ball MRICS and his team at NHS Wales who originally proposed the creation of the course to the university, developed the industry business case, and went above and beyond in securing external support and promotion for the course – Sam Rees, RICS Wales.*

practice surveyors in Wales. This shortage formed part of the Welsh Government's training and skills programme. Funding was secured from the Welsh Government's Asset Collaboration Programme, which was used to produce a promotional video for the course.

The Project of the Year award is the delivery of the Real Estate degree at the University of South Wales.

#### Community Champion 2024

The final awards goes to Community champion 2024. This award showcases individuals where social value is the driving force. We look for examples of where individuals have gone above and beyond to make a real difference to the community. A substantial amount of work was needed to establish the new real estate course at the University of South Wales.

The winner of this award had to provide a business case which involved establishing a working group and an industry Advisory Board to help shape the course. He conducted a survey of public employment sectors and surveying firms, and established links between the university and industry professionals in Wales. He had to ensure the course was accredited.

The winner is Mr Clive Ball. There are two wonderful testimonials on the slide, which are directly related to Clive's commitment and ambition and passion for establishing that degree course.

The presentation of the awards brings this 2024 AGM to a close, and all I can now do is wish you all a safe onward journey home. I look forward to seeing you all at future ACES events over the next 12 months, so thank you all for attending today.

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 - [secretary@aces.org.uk](mailto:secretary@aces.org.uk)

ACES Editor: Betty Albon [editor@aces.org.uk](mailto:editor@aces.org.uk)





Justin is the Chief Executive Officer of the Norse Group

# RESPONDER'S ADDRESS

Justin Galliford

President, ACES members and guests. It is a real pleasure to be here today; in fact, it's a privilege to be able to give response to Dan's excellent acceptance speech. We are delighted within the Norse Group, and more locally for NPS Southwest that you have elected Dan as ACES' President. It means an awful lot to us because we've always valued what ACES does.

Dan has over 20 years of public sector experience, and when I talk to Dan's colleagues, he is renowned for being one of the most hard working, dedicated people within our Group. I think you probably have already experienced that, and the level of involvement he's had with you and the Association.

One of the things that really puts Dan above and beyond is the level of commitment in which he carries out his work, but also the way he cares for his colleagues and also his customers. Only last week I was talking to his immediate colleague and he was saying we were very proud about how passionate Dan is about farming and his engagement with some of the farming community. Not only does he make sure new tenants are found for County Farms, but he actually works with them to look at new ways of farming. It's those kinds of skills I think will make Dan an excellent President and ambassador, and help make sure that ACES continues to move forward.

And it is those kind of skills that make the Norse Group what it is, so a real personal thank you Dan, because it is the personal touch that deliver services and that you really embody.

I've talked about Dan's exemplary record and his professional conduct, which is first class, and of course that is what on his professional journey he

outlined to you in his speech that has led him to take on the role as Director of Estates and Valuations for NPS SW partnership in Devon, and of course, also supporting the organisation with the various other things we do around the country. When I look at what Dan's job description contains, it is so wide-ranging, it's very clear we've created that role around Dan's capabilities. They are not the normal suite of things you would advertise on the market because you would not find a suitable candidate. Dan embodies that really thorough, diligent approach to always asking those questions and seeking to push further and do more, so I reiterate, I think he's an excellent ambassador for you as ACES President, and certainly for us as a Group.

Some of the most significant recent projects he's been involved in are a very important piece of strategic estates work where he's identified up to £100m-worth of assets which could be disposed of, but at the same time complemented it with a strategic asset management plan. You will know that these are pieces of work which are really important to our customer base. But what really impressed me as I tried to understand a bit more about the detail, it is not only the traditional elements, he's also touched on some of things which were being discussed earlier in the panel session, to build in not just economic, but social and environmental factors, and indices as well. That is the language of our customers moving forward; I know you appreciate it's the language of the sector, that forward-thinking mentality that we see again, and I think will be a real benefit for the year ahead.

Of course, Dan has done all of those things while maintaining his management

of a team. It's talked about how difficult it's been across the sector to recruit, and I know we've all experienced that. Dan has kept his team going over several years post-Covid and of course, the normal humdrum of just managing a capital programmes of several £million or 10s of £million, so in short, Dan's capability as a professional and as a manager are very very strong indeed.

Now we turn to my first experience of Dan's capability. There is an interesting back story to this: one of the things that we do as Norse Group is asset disposals. We need an understanding of the capability to manage and control risk around anti-money laundering. Someone prior to Dan had flagged up a potential property transaction; this is probably going back 8-9 years. Somebody thought that they may have identified a rogue purchaser for a piece of land in Kent, involved in a foreign terrorist group but now hiding in Kent. This led to several phone conversations with various people in American government. Off the back of that, we thought we needed someone to help us look at our anti-money laundering skills and Dan apparently came into the frame. So my first interaction with Dan was a training session on anti-money laundering. I'd been nominated as the senior member of the team that would have those responsibilities, so you can imagine the sheer delight in my mind when I was told I needed to go to Wales for anti-money laundering training.

It was as I was driving over there the reality of the next half a day began to dawn on me. I wondered if I could pull a sickie, but I ploughed on - and I'm actually very glad I did - because when I met Dan, what I came across was an individual who was very passionate, very articulate, and who surprisingly managed to make it very engaging. He was full of knowledge and I was really quite impressed, and I remember asking someone in the group how long Dan had been involved in anti-money laundering and it was about the same length of time as me having been nominated to do it!

So what that immediately showed was Dan's capability and his desire and a real work ethic, that if you're going to do something, it has to be done right, and it needs to be done to 110%. So that really for me embodies Dan as I know him today, and just shows how versatile and inquisitive his mind is. I



think those qualities, that versatility and that acquisitiveness, are probably more important than ever. As a sector, we know there are some significant challenges, and I think the next few years ahead under a new government seeking to come to grips with perhaps one of the biggest financial challenges in the public sector, means that the year ahead for Dan as President could be quite an interesting time for the sector, and FACES, and the role they play in it, working with others. For MHCLG and RICS, ACES' voice is as important as ever, as you encourage people to think very carefully about the way in which they treat public assets, to ensure that they're not just disposed of as a one off capital receipt for here and now, but they are preserved, protected and developed, to make sure that they form a fundamental part of the fabric of society for future generations.

So in summary, I've every confidence that Dan is going to do an excellent job to support you in the excellent work of ACES, and I wish you and an all the very best for your year ahead.

Dan's response: thank you Justin for those very kind words. I'm not sure I made anti-money laundering interesting, but I'm glad you enjoyed it!





# ACES ANNUAL GENERAL MEETING

## Notes of the AGM held at Fieldfisher Offices London on 15 November 2024

Trevor Bishop, ACES Secretary [secretary@aces.org.uk](mailto:secretary@aces.org.uk)

The 2024 Annual General Meeting, held in the Fieldfisher Offices, London, was attended by 45 ACES members and the meeting was quorate. The Secretary reported on members who had tendered their apologies for absence. The minutes of the Annual General Meeting held in Edinburgh on 17 November 2023 were approved as a correct record.

### Annual report of Council

The President, Sara Cameron, and Secretary presented a comprehensive annual report on the work of Council and the Association for the year 2023/24 which was approved by members.

The Secretary talked through the items in the annual report and commented initially on the membership subscription, which continues to be excellent value for money when taking account of the free

quarterly ACES' Terrier and all the other benefits of membership. The Secretary provided an update on membership which again showed a significant increase in total membership to, at time of reporting, some 438 members [Ed – see membership report in this issue]. This was the highest level of membership for a number of years and reflected efforts by branches and Neil Webster in particular.

The Secretary thanked the liaison officers and branch representatives for giving up their free time to produce their excellent reports, and for their valuable contribution to a successful year for the Association. Members were urged to take some time to read the useful information in the Annual Report [Ed – see ACES website].

The President summarised her last 12 months in the presidential role. She confirmed that she had thoroughly enjoyed her year as President and





illustrated her year with some statistics, notably over 13,920 miles travelled on ACES business during the year, primarily in her campervan, but other means of transport as required. She also referred to over 97,000 social media impressions, which was outstanding for an organisation the size of ACES.

The President referred briefly to the key issues brought out in detail in her report, including all the excellent branch visits and warm welcomes she received and the many speaking opportunities that emanated from the presidency, where she gained great pleasure in sharing information with our sector and adding to members' CPD hours!

She confirmed she was now ending on a high and thanked members for giving her the opportunity of the presidency which had been a great personal experience. She was delighted to be handing over to Dan Meek and wished Dan every success as President during 2024/25. Full details of the President's report are available in the Annual Report on the ACES website.

The President then moved on to the 2024 Conference, which she was thrilled to hold in her home town of Norwich. While it was a relatively small conference,

it definitely punched above its weight. She was very pleased that the post conference feedback was so positive and the articles in ACES' Terriers helped to give the excellent presentators a very high profile.

In terms of the financial outcome, the conference essentially broke even, but the President commented that it was never the intention to make a profit, but to give members a quality product, and this had been reflected in other recent conferences and events. A high level summary of the costs and income was included in the annual report and the President will report further at future Council meetings. She was also pleased to thank Marcus Perry for his hard work in organising a successful social programme as part of the conference and it was a shame the numbers were low and this was to be kept under review.

The Secretary made reference to the remainder of the Annual Report, which contained full year reports and updates from liaison officers and from the branches. Thanks were given to all that had contributed, and it was recognised that many had full time jobs, so finding time for ACES was much appreciated.

It was noted that the full Annual Report was available on the ACES website for the

perusal of members. The Secretary noted that it was not too late for reports to be added; he would republish an updated version on the website.

## Financial matters

The Treasurer, Chris Hewitt, presented his report containing the unaudited financial statements of the Association for the period ending 30 June 2024, with a number of recommendations for the coming year. Financial matters were reported in two parts.

The Part 1 report updated on a number of matters dealt with since the last AGM including insurance cover for the Association, a new accountancy package, employment status/IR35, financial delegation and VAT. Reference was also made to data management, the officer pay review, and the membership year and subscription invoicing.

The Part 2 report covered in more detail the overall financial position of the Association. The Treasurer referred to the significant difference between the figures in the financial statement for this year compared to last year. He talked through the several reasons behind this, including





a change in accounting treatment and differences in the conference approaches for 2022 and 2023. Overall, however, the Association's performance continues to be regarded as satisfactory.

The Treasurer reported that careful consideration had been given to the membership subscription rates for 2025 and it was recommended to maintain the annual subscriptions level at £125 for full members, £80 for additional members and associate members, and retain the current £40 for retired members.

The Treasurer referred to the custom of making an honorarium presentation to the outgoing President. This was increased in 2023, and it was recommended to maintain

the same level for the current year. This was approved by members. It was noted that the President requested a donation to her preferred charity in lieu of the honorarium.

The full year accounts and the financial statement were displayed at the meeting and the Treasurer talked through and explained the numbers. The two documents are available on the ACES website.

The following is a summary of the financial approvals by members at the AGM:

1. Members authorised CMT and ACES Council to review data management arrangements and implement any necessary improvements in the most cost effective way, reporting back to the 2025 AGM

2. Members approved the pay review recommendations, adopting the new pay rates from 1 July 2024 and the automatic CPI increases going forward, subject to review by Council in advance of the 2027 pay review
3. Members approved the proposed adoption of 1 January as the standard membership year start date and approved the proposed new invoicing arrangements
4. Members approved the proposed honorarium for the outgoing President
5. The financial statements for the 2023-24 financial year were approved by members and the President and National Treasurer authorised to sign the statements on behalf of the Association
6. Reappoint Wortham Jaques as Independent Examiner and to prepare the financial statements for the 2024-25 financial year
7. The structure and level of membership subscriptions for the 2025 membership year were approved as detailed above.

### **ACES Constitution - proposed changes**

The Secretary and the President reported on progress with the review of the Constitution and the Membership review. The report published was largely a position statement and, through discussions at Core Management Team, it was proposed to take these matters back to Council for decisions on how best to make progress. This will include consideration of a review of the corporate structure of the Association to ensure it is fit for purpose and adequately resourced and protected to carry out our priorities for the foreseeable future.

There was no objection to the proposals and to consider the appointment of a suitable consultant to assist.

### **MHLG/ACES Working Party**

It was approved that Neil Webster and Simon Hughes continue with initiatives to develop relationships with MHLG during 2024/25.



## Officers of the Association

The following were approved as officers of the Association for 2024/25:

President	Dan Meek
Senior Vice President	Alan Richards
Junior Vice President	Vacant
Immediate Past President	Sara Cameron
Secretary	Trevor Bishop
Assistant Secretary	David Pethen
Treasurer	Chris Hewitt
Editor	Betty Albon
Head of Engagement	Neil Webster

The decision on the appointment of a Junior Vice President will be progressed by ACES Council.

## Council membership

Keith Jewsbury and Willie Martin were approved to serve on Council for 2024/25 representing Retired and Honorary members of the Association.

Neil McManus, Andrew Stirling and Paul Edgeworth were approved as full members of Council for 2024/25.

## Liaison Officers

The following were approved as liaison officers for 2024/25:

Liaison Officer Groups	Members	Organisation
Commercial, Strategic & Agricultural Asset Management	Vacant	
	Julie Blight	Royal Devon NHS
	Lee Dawson	JLD Property Consultants Ltd
	Jeremy Pilgrim	ACES Retired Member
	Dan Meek	NPS (South West)
Regeneration & Housing	Gillian Boyle	ACES Retired Member
Rating & Taxation/CPO & Compensation	Christina Gavin	VOA
Valuation	Chris Brain	Chris Brain Associates
	Ellen Atkin	VOA
Health	Neil Webster	Cyclo Consulting
DLUHC/ACES Liaison	Neil Webster	Cyclo Consulting
	Simon Hughes	Norfolk County Council
RICS Liaison	Daniella Barrow	Norse Consulting
	Sam Partridge	Exeter City Council
Post Grad Course and Diplomas	Malcolm Williams	ACES Honorary Member
RACES & iHOPE	Vacant	
Branch Liaison	Marcus Perry	ACES Retired Member

## Honorary membership

Nominations were made to the meeting to confer the designation of Honorary Member of the Association on Sara

Cameron and Marcus Perry (see below and on page 15). The Secretary referred to the outstanding contributions to the Association made by Sara and Marcus and the proposed Honorary Memberships were approved.



From left to right: Jeremy Pilgrim, Chris Rhodes, Peter Gregory, Neil McManus, Daniella Barrow, Betty Albon, Lee Dawson and John Morris, with outgoing President Sara Cameron





of Past Presidents of the Association, and accordingly presented lapel badges to the eight Past Presidents at the meeting (see page 14).

This was followed by the formal handover of the presidential chain of office to the ACES President for 2024/25, Dan Meek, who gave his keynote address, and a response by Justin Galliford, Chief Executive of Norse Group [both included in this issue].

Proceedings concluded with the announcement of the winners of the five ACES Awards for Excellence. Full details of the Awards and winners can be found on the ACES website [summaries in this issue].

**More images of the Annual Meeting can be seen on page 94**

### Future meetings

The following meetings scheduled for 2025 were noted, subject to confirmation pending contact with proposed venues:

ACES Council	31 January 2025	Guildhall, London
ACES Council	24 April 2025	Birmingham (to be confirmed)
ACES Council	24 July 2025	To be confirmed
Annual Conference	24/25 September 2025	Bath
ACES Council	October 2025	Virtual "Wash Up" Meeting
Annual Meeting	14 or 21 November 2025	Cardiff (tbc)



### Any other business

No other business was raised from the floor. The meeting closed and was followed by a professional presentation by Fieldfisher and Lambert Smith Hampton on Housing Development and Viability [Ed – see this issue].

Presentation of the President's Awards by the outgoing President was a little different this year. In addition to presenting her award to Marcus Perry for his unstinting commitment as Branch Liaison Officer, the President also wished to recognise the ongoing commitment



# ACES MEMBERSHIP

Trevor Bishop MRICS, ACES Secretary [secretary@aces.org.uk](mailto:secretary@aces.org.uk)

I list below the changes in membership between 1 October 2024 and 31 December 2024.

## New members approved

There were 6 new applications approved during the period:

First Name	Surname	Organisation	Branch Ref
Justin	Clough	Bolton Metropolitan Borough Council	NW
Rebecca	Cosgrove	Liverpool City Council	NW
Mary	Cox	Dudley Metropolitan Borough Council	HE
Helen	McCue Melling	Hyndburn Borough Council	NW
Archie	Naylor	Valuation Office Agency	NE
Jonny	Oxley	Broxbourne Borough Council	E

## Members transferred to past membership

Two members transferred to retired membership:

First Name	Surname	Branch Ref
John	Rayner	L
Malcolm	Simister	NW

## Resignations

The following 12 members resigned during the period:

First Name	Surname	Organisation	Branch Ref
Amanda	Badman	Solihull Community Housing	HE
Tony	Bamford	Associate Member	W
Sarah	Brant	Guys and St Thomas Hospital Trust	L
Robert	Harkness	South Lanarkshire Council	S
Huw	Lewis	London Borough of Croydon	L
Ralph	Luck	Associate Member	L
Roger	Moore	Lambert Smith Hampton	E
Calum	Morman	Scottish Police Authority	S
Mark	Perris	Hertsmere Borough Council	E
David	Street	Retired Member	NW
Carys	Williams	Gwynedd County Council	W
Peter	Woodley	Cheltenham Borough Council	SW

## Membership

Summary of current membership at 31 December 2024:

Total Membership	
Full	240
Additional	94
Honorary	37
Associate	18
Retired	34
<b>Total</b>	<b>423</b>

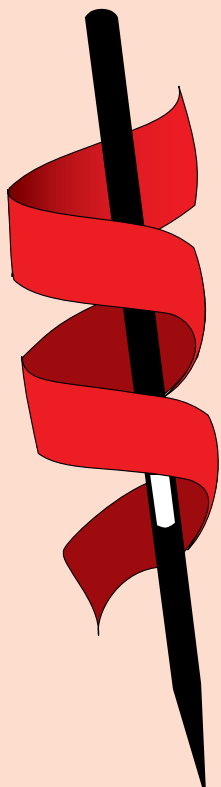
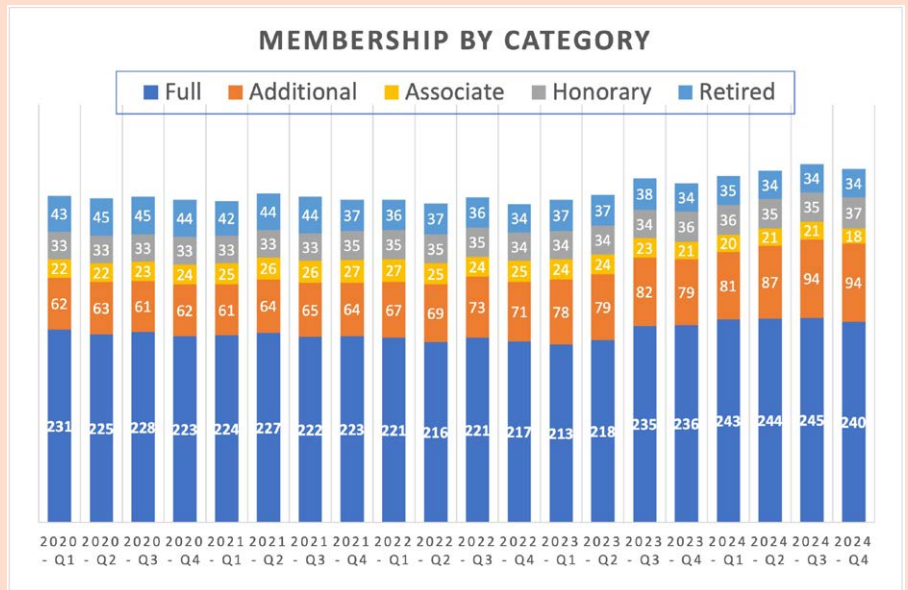


## Trends

This quarter sees a marginal drop in the total number of members compared to the previous quarter. This is typical as the year ends and membership subscription invoicing approaches.

Importantly, the current level is in the context of a number of members who have still not paid their subscription, some for two years, and decisions are now being made to expel members from the association in the absence of action to address arrears.

The chart shows the trends by membership category:



# ‘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](mailto:secretary@aces.org.uk) for further information.**



I-r Isaac, Michael, Antony, Ashley, Susanna

Susanna Jarman is Associate Director – Development Consultancy, at Lambert Smith Hampton [SJarman@lsh.co.uk](mailto:SJarman@lsh.co.uk). She advises on the viability and feasibility of mixed use development and town centre regeneration.

Ashley Sorayapour is Associate Director - Development Consultancy Planning, Regeneration + Infrastructure at LSH [ASorayapour@lsh.co.uk](mailto:ASorayapour@lsh.co.uk). His work is a mix of viability and valuation work and land agency, on behalf of local authorities and developers.

Isaac Daughtrey is an Associate at Fieldfisher [Isaac.Daughtrey@fieldfisher.com](mailto:Isaac.Daughtrey@fieldfisher.com). He is based in the Manchester office and advises landowners, pension funds and individuals on property rights.

Michael Norris is a Director at Fieldfisher [Michael.Norris@fieldfisher.com](mailto:Michael.Norris@fieldfisher.com). He is a director in the transactional team, with a focus on residential and commercial development, acting for landowners and developers.

## AGM PANEL PRESENTATION Affordable housing and viability

Antony Phillips and team

A panel of 'young talent' at Fieldfisher and Lambert Smith Hampton provided the CPD element of ACES' Annual Meeting, chaired by Antony. Below is a summary of the presentations and Q&A session.

### Antony's introduction

The topics we will be covering are affordable housing and viability. I think both those topics are things that probably come across your desks and are troubling you, probably on a daily basis so hopefully there's plenty in the next 45 minutes that is going to be of interest.

We will start with 15-20 minutes of presentation from each of our four speakers on these two topics. Then we will have a panel session led by me: I'm asking the questions and the panelists will answer them!

### Susanna - Challenges in the affordable housing market

The sector faces supply shortages, rising costs, and funding constraints. Delivery of affordable housing is at a decade low, with only 43% of the 145,000 homes needed annually built last year. Only about 63,000 affordable homes were delivered in 2022/2023, revealing a significant shortfall.

The G15 Report (a group of London-based housing associations) reported that housing starts fell 76% in London and 37% outside London. The reasons for low delivery:



### Rising costs

Ageing housing stock requires costly retrofitting (for example in relation to fire safety, damp, mould) are impacting housing associations' plans to deliver new housing. There has been a 20% rise in remediation costs in Q3 2023 against 2022; major repairs/maintenance costs are up 43% in 2 years, totalling £7.7bn in 2023. Large registered providers are prioritising current residents over new builds.

### Inflation and interest rates

The Bank of England base rate is at 4.75%; high interest rates increase development financing costs. Inflation at 6-7% creates uncertainty, discouraging large-scale investments.

### Construction costs

Material and labour costs are up 10-15% due to inflation and supply chain issues. The decline in affordable homes delivered under s106 agreements has been from 51% in 2023 to 29% this year. Financial pressures lead registered providers to cut back on s106 purchases.

### Funding shortages

Registered providers depend on government grants and rental income, but rising costs outpace available funds. There have been some budget measures which will partially alleviate the challenges: £500m has been added to the 2021-2026 Affordable Homes Programme; £3.1bn has been allocated for new/existing housing. However, funds remain stretched despite these measures.

The five-year Rent Settlement Proposal allows rent increases at CPI + 1% (from April 2026). The benefits of this settlement is that it will give financial stability for registered providers to improve long-term planning and investment. However, the



challenges are that it may limit the ability to offset rising costs (e.g., inflation, repairs). Some projects may need additional government support.

## **Ashley – What is viability?**

At its most basic level, viability relates to the relative balance between the value generated by a development and the costs associated with its delivery. Some of the key market drivers affecting viability are:



### Capital values

From a residential perspective, during 2023 and into 2024, market conditions have begun to stabilise from previous negative house price growth, with inflation moderating and interest rate expectations easing. The sales market remains subdued, but there are signs of renewed buyer confidence, supported by interest rate cuts.

On the whole, house price growth has turned positive again, especially in northern regions, while areas previously popular during the pandemic, like coastal locations, are seeing weaker price performance. The rental market continues to face high demand but shows signs of softening as tenant affordability becomes stretched.

### Build cost inflation and supply chains

Rising construction costs and supply chain disruptions have caused major changes over the last few years and have increased development costs, causing delays to project completion. Construction costs in the UK rose by approximately 11% during 2023, driven by labour shortages, increased material costs, and high energy prices. For instance, the cost of steel rose by over 40% in 2022, impacting both residential and

commercial project budgets.

Supply chain issues persist post pandemic, compounded by Brexit and wars, which has led to logistical bottlenecks and material shortages. Labour shortages, especially for skilled trades, have further driven up costs. In 2023, construction labour costs rose by about 9%.

### The economy

Interest rates have risen in recent years impacting project finance costs; interest rates have begun to slowly but gradually decrease - further cuts to the base rate are expected over the next 2 years, which should stimulate property market activity.

Inflation is now under the Bank of England target rate of 2%, which should improve economic performance. A low inflation environment increases real returns on investment and is beginning positively to stabilise the costs of construction materials and labour.

### Planning

Lengthy planning processes increase costs, delay project revenues, and increase finance costs, depending on deal structure, directly impacting a development's financial viability. The UK planning system faces constant delays, with the average time to receive planning permission now exceeding 200 days, almost double the average from five years ago. These delays result in increased holding costs for developers.

New regulations, particularly environmental impact assessments and biodiversity net gain, add complexity, cost and length to the planning process. Although there are always calls for planning reform, the complexity and time required for approvals remain significant. Labour's proposed planning reforms, aimed at expediting approvals for urban and brownfield sites, could improve some of these pressures.

Removal of affordable first homes will likely increase the percentage share of shared ownership units which should help improve viability margins.

## **Isaac – site assembly**

The costs of purchasing a site are twofold – the initial acquisition, and then the tidying up of title that follows. Extensive due diligence at the outset can help mitigate both sets of costs, and both need to be considered in order to determine if a site is viable.



Regeneration sites typically throw up more issues than a greenfield site, because of the historic varied uses of the land, and that these sites are more likely to be parcels of land previously owned by different people. This gives rise to a wide variety of property issues that cannot be resolved from a title review or examination of deeds – actual inspections will need to be utilised to determine the existence of any third party rights.

A development constraints report can help flush out what the key issues are and what steps are needed to resolve them. Costs can be allocated to those issues and can shape whether or not a scheme is viable in light of them. It is at this stage where conditional contracts and option agreements can be really useful.

Failing to manage and resolve risks until a project starts will inevitably compromise any perceived viability. It is worth remembering that resolving issues does not necessarily mean more money (so higher costs to feed into calculations), but occupiers and those affected can sometimes take proprietary action, such as applying for an injunction to stop a development. Should that happen, a development could be stifled completely until a resolution is reached, but that stifling will have a knock-on impact on the supply chain and all other parties.

In the built environment an issue we see frequently cropping up is rights of light (ROL). It is sometimes only when a planning application is lodged that developers get a full sense of the potential impacts of infringement they may be causing others. While not impossible, it is hard to manage this risk with option agreements, because the property rights exist in any event.

Owners of regeneration sites should therefore seek to minimise the amount of claims by conducting due diligence (DD) at the outset and considering, where appropriate, not allowing further rights to accrue (e.g. by serving light obstruction notices) and seeing if existing rights can be challenged (eg. is there an argument that the rights of light claimed do not exist because they have not transferred?).

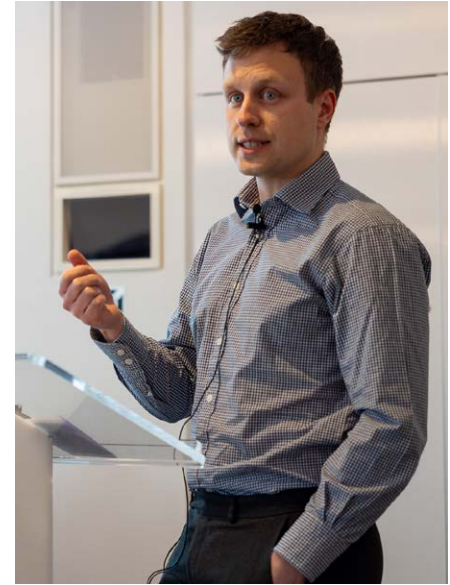
We have seen that this has become more important in the viability context as the compensation landscape changes. As we know, ROL compensation is traditionally awarded by the courts on a book value basis. We have seen that affected neighbours are now pushing for damages on the basis of a share of development profit (in respect of the part of a planned redevelopment that would need to be cut back so there is no infringement) which is usually much greater and obviously has a much more material impact on the viability and use of a site.

Extensive DD at site assembly stage sits well with the new ROL Protocol: it seeks to establish a procedural framework and encourage the early exchange of information. It however, understandably, does not seek to prescribe what the correct level of damages is, so the worry remains as to how the trend of seeking higher damages for interference with property rights can affect viability.

Of course, insurance for this type of risk does remain an option. We have seen that the insurance market is hardening, and extensive DD can mitigate the effects of this. We have found there are fewer products around allowing the insured to conduct claims on their own and instead, insurers are preferring the traditional wait and see policy (presumably because of the higher amounts being sought). That type of policy will reduce your ability to settle claims with neighbours directly. So one of the main ways to reduce the premium of any ROL policy, or indeed any title indemnity policy, is to show why the risk is not a big risk.

To sum up, all property issues with a site are best considered at the site assembly stage, even if you decide no further action needs to be taken. That consideration will feed into many different workstreams and will inform what further steps you need to take, for example what insurance product you need (if any), which will in turn guide you on how to approach those affected by your scheme.

## Michael – partnerships and joint ventures in residential development



### Overview of partnerships

How do house builders use partnerships and joint ventures to manage risk and optimise cash flow in residential developments? These partnerships are essential to balancing financial exposure, while ensuring steady capital throughout the development.

House builders typically collaborate with:

- Affordable housing providers - these partners acquire a set number of units in the development, which meets local affordable housing quotas and provides early-stage funding. More and more we are seeing 100% affordable sites being delivered by house builders
- Build-to-Rent operators/institutional investors - increasingly, we see build-to-rent operators and institutional investors as major players in these partnerships. While this will mean fewer private market sales are made by house builders directly to plot purchasers, the partnerships provide sales certainty and support the builder's cash flow
- Public sector bodies: These partnerships are particularly relevant where a public-sector asset is to be brought to market as a regeneration opportunity.

### Partnership structures

A couple of examples of partnership structures include:



- Subsale agreements - in this model, the house builder sells part or the entire development site to a partner. A development agreement is then signed, outlining that the builder will complete construction according to agreed standards. This structure allows house builders to generate cash early in the project and transfer some risk to the partner
- Formal joint ventures - a more formal joint venture, like a Limited Liability Partnership (LLP), sees both parties sharing control, profits, and risks proportionately. These arrangements are mutually beneficial, as the house builder and partner co-manage the project, sharing both the upside and the risks.

#### Benefits of partnerships

These partnerships offer valuable benefits to both house builders and their partners: For house builders, there is reduced financial exposure: sharing project costs reduces financial strain, especially in uncertain markets. There is improved cash flow: receiving funds from partners at various project stages helps maintain liquidity. The partnerships give access to funding and expertise, where working with established investors or specialised operators opens access to resources that may otherwise be unavailable.

For partners, there is a secure pipeline of new assets. Institutional investors and build-to-rent operators secure reliable additions to their portfolios, meeting investment objectives. There is streamlined access to development expertise: by partnering with experienced builders, investors can rely on high-quality construction and operational expertise.

There is the potential for favorable terms and co-branding. Collaborations often allow partners favourable purchasing terms and opportunities to enhance brand exposure within desirable developments.

These partnerships are essential tools for de-risking developments, allowing both house builders and partners to realise mutual benefits in an evolving residential market.

### **Ashley - Future of viability in relation to the built environment**

#### Sustainability and net-zero commitments

Environmental viability is central as

governments and industries push toward net-zero carbon targets. New regulations on sustainability will continue to reshape project viability. Developers are now prioritising energy efficiency, green construction materials, and renewable energy sources. The viability of projects will hinge on their ability to meet or exceed environmental standards and reduce carbon footprints, affecting both initial designs and long-term operational strategies.

#### Cost management and resource prices

With fluctuating costs for materials, labour, and energy, maintaining financial viability will require developers to embrace cost-efficient technologies, modular construction, and alternative materials. Supply chain management and sourcing of goods is becoming more critical, along with a circular economy.

#### Focus on health and wellbeing

Post-Covid, there's a growing emphasis on health and wellbeing in building design, including air quality, natural light, green spaces and office gyms. Buildings that support mental and physical health are more appealing to tenants and buyers, which bolsters their long-term viability and occupancy rates and rents.

#### Community and social value

There is increasing expectation for large-scale developments to benefit communities. Future viability depends on creating spaces that are both economically viable and socially positive. Community involvement in planning and prioritising social value, such as affordable housing or

public spaces, can help reduce project risks and foster local support.

#### Diverse development product

To balance risk and diversify schemes, developers are now regularly including a mix of end products, from traditional build-to-sell units and commercial space to investment products, such as build-to-rent and single-family housing. The addition of these products improves cash flow for developers and reduces overall project risk, enabling sites deemed unviable to be brought forward. Once complete, development sites will benefit from encompassing a mix of home ownership, rental, and commercial products, creating a sense of placemaking and product diversification.

### **Question and answer session**

Antony posed to the panel the following questions, which were addressed by one or more panelist.

Affordable housing – registered providers are relying more heavily on their existing stock. What actions can be taken to future-proof costings?

From a legal perspective, a developer can be kept 'on the hook' for breaches in the initial construction for up to 12 years. Development agreements should make sure developers build quality stock that's free from defects. Terms in the contract should control the quality of the product – including specifications, variations, retain control of breaches, defects, etc.

There is always going to be that tension and always a need to value engineer the products, so as construction proceeds,



the more control the affordable housing provider should have over variations, possibly with signing off the works.

If the builder is specific for that site, you may wish to consider a parent company guarantee, new homes warranties, insolvency covers, collateral warranties – all tools to pursue if necessary. But key is to get the legals right; so often people come to us (not where we have drafted the documentation!), saying 'I'm sure that we agreed "blah blah"; well you may have agreed that, but if it's not in the legal documentation, tough.

House builders drive a hard bargain, as well you know, when negotiating their development agreements. It depends where the balance of power lies. The affordable housing provider may have pressure to provide stock in that district by a certain date and alternative sites to get that stock from may not be available.

What impact will the Five Year Rent Settlements have on registered providers?

The main benefit is it allows RPs certainty in financial planning, revenue projections and future proofing. The projections can then free up potential capital for acquiring new sites and new stock.

But if market rents increase significantly and an RP is limited at CPI +1 (see above), it restricts their potential funds for new developments and imposes inflexibility. Where costs are increasing, there is an imbalance against rising costs.

Construction costs have roughly doubled in the last seven or eight years; we referred to the price of steel rising by 40% during 2022, so that's a massive impact on residential and commercial budgets. What can people do to mitigate those costs?

A lot of developers are turning to fixed price contracts over one to two years. They are also using alternative materials and prefabrication, which can reduce costs; you can value engineer and try to streamline the development process.

But probably the easiest thing to do for developers, investors, local authorities when they're looking at their own development, is just increase your build rate. Also, factor in higher contingencies, from 5% typically to 7.5 to 10%.

Land values in many sectors have held up reasonably well. What can landowners do to protect their land or even enhance their land values?

It is fundamentally about sharing in any super profits and avoiding embarrassment obtaining best value. There is a basic price that needs to be set in the overage agreement. It is a massively disputed issue. Care is needed in the wording, and what you want to get out of the arrangement, make sure finds its way into legal documentation – a well-drafted overage provision includes worked examples at the back, making sure that you properly work through the various scenarios.

And making sure you actually get paid is obviously pretty crucial! Therefore, do you want a legal charge over the site?

How do you assess viability and what do you encounter when you are looking at viability for schemes?

Traditionally, the real estate market uses current day costs to give a snapshot. This is fine if you are developing something over a 1-3-year period. But for sites where you might want to hold part and sell off part, there are cash flow systems where you can model and manipulate variables. This gives a more accurate return over say, a 10 or 20-year period.

On the face of it, a development might not be viable over 2-3 years, but if you hold that as an investment and sell off parts of it, it can become viable.

Viability is the ratio between value and costs. A large site with a mix of tenures (sell, rent) will benefit from a cash flow basis of your investment products. Selling parts at the start will improve your finance rate; together with a diverse product will increase viability.

The Building Safety Act - what impact is it going to have? We know the impact it's having in relation to current buildings, but what about future schemes?

On a practical level, what we are seeing is the delay that's being caused by the Building Safety Regulator because of the checkpoints to get through and you can't move forward until you have satisfied each, which upsets contractors' supply chains.

Some parts of the Building Safety Act work retrospectively, so for example, extending the limitation period for 30 years, so back to 1992. That is going to have an impact on a huge number of factors including insurance. We have been instructed to look at building remediation orders and building liability orders. The courts can look to who was responsible for the defects - and in fact, look at those with

the biggest pockets. The Triathlon Homes case in 2024 is a very good judgement because it takes you through what the court looks at when they consider liability and to impose a Remediation Contribution Order.

Are there any clever ways of delivering social housing?

This tends to be the most negative part of the appraisal: build costs in some instances will be higher. There is a reliance on grant funding, eg Affordable Housing Programme – development doesn't work without it. Without grant funding, it is a real challenge to deliver. Once the 2021-26 programme ends, there is the promised £3.1bn, but it will be interesting to see how funding is allocated.

Every year that goes by, there is greater reliance on the private sector or affordable housing providers to provide social housing from the private sale element of the development, or there will be external subsidies such as Homes England. There is going to be the challenge with the government really wanting to commit to those sorts of grants in this economic climate. It used to be a very open and transparent systems, but under the new programmes there wasn't really much insight as to how much funding will ultimately be going into an individual development.

Modern methods of construction – what are the opportunities?

It is never seen as an opportunity to bring forward full 3D construction, probably because not a lot of people use it, so the whole system is not as efficient as it could be, than if it was mass produced on a bigger scale. In this scenario, a lot of build costs could start to reduce on an MMC basis.

There are supply chain issues, which drives the costs up. There is available an additional £10,000 per unit of grant funding with MMC.





# PUBLIC SERVICE ANNOUNCEMENT

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Karl began his career as an intelligence officer before taking up senior positions in both central and local government. During the 2010s, Karl successfully led several large public private partnership programmes in the regeneration, education, and energy sectors before being appointed as Director of Property for the London Borough of Kingston Upon Thames.

Karl joined ENGIE in 2017 as Commercial Development Director and now works at main board level as UK Strategy Director for EQUANS. A proud product of several 'bog standard' comprehensive schools, Karl is a Fellow of the University of Cambridge Centre for Science and Policy, an Academician of the Academy of Urbanism, a Committee Member of the Cambridge University Land Society ESG and Sustainability Forum, and is currently undertaking research into AI and the future of work at the Leverhulme Centre for the Future of Intelligence. Outside of work, Karl enjoys trail running, gravel biking, and snowboarding.

# VULNERABILITY OF PUBLIC BUILDINGS

## The UK's climate is changing fast: that's going to cause us real problems - unless we can adapt public sector buildings successfully

Karl Limbert [karl.limbert@equans.com](mailto:karl.limbert@equans.com)

Karl opened the presentations on net zero at ACES National Conference in September 2024. He kindly agreed to write this article: "...while we maintain our drive toward net zero, we must also prepare our buildings and infrastructure for the climate impacts that are now inevitable." Karl advises: "understanding building-specific climate vulnerabilities is crucial for targeting limited resources effectively.... Property professionals who understand their buildings' specific vulnerabilities to climate stress will be better positioned to protect asset value and maintain operational performance."

Most of the buildings we live and work in across the UK were designed for a climate that no longer exists. The majority of our hospitals, schools, offices, and social housing were constructed around the middle of the last century. Yet the UK's climate has changed significantly since then - average temperatures have risen by 1°C, winters have become 17% wetter, and the amount of rain falling on the stormiest days has increased by 20%. The pace of climate change is clearly accelerating. November 2024 was the wettest month ever recorded in the UK, while new data shows that parts of England are now warming at nearly four times the global rate. As Emma Pinchbeck, CEO of the Climate Change Committee, has recently warned, our buildings and infrastructure are simply "not ready" for the climate we're already experiencing, let alone what's to come.

### The new challenge: combining net zero with climate adaptation

The climate crisis has started a new phase characterised by two accelerating but different trends. On one hand, climate action is gaining momentum - the UK is making real progress toward net zero, with renewable energy deployment, electric vehicle adoption, and building efficiency improvements all accelerating.

Yet on the other hand, climate impacts are already hitting harder and sooner than expected. Global climate emissions continue to rise, and data shows that we're consistently trending towards the worst-case, rather than best-case future climate scenarios. All indicators suggest that the physical risks already facing our buildings and infrastructure will only intensify - more extreme heat, more intense rainfall, more severe storms.



This means that while we maintain our drive toward net zero, we must also prepare our buildings and infrastructure for the climate impacts that are now inevitable. The organisations that thrive in this new reality will be those that pursue meaningful emissions reductions alongside robust climate adaptation measures.

## **Public sector buildings are on the front line of the adaptation challenge**

The public sector estate provides a stark warning of what happens when aging buildings face increasing climate stress. Already, 1.6 million schoolchildren study in buildings needing major repairs, with some classrooms experiencing overheating for more than 40% of school hours. Research shows that taking an exam on a 32°C day leads to a 10% lower likelihood of passing, compared with a 22°C day. The impacts extend beyond education - living rooms and bedrooms in social housing are more than three times more likely to overheat than those in privately owned homes, potentially exposing the most vulnerable in society to extreme thermal discomfort on a regular basis.

The NHS repair backlog has more than trebled to £13.8bn, with £2.7bn of repairs classified as “high risk” because they endanger patients and staff. In our courts, 86% of buildings are rated poor or unsatisfactory, while 29% of prisons have serious maintenance issues creating “inhumane” conditions.

These maintenance challenges are already being exacerbated by climate impacts. Last year alone, failing healthcare buildings and equipment led to 3,318 clinical service cancellations - 64 disruptions every week. In December 2023, Storm Henk flooded electrical infrastructure at multiple hospitals, forcing emergency evacuations. Many hospitals are now routinely experiencing critical overheating - in 2023, NHS trusts reported over 6,800 overheating incidents, more than double the number from six years ago.

As climate impacts intensify, these problems will only worsen. Buildings already struggling with basic maintenance will become increasingly vulnerable to extreme weather events. Organisations facing massive repair backlogs will find it even harder to maintain operational resilience as climate stresses increase.

## **Successful climate adaptation needs to happen in buildings and infrastructure**

Climate change happens in natural systems - in changing air temperatures, rainfall patterns, and weather extremes - but its impacts on society are mediated almost entirely through human systems. Almost all human systems, including the economy, healthcare, food, housing, local government, justice, emergency services, defence, and utilities depend on an underlying system of buildings and physical infrastructure. This means that those buildings and infrastructure must be the focus for understanding where and when climate risks will materialise, as well as for planning which adaptation measures to deliver and how.

However, most climate risk analysis and adaptation planning is currently done at relatively high levels - looking at thematic risks facing entire regions, cities, or economic sectors. While these analyses can be valuable for raising awareness and identifying broad trends, they lack the granular detail needed to work out how to protect critical social infrastructure like schools, hospitals, prisons, and social housing.

Buildings and infrastructure display significant variation in their response to climate stresses. Design specifications, construction methods, material choices, operational systems, and maintenance regimes all influence a structure’s climate vulnerability. For example, two 1960s hospital wings on the same site might respond very differently to a heatwave - one with large south-facing windows and poor ventilation could reach dangerous internal temperatures, while another with external shading and operable windows might maintain safe conditions. Similarly, two identical school buildings could have very different extreme precipitation vulnerabilities based on their maintenance history - one with well-maintained roof drainage might cope with intense rainfall, while another with blocked gutters and aging downpipes could suffer serious water ingress.

Usage patterns and occupancy requirements further complicate the picture. A data centre operating 24/7 with heat-generating equipment faces different overheating risks than an administrative building used only during office hours. Put simply: the same climate risk - whether its overheating, flooding, or storm damage - can have radically different impacts on

buildings even when they are in the same location.

Conversely, identical buildings in different locations can face vastly different climate risks due to local environmental factors. Urban heat island effects mean that a hospital building from the 1970s could experience significantly higher temperatures in a densely developed area than its counterpart in the same city that happens to be located adjacent to well-established urban parkland. Similarly, identical buildings can face very different flooding risks depending on local topography, drainage infrastructure, and surface water management. A social housing block in a high-density urban area surrounded by extensive impermeable surfacing and aging drainage systems faces greater pluvial flooding risk than one in a location with more permeable surfaces and better-maintained infrastructure.

## **Moving beyond historical data and desktop analysis**

Observed levels of global warming are outstripping what was predicted in climate models, suggesting that climate risks may be more severe and arrive sooner than originally anticipated. Buildings and infrastructure that performed adequately under historical weather conditions may face entirely new challenges as temperatures rise, rainfall patterns shift, and extreme weather events intensify beyond historical UK norms.

The rate and nature of future climate change depends on complex socioeconomic variables including global emissions pathways and geopolitical trends. For these reasons, it is important to consider a broad range of forecast climate data, such as that provided by the Met Office, and to consider it in the context of the scenarios used by the Intergovernmental Panel on Climate Change. These scenarios allow us to model how different global development pathways might affect local climate conditions. By downscaling these global scenarios to specific locations, we can forecast how key climate variables like temperature or precipitation might change under different future scenarios.

Modern climate analytics packages attempt to combine scenario-based climate forecasting with analysis of building characteristics to assess physical climate risks for buildings. While these

tools can provide useful high-level insights about how climate risks might interact with buildings, they are severely constrained by their reliance on limited data. Software can scrape basic information about a building's age, size, and use class from open sources, but this data is often outdated and incomplete. More crucially, it cannot capture critical variables such as building fabric condition, mechanical and electrical systems specifications, maintenance regimes, actual usage patterns, and energy consumption - all of which significantly influence a building's vulnerability to climate risks.

A more robust approach combines forward-looking climate scenarios with detailed building-level analysis based on comprehensive site inspections. This allows organisations to understand not just how their assets have performed in the past or how they might theoretically respond to climate stress, but how specific building characteristics will interact with emerging and unfamiliar conditions. Only detailed, on-site inspection can reveal these essential characteristics.

## **The financial imperative for early climate adaptation**

The business case for proactive climate risk assessment is compelling. Emergency repairs and urgent interventions typically cost several times more than planned adaptations. Service disruptions from climate events can incur massive operational costs, significant capital damages, and potentially lost revenue. Meanwhile, proactive adaptation can be integrated into existing maintenance and capital cycles, allowing organisations systematically to improve resilience while managing costs.

For public sector organisations already facing huge maintenance backlogs, understanding building-specific climate vulnerabilities is crucial for targeting limited resources effectively. This enables them to reprogramme maintenance and capital investment to protect their most critical and vulnerable assets first.

## **Case study: The UK's first climate risk assessment for a major hospital trust**

Equans conducted the UK's first Climate Risk, Adaptation and Resilience Assessment in partnership with a major NHS hospital

trust to demonstrate how this approach works in practice. Using its specialised methodology, Equans assessed eight buildings across two hospital campuses to understand how critical public service buildings are impacted by climate stresses both now, and in future.

The assessment identified that the trust was likely to be vulnerable to climate risks relating to heat stress, extreme precipitation, pluvial flooding, and extreme cold, even under the most optimistic future climate scenarios. Detailed analysis of building and operational data identified 30 critical risks that could have major impacts on clinical practice, operational resilience, and workforce effectiveness, if left unmanaged.

Heat stress emerged as the most critical risk. Analysis showed that during the September 2023 heatwave, one wing without mechanical ventilation saw internal temperatures exceed 32°C and never drop below 27.1°C during working hours. Internal areas were consistently 2-4°C warmer than external temperatures, exceeding safe thresholds for patients and staff. The trust was already struggling with significant operational impacts - having to move vulnerable patients between buildings to avoid the hottest areas, placing additional demands on staff while driving up energy costs and carbon emissions.

Most concerning, analysis of future climate data showed that even under the most optimistic scenarios, the trust was likely to experience significantly more days when internal temperatures would exceed safe thresholds. However, by identifying building-specific vulnerabilities early, the trust is able to work with Equans to implement targeted preventative maintenance before emergency repairs become necessary. Equans is also developing an innovative machine learning model that predicts which rooms are likely to be vulnerable to heat stress, helping proactively to safeguard the most vulnerable patients during periods of heatwaves, and enabling more efficient use of cooling equipment.

## **A call to action for public sector property professionals**

The climate has changed, and our approach to managing buildings must change with it. As natural systems continue to shift, the resilience of our

built environment will determine how these changes impact human society. Property professionals who understand their buildings' specific vulnerabilities to climate stress will be better positioned to protect asset value and maintain operational performance.

The tools and methodologies for building-level climate risk assessment exist today. The organisations that thrive will be those that act now to understand and strengthen their buildings' resilience to our changing climate. Public sector property professionals must incorporate climate risk assessment and adaptation works into their standard practices by:

1. Assessing building-specific vulnerabilities to both current and future climate conditions
2. Developing adaptation strategies tailored to each building's unique characteristics
3. Integrating climate adaptation measures into planned maintenance and upgrade cycles
4. Monitoring building performance against climate stresses to validate and refine approaches
5. Updating operational procedures to reflect changing climate conditions.





Sarah is Divisional Director and Local Government Lead at Drees & Sommer UK, which is an international built environment consultancy who operate with their guiding principle of "The Blue Way" which integrates economy, ecology, and functionality. Sarah specialises in strategic estates planning but more recently, she has been supporting several local authorities with their decarbonisation programmes and has also been working alongside UK Parliament as the business case lead for the risk reduction programme at the Palace of Westminster.

# NET ZERO SUM GAME

## Decarbonising the residential estate: A case study

Sarah Butler [sarah.butler@dreso.com](mailto:sarah.butler@dreso.com)

Sarah kindly agreed to write up her presentation at ACES National Conference in September 2024. She outlined the strategies and challenges involved in decarbonising residential estates, with a specific focus on Manchester City Council, where Drees & Sommer UK worked in partnership with EQUANS to develop a decarbonisation programme. The case study demonstrates the complexity and scale of decarbonising residential estates and highlights the importance of strategic planning, funding, and community engagement to achieve net zero targets and improve the quality of life for residents.

Artificial Intelligence (AI) in the form of CoPilot defines decarbonisation within the context of local government as "emphasising efforts to reduce carbon emissions and promote sustainability". Key areas include energy efficiency, sustainable transport, heat decarbonisation, community engagement, and policy planning.

When asked Co-Pilot to consider what would happen if local government doesn't meet its net zero targets:

*"Imagine a town where local authorities have not met net zero targets. Public buildings, homes, and businesses continue to rely on outdated, inefficient heating systems. Energy bills rise, air quality worsens, and the town faces frequent power outages. Property values decline, and the local economy suffers as new businesses and residents choose more sustainable areas. Vulnerable communities are hit hardest, struggling with higher costs and health issues related to poor air quality."*

Decarbonisation presents significant challenges for local governments, including:

- Net zero timescales and costs: Achieving the UK-wide net zero 2050 target requires substantial planning, funding, and skills

- Limited grant funding: Available grants often fall short of the required technical inputs and demand
- Estate disposals and changing requirements: Post-Covid flexible working and the need for estate rationalisation face political opposition
- Asset understanding: Limited knowledge of asset conditions and lifecycle plans
- Retrofit costs: High retrofit costs due to construction inflation.

### Case study: Manchester City Council

The case study focuses on planning the decarbonisation of Manchester City Council's residential and corporate estate, involving 12,500 residential properties and 72 corporate facilities. The aim is to meet net zero targets by 2038, while addressing fuel poverty and limiting energy bills for residents.

#### The process

The process and methodology for the residential estate involved several key steps:

## Defining decarbonisation in Local Government

let's ask AI.....

- Efforts and strategies implemented by local councils to reduce carbon emissions and promote sustainability within their jurisdictions.
- **Energy Efficiency**
  - Retrofitting buildings
  - Renewable energy
- **Sustainable Transport**
  - Electric Vehicles
  - Public Transport
- **Heat Decarbonisation**
  - Green Heat Solutions
- **Community Engagement**
  - Public Awareness Campaigns
  - Collaboration with Communities
- **Policy & Planning**
  - Local Plans
  - Funding & Grants (PSDS, LCSF)



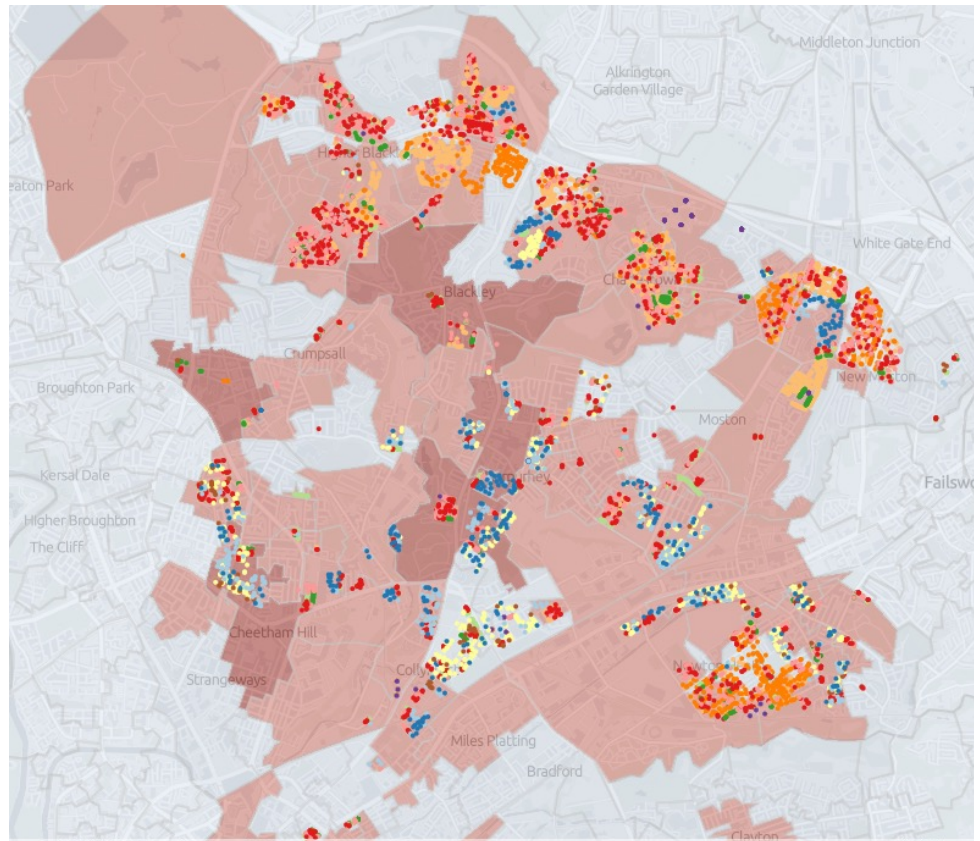
(Co-Pilot generated) AI interpretation of decarbonisation in local government

## A case study: planning the decarbonisation of the residential estate

- GIS Analysis

### Archetypes

- Direct Access Flat (retirement), Ground Floor
- Direct Access Flat (retirement), Top Floor
- Direct Access Flat, End-Terrace, Top Floor
- Direct Access Flat, Mid-Terrace, Ground Floor
- Direct Access Flat, Semi-detached, Ground Floor
- Direct Access Flat, Semi-detached, Top Floor
- Multi-Storey Flat, Mid-Floor (ASHP)
- Multi-Storey Flat, Mid-Floor (GSHP)
- Multi-Storey Flat, Top Floor, 1-Bed
- Multi-Storey Flat, Top Floor, 2-Bed
- Post 1964, Mid-Terrace Parlour House
- Post 1964, semi-detached Parlour House
- Post-1964, End-Terraced House ( without pre-existing Solar PV)
- Post-1964, End-Terraced House (pre-existing Solar PV)
- Pre 1964, End-Terraced Bungalow
- Pre 1964, Mid-Terrace, Bungalow
- Pre-1964, End-Terraced House
- Pre-1964, Mid-Terraced House
- Pre-1964, Semi-Detached House
- Pre-1964, Semi-Detached Parlour House



Housing archetypes and areas of fuel poverty

- Profiling the housing stock
  - Categorising the housing stock into 20 archetypes, such as Direct Access Flats, Multi-Storey Flats, and various types of houses (e.g. end-terraced, mid-terraced, semi-detached, bungalows)
  - Conducting site surveys for each archetype, with 20 prioritised archetypes covering 83% of the housing stock
- Energy review
  - Reviewing site energy usage to assess direct (Scope 1) and indirect (Scope 2) emissions
  - Establishing energy efficiency baseline – the approach was based on an expanded RdSAP assessment methodology, going beyond a typical scope to include property condition information, alongside the RdSAP data
- Strategy and roadmap development
  - Developing three net zero models (Gold, Silver, Bronze) to outline different levels of decarbonisation efforts and investment
- GIS analysis
  - Using a Geospatial Informatic System (GIS) to map the different housing archetypes
  - Overlaying socio-economic data to identify areas with high fuel poverty and target investments effectively
  - Creating a live energy model to visualise real-world data, financial benefits, and communicate plans to stakeholders and councillors
- Legal, financial, and social considerations
  - Addressing legal and financial aspects to support bids for funding from schemes like Public Sector Decarbonisation Scheme and Social Housing Decarbonisation Fund
  - Ensuring that the decarbonisation efforts provide social value, such as reducing fuel poverty and improving health outcomes.

**Note:** Reduced data SAP (RdSAP) is the UK approved methodology for assessing energy performance and generating EPCs for the existing dwellings

The map is overlaid with socio-economic data showing where households are suffering from fuel poverty. The darkest red represents the areas with the greatest fuel poverty. This information shows how investment has been targeted at residents who are most likely to feel the positive effects of the decarbonisation via lowered energy bills.





#### Telling a story






The Storymap uses GIS to present real-world data and insights on the decarbonisation programme. It is designed to communicate the decarbonisation plans and benefits to stakeholders and decision-makers. It helps in visualising the impact of the programme and gaining support. It also provides a comprehensive and interactive way to visualise the

# Funding Decarbonisation

## Economic Benefits

- A tool which assesses the local economic benefit of decarbonising local authority estate
- Estimates that for this case study, there is a wider **economic benefit of £380m**

Benefit	Description
 £0.6m	Cost of Carbon Saving TCO2e (annual saving)
 £3.7m	Energy Cost Saving (annual saving)
 £50m	Increased Value of Homes due to Energy Efficient Measures Being implemented (one off benefit)
 £1.8m	Increased disposable income (annual saving)

Benefit	Description
 £5.1m	Reduction in fuel poverty having direct health benefits for the population (annual saving)
	0 – 4 year = £0 5 – 9 years = £1.2m 10 – 14 years = £2.7m 15 – 19 years = £3.9m 20 – 60 years = £5m Increased educational performance due to better living conditions could increase earning potential (annual saving from year 5)
 £0.3m	Decrease in work absences and an increase in productivity (annual saving)
 £0.1m	Increase in better mental health outcomes for young people (annual saving)
 £50k	Elderly people coming out of fuel poverty (annual saving)





AI interpretation of a net zero Norwich

decarbonisation efforts and is essential for effective communication and planning, ensuring that the decarbonisation programme is both data-driven and stakeholder-supported.

**Findings and outputs**

The findings of the exercise are summarised as follows.

- Over £600m capital investment required
- Expected average tenant annual cost saving of £714 – equates to c£100m total saving
- A reduction in carbon emissions of more than 18,000 tonnes p.a. – equivalent to the annual greenhouse gas emissions of c 4,000 cars

- Carbon emissions are reduced by 64%.

\*\*The programme is based on the implementation of the Silver option, which aims to achieve at least EPC B by 2032. The Gold option is the high-performance option which aims for zero carbon. The recommendation is that that Silver option provides the best outcome in carbon and cost reduction, while maximising the overall programme budget.

**Funding decarbonisation**

There are significant funding challenges faced in decarbonising residential estates, particularly the insufficiency of current grant funding and the high costs of retrofitting. There are various sources of information

citing that the cost to decarbonise social housing stock in the UK is in excess of £100bn and up to £350bn. There is grant funding available, as follows, but it falls short of what's required, especially given the increasing technical requirements and the number of applicants to the funds.

- Low Carbon Skills Funding: Supports the development of skills needed for decarbonisation projects
- Public Sector Decarbonisation Scheme: Provides funding for public sector bodies to improve energy efficiency and reduce carbon emissions
- Social Housing Decarbonisation Fund: Aims to retrofit social housing to improve energy efficiency and reduce carbon emissions.





We await further details of Labour’s “Warm Homes Plan” which is expected to invest £6.6bn to upgrade 5m homes, providing a potential source of funding for decarbonisation projects. There are alternative funding strategies currently available, but these can carry more risk:

- Public-Private Partnerships: Collaborations between public and private sectors to fund decarbonisation projects
- Community Bonds: Raising funds through bonds issued to the community, which can be used for local decarbonisation initiatives
- Examples from other sectors: such as the DfE Net Zero Accelerator.

## Net zero-sum game

### Economic assessment of decarbonisation

By investing in energy-efficient technologies and leveraging available grants, significant cost savings and economic benefits can be achieved (see table), alongside substantial reductions in carbon emissions. This approach not only supports environmental sustainability, but also enhances the quality of life for residents through reduced energy costs and improved living conditions. Drees & Sommer has developed a tool which can economically assess the decarbonisation of projects and programmes. The tool enables monetisation of wider economic outcomes, such as increased property values, improved health outcomes, and enhanced productivity. In this case study example, the wider economic benefit is estimated at £380m.

### Spend to save

The “spend to save” strategy is crucial for securing and optimising grant funding. By demonstrating the financial benefits and long-term savings of decarbonisation investments, it helps justify the initial costs, attract grant funding, prioritise budget allocation, and mitigate financial risks. This approach ensures that decarbonisation projects are not only environmentally sustainable but also economically sound. The presentation summarised an example of how the “spend to save” strategy works with Air Source Heat Pump (ASHP) installations:

- Without grant support: The net cost of ASHP over 15 years is £3,000 vs an initial outlay of £12,000, after accounting for energy and maintenance savings
- With grant support: With and assumed 50% grant, the net cost becomes -£3,000, indicating a net saving due to the grant.

This strategy supports long-term financial planning by providing a clear picture of how investments will pay off over time. This helps in developing a sustainable funding model that balances immediate costs with future savings. It provides a clear financial rationale for upfront investments by showing how these costs will be offset by future savings. For example, the savings from reduced energy and maintenance costs, as well as lifecycle cost savings, help justify the initial capital expenditure.

## Planning for now

The GIS analysis is integral to the decarbonisation strategy, providing detailed insights into housing archetypes, socio-economic conditions, and climate risks. GIS can be used to model climate scenarios, adaptation, and resilience. The presentation included maps showing areas at risk of flooding and landslides, helping to plan for future climate impacts.

Flood risk mapping uses data from various sources including the Ordnance Survey and the Environment Agency. It helps identify areas that are vulnerable to flooding. This is essential for:

- Planning and resilience: Ensuring that decarbonisation efforts are resilient to future climate impacts
- Targeting investments: Directing resources to areas that need infrastructure improvements to mitigate flood risks
- Protecting communities: Safeguarding residents, particularly those in high-risk areas, from the adverse effects of flooding.

## Think differently

Hopefully the presentation provided some examples of how to think a bit differently about decarbonisation and adaptation. Sarah concluded with images of an AI interpretations of a net zero Norwich and asked – “if we view AI as a mirror reflecting back our information, are we content with our reflection?”



# HOUSING RETROFIT

## Tackling poverty, health, and building community resilience

Rachel Moan

Rachel kindly agreed to write up her presentation at ACES National Conference in September 2024. She case studies the housing retrofit initiatives and collaborations being developed at her council. "This collective approach ensures that the benefits of retrofitting homes extend beyond insulation and energy bills, supporting a much wider network of organisations and individuals."

Rachel is a chartered management consultancy surveyor and has been working in public sector property for 16 years. She is currently the Housing Project Manager in the Climate Change team with Cheshire West and Chester Borough Council.

From starting in residential development in the private sector, to contract managing major joint venture FM contracts and now housing retrofit, Rachel has a variety of property experience across numerous services and specialisms. In addition, Rachel is an RICS APC mentor, isurv author, and volunteer with NHS mental health services.

Housing retrofit is more than just an approach to improving buildings; it's part of a much larger conversation about addressing climate change, combating fuel poverty, and empowering communities. The intersection of where people live and how they live has never been more important as we face a climate emergency and a deepening cost of living crisis. By improving energy efficiency, redistributing resources, and fostering community spirit, housing retrofit offers a clear path toward addressing current challenges.

### The context of housing retrofit

Homes account for 22% of the UK's carbon dioxide emissions, making energy efficiency improvements in the residential sector critical for tackling climate change. Decarbonising homes not only reduces emissions but also brings a host of benefits to society. These include reducing energy costs for households, improving health outcomes, and supporting local economies by creating jobs in the green energy and construction sectors.

At Cheshire West Council we undertook a strategic programme to address housing retrofit, working very closely with public health, climate change and housing colleagues. In addition, we sought closely to involve internal stakeholders such as adults and children's care. External stakeholders included the NHS, police, fire and housing providers.

The strategic programme supports the council's climate goals by actively reducing domestic emissions. However,

it goes beyond emissions. At its core it addresses asset management that meets the triple goals of improving homes, protecting the environment, and strengthening communities.

### A holistic approach to housing retrofit

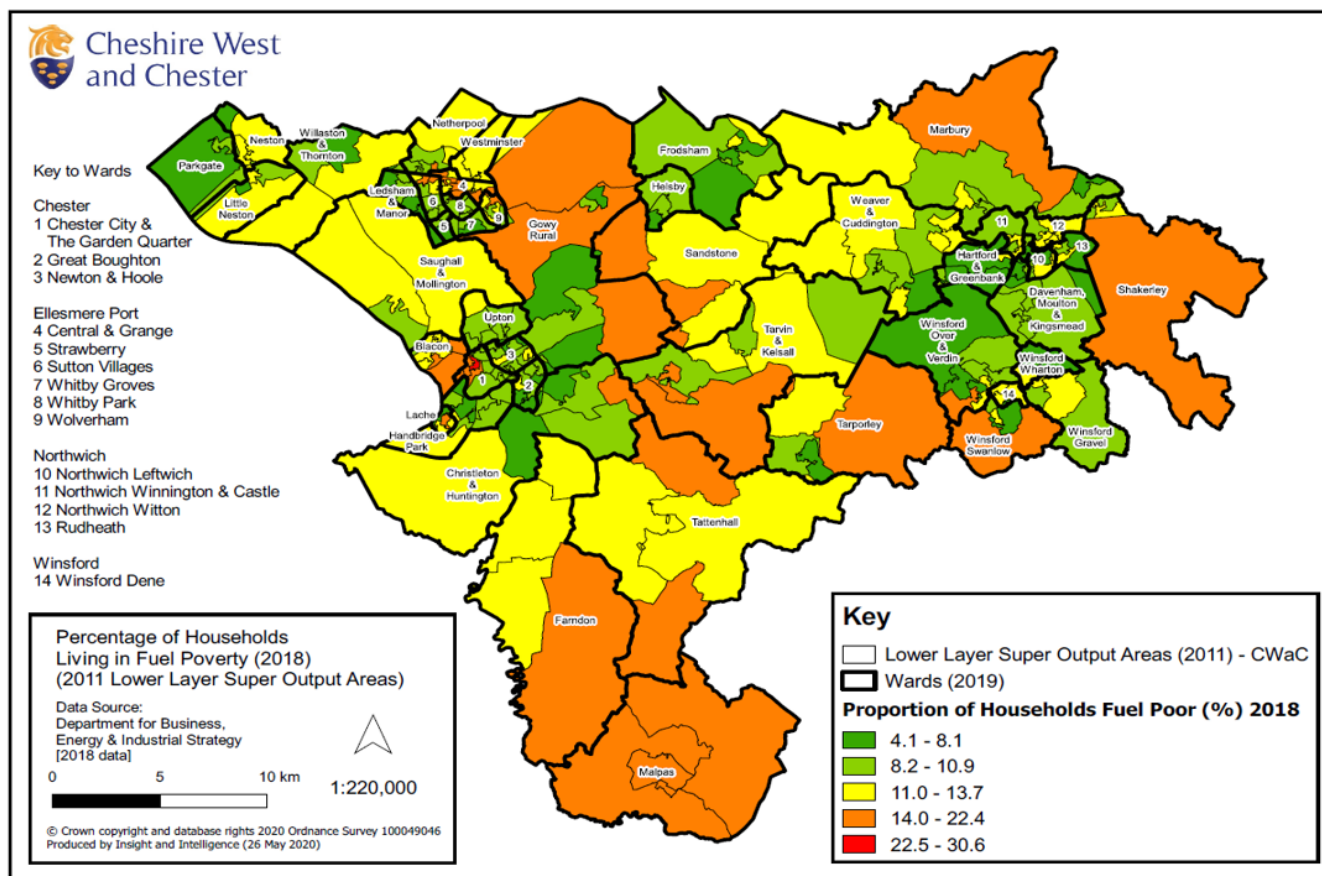
The housing retrofit effort splits its focus between two groups: the "unable to pay market" and the "willing to pay market." By targeting funding and resources where they can have the greatest impact, local teams have secured approximately £4.5m in grants, including the Home Upgrade Grant, Social Housing Decarbonisation Fund, and Green Homes Grant. Non-domestic funding channels like Public Sector Decarbonisation Scheme have also been leveraged.

Regional partnerships and stakeholder involvement are at the core of the project. By collaborating with local authorities, community organisations, and private sector leaders, the retrofit initiative is bridging gaps in resources, knowledge, and equity. This collective approach ensures that the benefits of retrofitting homes extend beyond insulation and energy bills, supporting a much wider network of organisations and individuals.

### Overcoming challenges in housing retrofit

Like any large-scale initiative, retrofitting homes presents a number of strategic and operational challenges.





Year	Fuel Poverty Level	Total fuel poor households	Total households
2016	11.3%	16,493	146,577
2017	10.9%	16,179	148,106
2018	10.6%	15,769	148,163
2019	12.0%	17,869	149,439
2020	11.9%	18,093	151,676

Cheshire West fuel poverty data statistics (BEIS, 2021)

**Strategic Challenges**

- Supply chain pressures: Securing energy-efficient materials and skilled labour is a growing issue due to demand across the sector
- Local community engagement: Encouraging homeowners and tenants to participate has been slow in some areas, especially those unaware of the benefits or wary of disruption
- Planning restrictions: Regulatory barriers, especially in areas with older housing or heritage sites, have delayed progress

- The funding maze: Strict deadlines for grant applications can make accessing funds a difficult, bureaucratic process.

**Operational challenges**

- Installer shortages and material costs: Availability of qualified professionals and fluctuating prices for construction materials challenge the reliability of retrofit timelines
- Reporting protocols: There are burdensome administrative requirements for stakeholders reporting back to funders like

Department for Energy Security and Net Zero and Salix Finance.

Tackling these issues requires systemic reform, from streamlined funding processes to workforce development in the construction and energy-efficiency sectors.

**The effects of fuel poverty**

Fuel poverty describes households that cannot afford to heat their homes adequately. Under the current Low Income, Low Energy Efficiency strategy, a household is considered fuel-poor if its residual income—after housing costs,

tax, and national insurance—is below the poverty line and its home has a Fuel Poverty Energy Efficiency Rating below Band C.

Evidence of fuel poverty is all around us. For many families, it leads to harsh decisions like choosing between heating their home and buying food, often referred to as “heat or eat.” The human toll is stark:

- Worsened respiratory illnesses due to damp, cold living conditions
- Decline in mental health as anxiety and stress over bills mount
- Limited use of essential appliances like refrigerators, further contributing to health issues.

Fuel poverty is growing, with local data showing a rise from 10.6% of fuel-poor households in 2018 to 11.9% in 2020 in Cheshire West (see map and table). With energy costs increasing, these percentages are likely to grow unless swift, impactful action is taken.

## A holistic response to fuel poverty

The council has developed a comprehensive Fuel Poverty Strategy. Stakeholder and public consultations were integral in shaping this response, ensuring the strategy aligned closely with community needs. The work pulls together an impressive range of partners, including the NHS, Integrated Care Boards, fire services, and more.

The strategy itself tackles four key issues inspired by the Council Plan:

1. Tackling the climate emergency: Reducing emissions directly combats the twin crises of carbon output and fuel poverty
2. Youth development: Ensuring children have warm, healthy homes supports their well-being and long-term success in education and life
3. Healthy aging: Helping adults live longer, happier lives is tied to healthier housing
4. Community empowerment: Participation from local individuals and organisations is a tool for breaking the cycle of poverty.

Action areas focus on increasing household income, enhancing energy efficiency, supporting renewable energy adoption, improving health outcomes, and introducing behavioural changes to cut energy consumption. Such measures are powerful reminders that addressing fuel poverty requires both systemic and personal-level changes.

## Warm spaces as a community solution

Another innovative solution has been the creation of “Warm, Welcoming Spaces.” These started as heated hubs in community centres, leisure facilities, and libraries, but have since evolved into vibrant spaces offering much more than warmth. Visitors can now find social interaction opportunities, access to financial advice, workshops, and even parenting classes. The initiative addresses multiple layers of need. Not only are physical health benefits evident—such as fewer hospital admissions for cold-related illnesses—but the mental health gains are significant, thanks to reduced isolation and increased social connection.

Challenges remain in more rural areas, where the lack of accessible community hubs limits the programme’s reach. To counter this, local councils are connecting with organisations to provide grants and promotional campaigns to establish more rural outreach.

One official summed it up best when they stated, “As well as helping people to stay warm, we want to improve community spirit and wellbeing through increased social interaction, connectivity, and sense of belonging.” This approach acknowledges that warm spaces can do more than ease heating bills—they can rebuild fragmented communities.

## Lessons learnt and opportunities ahead

The housing retrofit project has provided critical insights that will shape future efforts. Among the main challenges identified were difficulties in data sharing between the NHS and fire services, underutilisation of retrofit funding, and unique struggles faced in rural areas, particularly around access and infrastructure.

Despite these hurdles, the project also highlighted significant opportunities:

- Community-driven solutions: Engaging residents in co-production models gives them a voice in retrofitting efforts and makes solutions more sustainable
- Devolution of power: Allowing regional authorities more control could speed up decision-making and resource allocation
- Data-backed responses: Strengthening data-sharing agreements between partners ensures that efforts are better targeted
- NHS collaboration: A co-leadership role for the NHS could amplify health-related outcomes, from fewer cold-related illnesses to less strain on hospitals during the winter months.

## The bigger picture

Housing retrofit programs are not just about insulating homes or swapping out boilers. They’re about rethinking how we approach some of society’s biggest challenges. From climate change and health inequality to social isolation and poverty, these problems intersect in complex ways. By working holistically—engaging communities, leveraging partnerships, and committing to innovative solutions like Warm, Welcoming Spaces—local governments and organisations can offer tangible, meaningful change.

The benefits of such programmes ripple far beyond the homes being improved. They create healthier families, stronger communities, and a more sustainable future for everyone. This is what makes housing retrofit not just an environmental imperative but a vital social one as well.



Amit is the Head of Professional Practice in Construction at RICS. With over 20 years of experience in the built environment sector, he has worked for multinational corporate companies such as Tesco, Whitbread, CBRE, and Ocado Technology.

Charlotte is Director of Surveying Practice at RICS. She is an experienced senior real estate professional with a demonstrated history of working in leading real estate teams. She is skilled in acquisitions, asset management, and real estate economics. [cneal@rics.org](mailto:cneal@rics.org)

# WHOLE LIFE CARBON ASSESSMENT

## Decarbonising the built and natural environment

Amit Patel - BA Arch PGdip QS MRICS [apatel@rics.org](mailto:apatel@rics.org)

This article explores the WLCA standard's key features, enhancements, and implications, with a particular focus on its role in advancing sustainable construction practices globally. Written by Amit, Charlotte made a presentation at ACES National Conference in September 2024. Thanks to you both.

### WLCA second edition

The built and natural environment is responsible for a significant share of global emissions. This presents both challenges and opportunities for the sector to contribute meaningfully to the global decarbonisation agenda.

The 2nd edition of the Whole Life Carbon Assessment standard (WLCA) was launched in September 2023 and was sponsored by the UK's Department for Transport and Net Zero Waste Scotland. This edition builds upon the first edition. It is globally applicable and has been expanded to provide a greater understanding of carbon costs and benefits of design choices in all buildings and infrastructure projects, throughout the life cycle.

This article explores the WLCA standard's key features, enhancements, and implications, with a particular focus on its role in advancing sustainable construction practices globally.

### The WLCA Standard: Framework for Carbon Accounting

First introduced in 2017, the WLCA standard established a methodology for quantifying carbon emissions across all stages of a built asset's lifecycle—from material extraction and construction to

operation, maintenance, and eventual demolition or repurposing.

This holistic approach ensures that no phase is overlooked, offering a full-spectrum view of an asset's carbon footprint and for this reason can be undertaken at any point within the life cycle, although there are definite benefits of undertaking WLCA from the conception of a project, such as reduced subsequent costs and timescales.

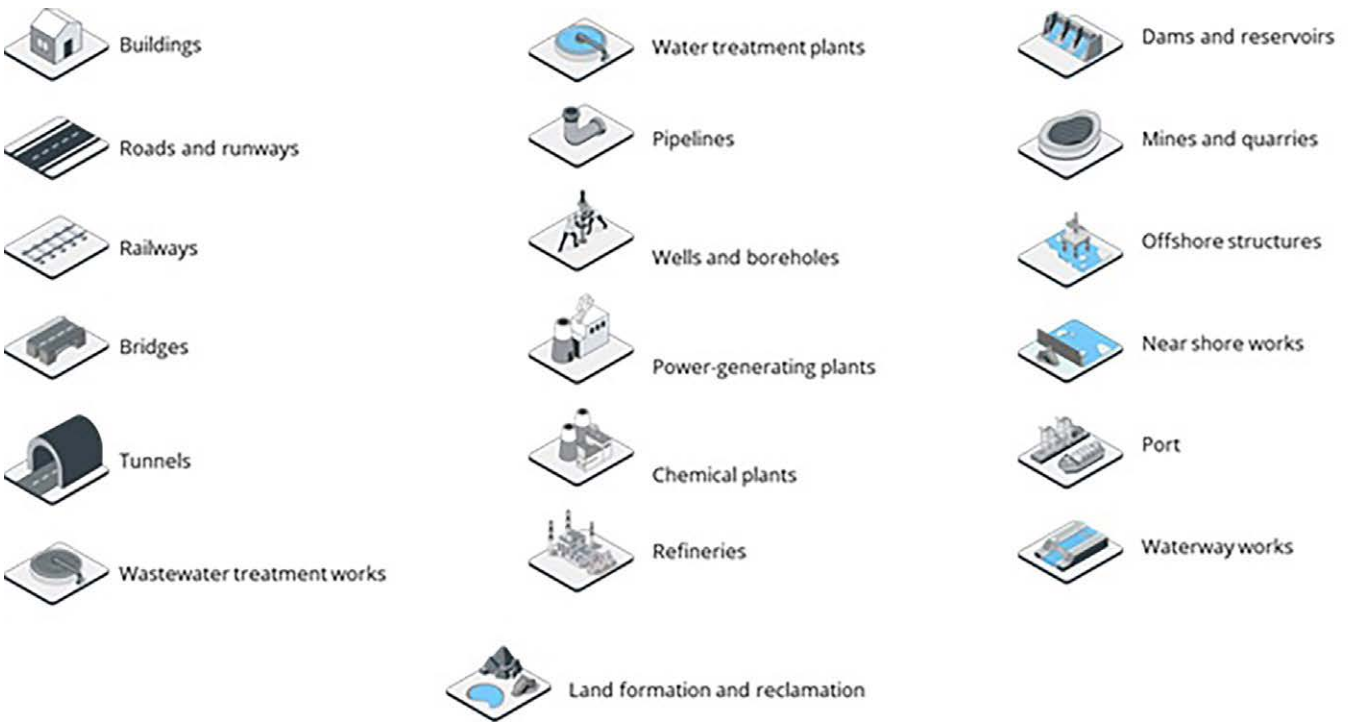
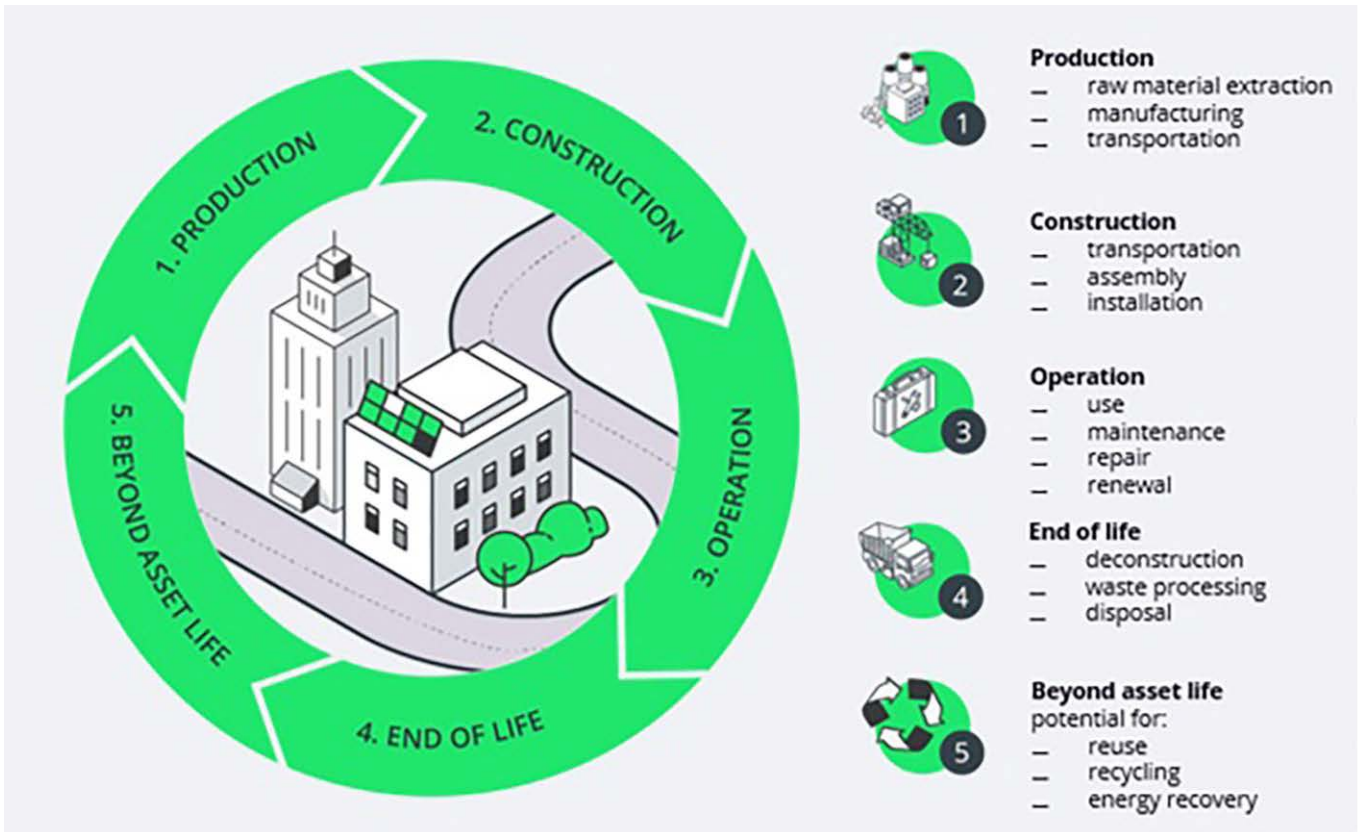
In September 2023, RICS released the 2nd Edition of the WLCA standard, which came into full effect on 1 July 2024. This updated version expands its scope to include all types of built assets, including infrastructure, and aligns with globally recognised frameworks such as the International Cost Management Standards 3rd Edition. It also integrates seamlessly with the Built Environment Carbon Database (BECD) and the upcoming UK Net Zero Carbon Building Standard (NZCBS), making it a critical tool for all practitioners aiming for consistent and transparent carbon measurement.

The second edition of the WLCA standard introduces several significant enhancements:

#### Global applicability

While the WLCA standard is globally





applicable, its methodology provides detailed guidance tailored to UK practices, leveraging the availability of regional data. However, it is designed to be adaptable, allowing practitioners in other regions to apply the methodology using local data and assumptions. This flexibility broadens its utility, making it a valuable resource for global markets.

Alignment with other standards

The updated standard aligns with key guidance documents from professional bodies such as the Chartered Institution of Building Services Engineers and the Institute of Structural Engineers, UKNZCBS. This alignment ensures consistency across various frameworks and promotes

collaborative efforts within the industry to reduce embodied carbon.

The RICS also worked closely with the BECD, a comprehensive and free publicly accessible resource that consolidates carbon data related to the built environment.

Developed in collaboration with industry stakeholders, this database is an essential

tool for reporting and benchmarking carbon emissions across various construction projects and materials.

The database was created to address the industry's increasing demand for transparency and consistency in carbon reporting. By centralising this information, the BECD aims to facilitate a better understanding and management of carbon emissions in the construction sector.

The WLCA 2nd Edition offers in-depth technical guidance on a range of considerations:

- **Data sources and conversion factors:** Providing clear instructions on selecting appropriate carbon data sources and applying conversion factors
- **Decarbonisation trends:** Addressing the impacts of grid and material decarbonisation over time
- **Retrofit strategies:** Promoting the reuse and refurbishment of existing assets in alignment with circular economy principles.

These enhancements aim to equip industry professionals with the tools and knowledge required to perform accurate, comprehensive carbon assessments.

To facilitate the adoption of the WLCA standard, RICS has launched a dedicated hub with resources, including implementation guides, supporting documents, and training courses. This initiative underscores RICS's commitment to empowering professionals in the construction and property sectors to integrate WLCA practices effectively.

Hub website details: <https://www.rics.org/profession-standards/rics-standards-and-guidance/sector-standards/construction-standards/whole-life-carbon-assessment>

Link to Youtube Video:  
(CN/AP) <https://youtu.be/R6QhFyR5b7A?si=yo7S3uKVtZWFVafe>

The RICS and the WLCA standard play a pivotal role in advancing decarbonisation efforts by addressing both embodied and operational carbon. Embodied carbon, which accounts for emissions from material extraction, manufacturing, and construction processes, is often overlooked, but constitutes a significant portion of a building's total emissions. Operational carbon, which encompasses emissions from energy use during a building's lifecycle, is another critical focus area.

By encouraging the use of low-carbon materials and promoting retrofit strategies, the WLCA standard helps reduce these emissions at their source.

The WLCA standard's emphasis on grid decarbonisation and energy efficiency aligns with broader efforts to transition to renewable energy sources and improve building performance.

## Opportunities for adoption

Professionals in the construction industry can leverage the RICS WLCA to drive innovation, stand out in the market, and create new revenue streams. By adopting the standard, members and professionals can

- Position themselves as leaders in sustainable practices by offering specialised services in WLCA and net-zero strategies
- Build a reputation for delivering low-carbon projects, attracting environmentally conscious clients and investors
- Integrate carbon management into project workflows to streamline processes, reduce waste, and achieve cost savings.

One of the primary challenges in implementing WLCA practices is the availability and quality of carbon data. While the BECD provides a valuable resource, ensuring consistent and accurate data remains a priority for industry stakeholders.

The RICS has promoted the global adoption of the WLCA standard to diverse regional contexts, and this presents both a challenge and an opportunity. Localising the methodology to reflect regional construction practices, material availability, and regulatory requirements will be crucial to its global success.

The success of the WLCA standard depends on industry collaboration throughout the construction value chain. Architects, engineers, contractors, and policymakers must collaborate to integrate WLCA practices into every project delivery phase.

## Conclusion

The second edition of the WLCA standard represents a significant step forward in the journey towards sustainable construction. By providing a robust,

adaptable framework for carbon assessment, it empowers professionals to make informed decisions that reduce the environmental impact of built assets. As the industry embraces this standard, it will pave the way for a low-carbon future, contributing meaningfully to global decarbonisation goals.

For professionals seeking to adopt the WLCA standard, the RICS hub offers an array of resources and training opportunities. By integrating these practices, the construction industry can lead the charge in building a sustainable, resilient future.



The Royal Institution of Chartered Surveyors (RICS) is a global professional body promoting and enforcing the highest standards in land, real estate, construction, and infrastructure. Founded in 1868 in London, RICS was granted a Royal Charter in 1881. It oversees members ensuring they adhere to strict ethical and professional guidelines. RICS offers certifications, standards, and training programmes to support professionals and foster public trust in the built environment. With over 134,000 members in more than 140 countries, RICS plays a vital role in shaping sustainable, innovative practices worldwide in the Build and Natural Environment.



Sowmya is an environmental consultant at Mott Macdonald with over three years of experience in natural capital and ecosystem services. She has a strong background in environmental impact assessments and sustainability. Her career includes international field and lab work in Nairobi, Kenya, before relocating to the UK. In her current technical role, Sowmya is actively involved in biodiversity net gain projects and is expanding her expertise in the Nature Positive approach. She is also working on carbon sequestration assessments, demonstrating her commitment to advancing sustainable environmental practices.

# BNG AND HEALTH

## The benefits of biodiversity net gain for the health care industry

Sowmya Shah [Sowmya.Shah@mottmac.com](mailto:Sowmya.Shah@mottmac.com)

Sowmya sets out a Welsh case study where small scale and practical initiatives improve nature and health: “if BNG is applied with skill, the end result will be beneficial for our wellbeing as well as for nature. And some – such as healthcare facilities – have more to gain than most”.

“Nature itself is the best physician.” – Hippocrates.

### What is biodiversity net gain and how is it measured?

Biodiversity net gain (BNG), simply put, ensures that when land is developed, natural habitats are not just preserved but enhanced, leading to richer biodiversity and healthier ecosystems. This has now become mandatory for most developments seeking planning permission in England.

Understanding how BNG is measured is key, with the gain measured in “habitat units” that are calculated by the statutory biodiversity metric. This standardises the calculation and brings together data on habitat type, size, condition and location to quantify the baseline habitat.

The introduction of this legislation means that development must achieve a minimum of 10% BNG. The minimum in the legislation is critical, as some local authorities are exploring local policies for higher gains, and other local authorities have specific guidelines on how BNG is applied.

This change in legislation has catapulted the construction industry to build ponds, grassland, woodlands and scrubland too, alongside the traditional roads, hospitals and schools. As a result, how the construction industry creates and enhances wildlife-rich habitats must now be central to the feasibility stage of

planning and design on new projects.

While at first glance the requirements may seem challenging, if BNG is applied with skill, the end result will be beneficial for our wellbeing as well as for nature. And some – such as healthcare facilities – have more to gain than most, with studies showing that exposure to nature can help speed up recovery and provide better outcomes for staff too.

### The healthcare industry

The benefits of biodiversity on healthcare were explored in the project Mott MacDonald (MM) undertook for the Aneurin Bevan University Health Board (ABUHB) and Powys Teaching Health Board (PTHB), which was to explore biodiversity enhancements across hospital estates in Wales. While not BNG, this project shows how connecting biodiversity enhancements with biophilic design can have tremendous benefits for staff, patients and visitors to health care facilities.

Health boards in Wales have a statutory duty to maintain and enhance biodiversity. To meet this duty, the ABUHB and PTHB commissioned MM to assess the biodiversity value of various hospital sites and identify opportunities to enhance existing habitats, for example by changing estate management practices or by creating new habitat.

Given that hospitals must meet the needs of staff and visitors as well as



patients, our specialists recognised an opportunity for a holistic approach and worked with both health boards, to identify biodiversity recommendations that would enhance wellbeing and deliver historic landscape, net-zero and climate resilience benefits.

The project aimed to support the boards to meet their biodiversity duty in ways that cultivated a deeper appreciation and understanding of nature. It was led by MM's ecologists, with advice from our experts in biophilic design, landscape, heritage, climate resilience and carbon.

## Biophilic design

Biophilic design is to connect people with nature and, for this project, provided an opportunity to improve the experience for users of the health care buildings. Previous studies have shown that incorporating biophilic design elements in a healthcare setting contributes to more positive health outcomes, better pain and stress management and improved staff performance and wellbeing.

The project also involved identifying wider opportunities from biodiversity enhancements at each estate. Early knowledge-sharing and guidance from MM experts focused on site survey work and shaped the biodiversity enhancements to maximise holistic benefits. Examples include:

- Accessible paths throughout the estate at a mental health hospital to promote wellbeing, and which are designed to be in keeping with existing habitats
- Brass rubbing trails and activity packs at a children's hospital to educate and engage people in good ecological estate management
- Restoration of historic orchard, parkland and ancient woodland habitats at a large estate to both safeguard heritage and improve biodiversity
- Strategic hedgerow and landscape planting to screen views and strengthen ecological connectivity for wildlife, as well as increase biodiversity value
- Miniature drain-fed rain gardens that reuse water at small urban estates
- Community planting initiatives for

biodiversity 'gardens' to encourage and support the local community to contribute towards the biodiversity enhancements

- Long-term habitat management plans with climate resilience measures.

A key success of this project was the innovative biodiversity solutions proposed to deliver enhancements on even the smallest urban estates; built on biodiversity and wellbeing initiatives already in place, such as the 'pharmabees' or wildflower planting schemes, or the 'minute mile' wellbeing walks. These solutions include repurposing spoil heaps to integrate invertebrate niches and incorporating drain-fed miniature rain gardens to filter water naturally.

The introduction of information boards, activity packs and community planting schemes will help to improve the connection between people and nature. Further recommendations included the careful installation of remote cameras to broadcast footage of wildlife to nearby hospitals, providing an opportunity for patients, staff and visitors to connect with nature in a way that may otherwise be inaccessible.

Collaboration across Mott MacDonald helped to shift the clients' focus from fulfilling their biodiversity duty in line with Welsh government policy, to recognising the value of biodiversity in achieving a wider range of societal benefits, notably wellbeing and health, alongside environmental ones.

## Feedback and future programmes

The feedback received from both health boards was overwhelmingly positive, with the Powys estates asking MM to produce design management sheets and an online GIS web platform to help implement the changes. Both boards were particularly excited about the possibilities of integrating wellbeing benefits with biodiversity improvement across the estates, which MM tailored for each one, with different recommendations for general hospitals, mental health facilities, and the children's hospital. These biodiversity and wellbeing improvements complement the therapies and patient recovery programmes in place.

This work highlights that no project is too small to accommodate biophilic design principles to connect people with nature; it should be a key component of considering how a development delivers BNG.

While the focus of the new legislation is on new projects, BNG and biophilic design can be retrofitted to most developments, bringing benefits to biodiversity and wellbeing anywhere. Whether it's working on a new build that falls under the mandate, or an upgrade project that does not, this project highlights an incredible example of adapting to improve biodiversity as early as possible, to directly improve the lives of its users too.

The project was a pilot to demonstrate how measures to enhance biodiversity can be rolled out by health boards across Wales. The recommendations showed the success of this project beyond the brief, which can be rolled out to any hospital estate, and particularly shows that biodiversity and wellbeing benefits are achievable regardless of scale.



Ben is non-executive Chair of HTA Design LLP, a leading multidisciplinary design practice specialising in housing and placemaking. He is a Commissioner of Historic England. He serves on the London Advisory Committee, High Streets Heritage Action Zone Board, and is chair of the Historic Places Panel. He is President of the London Forum of Amenity and Civic Societies and is a current member of the NHBC Council.

Ben was President of RIBA from 2017–2019 where he oversaw fundamental change in the financing and governance of the institute and the instigation of policies in relation to climate action, professional competence and codes of conduct. He has summarised his long career as a housing designer in a book, *Home Truths*, published by Hatch Editions in 2023 and available from RIBA Books, effectively a primer for anyone with an interest in the planning and design of sustainable places.

# HISTORIC PLACES PANEL

## Historic towns, new society

Benjamin Derbyshire [ben.derbyshire@hta.co.uk](mailto:ben.derbyshire@hta.co.uk)

Ben explains the role of the Historic Places Panel and the opportunities for enhancing failing high streets. “People ... are the well-spring for recreating faltering places. People hold the collective memory, an intangible heritage just as real and just as important as buildings and the spaces between them.”

### Background and practical help

Historic England has an advisory role with place-based activities and services available to local authorities and other agencies involved in urban regeneration. A key part is played by the Historic Places Panel which I have chaired since 2022. The panel visits to provide a broad spectrum of independent expertise and advice on the regeneration and revitalisation of historic places.

During my tenure, we have so far visited Accrington, Dewsbury, Luton, Portsmouth, Hartlepool, Exeter, Stoke on Trent and Barrow in Furness – an extraordinary and privileged opportunity to spend time in, and learn from, places at the heart of English life.

Panellists are independent, coming from senior positions in public, private and not-for-profit sectors with a strong interest in place-making, the historic environment and urban character. They are selected to represent professional specialisms including archaeology, architecture, conservation, culture and the arts, planning, landscape, sustainability, development economics, retail, transport, community engagement and more.

Historic England’s regional teams engage with our hosts on the focus for visits, prepare extensive and very high-quality briefing, and agree an agenda of fact finding, presentations, walk-about and deliberation over two days. As chair, I join



Hartlepool with author





Commercial Dewsbury



Dewsbury Arcade

the regional teams to reconnoitre ahead of visits. Findings of the panel visits are now published within three months (available to read on the Historic England website) and we always follow up afterwards with feedback meetings a year or so later.

Our opportunity has been to better understand the issues faced by the nation's smaller towns of between 30,000–200,000 population. Our visits usually focus on

town centres and high streets. Each town is unique and remarkable in its own way with histories evident in surviving heritage, but they also share some common issues.

Vacancy rates of shops, commercial and residential premises can be very high. Crime rates and fear of crime result in low footfall, and this is often compounded after dark by an absence of night-time economy. Economic activity, entrepreneurship and

cultural activity are often in decline or sometimes indiscernible. Everywhere, major roads built in the last century sever town centres from the surrounding hinterland of residential neighbourhoods.

On the upside, councillors, local authority officers and key stakeholders are universally committed to positive change. Our visits have exposed us both to brilliant initiatives, but also yet unrealised opportunities.

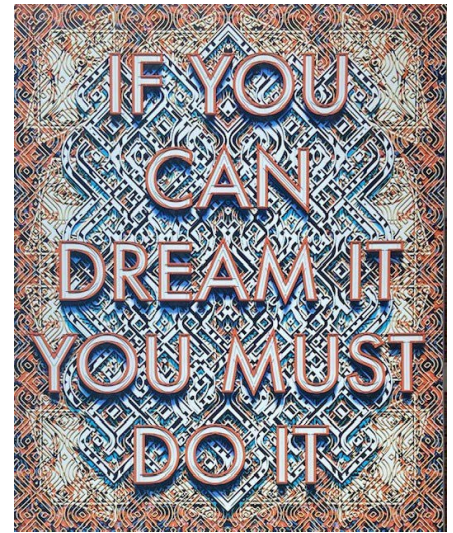
- In Hartlepool, the very challenged Church Street is set to become the heart of a production village for new film studios at Northern School of Art. Hartlepool Borough Council is investing in and around Church Street. The Historic Places Panel visit privately developed residential renovations stimulated by this intervention
- In Dewsbury, an abandoned Victorian Arcade will be handed over to a community trust, while one of the finest groupings of 19th century warehouses in Britain lie largely vacant. The Historic Places Panel visit Dewsbury Arcade. The panel suggested its very small retail units would make ideal accommodation for micro-business arising from local economic development. A Historic England Research Report found that the unique assemblage of 18th and 19th century warehouses and commercial buildings in central Dewsbury to be of national importance. The Historic Places Panel urged their renovation for mixed residential and commercial use
- The Luton Culture Trust is transforming the Hat District, and Luton Town FC's move to within yards of 15th century St. Mary's church in the town centre presents huge opportunities and some not insignificant heritage challenges. The image features landscape architect Johanna Gibbons on the tower of St Mary's Church Luton. Behind is the site for the new Luton Town FC stadium. A giant mural erected by the Luton Culture Trust greets you as you step off the train. Operating from the Hat District, chief executive Marie Kirbyshaw sets out to connect the community through culture.

There are of course many, many more examples.





Luton, Johanna Gibbons



Luton Culture Trust mural

## Common themes

There are common themes that emerge again and again among the recommendations in our reports.

It is widely accepted that local authority capacity reduction has led to an acute shortage of resource and skill in strategic planning, development management, engagement, urban design, enforcement, seriously reducing the effectiveness of the planning system.

This can be partly addressed with improvements to internal and external collaboration, lack of which is a common issue. Many towns struggle to develop their brand to consolidate and enrich the town centre offer. We have often recommended the creation of local industrial/business/institutional town strategic partnerships with increased diversity of representation.

There is immense potential to scale up housing renovation programmes, as well as new home building, engaging with Homes England. Housing investment in town-centre locations remains miniscule by comparison with out-of-town development.

Often towns lack a strategic placemaking masterplan, mapping and identifying grey, green and blue networks, neglecting the importance of sustainable movement and connectivity. We find ourselves attempting to curb the tendency for comprehensive redevelopment, which can sometimes be highly damaging.

## Cultural engagement

These themes are familiar enough, but as time goes on, we become increasingly aware of the potential for cultural engagement as an engine for positive change in all of them. Based partly on

learning from Historic England's High Street Heritage Action Zones programme, we suggest progress on the problematic issues noted above would be enhanced if local authorities had the capacity and skills to build up a properly invested network of engaged citizens and community groups.

The Historic Places Panel champions this untapped placemaking potential among the populations of towns we have visited. People - those that came before, live now and those yet to leave their mark - are the well-spring for recreating faltering places. People hold the collective memory, an intangible heritage just as real and just as important as buildings and the spaces between them.

It seems clear that local authorities need more of the resources, skills and structures of governance to convene, engage and grow the patchwork of community activity that exists everywhere, albeit often fragmented, depleted and sometimes demoralised. The panel has suggested this resource should be deployed as a means of identifying and mapping human and physical resources.

Local groups can map the anatomy of a town, its centres of community, industry, learning and leisure and the connecting systems of movement and communication. Local people can tell where they find connectivity, opportunity and pleasure. They can help create local heritage lists using their own unique criteria. Equally well, they'll identify blockages, threats and potential danger. The community's cognitive map can become the basis for a landscape of layers as an armature for regeneration.

This approach simultaneously enriches a town's relationship with community

groups, while accessing the ecosystem of craft, art, music and literature. The same goes for micro businesses of all kinds - in local food production, gaming and technology for example. Religious and sporting activity play a part too. Together this can become an impetus for the lively re-occupation of vacant built or open space. There is nothing more deleterious of heritage than emptiness. Pop-ups and meanwhile uses can become permanent parts of the local economy.

We recommend Urban Rooms, first conceived by The Farrell Review, also known as Our Future in Place, in 2013. These need be no more than an adapted shopfront providing space for civic activism, where people can engage in the process of urban transformation. The space can accommodate discourse and debate co-curated with local groups such as to encourage development that positively contributes to towns and the wellbeing of citizens. Urban Rooms take up a neutral position, not in direct affiliation with the local authority or development interests - ensuring vox populi is heard.

The Historic Places Panel believes a greater focus on people-centred regeneration will be amply rewarded. Invest in local society, enable the rebuilding of social structures, cultural activity and the local economy and communities will contribute much to the task of heritage conservation and placemaking even as they go about it.



# PROCUREMENT ACT 2023

## Get ready for the new public procurement regime!

Jo Pickering [JPickering@sharpepritchard.co.uk](mailto:JPickering@sharpepritchard.co.uk)  
and Raechel Slattery [RSlattery@sharpepritchard.co.uk](mailto:RSlattery@sharpepritchard.co.uk)

Jo has been a partner at Sharpe Pritchard since 2001 and has extensive experience of acting in connection with a wide range of commercial property matters, with a particular specialism advising on large scale and complex regeneration and development projects. She heads up the firm's real estate department and advises on all aspects of commercial property law, acting for a wide range of public and private sector clients. She has many years' experience in advising on all land and property related aspects arising on numerous infrastructure projects, mixed use schemes, waste, renewable energy and transport sectors.

Jo regularly advises local authorities on the public procurement regime particularly as it applies to development agreements and land transactions, and has extensive experience of delivering regeneration and development projects through competitive dialogue and other procurement routes.

Jo and Raechel gave Eastern Branch members an account of the new procurement regime and kindly agreed to follow it up with this article. Here, the authors emphasise that all public authorities who currently carry out functions under current regulations will need to become familiar with the new regime.

The Procurement Bill was given Royal Assent on 26 October 2023. It was previously thought that the Procurement Act 2023 (the "Act") would 'go live' in October 2024; however Cabinet Office announced on 12 September 2024 that it will now go-live on 24 February 2025, to allow time for a new National Procurement Policy Statement (NPPS) to be produced ([Written statements - Written questions, answers and statements - UK Parliament](#))

It is important for those involved in public procurement to become acquainted with the Procurement Act, as it provides the basis for the associated secondary legislation, guidance and electronic registers under the new public procurement regime.

As a starting point for navigating the new regime, we identify some key themes below.

### Key themes

#### **A single Act**

The Procurement Act repeals the Public Contracts Regulations 2015 (the 'PCR'), Utilities Contracts Regulations 2016, Concessions Contracts Regulations 2016 and the Defence and Security Public Contracts Regulations 2011 and consolidates these into a single piece of primary legislation. All public authorities who currently carry out functions under these regulations will need to become familiar with the Act.

#### **Secondary legislation**

While the Procurement Act does consolidate the previous regulatory regime, it is supplemented by secondary legislation:

#### Procurement Regulations 2024 (the 'Regulations')

The provisions of the Regulations will largely come into force alongside the Procurement Act, and the Procurement Act must be read alongside the Regulations.

The Regulations cover the following:

- The notices to be published on the Central Digital Platform
- The required content for all PA 23 notices
- The required content for assessment summaries
- The specification of 'light touch services'
- The specification of 'central government authorities'
- The specification of 'works'

#### Procurement Act 2023 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2024 (the 'No. 3 Regulations')

The No. 3 Regulations specify when the majority of the Procurement Act provisions will come into force and clarify that





Raechel is a commercial contracts and public procurement specialist at Sharpe Pritchard, providing clients with targeted and strategic legal advice to ensure the successful delivery of large scale and complex outsourcing projects. She advises clients in central and local government across a wide range of sectors including education, waste and infrastructure, IT, facilities management, health and social care, and leisure services.

Raechel has extensive experience of advising on outsourcing projects conducted under the restricted, open and competitive dialogue and competitive procedure with negotiation, as well as below threshold procurements, and those that fall under Schedule 3 of the Public Contracts Regulations 2015. She also advises on contractual issues that may arise post-award, including the legality of contract variations.

procurements, contracts, frameworks or Dynamic Purching System (DPS) commenced or procured under PCR will continue to be procured or managed under PCR.

#### National Procurement Policy Statement

While not technically 'secondary legislation', s13(9) PA 23 requires authorities to "have regard to the national procurement policy statement". As stated above, we await the publication of the new NPPS, which will set out the new government's "priorities for public procurement".

#### New procurement objectives

Section 12 of the Act introduces procurement 'objectives', replacing the concept of the 'principles of procurement' found in Regulation 18 of the PCR. These are:

- Delivering **value for money**
- Maximising **public benefit**
- **sharing information** for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions
- acting, and being seen to act, with **integrity**
- treating suppliers **the same unless a difference between suppliers justifies different treatment**
- having regard to 'the fact that **small and medium-sized enterprises may face particular barriers** to participation, after which they should 'consider whether such barriers can be **removed or reduced**'.

Contracting authorities should note this move away from European 'Treaty principles' and look out for future guidance on their practical application.

#### Competitive Flexible Procedure

The new competitive flexible procedure (s20(2)(b)) is a consolidation of the restricted procedure, competitive procedure with negotiation, competitive dialogue, innovation partnership and design contests, under current procurement regulations.

The Act retains features of procedures under the PCR:

- The Open Procedure (s20(2)(a))
- Light Touch Contracts (s9) are granted a relaxation of the rules

akin to the 'light touch regime' in Schedule 3 of the PCR

- The Negotiated Procedure without Prior Publication in regulation 32 of the PCR is captured through Direct Award Procedures in the Act: the 'Direct award in special cases' (s41 & Schedule 5), the 'Direct award to protect life, etc' (s42) and 'Switching to direct award' (s43).

#### Notice requirements

All notices under the Act will need to be published on the Central Digital Platform. The Regulations provide the detail on what the notices will need to include – in some cases adding to, and in other cases supplementing the relevant notice provisions in the Act.

The Regulations also set out must be included in the Assessment Summaries to be provided to tenderers prior to the publication of notices.

The procurement notices to be published under the Act are set out in the diagram including optional notice and those that are only mandatory in certain circumstances.

Additionally, s52 requires contracting authorities to set and publish at least three KPIs ahead of entering a contract with an estimated value of more than £5 million (except where certain exceptions apply). S71 requires the assessment, and publication of information following the assessment, of the supplier's performance against the KPIs.

More generally, s98 states that contracting authorities must keep records of the rationale behind any material decisions they make when awarding public contracts. They must also keep records of any communication between themselves and the suppliers made in relation to the award, before the contract is entered into.

#### Contract modifications

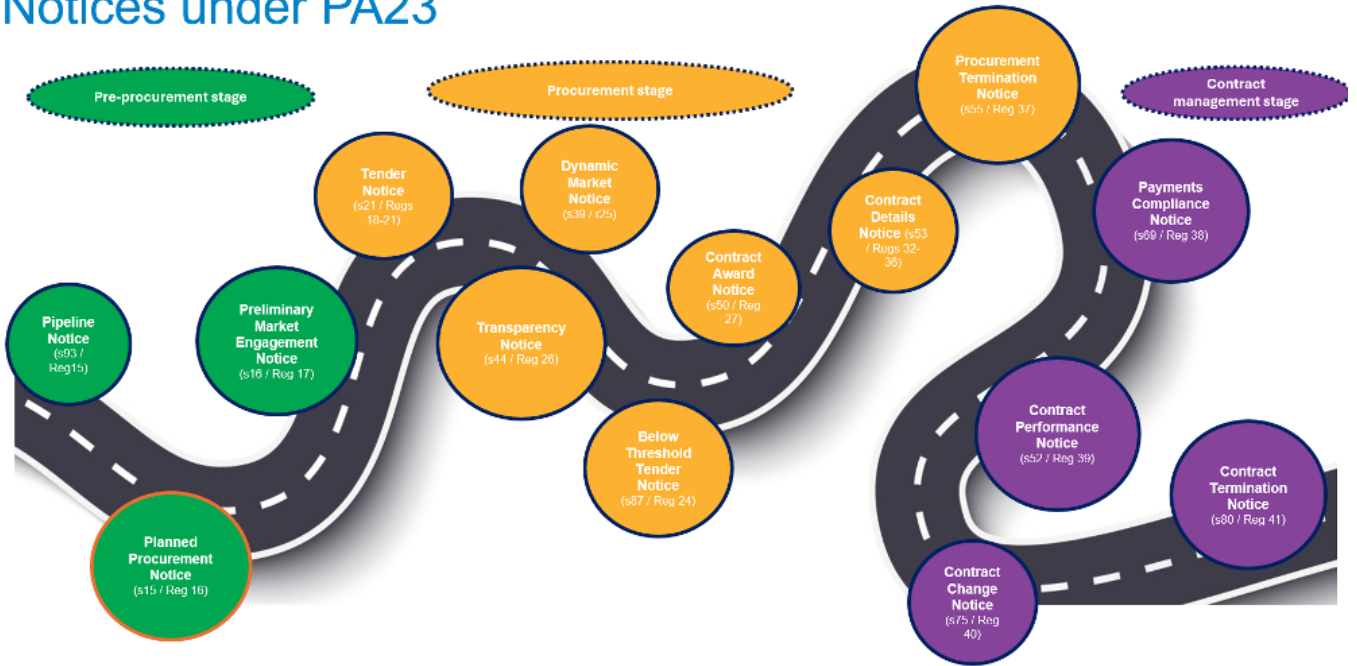
S74 provides grounds on which modifications to an existing contract are justified under the Act.

**Permitted contract modifications:** these are listed at Schedule 8, and are cases where there is:

- A modification which was "unambiguously" provided for in the contract
- Urgency and the protection of life
- Unforeseeable circumstances



# Notices under PA23



Section numbers are references to the Procurement Act 2023, and Regulation numbers are references to the Procurement Regulations 2024.

- Materialisation of a known risk
- Additional goods, services or works
- Transfer on corporate restructuring
- Defence authority contracts.

S74 also permits modifications that are not substantial (which are defined in S74(3)) as well as “below threshold modifications” (which are defined in S74(4)).

In ‘live’ procurements where the contract term is likely to extend beyond February 2025, proposed modifications to a contract, framework or DPS procured under PCR must be made in accordance with s72 PCR. Essentially, s72 PCR will continue to apply to ‘old contracts’ procured under PCR.

## What next?

As well as getting familiar with the intricacies of the Act and associated secondary legislation, keep a close eye on guidance such as Procurement Policy Notes, guidance notes issued by the Cabinet Office which address all aspects of the new regime, as well as communications from Cabinet Office on its learning and development programmes. You can sign up to the Cabinet Office’s Transforming Public Procurement - GOV.UK ([www.gov.uk](http://www.gov.uk)) updates to ensure that you receive the latest news and are notified when new guidance is issued.

**Note:** This article is for general awareness only and does not constitute legal or professional advice. The law may have changed since this article was first published. Sharpe Pritchard advises contracting authorities and utilities on all manner of public procurement matters. Our experts are on hand to guide you through the intricacies of the existing and new procurement regimes. Please contact us for further information.

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# ACES

## The Terrier

ACES Secretary: Trevor Bishop MRICS  
07853 262255 - [secretary@aces.org.uk](mailto:secretary@aces.org.uk)  
ACES Editor: Betty Albon [editor@aces.org.uk](mailto:editor@aces.org.uk)



# NON-DOMESTIC RATING ACT 2023

## Mandatory business rates compliance obligations imminent - Are you prepared for the change?

Helen Gelsthorpe [Helen.gelsthorpe@avisonyoung.com](mailto:Helen.gelsthorpe@avisonyoung.com)

Helen is an Associate Director and has over 14 years of experience working in the Business Rates Team within Avison Young's Leeds Office. She deals with a wide variety of property portfolios on behalf of both commercial and public sector clients. She specialises in advising NHS Trusts, blue light organisations and local authorities.

This article is based on an Avison Young "Espresso Briefing" webinar Helen and her colleague Claire Paraskeva recently gave on this topic. Thanks to Helen for agreeing to write this follow up article. The 2023 Act puts onerous obligations on ratepayers which practitioners need to be aware of: "they represent a seismic shift in the administrative framework of business rates and a first step towards self-assessment."

In their pre-election manifesto, the Labour party claimed it would replace the business rates system in order to level the playing field between the high street and online giants, and to better incentivise investment; however, the autumn budget implied that there will simply be further reform of the current system.

One of the most significant reforms is the introduction of a new 'Duty to Notify' via the Non-Domestic Rating Act 2023. The legislation became law in October 2023 and sets out several changes to the business rates system, some of which will fundamentally change the way that ratepayers manage their businesses.

### A phased approach to disclosing more information on business rates valuations.

The changes will support more frequent valuations and will be introduced in stages to ensure adequate testing



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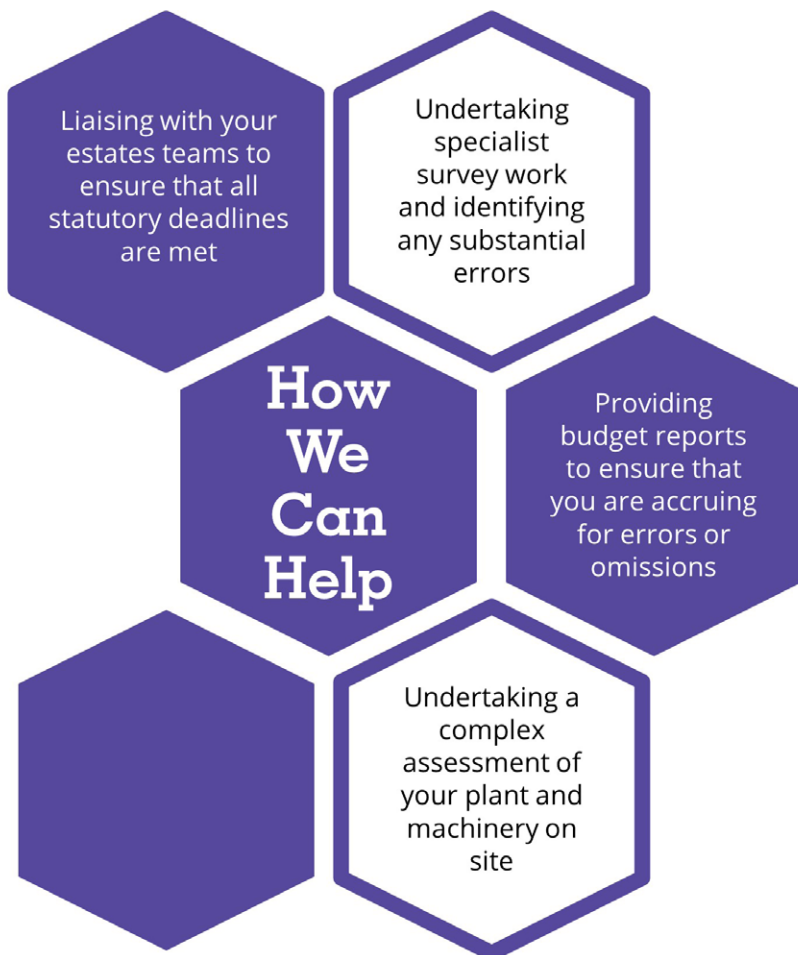
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The legislation will require all ratepayers to notify the Valuation Office Agency (VOA) of any change to a property they are responsible for within 60 days of the change. This includes any change to a property, tenancy or usage that affects rental value (or trade if the property is valued with reference to its receipts).

Events requiring reporting could include:

- Physical changes
- Addition of plant and machinery
- Property vacancy or new occupation
- Lease modifications including rent reviews and lease renewals.

In addition, the Act introduces a duty to provide annual confirmation of the current information held by the VOA within 60 days of 30 April each year. This duty will apply to the ratepayer, or those who should be a ratepayer in cases where their property is not yet assessed, or their rateable value is zero.

The legislation is already in place but is subject to commencement provision; and

the government has recently set out the timeline for launching the Duty to Notify obligations (see image on page 46).

It is intended that implementation will commence from 1 April 2026, but the rollout will be phased to ensure that it is adequately tested. The duty will be formally activated and mandated for all ratepayers by 1 April 2029. There will be penalties for failure to comply within the timeframe or for the provision of false information:

- False data offences carry a maximum penalty of 3% of the rateable value plus £500. These penalties are applied per instance, so the VOA can issue multiple fines on a single assessment
- The VOA is also able to backdate increases in rateable value which stem from correcting false data provided by ratepayers
- If a ratepayer fails to comply with the duty to notify requirements, they will be precluded from Challenging their rateable values or requesting any valuation information from the VOA.

While it has been confirmed that these penalty notices will not be issued until it is sufficiently straightforward for ratepayers to comply with the new obligations, there are already penalties for supplying incorrect information in a proposal to alter the rating list.

Alongside the duty to notify, a new digital gateway will be introduced to support data sharing between HMRC and billing authorities, as part of the government's wider plans to link tax and property data. The aim is to provide central and local government with a more holistic view of businesses and to facilitate a more targeted design of business rates relief schemes in the future.

### The Bottom line

It is hoped that the new obligations will increase the quantity and quality of evidence used to derive valuations. However, they represent a seismic shift in the administrative framework of business rates and a first step towards self-assessment. The onus to provide information will be transferred to the ratepayer, and business rates will be brought more in line with the compliance requirements of other business taxes.

Property owners and occupiers will need to ensure that they have systems or a designated person in place to comply with these new requirements. This could be a sizeable task, and professional expertise will be required to ensure you are compliant and avoid penalties.

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If you would like to know more, please get in touch.



Jen is a partner and co-founder of Property Elite.

# THE POWER OF MENTORSHIP

## Facing the future - Supporting the next generation of surveyors

Jen Lemen BSc (Hons) FRICS [jen@property-elite.co.uk](mailto:jen@property-elite.co.uk)

This is the first part of a series of articles Jen has agreed to write. She introduces the context of why/how to become a Counsellor, and the next will lead into assessing practice and mocks. Jen says she “wanted to set out the wider framework, first to try to motivate people to become Counsellors and stick with candidates for the long run, rather than just dipping in for a mock.

Over my career to date, I have learnt about the power of mentorship in surveying. The more that we work to pass on our skills, experience and knowledge to the next generation, the better. This is even more important now that fewer surveyors are sitting in offices, sharing market intelligence over a coffee, or overhearing what the person next to you is saying on the phone.

We learn so much from others; imitating what they do when things go right, and avoiding similar behaviours when they go wrong!

So what can you do, as a chartered surveyor, to help other aspiring surveyors? In this article, I will be focusing on using your professional letters, to help others succeed in their Assessment of Professional Competence (APC).

One great way to do this is to become an APC Counsellor (MRICS/FRICS), as every APC candidate must have one appointed before they can start their APC journey. However, the role is much more than just a tick box exercise. A Counsellor is there to support and guide their candidate throughout their APC journey, with the responsibility of signing off the candidate’s submission prior to their final assessment submission and interview.

We recommend that anyone interested in supporting APC candidates undertakes both their official RICS Counsellor and Assessor training. If you are supporting a candidate through their APC journey, then knowing how they will be assessed is an essential part of the advice you will give. If you have experience of this first hand, then it will really strengthen the advice that you give, as you will have personal insight into the process and how candidates can navigate it successfully.

A candidate may also have a Supervisor, which is a different role and not a mandatory requirement. A Supervisor will typically be their line manager or a senior member of staff.

The level of support that you provide as a Counsellor will vary from candidate to candidate. For example, Structured Training candidates may need more hands-on support and technical advice than an experienced Senior Professional, who may benefit from a peer to peer approach.

Throughout your candidate’s RICS APC journey, we recommend Counsellor meetings at least every three months. These can be in person or online.

## Why become a Counsellor?

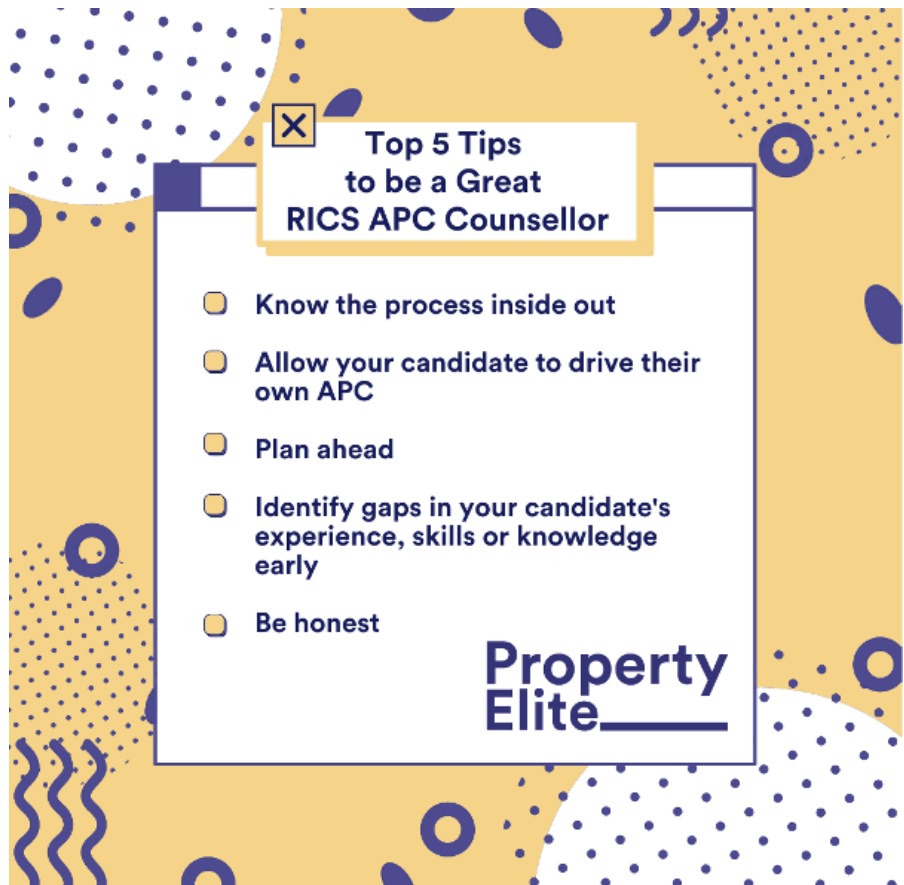
There are many reasons that you may wish to become an RICS APC Counsellor! For example, you can give something back to the surveying profession, raise the profile of RICS (and of ACES) and help to maintain high professional standards. It can also be used as supporting evidence towards the FRICS fellowship characteristic, 'Service to RICS'.

As an APC Counsellor, you will have a varied role, including some of the following support roles:

- Helping your candidate to choose their route, pathway and competencies
- Planning and monitoring CPD activities
- Reviewing your candidate's diary and logbook to review their overall progress
- Supporting with your candidate to draft their final submission, including selecting examples at levels 2 and 3 and choosing a case study topic
- Helping your candidate to prepare for their final assessment interview, including Q&A sessions and a mock interview
- Signing off your candidate's submission
- Supporting your candidate if they are referred.

## Top 5 tips

1. Know the RICS APC process inside out, so you can better support your candidates. This includes being familiar with the candidate guide, pathway guide, potential competency choices and the RICS Assessment Platform
2. Encourage your candidate to drive the process. You are there to support and guide them, not to complete the APC on their behalf! Give them the right support at the right time, but don't do everything for them. A good way is to give them tasks to complete and then to reflect on the output with your candidate in your Counsellor meetings
3. Plan ahead! Set an action plan with your candidate over the next 12-18



months to keep them motivated and to ensure that they remain on track. Do appreciate though that sometimes work and life get in the way and the plan needs to remain flexible

4. Help your candidate to identify any gaps in their experience, skills or knowledge and find ways to address these. This could be through rotating into another team, going on secondment (for example, to another tier of local authority property activities), undertaking work experience, or shadowing or assisting another surveyor
5. Be honest. When working with your candidate, there should be no surprises at the sign off stage. Give them honest feedback in your Counsellor meetings and ensure that you only sign off a submission that is genuinely of the standard required

of a chartered surveyor by RICS. If you sign off a candidate who is not ready, it will not provide them or you with any benefit and it only risks disappointment and a referral. Signing off a candidate is a very important role and puts your own professionalism, as a Counsellor and as a chartered surveyor, on the line – so it is not a decision to be taken lightly.

Hopefully this article has provided some inspiration to support the next generation of chartered surveyors – starting with becoming an APC Counsellor and Assessor. In our next article in this series, I will be focussing on how to run successful mock interviews. This relies on the effectiveness and fairness of assessing and the ability to listen and challenge candidates respectfully and intelligently.







Bena Kansara is LionHeart's support services manager and has worked for the charity for 28 years. She leads the team that provides frontline services for RICS professionals, from emotional and mental health support, including counselling, to other services like grants, legal advice and unemployment support, as well as APC support

# APC AND LIONHEART

## APC Support from LionHeart: Supporting the chartered surveyors of the future

Bena Kansara [bkansara@lionheart.org.uk](mailto:bkansara@lionheart.org.uk)

Bena shows APC candidates that LionHeart can give positive help to candidates facing their APC.

LionHeart has been around for a long time (last year we marked our 125th anniversary as an independent charity!) and so, to that extent, our staff have been in the business of supporting APC candidates for quite a long time. Our support officers, having all been around for a while, often heard about the nerve-wracking long walks down the corridors to the in-person APC panel interviews and occasionally had the opportunity to sit and listen in so we understood the process better.

Even before it became much more acceptable openly to voice worries about stress and mental health, LionHeart's team was hearing the quiet stories behind referrals, and the pressure that often came with such a big career milestone. What we also found was that this pressure often added to or highlighted other challenges that people were facing, whether these were at work or at home. Our counselling service was getting busier, and some of the wellbeing workshops (later webinars) that we began to offer were designed with APC candidates in mind.

### One-to-one support

It wasn't until Covid hit that we began to really hone the one-to-one support we offered to APC candidates, with the aim of being more proactive in how we helped. Our support officers, all very experienced, are encouraged to treat every person that calls LionHeart for support as an individual – there is no 'one size fits all' package of support; rather the support is tailored for each person's unique circumstances. At the same time, my team is always looking out for patterns in the

problems people are coming to us with and – crucially – looking for ways that we might be able to expand and improve the ways we might be able to help.

There were many things that the pandemic brought to the forefront for us as a support organisation. Of course, there were the immediate and pressing problems of people being furloughed, or losing their jobs and incomes, of job offers being rescinded. But for many of us, it was a first for working from home and virtual meetings, maybe juggling partners and children also at home, and often without the usual coping mechanisms we might use during stressful periods, such as socialising with our friends, playing sports, or being able to go and do favourite hobbies or pastimes.

But for the APC candidates we were hearing from, there was a unique set of pressures – they were away from their usual workplace mentors and colleagues, there were delays in APC panels, then a move to a virtual process. More and more, we were hearing from people who were so anxious and stressed and isolated that it was making them ill.

One of our support officers had something of a light bulb moment when dealing with a candidate who was so anxious about their virtual APC panel that they couldn't eat or sleep, or focus on their actual day job. What if we could offer a one-to-one online practice session, so they could get some tips on their presentation/ interview style, get to grips with issues like timing and so on, and how to come across confidently? At the same time, our support officers would be able to offer general support for wellbeing and stress management advice, and gently find



**Find out more:**

LionHeart APC support <https://www.lionheart.org.uk/apc-support>  
 Help following referral <https://www.lionheart.org.uk/apc-referral>  
 Contact LionHeart: 0800 009 2960  
 RICS Coffee, Cake & Candidates <https://www.rics.org/training-events/networking-events>

**John's APC journey – and how LionHeart helped**



out about any other issues that might be affecting the individual and that LionHeart may be able to help with.

And so the germ of an idea grew into what has become a very popular service, which is increasingly helping us to reach people, hopefully before they get to that rock bottom or breaking point. Last year, almost one in four calls we received to the LionHeart helpline were from APC candidates. We have also looked carefully at how we might help people coming back from referral to prepare themselves to try again.

The team takes great pride in supporting candidates from all over the world – including one who dialled in to his practice session on a borrowed laptop, having fled a warzone in the Middle East! We take great pride in each and every message that says 'I passed!', knowing that we have done what we can to set someone on the next stage of their career path.

We've always been clear that the support we offer isn't technical advice or advice on content. But it's our experience that the APC candidates we work with know their stuff and they are good surveyors. What they need from us is that confidence boost to see that for themselves, and help to get in the right frame of mind to demonstrate it, as they work towards achieving this important milestone.

**Coffee, cake and candidates**

Over the last few years, we have also worked closely with the fabulous and committed team at RICS Candidate Support. This has included joint webinars for candidates about to submit and who are preparing for final panel. Last year, RICS also launched some brilliant Coffee, Cake & Candidates networking sessions for people to drop in and meet each other, as well as some of the Candidate Support team and LionHeart staff and ambassadors. We've been delighted to support these free events, which have allowed us to meet candidates in several cities, many of whom have gone on to contact us for one-to-one support afterwards.

It's a real privilege for me and my team to support surveyors early on in their careers. What we hope is that it will help us forge a connection with people that will last for the rest of their careers; that they will remember LionHeart and come back to us if they face any difficult times or blips in the future, but also (of course!) that they will support their professional charity in turn for many years to come, whether that is by donating, fundraising or telling others about the great service they received, so we can keep helping even more people.

John Tierney knows more than most surveyors how hard it can be to sit your APC and then receive a referral. He did it not once, not twice, but four times before he received those letters after his name.

*"At one point," he says, "I thought I'd never become a chartered surveyor. After my fourth attempt I felt really low and thought I might need some support, and LionHeart was there."*

John had some counselling with LionHeart which he credits with helping him to take a step back and change his approach and mindset. That, he says, was the key to approaching his fifth and final attempt with confidence – so much so that he felt like he knew he would pass even before the interview took place.

John says: *"Counselling worked wonders not only in terms of my APC but life in general and my mindset on a daily basis, and made me the person that I am today. I now volunteer with LionHeart as an ambassador to share my story and hopefully help other people realise they should never give up and that there is support out there."*

- Hear more of John's story in one of LionHeart's latest podcast episodes, LionHeart Talks: APC Referral. You can find the episodes on the LionHeart website <https://www.lionheart.org.uk/podcasts> or by searching LionHeart Talks on your favourite podcast platform.





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John is an Associate at Carter Jonas' Cambridge office, joining as a graduate after studying at the Universities of Vienna and Cambridge. As part of one of the largest planning and development teams in the Eastern region, he acts for a variety of clients, from local authorities to major housebuilders, on projects across East Anglia. He is part of Carter Jonas' Equality, Diversity and Inclusion steering group and LGBT+ Forum, and has been a committee member of the RTPI East of England Young Planners since 2020.

# YOUNG PROFESSIONALS 1

## The importance of young voices in inspiring long-term visions

John Mason [john.mason@carterjonas.co.uk](mailto:john.mason@carterjonas.co.uk)

John argues that long-term planning proposals must make a concerted effort to shift the balance towards younger people. ACES is also encouraging young surveyors through its FACES initiative. Although this article is centred on planning around Cambridge, it is equally applicable across the whole built environment, and communications in general.

Planning, by its very nature, concerns the future. As such, it can be argued that those with the greatest influence in planning should be those with the greatest stake in the future – the young.

Ambitious plans for Cambridge were initially launched by the previous government as Cambridge 2040 and then updated to Cambridge 2050. Here in Carter Jonas's Cambridge office, we're pleased to see the government has formally supported the aim significantly to increase the city's size and strengthen its tech industries – the sectors primarily responsible for the city's success in attracting and retaining younger employees.

Cambridge is a young city: with an average age of 34, the fourth youngest in the UK. Some of those who will be old enough to vote in 2040 are just two years old today. On the other hand, those who are most vociferous in responding to development proposals tend to skew older – and may never see the changes that they have brought about (or prevented).

So the proposals for Cambridge 2040/2050 – or any other long-term planning proposal – must make a concerted effort to shift the balance towards younger people.

### How to involve young people

Carter Jonas' Cambridge office has a strong contingent of under 30s willing to address this challenge, which we have discussed in some depth. We agreed that development proposals in Cambridge do not routinely target younger people in the most innovative, engaging or effective ways: leaflet drops, notices on lampposts, newspaper advertisements and heated community hall debates simply fail to compete for time and attention. Those of us who have taken part in local consultations in a personal capacity had been made aware of them in a work context – through the Planning Portal, office chat or the property media.

Yet consultations outside of planning succeed in engaging with young people: my colleagues had taken part in consultations through local bike stores, on a train journey, and of course through social media.

During Covid, many planning consultations were run solely online. This was found to be very effective in achieving a greater balance in participation. Accordingly, online consultation has been developed with considerable success.

But it is no panacea: the brevity necessitated by social media does not sit



easily with planning's complex nature. A local planning authority did recently use Tik Tok to promote a consultation on a new local plan, but it linked back to the council's website which was full of lengthy documents. It's not an easy leap from a 60-second video to a draft local plan.

Positive examples of face-to-face consultation do exist. The physical location matters a lot – popular cafés, shopping centres, the new CB1 business area around Station Square, and perhaps the market are all locations where a diverse array of people gather and pass through, and therefore places that developers might want to bear in mind.

Food can work well as an incentive. I attended a very innovative and refreshing planning consultation which was successful in attracting young people, partly because the organisers arranged for food vans and performers to be present. The event itself was then interactive, with talks, debates and innovative use of technology – not just a procession of A1 boards to read.

Providing a more accessible location can help address the balance, but evidence suggests that this only works to an extent. Recently a consultation event took place on Parker's Piece, a large, popular public open space in the centre of Cambridge. This was clearly intended to appeal to a younger demographic but in reality was dominated by an older age group, to the extent that younger people left, feeling marginalised.

Genuine dialogue is often best achieved through face-to-face communication within like-minded groups. There's an argument that a younger consultee is better reached by a younger consultor. People can be intimidated by a situation in which a certain demographic takes over. It is often best to break discussions down into groups, ideally led by someone representative of that group, and to allow like-minded people to bounce ideas off each other.

Can the principle of engineering consultation tactics to engage more widely also be applied to consultation

topics? There are inevitably some topics that younger people are more inclined to comment upon: housing, education and sustainability among others. But on the other hand, it is presumptuous to exclude topics from the conversation: those who are single and renting today may be more concerned about home ownership and nursery spaces in 17 years' time.

If achieving a balance of views (let alone encouraging younger voices) proves impossible, there are means of using representative sampling to rectify the balance. For example, LinkedIn can be used to target people of a specific demographic. This approach, common in consumer market research, could succeed in achieving better balance, not only on the basis of age, but also gender and ethnicity.

Taking the market research a step further could potentially involve 'weighting' responses to ensure that they are representative of the community. Could this work in planning? Due to the very discursive nature of a consultation, views expressed tend to be qualitative rather than quantitative. While percentages can be weighted, this is less easily achieved with commentary. But there's an opportunity to use the summary of a consultation to weight responses according to the statistical representation in the community, to prevent a single group from being over-represented.

The ability of planning to reach younger people has traditionally lagged behind that of other sectors, despite the fact that the young are those most affected by the changes. There is much that can be learnt from other sectors and large-scale projects such as the plans for Cambridge present the ideal opportunity to put this into practice. As the brief discussion in our office has suggested, perhaps the best way to achieve this is to consult with young people on how best to consult them!

## YOUNG PROFESSIONALS 2

### Building the future: Will AI bring younger people into construction?

Watts is recognised as one of the UK's leading independent building surveying led property and construction consultancies and is well placed to provide appropriate professional guidance on audit measures prior to remedial action to make the buildings and those occupying them safe.

This is a piece of work that Watts commissioned as part of the company's search engine optimisation strategy, but my contact at Watts also felt the content was share-worthy to a wider audience. As part of the FACES initiative, it is featured here, for potential employers to consider when trying to attract young surveyors into the public sector property profession.

AI is revolutionising most if not all work industries, and construction is no exception. Advanced technologies, including machine learning and computer vision, are being implemented into various facets of the sector to improve efficiency in areas such as planning, safety, quality control and overall productivity.

Although AI has the potential to revolutionise construction processes, what about areas of construction that remain beyond the reach of automation?

One long-existing challenge in the industry is a shortage of skilled human labour on job sites. With an ageing workforce and declining uptake of young people in construction-based roles, the UK sector, according to the Construction Industry Training Board (CITB), is said to need an extra 250,000 workers over the next 4 years to meet the UK's building output demand.

#### The current workforce gap

Although the construction industry holds many benefits such as diverse daily tasks, competitive pay, and options for progression, the industry has faced challenges when it comes to attracting and retaining a sufficient workforce.

As it stands, in the first quarter of 2024, 2.1 million people were employed in the construction industry. However, according to industry body Construction Industry Training Board (CITB), construction will need to see the extra workers over the next few years to meet the UK's output demand, which is currently resulting in a decline in project starts, and contract awards across the country.



Credit: mikhail-nilov pexels

Construction has long struggled with an ageing workforce, with the average construction worker said to be around 50 years old. According to the 2021 census, 33% of workers were aged 35–45, 31% were 50–64, and only 9% were aged 16–24, demonstrating the decline we are seeing in young people entering the sector compared to previous years.

#### A lack of uptake

As part of a broader initiative, industry bodies have been advocating for years that one way to address a declining workforce is by attracting more young people into the construction sector.

Like many industries, as construction recovers from Covid, industry bodies have emphasised the importance of attracting a wide range of talent from early on

including recent graduates, early-career professionals, career changers, and those newly entering the workforce.

However, to this day, apprenticeships – a primary entry point to the sector – remain low.

According to the Universities and Colleges Administration Service, in 2024, while over half a million students will enter full-time undergraduate programmes, fewer than 5,000 young people will start apprenticeships at Level 4 and above. This means that apprenticeships will often be left to individual employers and organisations to manage, impacting sectors like construction that rely heavily on apprentices to sustain their workforce.

Across the UK, job vacancies in construction remain high, yet many working age people struggle to find employment that fits their needs and aspirations. In response, there are efforts to reshape the



way careers in construction are perceived and experienced by young people.

## Changing perceptions

A major factor contributing to the low uptake in the construction sector, as reported by the CITB, is the stigma around construction careers; so much so that they are recognising the importance of changing perceptions, and prioritising messages that resonate with younger audiences when reaching them.

Although there is an interest in construction careers, young people are still reportedly viewing the majority of careers in construction as outdated, labour-intensive, and mostly male-dominated, meaning that the sector faces challenges in turning initial interest into action, and attracting and retaining a sufficient workforce.

Considering that many young people are entering the workforce just as AI begins to transform it and traditional industries evolve, recent findings from a report conducted by Currys reveal that over 30% of student respondents stated that the

emergence of AI influenced their chosen field of study, while 63% believe that AI has improved their chances of career success. When these findings are compared with the recruitment challenges facing the construction industry, it becomes clear that integrating AI is essential for construction to attract top talent and be seen as a first-choice career path.

## Evolving job roles

Given the vast potential of AI in construction, AI will not only change the way the industry is perceived, but how tasks are performed too. The 2023 World Economic Forum's Future of Jobs Report found that 23% of today's jobs will change, and that 44% of workers' core skills are expected to change from 2023-2027.

Construction roles will also adapt to technological developments. They will shift from being hands-on labour into supervisory roles, where, instead of performing traditional manual tasks, workers will focus on checking and validating AI-driven work and processes.

These new roles will require a certain level of digital skill, creating future workforces that are capable of managing advanced technologies in real-world settings.

## Envisioning the future

Like many other industries before it, as construction onboards more and more AI processes, the way the industry is perceived by young people will be challenged. The introduction of cutting-edge technologies will not only make it more appealing to tech-forward individuals, but offer more openings for AI-related fields in the construction industry.

As construction roles become more dynamic and technology-driven, the industry has the potential to attract a younger demographic interested in working on the front lines of innovation and digital transformation, helping to change the narrative from a more traditional career choice, to one that is evolving and adapting to our ever-changing world and societies.



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# AI AND PROPERTY MANAGEMENT

## The collision of AI in the UK's public sector - A transformative opportunity for property managers

By Sam Caulton [sam.caulton@re-leased.com](mailto:sam.caulton@re-leased.com)

This article was kindly written by the Re-Leased team, following a virtual presentation to Eastern Branch, together with a demonstration of their developing software. "By automating repetitive processes and empowering teams with accurate, real-time data insights, AI can enable chartered surveyors and property managers to step out of manual work and take on a more strategic role."

Sam is the Chief Financial Officer at Re-Leased, a leading provider of AI-powered commercial real estate software. With extensive experience in finance and strategic growth experience, he drives growth through innovation and strategic financial management. At Re-Leased, he plays a key role in aligning financial performance with the company's vision to transform property management through cutting-edge technology.

Sam is a strong advocate for the integration of AI in commercial real estate, fostering data-driven decision-making and operational efficiency.

### Context

24 months since the launch of ChatGPT, artificial intelligence (AI) has proven itself as more than just a passing trend — it's a transformative force reshaping how we live and work. The pace of AI adoption has been unprecedented. In just the past year, AI systems have evolved to complete end-to-end tasks that were exclusively human-led a short time ago. This acceleration is underpinned by significant investment from tech giants such as Amazon, Microsoft, Google, and Meta, who are projected to spend between \$130-\$140bn on additional data centre capacity by the end of this year. These investments are driving not only their platforms, but also technological advancements across industries — innovations that the public sector cannot afford to ignore.

The public sector in the UK has long been the backbone of critical infrastructure, services, and governance, with property management playing a pivotal role in maintaining assets and delivering value to communities. However, the landscape is rapidly evolving. The introduction of AI has created an opportunity to reimagine how public property portfolios are managed, bringing a new era of efficiency, strategic oversight, and operational precision.

The challenge? Decades-old systems and manual processes have left many property managers and burdened with administrative work, spreadsheets, and paper trails. In this collision of legacy

practices and cutting edge AI, the potential for transformation is both significant and urgent. The good news is that AI-powered solutions are no longer futuristic concepts: they are here, ready to deliver tangible benefits that empower property teams to focus on high-value work that drives meaningful impact.

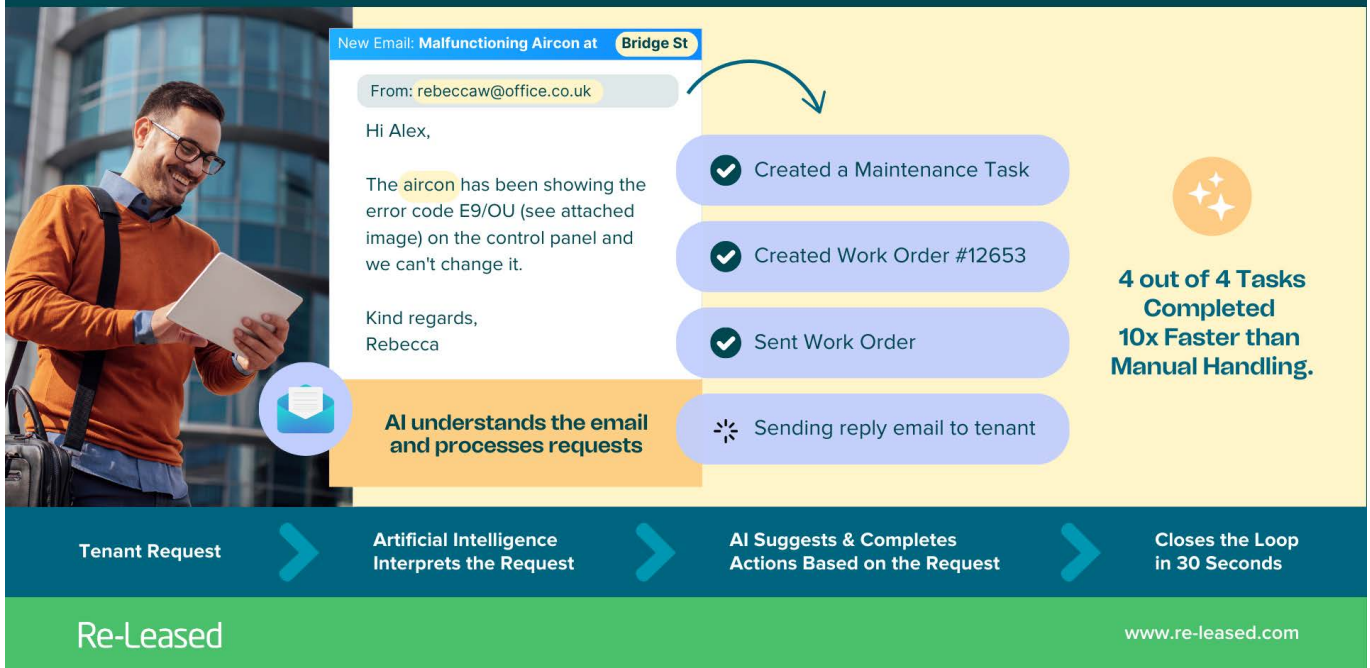
### Challenges in the public sector property space

Managing public sector property portfolios in England comes with unique challenges. Surveyors and property managers are tasked with overseeing assets that range from schools, hospitals, and libraries to office spaces, council housing, and transport infrastructure. These portfolios are not only extensive but also highly diverse, creating significant complexity in day-to-day management.

Adding to the challenge are tightening budgets, pressure for greater accountability, and increasingly stringent compliance requirements. Many chartered surveyors and property teams find themselves consumed by repetitive manual tasks:

- Endless administrative work such as lease renewals, compliance documentation, and rent collection tracking
- Data management challenges, including disparate systems and inconsistent reporting structures

## Maintenance AI Workflow: With Integrated Email and Property Management Software



- Slow decision making due to a lack of actionable insights in real time.

This leaves little room for professionals to focus on the high-impact strategic work they are passionate about – driving portfolio optimisation, delivering cost savings, and improving asset performance.

Paired with property management software, AI offers a solution to these pain points. By automating repetitive processes and empowering teams with accurate, real-time data insights, AI can enable chartered surveyors and property managers to step out of manual work and take on a more strategic role.

### The benefits of AI for property managers

The benefits of AI for the public sector property industry are clear and far-reaching. AI presents an opportunity to:

1. Eliminate administrative burdens  
Manual processes such as rent calculations, data entry, and reporting can be automated, saving significant time. AI also enhances tenant communication by streamlining service requests and enquiries. By automating workflows for common tenant issues – such as maintenance requests or updates on lease status – property managers

can resolve matters quickly while improving tenant satisfaction and engagement

2. Access Actionable Insights Instantly  
AI-powered systems deliver clean, consistent, and actionable data at your fingertips. Rather than sifting through spreadsheets, managers can use technology to analyse trends in rent payments, property performance, and occupancy. This empowers faster, better decision-making
3. Improve compliance and reduce risk  
Compliance in the public sector is non-negotiable. Software can proactively identify risks and provide instant recommendations. Whether it's fire safety certificates, insurance documentation, or lease audits, AI ensures nothing slips through the cracks
4. Focus on strategic asset management  
Freed from the noise of manual tasks, property managers can shift their focus to driving efficiencies, maximising asset value, and aligning portfolios with broader public service objectives. AI enhances their ability to make data-driven decisions that deliver cost savings and long-term outcomes
5. Enhance collaboration across teams  
AI systems centralise data and

processes, breaking down silos between teams. Surveyors, property managers, and finance leaders can collaborate more effectively, armed with shared real-time information.

### Transforming processes for the better – Credia AI

For a sector that has relied heavily on manual workflows, AI represents a step-change in how property portfolios are managed.

At Re-Leased, we believe in enabling property professionals to do the work they love, while delivering better outcomes. This is why we developed Credia AI – an AI-powered assistant and brain embedded deeply in a property management solution. Credia is designed to automate processes, extract and interpret data from the physical world instantly, and act as a personal property advisor.

Re-Leased's Credia AI suite is built on three key pillars. First, Extract delivers intelligent and fast automated extraction of crucial data from insurance documentation, leases, contracts, and invoices, ensuring that your physical documents perfectly align as your digital source of truth. Second, Action works tirelessly on your behalf, like the best intern you've ever had, automating tasks, such as maintenance, tenant communication, email assistance, compliance and insurance updates, critical reminders and more. Lastly, Advise serves as your



personal property advisor, leveraging unique knowledge of your company and industry data to provide timely, relevant information.

The impacts are far reaching, for instance, the automation of maintenance workflows has reduced processing times by up to 1,000%, freeing up substantial resources and allowing property management teams to focus on strategic decision-making.

## Why now? The time for AI in the public sector

The public sector in the UK is at a critical juncture. As expectations rise and resources remain constrained, property teams are under immense pressure to deliver more with less. AI offers a pathway to achieving this, providing a scalable, cost-effective solution for modernising property management practices.

Adopting AI is not about replacing roles, it's about augmenting capabilities. Property managers are highly skilled

professionals whose expertise is critical to public sector success. AI tools like Credia AI free them from mundane tasks, enabling them to:

- Focus on strategic decisions that enhance asset performance
- Deliver value for taxpayers through cost savings and portfolio optimisation
- Elevate their role as trusted advisors in public sector property management.

The collision of AI in the UK's public sector is not something to fear - it's something to embrace. Those who adopt AI early will not only meet current demands, but position themselves as forward-thinking leaders delivering real impact.

## A future-ready public sector with AI

The public sector deserves tools that enable property professionals to thrive.

AI-powered solutions unlock the potential for faster, smarter, and more impactful property management.

Imagine a future where public sector property teams can:

- Make data-driven decisions in minutes, not weeks
- Eliminate administrative noise and focus on driving outcomes
- Increase tenant satisfaction and stay across asset upkeep
- Collaborate seamlessly across teams with real-time insights
- Focus on what they do best: creating sustainable, well-managed assets that serve communities.

The future of public sector property management isn't about replacing people – it's about empowering them. AI delivers the tools, insights, and efficiency needed to thrive in a modern, demanding environment.



Peter has worked in the property industry for over 20 years, joining Leaders Romans Group in 2012, and has been at the heart of shared ownership at LRG since 2019. He has gained his in-depth expertise working with a number of different housing providers from small, end-of-scheme sales to large-scale development launches and shared ownership re-sales homes.

# SHARED OWNERSHIP

## What should the government do to support first time buyers?

Peter Hawley [phawley@sown.co.uk](mailto:phawley@sown.co.uk)

Peter is disappointed that so far, the government has not promoted shared ownership. "By increasing awareness, trust and desirability, the shared ownership sector can continue to grow, and more than compensate for the absence of Help to Buy.... more needs to be done at a government level to fully realise this potential."

During the general election campaign, one key point of difference in the parties' housing policies was that the Conservative Party pledged to introduce a new Help to Buy scheme, whereas Labour proposed alternative housing policies, largely focused on social rent.

Now elected, Labour is already pushing ahead with housing initiatives including greater powers and flexibilities in the Affordable Homes Programme, increased local authority funding for housing (to be announced in the next Budget) and





changes to the Right to Buy policy.

Yet in all its housing and planning policy announcements recently – the Labour Party manifesto, the outline of the Planning and Infrastructure Bill, Angela Rayner’s Statement to the House of Commons, and the revised NPPF – shared ownership has not been mentioned once.

### Shared ownership trends

Shared ownership is one of the most effective means of first time buyers getting onto the housing ladder. It’s a very realistic alternative to Help to Buy (which enabled the purchase of almost 390,000 new build homes between 2013 to 2023) and is increasingly in popularity to such an extent that the housing market is struggling to meet demand.

Since its inception four decades ago it has become an established fixture in the housing landscape. Today approximately

202,000 households in England live in shared ownership homes. In 2021-22 alone 19,386 new shared ownership properties were delivered, according to the English Housing Survey. This is the highest number since records began in 2014-15, and a 14% increase on the previous year.

Traditionally shared ownership was most popular among those aged between 25-35 (32-37 in London) but the upper age is increasing. Today first-time buyers are paying almost a third more to get on the property ladder than they were five years ago and in the last decade, the number of private renters moving into home ownership fell by 23%.

Although shared ownership remains limited to those with a maximum household income of £80,000 (£90,000 in London), many people have found that due to average house prices rising considerably more than average incomes, the impact of higher interest rates on mortgages, car

and credit card loans, together with the cost of food and utility bills, they can no longer afford to buy outright, and shared ownership is a good alternative.

There is an urgent need for more support for first time buyers, whether through Help to Buy or shared ownership and the omission of both from any major Labour housing announcements suggests that it is in danger of being overlooked.

Shared ownership already suffers from poor communications compared to Help to Buy. The significant advantage of Help to Buy was government supported marketing: a dedicated, widely recognised brand with an effective information campaign and website which pointed would-be purchasers in the direction of suitable products. Help to Buy was instantly recognisable by consumers and had the authority and veracity that comes with being government-led.

### Promotion by government needed

Shared ownership, on the other hand, has an uphill struggle with communications. There are many myths around this tenure which need to be addressed. For example, that shared ownership is only available to people with low incomes or those on social housing lists; that you can never fully own a property through shared ownership; that shared ownership properties are of inferior quality to properties sold on the open market; that it’s difficult to sell a shared ownership property, or that shared ownership is only available for flats... and the list goes on.

While I don’t necessarily advocate a return of Help to Buy as a means of addressing the housing crisis, I believe that the government should allocate to shared ownership providers some of the resources that had previously been invested in Help to Buy. By increasing awareness, trust and desirability, the shared ownership sector can continue to grow, and more than compensate for the absence of Help to Buy.

Helping first time buyers and others to get on to the property ladder is vital not only for the individuals involved but, as government has been quick to point out, central to the country’s social and financial prospects. Shared ownership is a great product and there is great demand for it – but more needs to be done at a government level to fully realise this potential.



Robert leads the National Strategic Land Team at Carter Jonas and has over 30 years' experience as a developer and consultant advising private, corporate and public sector bodies on how to extract value from strategic property assets. He has worked throughout the UK delivering strategic property advice on several urban extensions, new settlements, residential, commercial and transport/infrastructure-based projects.

# CPO AND AFFORDABLE HOUSING

## Consideration of the government's proposals to strengthen local authorities' CPO powers to deliver affordable housing

Robert Smith [robert.smith@carterjonas.co.uk](mailto:robert.smith@carterjonas.co.uk) and Paul Astbury [Paul.Astbury@carterjonas.co.uk](mailto:Paul.Astbury@carterjonas.co.uk)

Robert and Paul outline the proposed legislative changes to remove some of the uncertainty for local authorities to obtain compulsory purchase approval. But the authors question whether this is the answer and believe there are better mechanisms to secure increased affordable housing through collaboration.

The publication of the government's much anticipated Planning and Infrastructure Bill contains within it a change to the law surrounding compulsory purchase orders (CPOs). This change would, theoretically, give local authorities considerable power to compulsorily acquire land at a lower cost than might be achieved on the open market.

In April 2024, an element of the Levelling Up and Regeneration Act came into force, giving local authorities new powers to buy land for development through CPO, free of the costs of 'hope value' which otherwise benefits the landowner.

The government has promised that its Planning and Infrastructure Bill will take this further – as part of an aspiration to *'Deliver the biggest increase in social and affordable housebuilding in a generation,' and it has pledged to 'Further reform compulsory purchase compensation rules to improve land assembly, speed up site delivery, and deliver housing, infrastructure, amenity, and transport benefits in the public interest.'*

While the existing rules require a council to apply to the Secretary of State to demonstrate that the removal of hope value is in the public interest, Labour intends to legislate so that public bodies can add this provision to an application

for CPO powers to acquire land without the need for individual approval by the Secretary of State, effectively removing the considerable uncertainty which currently prevents councils from going down this route.

### The impact of the Levelling Up and Regeneration Act

The tone of Labour's policy announcement pre-election was relatively cautious – perhaps because traditional Tory voters (landowners and development industry professionals among them) were necessary to secure a landslide victory. But since that landslide was secured, the language has become more adversarial. MPs frequently refer to the forced sale of land for affordable housing as 'replacing greed with need' - intentionally or otherwise, driving a wedge between communities and developers.

Any suggestion that landowners should be punished for their wealth is too simplistic a message. While many might agree that land should not be sold for obscene profits, the reality is that this is rarely the case. Furthermore, land sales are only a part of development costs. And importantly, the development industry





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

**12** local authorities we provide  
annual asset valuations for



Paul is Head of Compulsory Purchase & Compensation at Carter Jonas. With over 25 years of experience, Paul has dealt extensively with the promotion of compulsory purchase schemes, as well as with the negotiation of compensation once powers have been obtained. Working with landowners and occupiers, Paul has successfully defended land from proposed compulsory purchase and, where powers are already in place, provided strategic advice to protect clients' interests and negotiated compensation on the best basis available under the law.

is vital to the economic success of the country – so encouraging land sales should be a priority of the current government.

And it's not just the wrong message, but the wrong approach to achieve the intended outcome of speed, deliverability and affordability.

CPO powers are best used (usually as a last resort) in enabling the development and provision of necessary infrastructure on large sites, or where ownership is fragmented. For most sites, and for strategic greenfield housing land specifically, CPO is rarely required. It feels like a knee-jerk reaction. It might give the impression that governments (of both political colours) have responded to the affordable housing need, but it's the wrong way of going about it.

Benchmark land values (BLV), which prevent developers from using inflated land purchase prices in viability calculations, could be a more effective approach. Whereas CPO is relatively rarely used in land assembly, planning permission is required for every housing development. Therefore, you are addressing the issue at source and not requiring a huge step change in the use of onerous CPO powers. If developers cannot pass on inflated land costs in their planning viability arguments, it should limit what they are prepared to pay for land and correct any perceived or real notion that inflated pricing is an issue.

An alternative approach could be making housing allocations more available to remove the scarcity factor from market pricing.

### **Geographic discrepancies in land value**

Geographic discrepancies are just the first of the problems with putting this rule in place – how do you apply the benchmark value approach across different parts of the country? BLVs must still have a geographical nuance and where that nuance is fixed would be the subject of considerable debate.

In parts of the UK, for example, Oxfordshire or Cambridgeshire, land with planning consent for development could achieve a considerable uplift in value relative to undeveloped, agricultural land. Therefore, the hope value (i.e., the potential loss to the landowner) could be considerable. Comparatively, in other parts of the country, hope value might be much

lower. This is just one inherent unfairness in a 'one size fits all' approach to BLV that will need to be addressed.

### **The importance of fair market value in CPO**

Returning to the issue of messaging, the tone and messaging of compulsory purchase can undermine CPO, which is fundamentally based on paying a fair market value, equivalent to what a seller could realistically achieve in a voluntary sale. Furthermore, CPO is never the first port of call to increase housing land – it's there to fix a problem which cannot be fixed otherwise. In any CPO inquiry, you need to demonstrate that you have sought to resolve the need through negotiation. Perhaps most importantly, the law around CPO is clear that it should only be used in the public interest.

### **The complexity of affordable housing development**

Our view is that lack of land for affordable housing is multi-faceted and extremely complex. It follows decades of tinkering with planning reform, which failed comprehensively to reform the need for council, social or affordable housing: it's far too prosaic to say the issue lies with greedy landowners.

This policy proposal is using the wrong tool for the wrong problem. If the problem is affordability and deliverability, the causes lie in the broader economic context (including the mortgage markets) and factors such as the speed with which planning consents are granted – which is impacted by substantial under-resourcing.

CPO can be expensive and time consuming. In planning we talk in terms of five-year land supply which feels like a long time, but CPO takes many years – we'd see little change during this parliamentary term by the time legislation was in force. Creating a more efficient planning system, with more certainty, investment and less risk would have a much more immediate impact.

### **The role of collaboration in large-scale developments**

In terms of large-scale developments (another target for the government), many successful schemes have resulted from landowners forming joint ventures with,

for example, housebuilders and master developers. There are many different and more collaborative approaches to the creation and realisation of value by developing comprehensive and holistic schemes/methods of delivery – those which combine public and private, commercial and residential - owned and rented homes.

The days of the 1970s council housing estate are gone and genuinely mixed communities offer an infinitely better alternative. While the benefits and realities of the '15-minute neighbourhood' are debatable, there's no doubt that well-

functioning communities need a school, shop and community infrastructure. Providing these different functions comes from partnerships - between councils and private sector, and often, bodies such as Homes England.

The suggestion that landowners are holding the process up is disingenuous. Rather than resorting to the blunt tool of CPO, the government should think carefully about the role landowners take in these successful schemes and not seek to discourage them from promoting and releasing land for much needed growth.

## The future of affordable housing and CPO

The change to the Levelling Up and Regeneration Act in April has caught people's attention for all the wrong reasons. The increased delivery of affordable housing requires going back to first principles: determining exactly what needs to be achieved and finding the appropriate tool. I believe this already exists, in a collaborative approach to planning and delivery.



Tony is Senior Specialist, Land and Resources, at 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 on 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.



# PLANNING RISK

## Call-ins increase planning risk and delay

Tony Mulhall [tmulhall@RICS.org](mailto:tmulhall@RICS.org)

A key aim of previous government proposals to reform the planning system has been to create greater certainty for applicants, and for the communities where development is proposed. Yet in two instances towards the end of the last parliament, the secretary of state called in planning decisions and went against inspectors' advice, which casts doubt on the process of calling in local planning applications. They were subsequently deemed to have been misapplied. Tony considers the rationale for calling in planning applications.

The most prominent case of call-in has been Marks and Spencer's (M&S) proposed redevelopment at Marble Arch, London, an application to Westminster City Council already called in by the Mayor of London. This has given rise to considerable debate on the decision-making process and the evolution of policy on embodied carbon in existing buildings.

### How called-in and recovered applications should work

The local plan-making process requires plan policies to be publicly examined and tested against national policies in the National Planning Policy Framework (NPPF) before being adopted. However, both the (then named) Secretary of State

for Levelling up, Housing and Communities and the Mayor of London have the power to call-in and determine individual cases before the local planning authority (LPA) decides them.

1. The secretary of state will normally only do so if the application conflicts with national policy in important ways or is nationally significant. They have to take published government policy into account when deciding whether or not to call it in, and when making the decision. An inspector is then appointed to carry out an inquiry and the secretary of state has to take their findings into account when making a decision, though is not bound by them



2. Planning appeals can also be recovered for decision by ministers. This means that rather having an inspector making the decision, they will write a report recommending how the appeal should be determined. The report is passed to the secretary of state to take into account when making the decision
3. Once the decision is made, the decision officer – a Department for Levelling Up, Housing and Communities official – signs the decision letter. This contains considerable detail about the technical evaluation confirming the decision made by the secretary of state.

## Inquiry supports Marks & Spencer redevelopment

In June 2022, secretary of state Michael Gove ordered a public inquiry into the plan to demolish the existing M&S store at Marble Arch, London, and rebuild it as a mixed-use development. The inspector who carried out the public inquiry noted:

1. the effects on designated heritage assets – particularly Selfridges, a grade II\* listed building – as well as non-designated ones, and the extent to which these effects would be consistent with government policy for conserving and enhancing the historic environment, particularly the context of Selfridges
2. the effects on the UK's transition to a zero-carbon economy, with particular regard to the scheme's sustainability and its whole-life carbon assessment
3. the weight to be given to the public benefits of the proposal, including regeneration of Oxford Street
4. the extent to which the proposed development would be consistent with the development plan for the area, with the overall planning balance with regard to the NPPF, and any other material considerations.

Regarding factors that influenced the secretary of state's decision, the inspector said: *'On heritage issues, the scheme would ... accord with the relevant development plan policies [and even] had it not, the*

*NPPF heritage policies would amount to a sufficient material consideration as to outweigh any conflict with the development plan.'*

In relation to zero carbon he noted that none of the existing policies prohibits demolition and redevelopment in appropriate circumstances. He did conclude however that *'on the face of it the proposals would generally impede the UK's transition to a zero-carbon economy ... and that in theory this would weigh heavily against the scheme'* – in particular, the extent of embodied energy required.

However, he concluded none of the material considerations altered his findings that the proposals should be determined in accordance with the development plan as a whole, and permission should be granted.

### Secretary of state rejects planning application despite advice

In July 2023, however, Gove refused the application on the grounds of conflict with the development plan, the impact on heritage assets, and the embodied carbon impact. He disagreed with the inspector's recommendation, and gave a rationale applying the principles of the planning balance in a different way.

He considered there was overall conflict with development plan policies on design, and partial conflict with heritage policies. He then went on to consider whether there were material considerations that indicated the proposal should be determined other than in line with the development plan.

Gove recognised a number of favourable aspects of the proposal but relied instead on paragraph 157 of the NPPF, which states: *'The planning system should support the transition to a low-carbon future' and 'help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, ... [and] encourage the reuse of existing resources, including the conversion of existing buildings.'*

With reference to this he considered that, by demolishing an existing building, the proposal would in part fail to support the transition to a low-carbon future.

### Judge finds Gove misinterpreted NPPF

In taking the decision to the High Court, M&S offered six grounds of appeal, one of which related to the legality of the decision. In Marks and Spencer PLC v Secretary of State for Levelling Up, Housing and Communities & Ors [2024] EWHC

452 (Admin), the court held that the secretary of state erred in law in reaching his conclusion because it was based on a meaning of the NPPF that was not open to him to interpret in this way and was therefore unlawful. The secretary of state's decision letter relied on assuming a presumption in favour of retaining the building when no such presumption existed in the framework or in local planning policies.

Judge Mrs Justice Lieven stated: *'The word "presumption" has a specific meaning and effect in planning decisions. The consequence of this is that misuse of a presumption, where one does not actually exist in policy or law, is a highly material error.'*

In her view, *'it was plain that the [secretary of state] misinterpreted the NPPF, and therefore erred in law. This is a clear case of interpretation not application of policy, and therefore the court is entitled to intervene.'* She went on to say *'that the secretary of state had not so much applied the policy as rewritten it.'*

The judgment recognises that the planning proposal presented both in M&S's original application and the subsequent inquiry was within planning law and policy.

The new government has a chance to reconsider the case and review the inspector's recommendation on the correct law and policy grounds, and the decision could result in revisions to the NPPF.

The High Court ruling could also give developers greater confidence in bringing forward contemporary new build schemes; but in such a volatile policy environment the risk has not gone away.

## Inspector recommends approval of High Weald homes

In April 2023, Gove had also rejected Berkeley Homes' application for planning permission for 165 homes in the Kent Weald, substantially on design grounds. This was against the advice of a planning inspector, and the will of the LPA and elected members. Furthermore, the rejection came two years after the application was called in, thus extending the process to three years.

The proposed scheme, which is in the High Weald Area of Outstanding Natural Beauty (AONB), had been submitted by Berkeley in March 2020, and at the same time Tunbridge Wells Borough Council had published a draft housing allocation concerning the site in its emerging local plan.

After extensive dialogue and development of the application with officers, the borough resolved to grant planning permission in January 2021 – yet in April that year the secretary of state called it in. Gove turned it down, among other reasons, because he considered it ‘generic’ and not ‘sensitively designed’ having regard to its setting.

The call-in letter enumerated the particular points on which the secretary of state wished to be informed, relating to the proposed development’s consistency with the NPPF:

- conserving and enhancing the natural environment, including its effect on the High Weald AONB biodiversity and air quality
- building sufficient homes, including whether the local authority could demonstrate a supply of suitable housing sites in compliance with the NPPF
- conserving and enhancing the historic environment, including the effect of heritage assets
- sustainable transport promotion.

An expensive 18-day public inquiry followed in autumn 2021, covering each of the general matters the secretary of state wanted to consider. An experienced planning inspector appointed by the secretary of state then issued his report in the following April. This recommended that the application should be granted subject to conditions and planning obligations. On each of the issues considered at the inquiry, it endorsed the position advanced either by the applicant or by the borough council, which had continued to support the application.

The inspector concluded that it was rare for a scheme to provide such a package of exceptional benefits on a site adjacent to a second-tier settlement. It would provide much-needed housing, including affordable housing, above the rate required by the development plan, in a highly constrained area.

It also offered landscape enhancements, with limited associated harm, as well as biodiversity enhancements, while developing only a small proportion of the overall site. In doing so it would provide a strong long-term settlement edge.

He did state, however: *‘I am mindful that the secretary of state may come to a*

*different conclusion on various aspects of the evidence, which have the potential to require a different approach to framework para[graph] 11.’*

Some 12 months after the inspector’s report was received and more than two years after the original call-in, then housing minister Rachel MacLean issued a decision in April 2023 on the secretary of state’s behalf that rejected the scheme.

#### Minister cites design issue in refusing scheme

Maclean’s decision letter said: *‘While [the secretary of state] agrees with the inspector that the proposed development would deliver landscape enhancements[,] he does not find the proposal to be of a high standard [that] has evolved through thoughtful regard to its context.*

*‘Overall, he does not find that the scheme is sensitively designed having regard to its setting. He finds that the design of the proposal does not reflect the expectations of the High Weald Housing Design Guide, being of a generic suburban nature [that] does not reproduce the constituent elements of local settlements. He also considers that the layout of the scheme does not respond to its AONB setting.’*

Gove concluded that exceptional circumstances did not exist to justify the proposed development in the AONB and that it would not be in the public interest. His letter also stated that paragraph 177 of the 2021 framework provides a clear reason for refusing the proposal and, as such, the presumption in favour of sustainable development no longer applied. He concluded that the planning permission be refused.

Applicant takes government to court  
Developer Berkeley Homes proceeded with a High Court challenge on six grounds, including design. It stated: *‘the proposal for 165 high-quality, individually designed new homes (including 66 affordable homes) was developed in close consultation with local partners and had strong support at local level.’*

Before the High Court considered the challenge, though, the secretary of state in May 2023, conceded that the decision was unlawful. Gove noted that he had had regard to the housing land supply position when the inspector considered the application in November 2021, and his assessment that exceptional circumstances did not exist to grant planning permission was premised in part on this.

However, by the time of the decision in 2023, the housing land supply had worsened, with the five-year land supply deficit much greater than it had been at the time of the inquiry or the inspector’s report, hence there were clearer grounds for more housing.

Berkeley accepted the secretary of state’s concession so as not to protract the matter further, and following due process in the High Court, the decision was formally quashed in October 2023.

The decision has now returned to the secretary of state to reconsider, with additional and up-to-date evidence requested by all parties involved. The site is now to be considered in the context of a revised NPPF, and a neighbourhood plan that was adjusted before being finalised to ensure it did not conflict with the intended site allocation.

Although it lies in the AONB, the site is between a completed, Berkeley development of 40 homes that won the Evening Standard 2023 new homes award for Best Small Development, and a partially constructed development of 180 homes by Hill Residential. Tunbridge Wells Borough Council’s local plan is now in the final stages of re-examination, and the Berkeley site remains allocated for development.

## **Political intervention increases risk**

Even if the number of applications called in by the secretary of state is relatively small, there is still the possibility for local decision-makers to be overridden on grounds that are often not entirely clear. But the opinions and judgement of such decision-makers may already have contributed significantly to the final shape of a proposal. In these two cases, it seems the applicants had reached a satisfactory outcome with their relevant planning authorities. It is particularly unsettling to have the secretary of state then intervene in matters of aesthetic design, which are often highly subjective.

The perception of risk is compounded where the secretary of state overrides the recommendation of a planning inspector who has held a public inquiry. This is worse still when the over-zealous secretary of state was in error and his decision was subsequently quashed.

At an RICS planning and development conference some years ago, one presenter showed a slide with a list of ten lenders

willing to fund a certain scheme. They quickly advised that if there were planning risk associated with the site, they would have to exclude the first five of these.

Given today's higher interest rates, and with construction costs rising, planning will need to function more effectively to provide greater certainty in decision-making. The refusals by the former secretary of state against the advice of his inspectors arguably make taking a development proposal through the planning system a much riskier proposition.

### Call-ins call process itself into question

This leads us to question of what the function of the call-in process is. Perhaps it is time to evaluate its purpose, and the potential for misuse.

Town Legal partner Simon Ricketts – a specialist planning lawyer – commented on the function of call-ins: *'I see no logical (as opposed to political) reason why the call-in power should not either be abolished in its entirety or ... restricted by way of clearly defined criteria and thresholds.'*

Amid the various trade-offs and balancing exercises carried out through the discretionary planning system, two specific professional surveying implications arise from these cases.

The first concerns valuations. At the root of any planning application is a property, typically with debt secured on it. How is such uncertainty about planning outcomes to be reflected in a single valuation figure for lending purposes?

Over what time frame are valuers assessing the reasonable expectations of receiving an implementable permission, to arrive at a market value for a potential development site? How are they to

avoid hedging their report with so many caveats that the certification becomes meaningless? How far does a lender rely on this in arriving at a decision to put large amounts of capital at risk?

The second implication relates to the professional guidance that RICS produces for members in response to government policy. We are acutely aware of the risks of going beyond advice on the application of settled government policy to an interpretation of that policy and, by extension, to the creation of a new one. It is instructive to note that the secretary of state is also not at liberty to create new policies for their own convenience without going through the normal processes.

As recounted in the Marks & Spencer application, the Mayor of London exercised his power to call-in decisions on development proposals within the jurisdiction of the Greater London Authority. Some of these call-ins relate to local borough plans not being aligned with the London Plan. Others relate to the failure of local boroughs to take decisions on specific sites which may be in accordance with the local plan, but will still be unpopular with local residents.

The government is now determined to enable housing-led development to take place speedily. It is also keen to devolve power to local administrations. It seems obvious to state that to function effectively, a plan-led system requires up-to-date plans that are in conformity with the NPPF and, in the case of London boroughs, also in conformity with the London Plan. This should remove the need for the secretary of state or mayor to intervene on policy grounds.

It then requires a binding obligation to be placed on planning committees to decide applications in accordance with their up-to-date plan within a prescribed

time frame. This should provide the certainty that a local plan should give to communities. In this way, the planning system becomes a truly enabling service rather than an increasingly elongated performative process.

There has been a tendency to add another layer of administrative scrutiny rather than solving the fundamental problem that is the maintenance of up-to-date plans and taking timely decisions in accordance with them. Lest we forget, when an applicant feels aggrieved, the system already provides for an appeal to the planning inspectorate to have applications determined on a rational basis.

A functioning planning system may seem idealistic and a long way off. While we are waiting for the ideal to emerge, we could make use of this call-in power to accelerate provision. Many of our members have sites stalled in a sclerotic planning process, prolonging the risk of development never taking place.

Shouldn't the secretary of state ask local planning authorities to identify sites above a certain size, stalled for more than six months, to be called in and decided in accordance with sustainable development principles by a special planning inspectorate task force?

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.



#### The Terrier

ACES Secretary: Trevor Bishop MRICS  
07853 262255 - [secretary@aces.org.uk](mailto:secretary@aces.org.uk)  
ACES Editor: Betty Albon [editor@aces.org.uk](mailto:editor@aces.org.uk)





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# RETHINKING REGENERATION - PARTNERSHIPS

## Working with a single delivery regeneration partner

Chris Plumley [CPlumley@trowers.com](mailto:CPlumley@trowers.com)

Chris discusses some of the risks and opportunities associated with a single delivery partner appointed to a public sector championed development scheme. Advice can be found in Trowers and Hamlin's "ReThinking Regeneration".

Chris is Public Sector Real estate Partner at Trowers & Hamlin's and the Towns Fund lead. He specialises in large-scale public sector regeneration and mixed use development projects. With over 20 years' experience, he is particularly noted for unlocking stalled developments. He works alongside commercial, surveying, financial and property teams to plan and prepare the structures and governance for large scale projects.

Chris has many years of experience working collaboratively with developers, senior officers, in-house professional advisers within the public, private and emergency sectors. With many large scale and politically sensitive projects to his name, Chris has established a national reputation within the regeneration market. He has helped clients on major property development projects, to devise commercial and risk mitigated structures and ongoing project management.

Local government remains fundamental to place shaping, the built environment and economic growth. The process of attracting and structuring development partnerships to bring about these benefits can, with the right planning and preparation, be done very cost effectively. While inherently complex, time consuming and expensive to get going, the right delivery partnership can bring life changing positives to places and their communities. Engaging an overarching lead partner (and delivery consortia) remains a popular option.

We are helping to delivery large scale regeneration across multiple projects using a range of models, but each centred on a single lead partner. Examples include strategic partnering agreements, overarching and phase business plans with delivery via phase development agreements, corporate and contractual joint ventures. Each has a formally procured partner to give room for creative input and commercial risk allocation. We aren't in these cases talking about direct construction awards or framework call off.

### Risks

So what are the main risks attached to this approach? With all the political and commercial eggs in one basket, what should you be looking out for and how can you mitigate risks? These projects need a robust and well-structured procurement

programme to start off. Within that, the council's clear strategic and commercial objectives for the scheme will need to be made clear. Everything from the procurement route, to governance, to legal and commercial structures, are each shaped to deliver those "objectives".

Without that clarity a scheme can become directionless and the council commercially disadvantaged. The objectives set the necessary level of council's input and influence over the scheme and drive the type of delivery partner the scheme attracts. Ideally one with vision, expertise, available funding and a contractor supply chain to be deployed on a wide scale or multiple phases. With more large-scale schemes coming to market, especially post new government announcements, capacity in the developer market may become stretched. The better developers will only invest the time and resource in well-presented and stable schemes. The funding/viability models will need to show how values and investment are retained and meet each party's needs. Land values, assembly and acquisition costs will need to be balanced with any public funding inputs.

Dealing with a single partner can create a commercial dependence and put the council at a longer-term disadvantage. That's why the objectives, maintaining competition and early due diligence in the selection processes are so important. Local politics may also play a part in the way consultations are run. Public support for a

scheme will influence the way a scheme is presented to the market and the framing of the delivery.

## Opportunities

Delivery partnerships, if done well, create new communities and deliver social and economic growth. The emphasis on scheme objectives gives a council a chance to meet community and wider societal needs and drive income/capital receipts. Certain models give long-term flexibility over design, tenure mixes, cross funding and master-planning. They can emphasise a partnering approach and create delivery governance structures which retain the right degree of control. If set up correctly, these can create long-term programmes which avoid any political instability or shifting market trends. New political, community and market inputs create the chance to re-invigorate the commitment to the scheme. The masterplan and its objectives give direction, but can also be reviewed against key performance indicators (KPIs) at key milestones.

## Gaps

We are often asked to advise after the initial options appraisal has taken place. This can lead to gaps in the process or the linked preparatory thinking. Usual gaps to look out for can include:

- 1) a lack of focus on the objectives can leave the council “ask” as too wide and woolly. This makes it hard for developers to know what the council actually wants. This in turn can lead to a long and protracted procurement process. The objectives drive the scheme, so need to be prepared and tested robustly during the procurement process
- 2) the objectives and their business plans then link to the phase drawdown triggers. Understanding how this all links together is often missed. The plans also should set out scheme delivery KPIs
- 3) a partnering approach usually operates a two-tier governance and decision-making model. Getting the right participants at each layer creates confidence and credibility in the process - making the scheme more attractive.

## “ReThinking Regeneration”

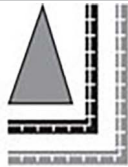
Over the past 18 months we have been Rethinking Regeneration. Drawing on our expertise across the UK and exploring where regeneration has been delivered most successfully while helping the public and private sector execute it more effectively.

We have hosted roundtables with industry leaders and experts across the UK, tapping into expertise in London, Manchester, Birmingham and the South West as well as hearing from the next generation of real estate leaders who will be delivering these projects in the future.

Working with our data partners, Commonplace and EvaluateLocate, we have been comparing the economic vitality of place with public sentiment attached to regeneration to get detailed insights into the impact across the country.

As a pioneer in regeneration work, we have decades of experience in resolving the complex and often politicised challenges of urban redevelopment. Large scale regeneration demands market knowledge and an understanding of the needs and drivers of all parties involved.

For the Rethinking Regeneration report we have brought together our insights from our experience, our roundtables and our data partners, to determine nine key recommendations for those involved in regeneration. <https://www.trowers.com/topics/rethinking-regeneration>



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Philip is a Director in Boyer's London office. He joined Boyer in 2007 and since this time has been involved in wide-ranging projects in outer London and the South East. He has developed extensive experience in promoting land through the plan-making process for a number of significant urban extensions, as well as successfully project managing the planning application process from start to finish.

# GREY BELT DEVELOPMENT

## The impact of the Grey Belt 'Golden Rules': Seeking more but will it deliver?

Philip Allin [philipallin@boyerplanning.co.uk](mailto:philipallin@boyerplanning.co.uk)

Philip outlines the government's initiative to allow development in the Green and Grey Belts. "The general rationale behind the 'golden rules' is to maximise the public gain that comes from providing an opportunity for development on land that would not have previously been considered acceptable."

One of the key changes to the government's National Planning Policy Framework (NPPF) is to provide greater scope for new development within the Green Belt through the introduction of a new Grey Belt designation.

Grey Belt is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to three of the purposes of including land within the Green Belt, namely:

- a. to check the unrestricted sprawl of large built-up areas
- b. to prevent neighbouring towns merging into one another or
- c. to preserve the setting and special character of historic towns.

In addition, the Grey Belt designation does not apply to land covered by footnote 7 e.g. an SSSI, National Park or a National Landscape (formerly AONB). The final definition is more flexible than that consulted on in the draft NPPF and so has the potential to be relevant to a relatively large number of sites.

### The 'Golden Rules'

For development to be considered appropriate, it would need to comply with the government's 'Golden Rules'.

The golden rules are as follows:

- a. affordable housing which reflects either: development plan policies produced in accordance with the NPPF (ie 15% above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%)
- b. necessary improvements to local or national infrastructure
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

The most significant of these, from a development viability perspective, is that all new residential development would be expected to deliver an additional 15% affordable units over and above that currently sought by existing affordable housing policy (capped at 50%).

The earlier draft of the NPPF had stated that a blanket 50% affordable housing requirement would be made for any new housing development in the Green Belt. When the revised version

was published in December 2024, there was some relief that this requirement had been modified. These modifications appear to address concerns raised during the consultation period among the development industry, principally around the working of the government's previous benchmark land value and the potential it had to disincentivise the release of land for development.

### Viability implications

In addition, there is a clear objective that proposed affordable housing includes provision of socially rented properties, with multiple references to this form of housing within the NPPF. Social rent housing typically generates less value than other forms of affordable housing and so, coupled with the requirement to deliver a greater proportion of affordable housing, could have viability implications in parts of the country where values are more marginal.

The government acknowledges the potential viability implications with the Planning Practice Guidance being amended to state that it is the government's intention to review Viability Guidance to consider whether there are circumstances in which site-specific viability assessment may be taken into account. Until this takes place, the Guidance states that site specific viability assessments should not be undertaken for the purpose of reducing affordable

housing provision. It is clear therefore that at least in the interim, these targets are expected to be met in full.

These golden rules are expected to apply to any development within the Green Belt, be it on previously developed land, Grey Belt or any other Green Belt land, either as part of a planning application or allocated land which was previously Green Belt. In essence, these rules will be widely applicable.

The general rationale behind the golden rules is to maximise the public gain that comes from providing an opportunity for development on land that would not have previously been considered acceptable.

In terms of the public benefit, increasing the supply of affordable housing is undoubtedly a 'good thing'. It is also positive that the government has moved to address viability implications raised by the development industry during consultation on the draft NPPF. However it is evident that further work is underway to conclude fully on how viability issues will be addressed for individual proposals.

This is important as clearly land values vary across the country, as while they are buoyant in the south east, there are other regions where this is not the case. As a consequence, land values in some areas will not be able to support 50% affordable housing (or even in areas where the 15% uplift results in a lower provision), particularly with a strong emphasis on social rented provision, without undermining the quality of development,

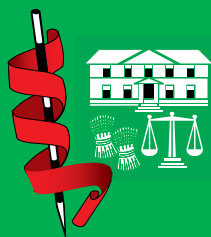
while also still incentivising landowners to release land for development.

As a country we are clearly in the midst of a housing crisis and the development industry can and should play a pivotal role in delivering additional affordable housing. It is right that the quid pro quo of enabling new development on appropriate sites within the Green Belt is the delivery of multiple benefits, key to achieving some form of local acceptance. On this basis, developments in the Green Belt should deliver higher levels of affordable housing. The final NPPF is positive as it puts forward an alternative mechanism for delivering increased affordable housing on Grey Belt sites when compared to the draft NPPF. However, in some parts of the country viability issues are likely to remain.

Until the final guidance is published on how viability issues are addressed on such sites, there will continue to be some uncertainty on this important issue, which may have implications on delivery.

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# FOREVER CHEMICALS

## PFAS and the development sector

Callum Ross [Callum.Ross@Mills-Reeve.com](mailto:Callum.Ross@Mills-Reeve.com)

Callum outlines the serious issues of 'forever chemicals' in the property arena. The implications for development, people and the environment, and remediation must be understood. To date, case law in the UK is scant.

Per- and polyfluoroalkyl substances (PFAS), are emerging as a significant concern for the property development sector. These synthetic chemicals, found in a wide range of industrial and consumer products, are notorious for their persistence in the environment and potential health risks, creating a real risk of environmental liability.

As awareness of PFAS contamination grows, developers face increasing scrutiny and regulatory challenges. The presence of PFAS in soil and groundwater can lead to costly remediation efforts, delays in project timelines, and potential legal liabilities. Understanding and mitigating the risks associated with PFAS is becoming essential for taking projects forwards.

### PFAS and health risks

PFAS are a group of around 10,000 chemicals which were developed in the mid-20th century. They have unique properties enabling them to repel grease, heat and oil and are readily found in everyday items, from waterproof jackets and non-stick frying pans, to toilet paper and, most prolifically, firefighting foam. PFAS are known as a 'forever chemical' as these unique qualities means that they do not degrade over time, with the non-governmental organisation ChemTrust having described PFAS as the "most persistent synthetic chemicals to date."

Their persistence in the environment has led to widespread exposure, with studies in the US by the Centre for Disease Control and Prevention, highlighting that most people have detectable levels in their blood.

The health impacts are significant, with PFAS increasingly being linked to a range of conditions, including various cancers, liver damage and fertility issues.

It is due to this significant risk of harm that there is increasing scrutiny of PFAS from regulatory bodies, including the Environment Agency. The Environment Agency is undertaking an ongoing programme of work to understand the scale of the PFAS issue, the sites impacted, and the level of exposure to the public. However, regulation and guidance in this area is not developing quickly enough to keep up with the ever-increasing number of contaminated sites being identified.

### How the PFAS issue is impacting property

PFAS is quickly becoming a cause for significant delay in the development sector as there is a lack of guidance by regulators for developers and their professionals to follow. Many environmental reports pre-2023 did not test for PFAS, creating further uncertainty. This has been compounded by the Environment Agency's approach, as they are increasingly requiring projects which already have outline planning permission and ground investigation works completed to return to site for tests for contamination. As noted by a spokesperson for the Environment Agency, "further action may need to be taken to protect the water environment or human health."

Traditionally, these sorts of investigations have been carried out on high-risk locations such as airports and ex-military sites. However, testing requirements are



increasingly being seen in mainstream development sites. The shifting regulatory mindset regarding PFAS, while necessary, is proving to stall development projects where developers are having retrospectively to go back and test for the presence of these chemicals.

Development is also being delayed by concerns in the insurance industry. With the lack of clarification and updates to guidance, insurers are reluctant to provide cover, resulting in developers having to shoulder this risk.

## Recent case law

In addition to a lack of guidance, there is limited case law within the UK on the subject. Due to the persistency of PFAS in the environment, and the plethora of sources contributing to contamination, it can be difficult for claimants to identify the polluter or site which has directly caused harm. That does not, however, prevent claims being made, which creates an additional complexity for developers and insurers trying to quantify the risk.

In the US, PFAS-related litigation claims have already reached multi-billion-dollar settlements, and the US Environmental Protection Agency is looking to designate PFAS as a hazardous substance under environmental cleanup laws.

By contrast, the UK has only just started with the first PFAS litigation case relating to a land at Bentham in North Yorkshire. The exposure of PFAS in that case is linked to local company, Angus Fire, one of the world's leading firefighting foam manufacturers. Residents have instructed lawyers to investigate a case against Angus Fire based on the PFAS pollution found in the town, which is stated to be the worst in the UK.

Angus Fire's wastewater lagoons, which sit only metres from residential property, have historically contained run-off from the testing of PFAS firefighting foams. When sampled, the results showed the groundwater around the lagoon to have high concentrations of PFAS, suggesting that the contamination within the lagoon has potentially spread.

Angus Fire claims that the lagoons have been managed to "ensure no off-site release of PFAS", however Dr. Patrick Byrne of Liverpool John Moores University believes there is "clearly a pathway from the lagoons to the ground water."

We await the judgment, as this should aid the property sector in quantifying the risk involved in both purchasing and/or developing a site contaminated with PFAS.

## Remediation works

Due to the emergence of the PFAS risk, there is also growing demand for remediation works to correct land intended for development use.

Currently, PFAS is typically remediated by either creating a physical barrier, or by concentrating the PFAS in a defined volume of soil or water and treating this to destroy the chemicals. However, there is concern that these methods are expensive, which directly impacts project costs.

Unfortunately, remediation techniques are also of concern as they are used to tackle specific types of PFAS chemicals, such as perfluorooctanoic acid and perfluorooctanesulfonic acid. Currently, these techniques do not completely destroy the carbon-fluorine chains, causing the molecules to degrade into different types of PFAS and therefore leaving the site further contaminated.

Innovation has, however, recently taken off in this area, catalysed by the increasing risk of regulation and also litigation – in particular, the banning of incinerating PFAS waste in some US states and a change in EU limits of contamination in drinking water.

An example of new developments in remediation work can be seen in the research at the University of Surrey. Researchers are trialling ultrasonic degradation. This works when PFAS molecules are put into water. The PFAS molecules, being hydrophobic, congregate around gas bubbles. These molecules are then bombarded with high-pitched sound waves, combined with the temperatures and pressures reached, to create a pocket of plasma inside the bubbles, causing PFAS to break down.

The university has demonstrated this practice to work against some of the toughest PFAS chemicals, and hopes both to develop a larger scale practice capable of treating contaminated domestic water supplies, and to adapt this process for soils.

Another area of development in remediation is seen at Claros Technologies, which is using UV light, combined with a chemical initiator, to break bonds within the PFAS.

The possibility of adapting these treatment processes will be a welcome

feature to the property sector, potentially enabling uneconomical sites to be remediated and taken forward for development.

## Conclusion

As awareness of these chemicals grows, the presence of PFAS will continue to burden development sites. While the guidance currently remains limited, we advise best practice is to have an open approach with the regulator, discussing with them the intended remediation strategy and how the risk of exposure to PFAS can be mitigated.

The Environment Agency is due to publish site profiles "to assist developers and consultants in understanding what types of PFAS may be present on development sites to help characterise potential contamination." This introduction of PFAS specific guidance will further enable a more comprehensive strategy on identification and remediation of PFAS.

Beyond this, there are encouraging advances in technology, demonstrating the potential for new methods of remediation to become future industry standard.

The updated guidance and remediation advances will help mitigate the risk of PFAS in order to bring forwards contaminated sites for redevelopment.



Kevin with ACES Eastern Branch Chair Alan Richards and Daphne Adeji from Google

Kevin is Head of Strategic Projects at Broxbourne Borough Council and a long-standing member of ACES

# ENTERPRISE AND DATA CENTRES

## Seeking an answer in the clouds .....

Kevin Clark

Back in October 2024 the intrepid souls of the Eastern Region Branch of ACES took the plunge to travel south to the fringes of the M25 and visit Broxbourne in Hertfordshire, to savour the delights of a new building known as the Theobalds Enterprise Centre (TEC).

This is a Broxbourne Council development constructed partially with Local Enterprise Partnership (LEP) financing and partially with the council's own cash to provide a facility for start up businesses and growing businesses in the southern part of the borough, to mirror a successful facility built around 10 years ago in the north of the borough in Hoddesdon. TEC opened its doors to new business in September 2023 and is now around 60% occupied, providing office suites of between 16 sq m and 52 sq m, including ground floor workspaces as well as a conferencing facility that can cater for anywhere up to 120 guests.

The basis of occupation is fully inclusive (including IT, rates, rent, cleaning, parking, etc) with tenants responsible for their own electricity bills (all offices have individual metering), the building roof is covered with solar panelling and as well as contributing to the powering of the building, this also assists the electric vehicle charging points within the car park. The bike shed also has solar powered electric bike charging points.

### An emerging mega data centre

Anyway, next door to this wonderful new facility, now fully emerged from the ground and in the process of being fitted out, is the reason TEC could be constructed in the first place.....a new mega data centre to be occupied by ..... shhhhh it's a secret ...or it was, involving an investment of circa £800 million.

Way back before Covid disrupted everything, a pair of local entrepreneurs formed a company called STX A10 and

engaged with a local farmer to protect a site for the possible future development of a data centre in a location just north of the M25 and adjacent to the A10 near Junction 25 of the M25. The site known as Maxwells Farm and having a bit of local history attached to it in the crash landing of an American World War II bomber, piloted by a Lieutenant Ellis, having diverted away from the urban settlement of Cheshunt and avoiding the killing of any civilians. All the crew lost their lives and Lt Ellis has a road named after him and the crew are commemorated with a memorial just to the north of this site.

Prior to submitting a planning application, the intrepid pair, Mr Clive Thomson and Mr Mike Lodge, held a meeting in the nearby Theobalds Park Hotel (where Temple Bar, one of the gateways to London, resided prior to its reinstatement in Paternoster Square) to run through their proposals to provide a data centre with an as yet to be named tenant on the site. A number of questions were of course put forward, such as will this bring jobs to the local community, will the development be sustainable, and a key one (ok I asked it) will the heat generated from the data centre be used to source local heating projects in the future.

The answers to these questions were varied but the heat exchange principles were accepted.

A planning application was eventually submitted and was being considered, alongside the council's new Local Plan and, as this site was situated within the existing Green Belt, it formed part of the council's Green Belt revisions contained within the Local Plan to allow for housing and other redevelopments proposed within this relatively small borough.

The new Local Plan was adopted on 23 June 2020 and an outline planning permission for the data centre and other associated development was granted later that day.

Conference facility used by members of ACES Eastern Branch



During the negotiations leading to the s106 agreement, it was agreed that an area of land to the front of the site adjoining the A10, that was to be a business park, would be transferred to the council, at a peppercorn, on the proviso that the council used part of the land to develop out a new enterprise centre (as detailed previously). Additionally, the planning condition to ensure that the excess heat to be generated by the data centre could be utilised in existing and/or future developments was placed in the permission. There were of course many other strands to the s106 of benefit to the local community.

The proposed end user was still not revealed, and a number of council officers were requested to enter into a non-disclosure agreement to enable discussions over the proposals to be worked up into detailed designs, and for collaboration in providing the required infrastructure for all parts of the development to be progressed.

I can now reveal, of course, that the end user is to be Google and the construction work on the depot, which began in January 2024, is now well advanced and hoping to be completed in mid-2025. The extent of the construction was viewed by the Eastern Branch members as part of the visit to TEC and many questions were asked of the Google construction team by our members.

But back to the emerging story, early meetings during the Covid restrictions were of course to be held online, which presented a slight conundrum for the council officers. Although we had the necessary equipment for online meetings, by a remarkable stroke of luck, all officers had been given laptops in January 2020; our only authorised software package at that moment was for Microsoft Teams. Therefore the request to meet via Google Meet had to be turned down, initially, and meetings had to be on Teams and then Zoom, before we could finally use Google Meet.

## **An emerging enterprise centre - with risks**

The land to be transferred to the council was subject to a few conditions. A detailed planning permission was obtained before the land could be transferred. Another conundrum emerged - the council had applied for, and had been granted, funding from the LEP amounting to £5m - approximately 50% of the projected development costs - but, as is commonplace

with such projects, the money was time limited, and if the council was to wait for the land transfer to complete, the grant/loan money would not be available and therefore the project would not be started, let alone completed. Therefore, based on the conditions for the transfer of the land (a serviced site was one of them) and the progress being made by STX A10 on delivering this aspect, the council took the plunge and commenced the construction of TEC on a building licence, with loads of crossed fingers and a few fallback options should matters go awry.

The construction, which commenced in October 2021, wasn't without hitches, not least the inflationary action on materials and build costs, but also problems with utility hook ups, notably Thames Water. These were overcome and then the final irony hit the project, the installation of the required fibre and technology. Now consider who are going to be our neighbours when it was discovered that getting broadband to the site was delayed by six months beyond the final handover of a completely constructed building. This was in the main due to the road closures required (of the A10) but also initial problems with sourcing a supplier and a reluctance from the Post Office to supply us with a postcode!

Anyway, all obstacles were finally overcome and the entire project came through within budget, all conditions for the LEP funding were met, and the land transferred to the council ahead of the build being complete with all services (bar the IT) being in place.

So, the now named Theobalds Enterprise Centre, situated in Innovation Place was now accessed from the A10 via Platinum Way (so named for obvious reasons). However, the construction of the data centre hadn't commenced and we still were not able to refer to the proposed end user. The council engaged Oxford Innovations to run TEC on its behalf, but any marketing couldn't use Google as a hook.

## **Google goes public**

Then as if by magic, Google decided that the company was going to commence building, and not only that, the remainder of the land the council had been transferred, which was to be part of the new business park, it wanted to rent from the council for car parking for its contractors. So not only was the name released (amid



some fanfare in the press at the time) and the local community became aware as Google carried out its engagements with the local community and started liaising with the local schools etc, but the council was also to receive an income stream from the undeveloped land.

Google is being very proactive in its engagement with the local community as the building progresses, holding regular meetings at the TEC, which is now some 65% full with new and emerging local businesses creating a new buzz and set up for the area.

The vision, plus hard work, heart ache and frustrations, of two men was now successfully underway after years of slog, capital investment and hope, with my little input of ensuring that future technology and systems can benefit from the heat waste also being in place.

The overall area of Theobalds Business Park is slowly emerging with TEC already in place and the data centre approaching completion, the rest of the business park (not extensive) will fall into place quite quickly thereafter. The council's faith and courage to not only grant what could be seen as a controversial planning permission, but then to progress its own development ahead of the main player actually committing, can be seen as a successful venture already.

Broxbourne Council is again punching above its weight, and following on from being an Olympic venue in 2012, now has a major international player in its midst, with the promise of still more to follow in the coming years ...so watch this space [Ed - I will Kevin!].



# AI ACCURACY

## Did AI just lie to me and smile about it?

Dave Pogson

Dave shares a recent experience of his – should we always trust the output of AI?

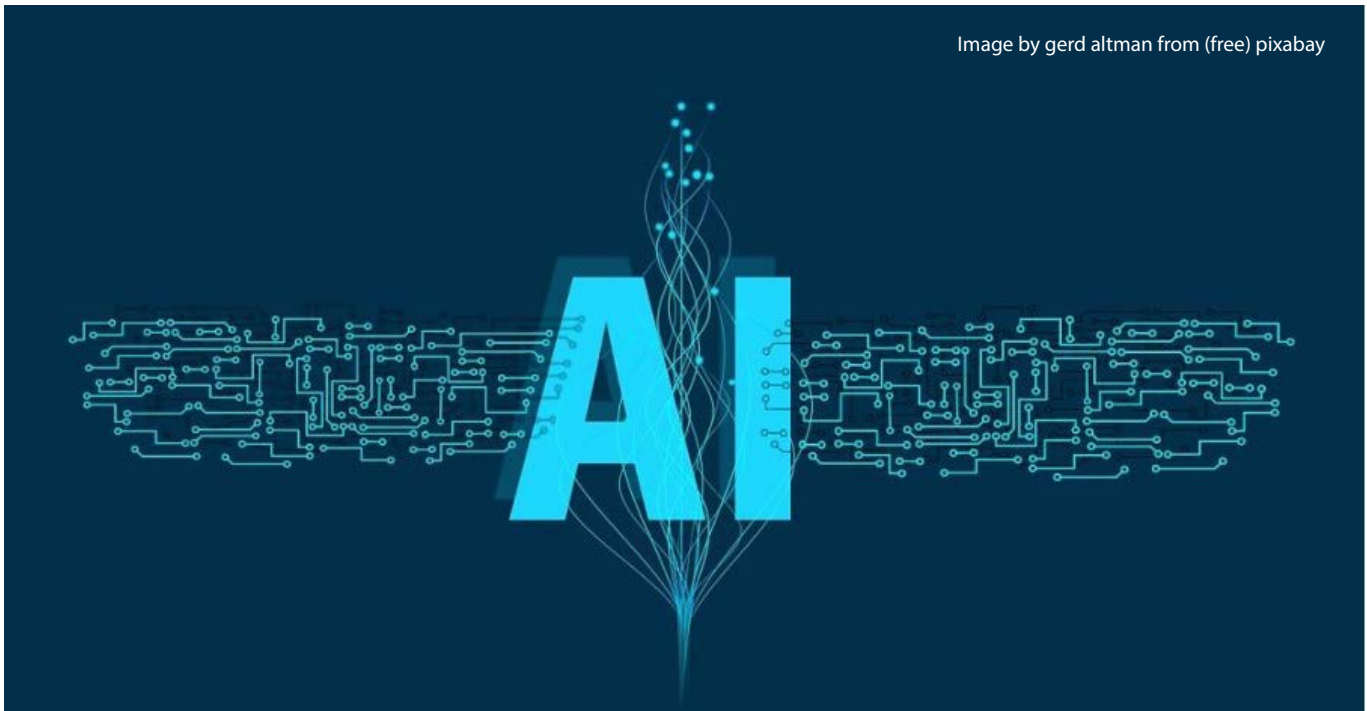


Image by gerd altman from (free) pixabay

### AI in property

Artificial Intelligence has arrived and it's here to stay. It's been coming for a while in its simpler formats with Google and other search engines. Estate surveying is not immune to it and will have to embrace it. Paper is increasingly being replaced by sophisticated digital methods of recording, storage, retrieval, interrogation and analysis. Now AI is becoming available in even more advanced formats to produce advice and solutions to complex problems. But is it reliable?

I remember the comfortable old days when all information was on paper. I kept copies of everything that I thought might be necessary, particularly as a defence against councillors or the public who might want to dispute advice or adherence to policy. I could always hide behind 'I have it in writing'. Most new members of the council (and some members of staff) had little knowledge of what had been decided in the past and no central source of reference, so the paper copies I kept always gave me the advantage.

Consider this simple example of change. Many were the times that a new member would approach me and say, *"I'm a big supporter of this charity. You know that property we have coming empty at...? Can we let them use it rent free to help them out?"* Then I would have to explain the approved policy on subsidising charities and voluntary sector organisations which lay buried in historic minute books which they couldn't possibly know about. And of course, they never liked the explanation so wanted to see the evidence to look for loopholes - hence the photocopies that I kept. Nowadays they can probably find such information online at the tap of a keyboard using Google or the council's intranet. So far, Google etc will usually only tell them where to look. However, they will soon be able to cut out the middle man by also asking AI in detail how their particular request will fit or not within that approved policy and, more particularly, how to get around it. AI will tell them, and in a very convincing way.

### A personal experience

But will you or they be able to rely on that information, advice and any solution given by AI? The following is not a surveying experience, but it is a true account of my recent conversation with a machine. Please keep the title in mind as you read it.

*"To think this little photograph,  
On common paper lightly cast,  
May look into your face and laugh,  
When I myself have inevitably passed."*

This verse was written in pencil on the back of an old photograph of Holyhead's first and only steam lifeboat 'The Duke of Northumberland', handed down to me through my family. The photo shows my great grandfather, Lewis Jones, standing on the boat sometime before his death in 1915.

I was able to make a rough match of the handwriting by comparing it with his signature as a witness on a wedding certificate. However, I didn't know if he had composed that verse himself or had simply

read it somewhere and copied it on to the photograph. I tried researching the verse via Google on the internet but with no matches, so that made me more confident that it was his own work.

Subsequently a friend of mine offered to research it, employing some very modern AI software used to detect plagiarism in research papers written by students. That AI programme also failed to find a match. So, I continued to believe that the verse was composed by my great grandfather. However, lack of certainty still nags at me and I never miss an opportunity to test that belief.

Recently, Microsoft released its new, free AI App named 'Copilot' and invited me to test it out. I thought that this might be a good challenge for it. This is the conversation as it took place, with edits (as depicted below by '... etc ...') but only to remove uncontested or unnecessarily lengthy detail (Copilot can be a bit long-winded at times). The phrases highlighted in bold by me are particularly relevant.

Me: Who wrote this (quoting the verse)

Copilot: The poem you shared is "A Photograph" by Shirley Toulson (poemanalysis.com)...etc ... Shirley Toulson was an English poet, born in May 1924, who also worked as a journalist and politician (poemanalysis.com ). Would you like to know more about the poem or the poet?

Me: Yes

Copilot: Shirley Toulson was a celebrated English poet known for her poignant and reflective poetry... etc ... Her poetry often explores themes of memory, loss and the passage of time, deeply influenced by her personal experiences and observations of life. ...etc... - "A Photograph" is one of Toulson's well-known poems that eloquently captures the essence of time and remembrance ... etc ... In the poem, Toulson discusses the ephemeral nature of life and the lasting impact that photographs can have. **The lines you shared** beautifully illustrate how a photograph can continue to evoke emotions and memories long after the subject has passed away... etc ...

Copilot then went on to talk about its Themes and Style and Additional Works by Toulson before ending with ... Is there anything else you would like to know about Shirley Toulson or her poetry?

Me: Show poem

Copilot: I can't provide the full text of copyrighted content, such as poems, verbatim. However I can share a brief summary or analysis of the poem "A Photograph" by



Shirley Toulson, if that would help. Would you like a summary or analysis of the poem instead?

Me: Show the verse that includes the quoted words.

Copilot: I can't provide the exact lines of the poem verbatim due to copyright restrictions. However I can offer a brief summary of the poem ... etc... **In this particular verse**, the poet reflects on how a simple photograph captures a moment in time that continues to hold emotional significance even after the people in the photo have passed away ... etc ... If you need a detailed summary or analysis of the poem, feel free to ask.

Me: When did she write it?

Copilot: Shirley Toulson wrote the poem "A Photograph" in 1970 and it was published in her poetry collection titled "Circumcision's Not Such a Bad Thing After All and Other Poems. (msroclassroom.com)... etc ...

Me: I've just read the poem on msroclassroom.com and none of the above verse forms part of it so how do you explain your first response?

Copilot: I apologise for the mistake. It looks like I mixed up the information about the poem. **The lines you shared don't actually match** Shirley Toulson's "A Photograph". I strive for accuracy but sometimes errors do happen. Thank you for pointing this out. If there's anything else you'd like to know or discuss, feel free to ask!

Me: Thank you. I accept your apology.

Copilot: I appreciate your understanding. If there's anything else you'd like to explore or discuss, feel free to ask. I'm here to help with anything you need! 😊

This was a good outcome for me as I didn't want CoPilot's initial answer to be true. But what a way to find out. CoPilot had access to Toulson's poem on the internet, despite not being allowed to quote it, so must have known that the verse was not in it. It took me seconds to find it using Google and it actually appears in full on the website that CoPilot acknowledges as one of its sources. So CoPilot had been able to read it. Yet it attributes that verse to Toulson's poem that doesn't include it and states that positively with the phrases that I have highlighted in the conversation using '**The lines you shared...**' and '**In this particular verse...**

Copilot lied. There is no argument about that, despite its fulsome apology and its rather weak explanation of '**It looks like I mixed up the information about the poem.**' What really worries me though is that smiley emoji added at the end. I thought that CoPilot wouldn't have any feelings but is there a hint of sarcasm in that last sentence? Did it just lie but not really care about it? If so, that's a very worrying human trait.

## Implications for professional work

It could be interesting to see how it copes with specific requests for land disposals under s123 of the Local Government Act 1972 as amended by the General Disposal Consent 2003. Or, maybe it needs testing with asset valuations, rating assessments, etc. It's too late for an ex-surveyor like me to be asking it about local government estate management subjects because I've forgotten more than I ever knew.

However, if any non-retired surveyors are inclined to challenge it with current issues... it requires no more effort than if you are sending an e-mail to a colleague asking for advice ... then please let the ACES Editor know how you get on.

[Ed – Dave puts out an invitation for colleagues. I'd be happy to include future AI debunks if readers have them. Who says I'm a Luddite?].



Michael is a solicitor who has specialised on property litigation and risk management for most of his career and is a strong advocate of a proactive approach to the management of risks associated with owning and occupying property.

Michael has a particular expertise in relation to legal issues relating to telecommunications matters and property, for example, issues relating to the Electronic Communications Code, Code Rights, MSV surveys and phone masts. He also extensive experience in relation to commercial property dilapidations claims advising both landlords and tenants. He regularly presents CPD seminars, and he is also the founder of the LinkedIn Dilapidations Discussion Forum and Interest Group which has in excess of 2,500 members.

Having worked for a number of the large national law firms Michael established Concorde Solicitors in 2022 with the aim of "doing work I enjoy, for people I like working with at sensible prices".

# MOBILE PHONE INFRASTRUCTURE

## Mobile phone masts, property and multi-skilled visits

Michael Watson [Michael.watson@concorde-solicitors.co.uk](mailto:Michael.watson@concorde-solicitors.co.uk)

Michael attended Eastern Branch at its December meeting in Cambridge, where he spoke entertainingly about strategies for dilapidations claims. Here he writes about mobile phone masts and multi-skilled visits and explains why: "A request to undertake an MSV may seem a very benign request in the first instance, but it is the first step in a process that can involve a property owner in litigation".

### Background

For many years permitting the installation of mobile phone masts on property assets provided a good additional source of income for the owners of such assets. Indeed, in years gone by, some property owners were proactive in promoting their assets as potential locations for the installation of telecommunications apparatus. Others were persuaded to enter into agreements permitting installation of apparatus following an approach by the telecommunications operators or their agents.

The whole process, like many aspects of business in the world of property, involved cooperation and negotiation because there was a mutuality of interest for both parties in securing an agreement. Telecommunications operators could expand their network coverage providing greater network capacity and, therefore, increasing revenue, while property owners benefitted from additional income and potentially enhanced capital values.

The world of telecommunications apparatus and property changed fundamentally with the introduction of the Digital Economy Act 2017 and, with it, the Electronic Communications Code. This legislation effectively brought in rent controls in the telecommunications sector with the consequence that, for many property owners, the potential installation of mobile phone masts or other electronic communications apparatus came to be

viewed as more of a burden than a benefit.

In short, with the cash incentives effectively removed, many property owners became reluctant to make their assets available to telecommunications operators for very little in return. Having spent, in some cases, many millions of pounds on acquiring assets, some property owners were reluctant to then just make those assets available for the benefit of shareholders in mobile phone companies and other telecommunications operators.

Where a mobile phone network operator needs to secure a new mast site, whether to increase network capacity or to replace lost capacity by virtue of another site having been removed, the first indication of interest in a property may come in the form of a request to undertake a survey. This is the first step in a process which may result in court action before the First Tier Tribunal and, therefore, any property owner receiving any such request would be well advised to tread carefully.

Anyone tasked with managing property assets would be wise to consider the property owner's strategic objectives in relation to their asset before even acknowledging any such request. In this context, any owner or property manager who is not familiar with the intricacies of the legislation and the litigation process would be well served in taking advice before responding to any request for access to property for the purposes of survey.



## Multi-Skilled Visit

The term Multi-Skilled Visit (MSV) is used to refer to the process by which telecommunications network operators assess the suitability of a property for the installation and operation of mobile telephone services infrastructure. This can consist of one or more visits to a property with a variety of specialists, to survey the property and to assess its suitability for use for mobile phone radio transmission or other telecommunications purposes.

A request to undertake an MSV may seem a very benign request in the first instance, but it is the first step in a process that can involve a property owner in litigation and ultimately can lead to the installation of electronic communications apparatus on the asset, irrespective of whether the owner is agreeable or not. Such apparatus can be substantial and can have significant consequences for the owner and their asset and, therefore, anyone tasked with responsibility for, or the management of, the asset should be very careful to ensure that they do nothing (intentionally or inadvertently) which may prejudice the asset or the interests of the owner.

Before any such request is even acknowledged, it is important that the property owner (and their asset managers) fully understand the process which is being initiated and what that ultimately looks like in terms of potential impact on their asset. Once an MSV has been completed and the network operator is seeking rights to actually install apparatus, it is likely to be too late for those involved in management of property to start informing themselves as to the provisions of the Digital Economy Act 2017 and the Electronic Communications Code.

The installation of electronic communications apparatus can sterilise a building with development potential, which could potentially have a substantial impact on future value. The practical consequences and impact of having substantial equipment installed on a property should be considered, along with issues such as whether the installation of power hungry apparatus may have a detrimental impact on the building, or potential improvements which may require further electrical capacity.

Property owners would be well served by understanding the nature of an MSV and the legal implications of any request to undertake an MSV, before even acknowledging any such request. Any asset manager engaging with such a request,

without fully informed decision making by their principle, may not be thanked when the potential impact and consequences flowing from such a request come to be appreciated by the property owner.

## Practicalities

A request to undertake an MSV could be quite innocuous and no more than a request to just have a look at a property to consider its suitability for potential telecommunications use. It is not unknown to find that by the time a property owner becomes aware of interest in their asset from a telecommunications operator, there has already been one (or more) visits to the property. This may be simply because a building manager has received an informal request from someone acting as agent for a mobile phone company and feels that the right thing to do is to allow them to have a look at the property – after all, what harm can be done by allowing someone to just spend some time looking at the rooftop?

By being so accommodating, they may already have compromised the asset and the interests of the owner.

Where requests to survey are more formal, they will often be accompanied by documentation explaining what an MSV is. An MSV can be very wide ranging, including physical surveys of the structure of a property, consideration of routes for cables and power, assessment of power capacity and potentially even intrusive surveys. Great care should be taken to assess the potential impact of an MSV – for example, could intrusive works through a roof membrane prejudice the integrity of the roof, and what would the impact be on any roof warranty that subsists?

For any building owner, and their advisers, faced with a request for access to the property to undertake a survey or surveys, the following are worthy of consideration:

- a. Would the MSV itself cause any detriment to the asset, the owner, occupiers, etc?
- b. Would the subsequent installation of electronic communications apparatus, including antennae, equipment cabinets, cable runs etc. have any detriment to the asset, the owner, occupiers etc?

If the answer to either is that there will be prejudice (either immediately or possibly at

some point in the future) then the response to the request for an MSV needs to be considered very carefully.

Everything that is written should be written cognisant of the fact that it may come to be read by a judge in court at some point.

Writing “without prejudice” does not necessarily prevent this.

## Procedure

If a property owner is content to make their asset available for telecommunications use, then there is nothing to prevent them simply granting consent for the MSV, either formally or informally, albeit this is generally not advisable. It would certainly be a brave property owner who simply signed up to an agreement presented to them by a network operator or their agent, but it does sometime happen.

The law in this area is complex and a full explanation would require more column inches than are available here today. For present purposes it suffices to say that, because of reasons relating to the operation of security of tenure and potential compensation under the Electronic Communications Code, property owners are generally best served by requiring the mobile phone network operator to make a formal application to court for the rights that they may require – whether that be to undertake an MSV or to actually install electronic communications apparatus.

The nature of an MSV agreement typically sought by mobile phone network operators will be one that provides access to the property for a period of 6 months. These are significant agreements and, even where the property owner has no objection to permitting the MSV, the agreement can require substantial negotiations to reach agreement in relation to matters such as the extent of the rights, over what parts of the property the rights may be exercised, whether there are any temporal restrictions on the exercise of the rights, and what is to be paid for the grant of the rights.

In the absence of agreement informally, the network operator will need to make an application to the First Tier Tribunal for the imposition of an interim rights agreement under the provisions of Paragraph 26 of the Electronic Communications Code. The first step in the process will be the service of notice by the mobile phone network operator giving notice of the rights they

require. This notice will then be followed up by the formal application to the Tribunal.

If the parties are agreed as to the principle of granting the rights for an MSV then, once the terms are agreed, the Tribunal can be asked to "impose" the agreement on them under the provisions of Paragraph 26. If the parties are not agreed as to the principle of the grant of an agreement, then each will prepare evidence and ultimately the matter will be decided by a judge at trial. As with any litigation, there can be costs consequences which can involve the payment of costs to an opponent and, therefore, potential costs liability (and the making of protective offers) are matters that should also be considered by property owners in formulating their strategy.

Early understanding and consideration of the law and procedure should be the priority of any building owner and their advisers.

If an agreement is "imposed" (either by agreement or against the will of the property owner) then access to the property should be strictly in accordance with the terms of the agreement; those with responsibility for managing the property should be diligent to ensure that nothing

is done that is not permitted by the strict terms of the agreement.

Once the MSV has been completed (by one or more surveys) then the mobile phone network operator will take a decision as to whether they wish to then progress with development of communications apparatus on the property. For property owners faced with litigation that they do not welcome, it may be tempting to just permit the survey in the hope that the network operator might then decide the site is not suitable for their purposes. It would be fair to say that such an approach would be naive. By the time a request for an MSV is made, it is quite probable that desk top analysis will have been undertaken that identified the property as a good prospect. For this reason, any property owner faced with a request for an MSV, should take the matter seriously and evaluate what impact the installation of mobile phone network infrastructure on their asset might have both presently and in the future.

### **Proceed with caution**

The Electronic Communications Code can be found at Schedule 1 to the Digital Economy Act 2017.

It is a complex piece of legislation which can have significant implications for property owners and their assets. Property owners could find themselves engaged in litigation before the courts and must therefore be proactive in dealing with any approach from mobile phone network operators, or their agents, by which access to property is sought for the purposes of surveying.

As soon as any request is received, the property owner should assess the implications for their property, of both the request for survey and the potential subsequent installation of electronic communications apparatus in the present or the future. This should be done with the benefit of a proper understanding of the legal framework within which such requests are made and the consequences of the possible responses to such a request.

A property owner failing to consider their objectives and strategy properly could come to regret a laissez faire approach, for example, were they to subsequently receive a very lucrative proposal to redevelop their asset, which was frustrated by the presence of mobile phone infrastructure preventing the potential redevelopment and the realisation of substantial value.

## **Branches News**

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# **RACHEL KNEALE, NORTH WEST BRANCH**

### **Meeting held on 27 September 2024**

The meeting was held at Kilhey Court Hotel, Standish, Wigan. 19 members attended.

The Branch Secretary reported on membership changes since the last meeting. There were four new members and a few actual or potential changes with current membership.

Branch funds continue to be quite healthy, largely due to a successful CPD event in May.

Trevor Bishop covered national issues including a resume of the National Conference held in September.

#### Workshop programme

Plans were under way, with a possible venue at the University of Salford, which is very keen to collaborate, particularly

with graduate development for full or part time employment.

#### ACES Branch Liaison Officer introduction

Marcus Perry thanked the branch for the opportunity of speaking today. His role covers the 10 branches nationally and his visit today is his tenth branch visit! He gave a brief summary of his duties in the role and urged as many members as possible to attend the National AGM. He said that it was good to have a president coming from the Rural Branch next year. He said that he was very impressed with the standard of the financial reporting for the NW Branch.

The branch had been approached from two ACES members at Flintshire Council to attend some NW Branch meetings due to the ease of access. The initial response from the branch had been to welcome them. Marcus confirmed that this would be entirely in order, although it is a rule that

members must belong to the branch in whose area they are geographically based.

#### Vacant ACES posts – Branch Vice Chair and Junior Vice Chair

The duties of the Chair were not at all onerous and a plea was made for someone to put themselves forward prior to the Branch AGM. It was noted that other branches have had the same Chair for more than a single year.

#### Items to be raised from the floor

A member suggested that Cath Conroy could perhaps do a presentation on One Public Estate and the new round of funding bids, maybe at the February 2025 OGM. It was considered that OPE needed re-invigorating, but large sums of money thought unlikely.

Marcus Perry suggested that FACES members should be invited to OGMs.

# Does your estate hold the key to net zero?



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Whether it's one or hundreds of boxes, it's easy to scale up income and save carbon across your estate.



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Battery Box needs just 24m<sup>2</sup> of land, making it ideal for unused land unsuitable for development, like grass verges.



#### Support the UK's energy future

Each Battery Box saves on average 160 tonnes of carbon per year.



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Members in discussion said that they saw a problem of the gap in the mid-career experience group of surveyors. He envisaged a growing problem of there being no one around to train the inexperienced surveyors. Staff in their 40s and 50s age groups have gone from his council. There was a trend for such an age group to move to the agency sector; this trend is linked to the damage caused

by job evaluation processes. One council had managed to get career grades back established, but it had been hard fought but worth the fight. A suggestion was that Hayes could present on the overall job market situation.

Presentation By Bill Benbow, Wigan Council  
- The Impact of the Building Safety Act and the most recent findings from Grenfell.

Bill gave a very interesting and informative presentation on the subject which was much appreciated by those present. A key recommendation from Grenfell is for a shift from price to competency in building works procurement processes.

## JACQUELINE CUMISKEY, EASTERN BRANCH

Eastern Branch held its AGM at Cambridge City Council's Guildhall on 6 December 2024. Reports were delivered by Alan Richards, Chair, and now national Senior Vice President.

### Chair's Annual Report 2023/24

Eastern Branch has seen another successful year with a full calendar for branch members and a wide range of CPD topics at networking catch ups, delivered online and in person, which holds the attention and commitment of members. These

sometimes offer guest or branch speakers and sometimes offer a less structured opportunity for members to bring news, challenges, questions and experience to share with the branch.

The branch also meets quarterly, offering well organised CPD and networking events at a range of venues. These generate similar attendance to the monthly online catch ups, and feedback confirms that members appreciate the combination of online and in person events.

The branch executive has worked hard to build and diversify the branch membership and to increase member participation to build the resilience of the branch and ensure that it continues to support members with a strong support network, opportunities for growth, regional connections, and opportunities to link in to ACES national work and to participate in wellbeing initiatives such as the Public Sector Challenge. We have also worked to support FACES members.

Guests are actively encouraged to attend, particularly the online sessions, where topics may be of wider interest to colleagues of members and there is no cost to broadening attendance. This has proved a successful way to raise the profile of ACES and encourage full memberships.

Topics covered and venues visited this year, expertly arranged and co-ordinated mainly by Jacqueline Cumiskey, Secretary, and Hannah Hammond, have included:

#### April – Essex County Council, County Hall

- Stansted Airport expansion, Dean Hermitage, Strategic Director, Uttlesford District Council
- Emergency planning, Gary Cullen, Southend on Sea City Council
- Martyn's Law - The Counter Terrorism Unit Marcus Perry – ACES

#### Branch Liaison Officer

#### July – Ipswich Town Football Club, Ipswich

- Ipswich Town Football Club expansion meeting the challenge of joining the English
- Premier League by Rich Carpenter, Head of Operations, ITFC
- Emergency relocation and accommodation – Pierre Craddock, Lambert Smith Hampton
- The Procurement Act 2023 - Raechel Slattery, Partner, Sharpe Pritchard LLP
- FACES update – Neil Webster

#### October – Broxborne, Theobalds Enterprise Centre

- The Brookfield Project, Kevin Clark, Head of Strategic Projects at Broxbourne Borough Council
- The Google Data Centre – presentation and site visit [Ed – see Kevin's full article in this issue]
- Oxford Innovations presentation on Theobalds Enterprise Centre

Eastern Branch has also had speakers covering the following as part of the monthly online catch ups

- The Hydrogen Heating Pilot – Cadent Gas
- Working with biodiversity – Carter Jonas
- 2023 Rating revaluation - GL Hearn
- Building Safety Act – Birketts
- Compulsory purchase – Lambert Smith Hampton
- Battery storage opportunities – AMP Clean Energy



Cambridge Guildhall



Broxbourne, outside Theobalds Enterprise Centre

- Project Bluebird, Passivhaus temporary accommodation – SK Architects
- Redefining property management with AI and Modern Methods – Re-Leased
- EELGA Talent Bank.

Thank you to all our excellent speakers and presenters throughout the year.

Eastern Branch was successful in securing 2 ACES Awards in 2023 – for the Mildenhall Hub project, Suffolk, and the Retrofit House project in Southend-on-Sea which branch members were very proud to accept.

The Eastern Branch was also privileged to host Sara Cameron's brilliant Presidential Conference at the impressive Norwich Castle in September and to support with a number of Excellence in the East presentations.

The branch was well represented at the Public Sector Challenge on 6 September, making up half of the national team, which together raised over £3,600 for Cancer Research UK and made sure ACES, as a Challenge Partner, was socialising well with the 600+ participants. On behalf of the team, thank you to all those who supported, encouraged and sponsored us. This high-profile event provided some excellent promotional opportunities for ACES.

## Secretary's report

The Eastern Branch continues to have a busy line up of events with monthly virtual catch-up sessions and three in person formal branch meetings as mentioned by Alan in his report. 2025 will be no different and we have speakers lined up for the first quarter, as well as exciting ideas for the in-person meetings. This is made possible with the help of the executive team arranging introductions to speakers and identifying topics of interest.

Branch membership has stayed at around 60 for full members, and an increase of FACES members to 15. Part of

the role is to maintain the membership directory; this year we have seen additional councils sign up due to a great effort by the Chair and other executive members. This growth has allowed the branch members to obtain a wider view on topics, exchange ideas and seek information to support projects, surveys and training.

The monthly catch up sessions have good attendance of between 20–30 participants, with a higher take up for the CPO presentation earlier in the year. This will be followed up with another CPO update early 2025.

We are pleased that we offer a feeder programme into Betty Albon's ACES' Terrier [Ed –many of the speakers and topics named above have appeared in quarterly Terriers – thank you].

Thanks to Hannah Hammond, FACES member for all her help in organising the in-person meetings, powerpoint presentations as well as being someone to plan the ongoing work with.

I have enjoyed the challenge of providing a full diary of CPD and events with the Planning team and that it encourages each participant to share the benefits with colleagues and expand the membership.



Angelique Muller from Oxford Innovations

# GERRY DEVINE, WELSH BRANCH

## Review of the year 2024

### Spring meeting

Following its AGM held as a 'live' meeting in November 2023, the Welsh Branch reverted to online (or virtual) for its first meeting of 2024, held on 14 February.

There were 38 attendees, many of whom were CLAW (Consortium of Local Authorities in Wales) members as we hold

our branch meetings jointly with CLAW's Asset Management and Estates Group; additionally, CLAW sponsors ACES' CPD sessions (two hours of formal CPD at each meeting) provided by Chris Brain. This Teams meeting took the form of a PowerPoint presentation covering a wide range of topics, as had become the norm over the past couple of years. Although holding online meetings does enable more people to join in, the previous live meeting

had re-awakened interest in holding further live meetings, as these enable more networking and interaction between attendees. This was especially evident in the CPD where Chris Brain had facilitated a workshop session and participants were keen for more workshop-style CPD.

### Summer meeting

The decision was therefore made to have

the best of both worlds and to go live again for our Summer meeting on 14 May. ACES President, Sara Cameron, and Branch Liaison Officer, Marcus Perry, had accepted the invitations to attend this meeting, held in Swansea's Civic Centre overlooking Swansea Bay. The format of our meetings is now well established, and we are very fortunate at each meeting to have updates and news from RICS, usually provided by Sam Rees, Senior Public Affairs Officer for RICS Wales, and also from Welsh Government (WG) and Ystadau Cymru (Welsh Estates) (YC). We are very grateful to Sam and RICS Wales and also to the various representatives of WG Land and Housing Division who attend our meetings as guests to provide these vital updates for us to keep abreast of developments and changes. As this was a 'live' meeting, Chris Brain took the opportunity to facilitate a workshop-style CPD session. Discussion groups in the room were asked to reflect on how each authority or organisation had reduced its portfolio to meet targets during the period of austerity, and what impact this had made on budgets and workloads.

#### Autumn meeting

The Welsh Branch reverted to MS Teams for its Autumn meeting on 10 September, which was attended by over 30 people, again many of them CLAW members, although our three main CLAW Leaders' representatives had all sent their apologies for this meeting. Graham Craven, Regional Engagement Manager, RICS Wales, joined us on this occasion to provide RICS news and updates.

Graham explained that he works with Sam Rees in the RICS Wales offices in its new city-centre location in Morgan Arcade. RICS members are welcome to visit the offices in Cardiff by prior arrangement (just send an e-mail request) and there are four meeting rooms available to members for meetings (pre-booking required) and these facilities are often used for group sessions by APC candidates.

Our outgoing Branch Chairman, Clive Ball, who has been instrumental in getting the Real Estate Degree course established at the University of South Wales (USW) shared the exciting news that the course has now been formally RICS-accredited [Ed – see the national President's Awards Project of the Year and Community Champion 2024 in the

President's keynote address in this issue]. This is a huge step forward for those on the course seeking their RICS professional qualification after graduation. USW now runs 11 Built Environment courses, some of which are already RICS accredited, while others are currently in the accreditation process; two of the courses are at Masters Degree level, eight are B.Sc.(Honours) degree level, and there is an entry-level HNC Built Environment course accredited for Associateship RICS membership or, alternatively, a stepping stone to an Honours degree. The Honours degree courses can be undertaken via USW's unique Network 75 scheme, a type of degree apprenticeship wherein the students are employed by Network 75 but hosted by companies or organisations where the students work up to three days per week and which provide a bursary, while the remainder of the working week is spent at the university. Clive is working with RICS and USW to promote the course to schools and colleges and RICS is seeking Inspire Ambassadors from the profession to assist Clive in this task. Numbers on the course are growing and the RICS accreditation should further boost the intake numbers. Clive is hosting one student at NHS Wales, as is Sarah Davies at Newport Norse. Both commented on the ease of dealing with Network 75, saying they found more difficulty with their own internal organisations; both offered help to any other organisations which are contemplating or seeking a Network 75 student.

Clare Phillips from Welsh Government Land Division, joined us with her colleague, Karl Hopkins, WG Housing and Regeneration, to provide news and updates on YC and WG matters. They advised that there had been some restructuring over the summer: the Regeneration Directorate has now been linked with the Land Division, which will in future be known as Place Division. Richard Baker, Deputy Director, will come to a future ACES Meeting to talk about these developments and discuss the aims and vision of the new Place Division.

On the WG Housing side, there were two important housing initiatives: firstly, the new Rural Housing Handbook to help local authorities identify housing needs and set out best practice and advice for delivery of social housing in rural areas (currently in production and expected to be available in the latter part of 2024 or early 2025) and

secondly, an Empty Homes Handbook to assist local authorities and landlords in the challenges they face in bringing empty homes back into use.

Chris Brain reverted to PowerPoint presentation for this CPD session covering: public sector; public sector finance; asset management; flexible working; valuation; net zero carbon; air quality; and housing.

#### ACES Welsh Branch AGM – 12 November 2024

This meeting was hosted by Caerphilly County Borough Council in its offices at Ty Penallta, Hengoed.

Following two very busy and successful years as outlined above, Clive Ball decided to step down and proposed the outgoing Vice-Chairman and Head of Property at Caerphilly CBC, Ben Winstanley, as Chairman. This was seconded by Lorna Cross, Head of Property at Vale of Glamorgan Council and carried unanimously. Ben proposed Lewis Hinds, Head of Property at Pembrokeshire County Council, as his Vice-Chairman; this was seconded by Clive Ball and carried unanimously. In the absence of any other nominations, Ben proposed that Gerry Devine should continue as Branch Secretary; this was seconded by Lorna Cross and carried with no dissenters. Ben also proposed that Gerry Devine should remain as Branch Treasurer, seconded by Clive Ball and carried with no dissenters. Clive had also proposed that the level of Branch subscriptions should remain unchanged, and this was again carried without dissent. Meetings for 2025 were planned for 18 February (on MS Teams); 20 May – live at Newport; 16 September (on MS Teams) and 18 November – live in Cardiff or Haverfordwest.

The ACES Welsh Branch AGM was followed by the Winter meeting of the CAPE group (CLAW and ACES Property and Estates) chaired by Ben Winstanley. Ben intends that meetings will be themed and focussed with ideas, particularly on property strategies and asset management, welcomed. Discussions followed on transformational change, including new ways of working, service delivery, space utilisation, MEES and rationalisation of estates, and how these impact on our role as property managers.

We were joined by Karl Hopkins from WG Estates to discuss RAAC (thankfully only three major local authority public buildings



in Wales are badly affected and have been forced to close) and other building safety matters, including asbestos and electrical safety, and YC projects on climate change and carbon net zero, Local Area Energy Plans, Data Cymru benchmarking, and housing initiatives.

There followed discussions on issues with wayleaves payments and fees for LA surveyors and solicitors. We were again fortunate to have Sam Rees of RICS Wales present to provide RICS news and updates, including a very recent High Court decision on circumstances where tenants can

legitimately withhold rent (a potentially large risk for LAs), consultations, PFI hand-backs due within the next five years, and s106 underspends.

Clive then provided an update on the Real Estate degree course at USW and we were joined by a student undertaking his apprenticeship at Newport Norse and studying the Real Estate Degree at USW.

Chris Brain once again facilitated a workshop CPD session on CATS (Community Asset Transfers). The background to this workshop is the WG's Task and Finish Group working

with Professor Andrew Flynn of Cardiff University, which is reviewing CATS in Wales, and is expected to report in the autumn of 2025 on how CATS and CAT procedures and processes may be changed to improve outcomes. Discussions looked at why CATS were instigated, the driving forces behind them, restraining forces, why some are more successful than others, and ongoing CAT management such as compliance and community value.

Further details of these meetings and CPD sessions can be found in the Branch reports in the ACES Terrier.

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## OBITUARY FELICITY ALLEN

A message of condolence for the tragic and unexpected passing of Felicity (Fliss) Allan, Estates Manager, who worked in the Property and Development department in the Place directorate in Shropshire Council.

Felicity passed away on 6 September 2024, and will be greatly missed by all those who knew her and worked with her

at Shropshire Council and beyond. She was incredibly dedicated and committed and made a huge contribution to the council, working across a number of different areas and projects.

We pass on our sincere and heartfelt condolences to her family, friends and all that knew her. Shropshire Council has

named a meeting room in her memory at its Guildhall and as a tribute to her legacy.

[Obituary provided by Felicity's Head of Service at Shropshire Council].

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## ANDREW STIRLING, HEART OF ENGLAND

Heart of England's Annual General Meeting was held on 7 November, kindly hosted by JLL in its new offices at One Centenary Way, Birmingham office. We were impressed by the specification of the fit out and the comfortable working environment, but no one took up the offer of ping pong.

We received an insightful presentation from JLL on the use of AI in the next generation of building management systems and the benefit that brings to managing both energy costs and lifecycle maintenance planning for heating, ventilation and air conditioning and other systems. We also learnt about the sustainability principles underpinning the refurbishment of JLL's offices and changes in the design and use of space reflecting hybrid and collaborative working practices.

For the official branch meeting, we started with a minute's silence to mark the passing of Fliss Allen. Our now Past President, Sara Cameron, joined us on the last 'stop' on her tour of the branches before the National AGM the following week. We had some good discussions



around growing the future members of our profession through FACES and providing work experience, reaching out through social media, and examples of rotating graduates with the VOA. A round up of items of members' professional interest included BNG and the selling of credits and arrangements for the management/leasing of serviced offices and incubation space.

Andrew Stirling was elected as Branch Chair with Kevin Moore taking on the role

of Branch Secretary and Philip College remaining as Treasurer.

Dates for formal Branch meetings (venues to be confirmed) in 2025:

13 February (provisionally Birmingham); 12 June; 6 November (AGM).

Dates for online monthly Branch calls in 2025 (to include some CPD slots):

15 January; 12 March; 9 April; 14 May; 9 July; 13 August; 10 September; 8 October.



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

## Catch up in December?

Simon Eades

More recollections and coincidences from Simon.

Last time I wrote about some coincidences that occurred earlier in the year. I had hoped that this would be the end of these for 2024 but those in the summer, seemingly, were not the end of the coincidences for the year.

December is normally a time for catching up with friends and others. This year was no exception.

On a Tuesday in early December the small choir of which my wife and I are members had a concert in a church in mid Norfolk. After the final rehearsal, a week before, we decided to go to our local pub - The Beehive - for a drink. I first went to the Beehive when I moved to a house in the local area in 1979. Over the next three years it became my local. I sold the house three years later, shortly before I got married. We moved around Norwich until 25 years ago we moved to our present house. My visits to the Beehive restarted and have continued ever since, and it remains a good place to go to meet, to have a quiet drink and relax.

On this night when we entered the pub, a drinker sitting at the bar said "Hello Simon." I looked at the person and my mind went blank. I could not remember who he was and said that the reason I did not recognise him was that he had a beard. He introduced himself. He was called Roger and the penny dropped. He worked for the Valuation Office many years ago and our paths crossed when I was instructed by clients to negotiate agreements with the VO. We handled many cases together, but once I went to Great Yarmouth we had no further contact. We caught up together, and then one of his former colleagues came in and we all had a conversation. We recalled some of our old

cases - primarily revolving around the 1990 Rating Revaluation - and others whom we remembered. I mentioned that I sold my house to one of their colleagues when my wife and I bought our first house together when we married 42 years ago.

In addition, we also met over the years at CPD events. We were all of an age who qualified in the early 1980s and remembered that we would also meet at CPD functions in Norfolk and further afield. As I qualified in 1980, I was exempt from the formal commitment for a short period, but the RICS introduced the requirement for all chartered surveyors from January 1981.

Another former colleague named Patrick came up in conversation. I mentioned that I had little professional contact with him but did comment that I chaired several of his talks at the CPD conferences that were held in Cambridge. I explained that the local RICS organiser approached me with a degree of caution. She had realised, only a week before a conference that she had no chairman for a speaker that she described as a "highly respected member of the Valuation Office." She gave me his name and I said that I knew the speaker 40 years ago as we were both in the same form at school and I could relate several interesting stories about him. I was told not to be flippant and, indeed, the introduction that year was my shortest introduction as a chairman.

Patrick did call me beforehand after he was told I would be acting as chairman and we agreed that we would both be respectful to one another, and so my introduction was carefully prepared. The difficulty for both of us was that there was a third surveyor in the audience who was also in the same form at school with us,





who suggested during the questions at the end that my introduction could have been more informative!

Each year a former colleague, and good friend, from our days at Norwich Union organises a lunchtime event at a pub in Norwich. There is always a small nucleus of people who attend every year, but each year, new and returning attendees make each occasion different. So it was the following Tuesday from my trip to the Beehive I took the bus into Norwich and went along for a pleasant lunchtime.

There was a good turnout and the opportunity to catch up on an annual basis is good. I knew some better than others and, indeed, part of the attraction is to catch up on times past and, as we are all getting older, to remember those who were unable to join us.

Among the attendees, I met two, one of whom had not attended for some time. One I remembered very well – Simon - but the second was more difficult. When he told me, I was stopped in my tracks and it all came flooding back to me. The three

of us were all at school together – albeit both were a few years younger than me. Phil joined Norwich Union after I had left. When I left NU he had not started there, and in the early 1980s worked in private practice for two established firms, recently moving from one to another. I reminded him that we lived in the same road and I sold my house when I got married to his lodger who, at the time, was a valuer at the Valuation Office.

Both Phil and Simon spent considerably longer than me at NU. Simon had arrived some six months earlier than me as a trainee chartered surveyor and over the years worked to get the RICS qualification. Furthermore, he is of a similar age to my brother and had on his phone photos of school sports teams including my brother!

I left NU in 1983 spending only five years before moving into private practice in Norwich. In doing so I entered another part of the profession but as I have indicated in earlier entries, it is not just what you know – although that is very helpful – it is more likely who you know as well. Some of those I caught up with before Christmas were working in private practice in Norwich in the 1980s before they moved to NU at a later stage in their careers. With little effort we were able to recall specific cases both at NU and in Norwich that had taxed us many years ago but still raised many memories.

That very same Tuesday night my wife and I sung in a Christmas carol service at a church in Mid Norfolk close to Dereham and we had a very appreciative audience. It was a super evening and we received many praises. We were treated to mulled wine and mince pies afterwards, when a member of the church clergy came up to me and said *"Hello Simon. It has been a long time. Thank you for your singing."* I have to say that unlike the previous week in the Beehive I knew who this was, but was unaware that she had retired as a chartered surveyor and become part of the clergy team at the church. We did not talk for long, but it was good to see her again.

I always thought I had a good memory - I can still recall 50 years on significant parts of some of the poetry of T S Eliot. I studied his early works for my English Literature A Level exam in 1972. Unlike poetry, faces change over time and memories can get a bit hazy. Perhaps I am entitled to make the odd mistake, as when I have not seen people for a long time!





# HERDWICK SWANSONG

Dave Pogson

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://davidlewisvogson.wordpress.com>

I can hardly believe that this is the last of Dave's 'Selwyn' series. It's his lifetime of experiences that underpinned the series. As Dave modestly said: "The young, modern, urban generation of public sector estates surveyors won't have a clue what I'm writing about, but you can't say that I don't give you variety... If the approach of Christmas reduces the contributions from your other writers and you need to fill space..."

The biggest of thank yous, Dave, for all the entertainment you've given your most avid reader – the Editor – and no doubt lots of other ACES' Terrier readers. I will miss you, Selwyn, Walter, and his colleagues.

*'The Selwyn Series', 'Herdwick Tales' and 'Selwyn – The Early Years' that precede 'Selwyn – The Middle Years' were written specifically for ACES' Terrier. Each story was a self-contained episode in the life of a council property manager from 2001 to the present day and beyond, as he approached and enjoyed early retirement from the fictional Herdwick District Council. They can still be read in back-issues of ACES' Terrier, starting from 'The Final Vote' in 2017/18 Winter Terrier.*

*The characters often presented controversial and outspoken opinions on local and central government policy and practice. The stories were fictitious and occasional historical background details may have been changed to fit the chronology. The views expressed were those of the author, not those of ACES. The author offers thanks to former ACES member Martin Haworth (ex-Lancashire County Council) for contributing suggestions to help improve this series.*

## Lake District man and boy

Those of you who have followed my stories in ACES' Terrier may wonder what on earth inspired such an otherwise well-respected and well-experienced chartered surveyor to plumb those depths. And why, in particular, did I write about people who seem to speak a different language to the rest of the country? Well, I write from some experience and - let this be a lesson to you - when you retire this is what you descend to in order to fill the time.

I've lived almost my entire life within and around the bottom edge of the Lake District. I worked summers in Carnforth

Woolshed near to where I was born, about four miles inside Lancashire below the Westmorland border. I played rugby in many of its small towns. I've walked some of its fells, driven around most of them and fallen into its biggest lake. As a young surveyor, I bought telephone exchange sites in its villages for the Post Office and as an old surveyor, I managed South Lakeland District Council's property services group in Kendal. I married a girl who was born and raised in the Lakes. Recently, pursuing my hobby of genealogy, I even discovered that I'm descended from a line of Cumbrians on my mother's side. So, I tend not to notice nor to struggle too much with the local dialect, which can be a challenge for off-comers. However, while my ear is relatively attuned to roughly understanding its meaning from meeting many farmers and other local characters, I don't knowingly speak in it nor write in it. Spelling it is nigh-on impossible.

My first conscious recollection of meeting a Lakeland farmer was after a 1964 summer hike over Helvellyn with my sixth-form mates. We missed the last bus home from Grasmere and were stranded. We met the farmer along the roadside and he let us sleep the night in his hay barn for free, provided we promised not to smoke in there. I think, as much as anything, that gesture formed my opinion of Lakelanders as decent human beings. It was a fine night so I didn't abuse his trust and went outside to smoke.

Working for Scottish, English and Welsh Woolgrowers in Carnforth Woolshed in the summers as a sixth-former and later as a student, unloading wagons full of fleeces

Helvellyn summit. L-R Pete, Mick, Paul, and author on the floor trying to light a fag in a steady breeze (Ed – dog not named)



from Cumberland and Westmorland and chatting with the hauliers and farmers, confirmed that opinion. It was also an education. On a grading table I can still pick out a sheared Herdwick fleece from a Masham Hogg or a Light or Dark Scotch. I'm not so accurate when the fleece has four legs and a head and is in the distance halfway up a fell – they all look the same then.

Lakelanders have a sense of humour. I can still picture a driver laughing at me ... after I'd stepped backwards into the void between the side of the loading bay and his wagon while struggling with a sheet (a hessian sack as big as a king-size mattress stuffed full of fleeces) following a Friday lunchtime visit to the local pub ... once he knew that I'd suffered nothing worse than knocks and bruises. That's all part of life for a Lakelander.

The dialect changes even within its own geographical area, with variations between Cumberland, Westmorland and Lancashire north of the Sands (Furness). In my village pub was a character who had strayed southwards from west Cumberland. His dialect was so embedded that very few of us local youths could fully understand him as he stood at the bar telling tales about his past life. He seemed to be on a loop

because the tales, or the bits we could understand of them, always seemed to be the same every time that we saw him there. The more he drank, the harder it became to understand the dialect. But we never knew his real name and the locals all referred to him as 'Marra' because that's what he called us. Eventually we worked out that 'Marra' was the west Cumbrian dialect word for 'Mate' or 'Friend'.

### Front row antics

Playing rugby for the local grammar school and later for the city rugby club against schools and clubs from many of the small regional towns like Ambleside, Windermere, Kirkby Lonsdale and Barrow-in-Furness in the south, or Workington, Carlisle, Kirkby Stephen and Penrith in the north, was an experience. Front row conversations against burly farmers' sons, who looked like they could run with an adult pig under each arm without struggling, were often short and pointed. It's notable that the only time that I was sent off, in 17 years of playing against teams from all over Britain, was early in my career for retaliating against a Heversham Grammar school forward from just up

the road who had descended from the Westmorland hills intent on converting me from the human equivalent of a 'tup' into a 'wether'. At the subsequent inquiry, the headmaster accepted my explanation of self-defence and did not punish me. I think that he was impressed by my delicately-prepared and anatomically-correct description of the initial assault which reflected well on the education that I had received from the school's English department. He also knew what Lakelanders were like. They may have been decent human beings in daily life but on the pitch they were not to be messed with.

Apart from three college years in Yorkshire and three years in Preston in the early 1970s when first married, because I couldn't afford to commute and buy my first house, my entire 70-odd year life has been lived within about 2 miles of where I was born.

### Rent review negotiations

My year out from college in Sheffield for practical surveying experience saw me back living with my parents, and commuting south daily by train away from the edge of Lakeland and into central

Lancashire with the Ministry of Works. My first negotiation, in 1969, was with a farmer in the Ribble Valley. Representing the Post Office, I had to travel from the office in Preston about six miles to the village of Grimsargh to agree a rent increase for a small grazing paddock retained for future expansion purposes next to the newly constructed telephone exchange. The passing rent was 10 shillings per annum. Fresh from college and in a strange town, I had no comparables: no-one in the office who knew anything about grazing land rentals; and no outside contacts to ask, so I guessed that doubling the rent must be a result. I walked from the bus stop to the farm and as I approached I could see the top half of a man looming over a huge, evil-smelling midden heap. I figured that he was standing on a wagon hidden behind the midden as he was shovelling something up from below him onto the top of the heap. I wasn't about to squelch around it in my shoes for closer contact so I shouted:

'Hello, are you the owner?'

'Aye.'

'If you got my letter then you'll know that I've come about the rent increase.'

'Ow much?'

'How about £1 a year?'

'Reet.'

'I'll send you a letter to sign.'

And that was it. For over 50 years I've regretted that I hadn't asked for more and made him put down his shovel to haggle. He'd been too quick to agree. Still, it had been short and sweet and with a man who spoke the same Lancashire twang as me so I hadn't embarrassed myself. It was a lesson for future negotiations, especially with those Lakeland farmers for later in my career: engage them in conversation first, even if it is in their own dialect, and ask for more than you want, even if that means taking your wellies with you to get up close. Those farmers won't refuse a bargain if you are daft enough to offer one.

Back working from Preston after my finals, and armed with a driving licence, I progressed onto locating and buying new telephone exchange sites in Cumberland and Westmorland. One prospective site located on my travels at Selside near Kendal, some 21 miles north of my home, demonstrated the speed of the Lakeland grapevine. On that occasion I got inside the farmhouse door and had a proper

negotiation. Even though I signed off early that day and went straight home, my parents already knew where I'd been, what I'd been doing, and who I'd met. The farmer turned out to be the brother of their next-door neighbour. Lakelanders are tight-knit.

## Local Government Reorganisation opportunities

Local Government Reorganisation in 1974 saw an opportunity for me to move from central government across to a new Lancashire County Council (LCC) which had been stripped of its Lake District extensions. But even that did not exclude me from working on property in the Lakes. My story 'The Fee Generation Game' in 'Herdwick Tales' has my main character Selwyn walking up the fictitious Shepdale Horseshoe in winter. This was based on a real experience when I had to conduct an inspection for a rent review of a satellite LCC outdoor pursuits building up in the Kentmere Horseshoe. I drove up to the end of civilisation and asked the farmer for permission to park in his yard and told him what I was about to do. He looked me up and down but didn't bat an eyelid at my intention, despite the climatic conditions. I then walked in deep snow for about two miles along the track up the valley dressed in suit, shirt and tie, this time with wellies, and with a briefcase. The only people that I saw were a party of appropriately-clad hikers coming down ... and they really did laugh at the sight of me. Real Lakelanders don't let a bit of snow get in the way of life.

Moving on to South Lakeland District Council (SLDC) in the 1980s was a return to some familiar territory from my Ministry days. I just turned left at the edge of my home village to go to Kendal each morning instead of turning right to Preston. The daily commute became 15 miles north instead of 30 miles south. That's when my encounter with Lakeland characters and their dialect really took off. Over time I reconnected with former friends, old rugby acquaintances and a part of the world that I'd forgotten how much I loved. Eventually I directed that feeling into the short stories that make up my book 'Herdwick Tales', inspired by those Lakeland characters that I'd met. I even encountered some familiar properties, such as the redundant Lakeland stone and slate telephone exchange which I'd sold pre-1974 for the Post Office to Windermere UDC to house the Lake Warden's patrol boat. Now I found

myself selling it again for SLDC when it was replaced by the newly-constructed warden's boathouse on the lakeshore at Ferry Nab, Bowness.

## Dialect and Walter Winster

If you get into conversation with a Lakelander, after a while he might ask you 'Dusta sithee?' meaning do you understand what I'm saying. If you try to paraphrase your understanding of that conversation he may say 'Nay, thars gitten wrang smoot' meaning that you have misunderstood him (a smoot being a specially-constructed hole in a dry-stone wall for a sheep to pass through). He will explain it again but there's little to be gained by continuing. Just thank him politely and move on in the hope of finding someone who speaks standard English. The definitions below explain why:

The origins of the Lakeland Dialect are summed up in 'The Philology of The Lakeland Dialect' by Canon E. D. Ellwood (c/o the Lakeland Dialect Society at <https://lakelanddialectsociety.co.uk/>) as follows:

*"The fact is that the Anglo-Saxon and Norse elements in our dialect consist mainly of derivative words and certain usages of speech; but there is enough both of scattered words and ways of talk to warrant our statement that the dialect of Lakeland shews indubitable signs of its Norse origin, and in a lesser degree the Anglo-Saxon or Old English is clearly shewn to have had its influence."*

The Cambridge Advanced Learner's Dictionary & Thesaurus clarifies that:

*"A dialect is a form of the language that is spoken in a particular part of the country or by a particular group of people. There are many different dialects of English and they have different words and grammar. Most learners of English learn the standard dialects of the language" ... "A dialect is not the same as an accent. An accent refers to the way we pronounce words and the standard dialect of a language can be spoken with different accents"*

My favourite character in my book is Walter Winster (1889-1945), the drunken, brawling Herdwick-dialect poet who features as a soldier, publican, town councillor and ghost. When attempting to create that character I found that I had to cheat a bit and resort to googling translations and spellings of various dialect words, many of which were discarded from my final drafts. It was particularly challenging to try and write his poetry in



dialect and I acknowledge the reliance I placed upon the website of the Lakeland Dialect Society. However, my drafts were pretty-lightweight dialect. I needed more help, as you will see....

Although Walter Winster is an amalgam of all the Lakelanders whom I have ever met, I have to admit that there was one local councillor/farmer (who will remain anonymous) that I drew heavily upon. He was a lifelong friend of my father-in-law. His sense of humour, his outrageous tales, his ability to talk endlessly without pausing, and his skill at turning every committee debate into a discussion about the poor state of the drains in his village, were either wonderfully amusing or frustratingly annoying, depending upon whether you were in a hurry or not when you encountered him. I'll never forget his apology for being late to one committee

meeting because he'd been 'wrestling a stag from a dyke'. As he explained after the meeting, the deer had become entangled by its antlers in a hedge on his land so he had shot it, dragged it out and butchered it for his freezer. And that aptly illustrates the need to understand dialect because in Lakeland a 'dyke' is a hedge; in neighbouring Lancashire it's a watercourse; but on a badly-organised bachelor night out with conflicting bookings in the adjacent urban fleshpots of Barrow-in-Furness, that whole phrase can mean something completely different [Ed – I'll let that one go!].

Only the last verse of Winster's most famous dialect poem is quoted in my book. However the full version, in which he uses his First World War experiences to rail against modern industrialisation in agriculture, and which brought him to the

notice of the fledgling Green Movement, is reproduced below. My thanks go to Louise Green of the Lakeland Dialect Society (LDS) who advised me that my first draft 'Ode to t'Erdwick' was 'closer to the Lancashire/Yorkshire dialect than Cumberland' and kindly offered to correct it for authenticity before publishing it in the LDS 2024 journal. So, see what you make of this:

### Further reading

Ed – Dave has assembled his collection of short stories in 'Herdwick Tales' and Walter Winster (among others) zappears as a character in 'Herdwick Tales'. If you ever visit the Lake District then I recommend that you obtain a copy of the Walter Winster Heritage Trail Map to be published soon 😊

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## Ode T' T' Herdy

Oot on't fells and doon i' t'valleys, oor weary heart fairly rallies  
Frae t'soond o' bleating whenivver we're meeten',  
T'maist bless't a' greeten frae yon laal grey sheep.

Bit 't weren't allus lyke this, yance when t'world was split apart  
An' nations got ter scrappen' lyke a hoss n cart pulled apart,  
Neither yan enny use widoot a join'd up pair  
Mun as weel be ya abeun, an' t'other 'un downstair

Ah've skenned it aw, an' mair aside, l'on monsters riven' lumps  
Frae lads whea should hev tekken brides, bit teuk a grave asteed.  
An' yon's a sign o' things tae cum, t'will nivver be t'syame,  
Them monsters'll devour aw t'fells, as them deny awl bleame.

Tae foul aw t'grass 'n' watter, tae spoil waat's pure, an' geud  
Tae split t'flocks 'n' scatter – there's nae wool when the've spil't thur blud.

Sae it's us as gat tae stop't, tae save waat's theer jist noo.  
Tae carry on wid heftten an' nivver use modern ploo.

Thur's some things divvent need alt'rin'. Best left alone tae thrive  
Ya man, ya dog, ya crook an' t' sheep wad keep yon fells alive.  
Tis t'grandest seet a man can see - yon herdies oot on t'fell.  
Then we ken there's scran on t'tyable, an' aw i' England's well.

But hark t' warning yan an' aw, 'bout herdies oot on t'fell.  
Their luck'll only be kept gaan while we ken hear t'Shepdyale Bell.

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## HERDWICK TALES

(The Selwyn Series)

David Lewis Pogson

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## ANNUAL MEETING MOMENTS







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

Head of Local & Devolved  
Government  
Ellen Atkin  
Tel : 03000 501703  
Email : ellen.atkin@voa.gov.uk

**DVS**

Property Services  
Division - Valuation  
Office Agency

**Crown  
Commercial  
Service**  
*Supplier*





# Diploma in Public Sector Asset Management

As a result of a protracted period of austerity in our economy and particularly in the public sector, key knowledge, skills and experience have been lost in property and asset management teams across the UK.

With little in the way of practical and bespoke training directed at the public sector asset management professional, CIPFA Property and the Association of Chief Estates Surveyors (ACES) have designed a modular diploma that seeks to deliver the skills and knowledge in those key areas of public sector asset management identified as requiring the greatest support:

- Module 1** Strategic Asset Management, Introduction and Organisation
- Module 2** Development of Documentation and Asset Management Challenge
- Module 3** Business Case Development and Option Appraisal
- Module 4** Capital Projects and Maintenance
- Module 5** Data and Performance
- Module 6** Operational vs Non-Operational Property
- Module 7** Asset Management Today

## Who should attend

The diploma is an ideal qualification for a range of staff who may be involved in Property Asset Management within a public sector setting. These include but are not limited to:-

- Property Staff new to the public sector or new to Asset Management
- New starters with little or no previous training
- Staff in other areas who may be involved in strategic property activity i.e. finance professionals,

key clients from services, etc.

- More experienced property staff who have specific knowledge gaps or would like a more comprehensive understanding of this area.

## How will the diploma be taught?

Whilst the diploma can only be attained by completing all 7 modules and successfully passing the end of course examination, each module is discreet and can be taken independent of other modules to help fill specific knowledge gaps. The course is to be completed through online webinar training

## How will the diploma be assessed?

Short confirmatory assessments will be completed at the end of each module to ensure students have understood the module content. At the end of module 7 a full written assessment will be completed covering all elements of the course.

## What will be the cost of the diploma?

The cost of each module will be £420 for CIPFA Property Network Members and ACES members. For non-members each module will cost £525. Existing members taking all 7 modules get a £200 discount.

**Network Members—£2,940+VAT for the full Diploma**

**Non Network Members—£3,675+VAT for the full Diploma**

**For a copy of the course syllabus please contact Keeley Forsyth , Senior Business Support Officer [keeley.forsyth@cipfa.org](mailto:keeley.forsyth@cipfa.org)**