ACES Terrier

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

Volume 30 Issue 1 Spring 2025

ACES

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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

Welcome to the 2025 Spring Terrier.

As I bask in the spring sunshine (wishing I was outside!), I can tell you that this issue of ACES' Terrier is full of informative and interesting articles. It kicks off with a set of legal and legislative enactments and proposals, all of which seem to be designed to make the lives of practitioners even more challenging.

In deference to the rural background of ACES' President, Dan Meek (and an area I'm interested in), there are a group on environmental initiatives – particularly Biodiversity Net Gain – and I'm thrilled to include among them a fabulous case study written by an ACES member. And on that topic, there are a fair proportion of other articles written by members, as well as six branch reports, so thank you everyone for taking the time: we all want to share the experience of others.

Please share ACES' Terrier with colleagues - in hard copy and online www.aces.org.uk/library/.

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Cover photo: Chapel conversion in Spinkhill near Sheffield, courtesy of GB-Sol.

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NATIONAL COUNCIL

Notes of ACES Council Meeting held on 31 January 2025

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

This was a hybrid meeting and the face-to-face element was held at The Guildhall Offices, London. Twenty three members attended the meeting in person or remotely, making the meeting quorate.

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

Matters arising

Noted that ACES will not now be attending UKREiiF in 2025.

The Secretary reported on the Terrier website proposal by Marcus Macaulay. The Secretary proposed to revive the proposal with updated costings and Council agreed to refer the matter to CMT to consider and make a firm recommendation either back to Council or the full membership by way of online voting. Noted that the ever-changing technology such as AI needs to be kept in mind.

The President mentioned the issue of accessibility to future Council meetings and it was proposed that the July meeting be held in Manchester. This was approved by Council.

President's report

The President, Dan Meek, reported on his activities since his installation at the 2024 AGM. He referred to the wonderful AGM hosted by Fieldfisher in November 2024 and the President requested that formal thanks to Antony Phillips be minuted.

The President referred to his visits to the SW Branch and Rural Branch as well as the RICS Public Sector Forum, and later the inauguration of the new RICS President.

Secretary's report

The Secretary reported on matters arising during the period since the AGM. He provided the latest statistics on membership which showed a continuing increase in membership numbers. This was in the context of a number of members still in arrears with their subscription which may result in a fall off at some point. On this, Keith Jewsbury requested information on those members in arrears and actions proposed and the Secretary undertook to provide this. It was pleasing to report that the increase in membership included some organisations new to ACES. Charts were displayed showing the increase in membership over the last 5 years and the number of members by category, showing a corresponding increase in full membership.

The Secretary referred to the subscription invoicing and thanked the Treasurer for all his hard work in dealing with the transition to a new invoicing system and getting the bulk of the invoices out. The plan remains that those members who are not invoiced at the beginning of the calendar year will be brought into line, with an aim that all members are invoiced from 1 January 2026.

The Secretary reported that he was very pleased with the appointment of David Pethen as Assistant Secretary and that David had been kept quite busy since his appointment, with the secretary confirming that he had taken to the tasks quickly and professionally and had been great support.

Financial matters

The Treasurer, Chris Hewitt, presented his report on the financial position of the Association.

He tabled an updated management accounts document which showed a Statement of receipts and payments on a quarterly basis, together with a Statement of Financial Position and a summary document showing the totals for the year. The bottom line was that again, there were no concerns to report about the Association's financial performance.

Several queries were raised from the floor and responded to accordingly. Alan Richards raised the question of income from job vacancies. It was noted that this was currently below the market figure for non-members although very infrequently used. Neil Webster and David Pethen agreed to do some market research for further consideration.

Simon Hughes raised the issue again about how we use the excess reserves and that action should be taken to review this and make sure matters are progressing. The secretary referred to the recent decision of Council and AGM to concentrate in 2025 on the key priorities of the Constitution and Membership Reviews and a review of the Data Protection policy and actions.

Report of Head of Engagement

The Head of Engagement, Neil Webster, talked through his detailed report on matters arising during the period since the last meeting.

Neil referred to a number of issues and partners he was currently engaged with including the EG Public Sector Forum (now changing following the sale of Estates Gazette), the Year 9 Initiative, Corporate Membership, Local Partnerships, FACES (now passed the 200-cohort milestone), RICS, and Government Property Function.

Consultations

The Senior Vice President (SVP), Alan Richards, reported that he had picked a good year for consultations as there was a good number of important ones coming out of central government and others bodies. Key consultations are posted on the website forum and other means. The SVP reported little response so far and requested all to keep pushing for responses.

It was noted that RICS had now published the new Red Book and Jeremy Pilgrim offered to feedback on the RICS seminar that he will attend.

Suggested that notification of consultations might also be specifically pushed out to the branch secretaries so that they could be raised and discussed at branch meetings, thus providing more feedback for the SVP.

ACES' Terrier

The Editor, Betty Albon, referred to the latest edition of ACES' Terrier which had now been published online and noted that the hard copy of the journal should be arriving shortly with those that had requested it. She reminded members that Marcus Macaulay had now relocated to Malta, but there was no impact on service delivery.

The Editor put out a call to branches to continue to provide articles/reports for the Terrier as it had been a bit thin on the ground last time.

Dan Meek commented that the Terrier was one of the Association's greatest assets and was so well received, and thanked Betty accordingly.

Core Management Team

The Secretary reported that the Core Management Team had met from time to time to discuss items to bring forward to Council for notification or for approval as necessary.

The following actions and decisions had taken place requiring endorsement or approval of Council:

- CMT confirmed support on behalf of ACES for the Institute of Clerks of Works and Construction Inspectorate's application for Royal Charter, and wished the Inspectorate well in its application.
- CMT finalised the detailed Job Description and terms of the appointment of the Assistant Secretary, arranged advertising of the post and agreed a recommendation for the appointment of the Assistant Secretary. The AGM subsequently approved the recommendations.
- Due to tight timescales, a decision had to be made outside Council on supporting further involvement in the Public Sector Challenge by way of participation in the London Bridges Walk. It was noted that, under the Terms of Reference approved in April 2024, the President and CMT, in consultation with the Treasurer, can approve expenditure of up to £5,000. Subsequently CMT approved participation of an ACES Team in the London Bridges Walk.

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

- CMT considered that the Constitution Review, Membership Review and Data Management should be the corre priorities for 2025. It was important to protect the Association and its members and officers. It was also recognised that there was a need to understand how we are storing, saving and using data, and how we are managing risks such as cyber attacks. Depending on the progress with the actions required to address these priorities it was agreed to review future items later in the year. CMT also considered it was appropriate to seek external support on the Data Protection review and the Assistant Secretary will explore availability of consultants.
- CMT noted that it was probably necessary to seek volunteers again for the key priorities if they were to be delivered in a timely fashion. It was agreed, following the appointment of David Pethen, that he be brought in to assist, if he was able, to take on extra tasks and it was considered that an extension of his role could be looked at subject to Council approval. Further paid external support also to be considered. Branch Secretaries to be asked to seek support from branches.
- CMT discussed a recent offer by Past President, Sara Cameron, to continue to deliver part of the Social Media Manager role on a temporary basis. Sara had taken a lead on LinkedIn posts and related matters during her presidency and CMT agreed to have further discussions with Sara to develop an agreed specification and role.
- CMT agreed that the President, the SVP and Past President should set up a conference call as soon as possible to accelerate progress in identifying and agreeing a recommendation for ACES Junior Vice President (JVP). It was also proposed to develop a "pipeline" and appointment of JVP in waiting at an early date.
- The Treasurer raised a question on the approval of ACES Officer invoices. CMT felt it was not appropriate for the President to get heavily involved in this and should only cover off the Secretary and Treasurer. The Treasurer to review the policy.

Council noted and endorsed the actions and proposals.

ACES Constitution – proposed changes

Helen Stubbs, provided an update report on the proposed changes. She began with an apology that she had not been able to make substantial progress due to other commitments.

She referred to her report intended for the 2024 AGM seeking professional advice on the suitability of the current constitution for the next 20 to 30 years. Helen requested that Council now take her AGM report, which was not formally tabled, by way of a verbal report from Helen, together with recommendations.

Following detailed discussion, issues raised included is the Association fundamentally structured in the right way as a "Learned Society"? Should we consider incorporated company, limited company, registered charity, or something else etc? Is this something an adviser could look at before we make further changes to the Constitution?

It was further recommended and agreed that a budget be set aside to cover this initial work and agreement on the terms of external advice be delegated to CMT. The intention was to get full Council in April to sign off on terms of reference for an appointment for more detailed advice on the re-writing of the Constitution, depending on the initial advice on the structure of the organisation.

ACES Membership review

It was noted that the membership review would need to run alongside the Constitution review and be subject to the same recommendations on external advice and cost limits.

The President noted that at CMT David Pethen was asked to look at the potential impact of LGR on membership. Council approved this course of action.

Forward Plan 2024

The Secretary advised that this was work in progress and that he and the Head of Engagement would continue to develop the graphical representation and ensure the key priorities were appropriately positioned in the plan, on track and adequately resourced.

Annual conference 2025

The President advised on the latest position with regard to the 2025 Conference to be held on 24 and 25 September.

The proposed financial plan was displayed on screen and the President talked through the assumptions and estimated numbers, as well as confirmed costs.

While the costs of the Gala Dinner were unsurprisingly high (with or without sponsorship), the Conference day itself was based on more reasonable costs and there was more scope to produce a net profit, depending on delegate numbers and rates and the level of corporate sponsorship applied. Therefore, combining the two sets of numbers, potentially resulted in a moderate deficit. This was considered acceptable in view of the importance of this event and ACES' delivery of value for money to members.

Council approved the proposed financial plan and gave the go ahead to the President to book the venues and proceed with further planning.

National AGM 2025

The SVP briefly reported on progress being made with the arrangements for the national AGM this year and will give a more detailed update at April Council. David Pethen provided an update on the venue. Cardiff City Hall was unavailable due to essential repairs so he is in contact with Cardiff Castle representatives.

ACES' Awards for Excellence 2025

The SVP reported on progress. He will follow the pattern of previous years and is considering a modest change to the award categories. He noted that nominations were on the low side last year and he will look at how this can be improved and will report in more detail at April Council. He is proposing to put the award details out in June, with a deadline for nominations in early September. Council members were asked to contribute towards pushing out the awards to members.

Asset management in the public sector

The Secretary updated members on the SAM diploma course which continued to go very well with the help of the ACES members carrying out the presentations in a professional manner. The current iteration of the course was now taking place and it was noted that the number of delegates had reduced.

A joint wash up session took place in Chester earlier in the month and demonstrated that CIPFA was very happy with ACES' input and was keen to explore further collaboration. These involved the CIPFA Property Network "Lunch and Learn" sessions where it was considered ACES members could contribute on a voluntary basis.

Collaboration on the Valuation Certificate was discussed and as this was considered to be a more detailed input by members, it should operate in a similar way to the SAM Diploma course, with ACES members being remunerated for preparation and presentation work. Furthermore, because of the potential for enhanced input by ACES into the overall delivery, an improved profit share was offered by CIPFA.

Council debated the pros and cons of the proposed further collaboration and the potential impact on the Association's purpose and objectives which might compromise the constitutional and membership reviews. Caution was also raised with regard to tax implications of extending the collaboration arrangements, both for the individual members and for the Association.

Further clarification on these matters was needed before formal approval. It was agreed to confirm to CIPFA that ACES was minded to approve making progress in principle, subject to due diligence to gain a detailed understanding of the further implications.

The Secretary raised the issue of honorarium payments for Malcolm Williams for his services, covering to April 2023, 2024 and 2025 and taking into account increased officer remuneration rates approved at the 2024 AGM. Council approved the proposals unanimously.

Branch Liaison Officer's report

Branch Liaison Officer, Marcus Perry, raised two items. The first was the production of a trifold brochure designed for handing out to prospective new members which needed revival and updating. He tabled mock ups of the work so far and the document was also displayed on the screen. It was intended that branch secretaries distribute to organisations in their patch not currently represented and was, as a hard copy, less likely to get swamped in the usual email traffic. Marcus thanked the Editor and Marcus Macaulay in helping to produce the format and samples and requested funding from Council to progress to full publishing. It was noted that any agreed amendments to the brochure would also need to be reflected on the website where appropriate. It was also agreed to look into producing a pdf version of the brochure.

Marcus then gave an update on the state of the branches which in his view were being managed well, with one exception being the South East Branch. Notwithstanding best efforts by the Chair, David Kemp, to keep the branch active, the engagement of members was limited. David Kemp was proposing to retire and there was no replacement. Marcus requested Council approval to put the branch into special measures and he be given a temporary role, with the help of the Assistant Secretary, to keep the branch running while new officers were identified. The President thanked Marcus for his efforts and Council approved his proposed actions, with authority to report to CMT for approval.

Keith Jewsbury raised an issue about the healthy financial position of the national organisation and requested Council to consider an annual grant to each branch to be used to support a range of branch activities and thereby give more back to members. It was suggested that the proposed grant might be more effective if used to support the national conference and encourage better attendance by branch members. Also any central funding could be used towards helping to raise the profile of surveying in the public sector indirectly to help authorities with current recruitment challenges.

It was proposed that CMT gives further consideration to the proposals and the many options raised by Council members in terms of using central funds, and bring a detailed paper back to Council with a menu of ideas for approval.

Co-ordinators, branches and external working groups

Liaison Officer and Branch reports were received, and these have been published on the ACES website for the information of all members. Once again, thanks went to the Liaison Officers for their efforts in producing detailed and topical reports which are appreciated by members, and to the branches for submitting reports on their activities.

Future meetings

ACES Council	24 April 2025	Birmingham
ACES Council	24 July 2025	Manchester
Annual Conference	24/25 September 2025	Bath
ACES Council Meeting	October 2025	Online Meeting
Annual Meeting	November 2025	Cardiff

Any other business

The Senior Vice President briefly referred to emerging details of the 2026 Presidential Conference to be held in Southend in September. Further details to be brought forward to April Council.

ACES MEMBERSHIP

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

I list below the changes in membership between 1 January and 31 March 2025.

New members approved

There were 14 new applications approved during the period:

First Name	Surname	Organisation	Branch Ref
Jason	Birch	Birch Property Consulting Ltd	L
Helen	Jones	Bracknell Forest Council	SE
Terry	Garnett	Hull City Council	NE
Nikki	Slade	Lambert Smith Hampton	E
James	Raven	London Borough of Enfield	L
Helen	Bond	Norse Group	SW
Jonathan	Arnold	One Consulting Group	L
Mark	Norrell	One Consulting Group	SE
Imelda	Tinsley	Preston City Council	NW
Richard	Hadland	Staffordshire County Council	RP
Rachel	Crawshaw-Roberts	Trafford Borough Council	NW
John	Tunnicliffe	Transport for Wales	W
John	Stephens	University Hospitals Plymouth NHS Trust	SW
Helen	Kilgannon	Warrington Borough Council	NW

Members transferred to past membership

Three members transferred to retired membership:.

First Name	Surname	Branch Ref
Karen	Nickel	NW
Mandy	Catterall	NW
Sarah	Jowett	W

Resignations

The following 9 members resigned during the period:

First Name	Surname	Organisation	Branch Ref
Dave	Beament	ACES Associate Member	L
Eileen	Flanagan	ACES Associate Member	L
Nigel	Baldwin	ACES Retired Member	W
Jonathan	Nettleton	Cardiff and Vale University Local Health Board	W
Sharon	Bishop	Eastleigh Borough Council	SE
Suzanne	Jackson	London Borough of Bexley	L
Emily	Atack	Mid Suffolk District Council	E
Paul	Greenhalgh	Northumbria University	NE
Arthur	Pritchard	Warrington Borough Council	NW

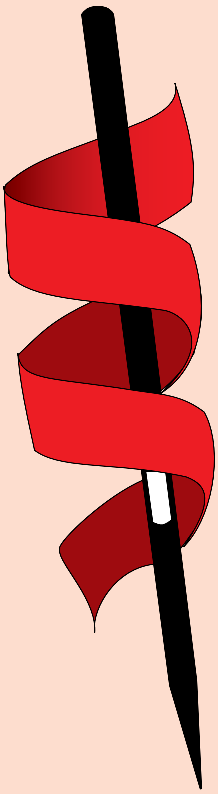
Membership

Summary of current membership at 31 March 2025:

Total Membership	
Full	246
Additional	94
Honorary	37
Associate	16
Retired	36
Total	**429**

Trends

This quarter sees a pleasing return to the peak total number of members, with a healthy number of new and returning organisations contributing to this. Again, it is expected that the recent invoicing may result in a number of resignations. Furthermore, the impact on membership of the impending major re-organisation of local government is yet to be determined.



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

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

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

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

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

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

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

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

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.

LEGAL UPDATE 2024

Some key cases from 2024 explained

Anthony Phillips Antony.Phillips@fieldfisher.com

Antony, a regular speaker at ACES national events, led a team of young lawyers and surveyors at the AGM, but agreed to write his annual update of key cases pertinent to public sector surveyors.

Introduction

In this case law update, we look back at a number of key decisions of 2024. We consider disputes relating to restrictive covenants, consent applications and forfeiture, before delving into two cases arising from the Landlord and Tenant Act 1954, in each case drawing out key takeaways for property professionals and practitioners.

Modification of lease covenants

Blackhorse Investments (Borough) Ltd v London Borough of Southwark [2024] UKUT 33 (LC)

This case related to an application to modify covenants under Section 84 of the of the Law of Property Act 1925 relating to a long leasehold interest.

The tenant, Blackhorse Investments, was the long leaseholder of the Black Horse Pub in Southwark. The tenant sought to demolish and replace the building with a residential building of six stories with commercial premises (including a pub) on the ground floor. The landlord, Southwark Council, had (acting in its capacity as local planning authority) granted permission for this redevelopment. However, several covenants in the lease prevented the project from moving forward. These covenants included restrictions on assigning part of the premises, obligations to obtain a licence for the sale of alcohol on or off the premises, an obligation to operate as a 'refreshment house' for as long as the premises were licensed for the sale of alcohol, and restrictions against cutting or maiming timbers or other structural parts of the demised premises.

The tenant applied to the Upper Tribunal (UT) for modification of the covenants under s84. This section allows for the modification or discharge of restrictive covenants affecting the use of freehold land. Jurisdiction can also extend, in certain circumstances, to leasehold covenants – in particular, long leaseholds of at least 40 years and where there is 25 years unexpired. To succeed under s84, an applicant is required to establish that at least one of the statutory grounds is satisfied and persuade the Tribunal to exercise its discretion to discharge or modify the covenant.

Due to issues relating to service of the application, Southwark, as landlord, never received a copy of the application and, in the absence of challenge, the UT proceeded to order the modifications without a hearing. Southwark subsequently challenged the UT's jurisdiction under s84 of the Act.

The Tribunal held that that a restriction on assigning part of the land was not a restriction 'as to the user' of the land. It also held that the obligation to obtain a licence and the requirement to operate as a "refreshment house" were positive covenants. The UT did, however, agree that the restriction against cutting was restrictive and modified this accordingly.

Key takeaways

- S84 of the 1925 Act only gives the Tribunal the jurisdiction to modify covenants that restrict the use of land
- Under s84 of the 1925 Act, the Court has no power to modify alienation and keep open covenants in a lease
- Any procedural missteps can jeopardise the success of an application and lead to costly delays.

Consent to alterations

Messenex Property Investments Ltd v Lanark Square Ltd [2024] EWHC 89 (Ch)

This case concerned a tenant's application for consent to carry out works under its lease. Like many leases, this was governed by s19(2) of the Landlord and Tenant Act 1927, which implies into all leases containing a covenant not to carry out alterations without the landlord's consent contains a proviso that consent to improvements will not be unreasonably withheld.

The tenant, Messenex Property Investments Ltd, proposed significant structural alterations to a mixed-use building in London. These alterations included extensive internal restructuring to accommodate new commercial units and additional floors. Correspondence regarding the tenant's proposals was exchanged over a period of years, but consent was not granted. The tenant subsequently applied for a declaration that the landlord had unreasonably withheld consent.

The landlord relied upon the following grounds in support of its position, including:

i. the tenant's failure to provide structural engineer's drawings
ii. a lack of clarity in the tenant's proposals
iii. the fact that the proposed works would involve trespass; and
iv. the tenant's failure to provide an unconditional undertaking for the landlord's reasonable costs.

The landlord succeeded on grounds (i) and (iv) only. The court determined that the failure to provide structural engineers' drawings in respect of the additional floors to be constructed was a reasonable reason for withholding consent. The works were extensive, and the landlord's own planning application contained a report which queried whether the building could support additional floors. The tenant's case was also sufficiently clear: it was accepted by the court that the tenant's case could develop up until proceedings are issued. Grounds (ii) and (iii) were not considered reasonable reasons to withhold consent.

Overall, the landlord's decision to withhold consent was reasonable, as all the reasons were self-standing: a 'bad' reason did not invalidate a 'good' reason.

Key takeaways

- Tenants bear the burden of proving unreasonableness in alterations cases. Tenants must provide comprehensive and clear proposals to support their applications for consent
- Landlords should clearly identify and substantiate standalone reasons for withholding consent
- Timely decisions and thorough consideration of alternatives are essential.

Forfeiture and waiver

The Tropical Zoo Ltd v The Mayor and Burgesses of Hounslow London Borough Council [2024] EWHC 1240 (Ch)

In 2012, a lease was granted by Hounslow LBC to the tenant over land and buildings close to Heathrow Airport, which the tenant intended to develop into a zoo. The lease included specific obligations to complete development works within two years of grant i.e. by 2014. The lease contained a standard forfeiture clause (the "forfeiture clause"). It also contained a bespoke clause which required the tenant to remedy any breaches within two months from service of written notice to do so from the landlord (the "remediation clause").

In 2020, following failure to complete the development works, the landlord served notice pursuant to the remediation clause and, upon subsequent non-compliance with the same, served a s146 notice pursuant to the forfeiture clause requiring works to be completed within a reasonable time. While the landlord put a rent stop in place, the tenant continued to tender rent. All but three payments were promptly returned by the landlord's agent; the three in question were returned some months later.

The tenant sought a declaration that:

i. it was not in breach of the remediation clause; and
ii. the landlord had waived the right to forfeit. It also sought relief from forfeiture in the alternative.

The court held that the remediation clause was a freestanding tenant covenant, material breach of which triggered a right of re-entry and forfeiture. It further found that there was no waiver of the right to forfeit; delays in returning three rent payments did not constitute acceptance of rent by landlord. This was due to three principal reasons:

i. delays by the agent in returning rent were contrary to the landlord's instructions not to accept rent
ii. the agent's authority was limited in scope, it performed a 'treasury function' only; and
iii. the tenant was aware that the rent was being returned yet continued to pay in the hope of engineering a waiver.

Relief from forfeiture was also refused.

Key takeaways

- Bespoke forfeiture clauses can provide landlords additional enforcement options; however these are unlikely to be acceptable to the majority of commercial tenants
- In order to preserve a right to forfeit, landlords must remember to implement and monitor any rent stop, return payments and cease all contact with the tenant
- Landlords and tenants should seek legal advice to navigate complex forfeiture scenarios.

Lease renewals under the Landlord and Tenant Act 1954

Kwik-Fit Properties Ltd v Resham Ltd [2024] EWCC 4

This case concerned an uncontested lease renewal under the Landlord and Tenant Act 1954. S35 of the Act gives the court discretion to determine terms of the new lease, having regard to the parties' interests and the current lease terms. It is for the party seeking a change to the current tenancy to establish that it is fair and reasonable and there must be a good reason to impose the new term.

In this case, the tenant, Kwik-Fit Properties Ltd, sought a 15-year lease renewal with break clauses at years 5 and 10. It contended that the break clause was critical for business flexibility (allowing adjustments to changing conditions and demand). It also claimed that company policy required leases of 10-15 year terms with five-year breaks, which it said reflected market practice. The landlord opposed the inclusion of the breaks, claiming it would have a significant impact on its reversion and long-term investment strategy.

The court declined to include the break clause. The court applied a similar test to that used for landlords seeking redevelopment break rights, namely whether there was a 'real possibility' of a need to terminate due to the premises becoming unsuitable for the tenant's business. The court found that the tenant's reasoning did not specifically apply to the premises but, instead, reflected a general desire for flexibility. Further, there was no evidence that leases with five-year breaks was market practice in the quick-fit car maintenance industry generally. The tenant's evidence further undermined its own claim that the company only entered into leases with 5-year breaks.

<u>Key takeaways</u>

- Courts will carefully balance the competing interests of landlords and tenants in renewal lease disputes
- Tenants seeking a break right must rely on matters specific to the premises, demonstrating a real possibility of unsuitability. Generic flexibility arguments or non-property-specific evidence will not suffice
- Landlords should prepare evidence to show why proposed changes are unreasonable (albeit the burden is on the tenant to prove fairness and reasonableness).

Redevelopment under the 1954 Act (ground (f))

<u>Sainsbury's Supermarkets Ltd v Medley Assets Ltd [2024]</u>

Section 30(1)(f) of the Landlord Tenant Act 1954 (often referred to as the 'redevelopment ground') has long proved fertile ground for dispute between parties.

By way of recap, s30(1)(f) provides that a landlord may oppose an application for a new tenancy where it is able to show *"that on the termination of the current tenancy the landlord intends to demolish or reconstruct the premises comprised in the holding or a substantial part of those premises or to carry out substantial work of construction on the holding or part thereof and that he could not reasonably do so without obtaining possession of the holding".*

In this case, Sainsbury's Supermarkets Ltd leased the whole of a building in London from Medley Assets Ltd. It operated a supermarket from ground floor; the basement (save for a small area) and upper floors were vacant. The landlord served a notice to end the tenancy, citing ground (f). The landlord had originally obtained planning permission to convert the upper floors to residential flats. However, by the time of the trial, it had revised its proposal to lower the basement floor, and refurbish the upper floors to offices. The proposed works to the ground floor were limited to works to widen the staircase from the ground floor to upper floors.

Shortly before trial, the tenant vacated the small part of the ground floor that would be affected by the landlord's proposals. By the time of trial, the landlord had still not commenced any works.

The primary issues for consideration by the court were the extent of 'the holding' for ground (f) purposes and whether the planned works satisfied the ground (f) criteria. The tenant argued that only the occupied portion at the time of the trial should be considered 'the holding'. The landlord maintained that the entire property should be considered for the purposes of ground (f), as the redevelopment plans involved significant changes to the overall structure.

The court found the 'holding' was restricted to those parts of the demise occupied at the time of the ground (f) trial. It considered that the landlord's intention was undermined by the factual evidence, notably that:

i. the scheme of work had been devised after service of the s25 notice

ii. although extensive documentation was in place, there no realistic plan for works

iii. the works had still not commenced more than two years after the documents said they would be completed; and

iv. the landlord's expert was further found to be unreliable: its report contained many errors.

As to the nature of the works, it was held that the works to the ground floor were not sufficiently significant to meet ground (f); the basement works involved excavation and new underpinning, which were works to the landlord's freehold reversion and therefore not works to 'the holding'.

<u>Key takeaways</u>

- Where operationally feasible, tenants can retreat to part of the holding unaffected by the works before the ground (f) trial, then move back into the demise before the trial of the terms of the tenancy
- Floor lowering schemes may not fall within ground (f) if they extend beyond 'the holding' and into the landlord's reversion
- Preparation and organisation remain key to landlords establishing the intention to redevelop. That means:
    - Ensuring all evidential requirements are met by the date of hearing
    - Disclosing contemporaneous evidence of funding as soon as possible
    - Demonstrating that planning permission has been granted or clearly will be granted.
- Landlords need to show that works can be done in the way proposed and they are in fact implementing them, and not merely delaying until the outcome of the ground (f) trial.

Conclusion

It has been yet another busy year for the property world. These key cases from 2024 provide useful guidance on key areas such as the modification of leasehold covenants, alterations applications, forfeiture, and the 1954 Act, all being areas that affect the work of ACES members on a day-to-day basis.

Nyear is a chartered surveyor and member of the Compulsory Purchase Association. Having worked in the property sector for nearly 20 years, she started her career working for North West Regional Development Agency helping to deliver regeneration schemes, often backed by compulsory purchase powers. Over the last 10 years, she has worked in various roles at LSH and is currently the Head of Land Assembly and Compulsory Purchase in the southern regions, supporting a range of clients in both the public and private sector in delivering regeneration and infrastructure.

PROPOSED CPO REFORMS

Levelling Up and Regeneration Act 2023

Nyear Yaseen NyYaseen@lsh.co.uk

Nyear delivered a second informative and comprehensive webinar to ACES Eastern Branch and kindly agreed to write an article outlining the reforms which are "seeking to make sweeping changes to the compensation code".

Background

Earlier this year, Nyear delivered another CPD session for members of the ACES Eastern Branch about the recent government consultation on proposals for further reform to compulsory purchase orders (CPOs) [Ed – first CPD presentation reproduced in 2024 Summer Terrier].

The previous government brought forward reforms to the Compensation Code through the Levelling Up and Regeneration Act 2023 (LURA). Those reforms fell into 3 areas of change: reform to enabling powers to make a CPO, procedural reforms altering the way a CPO is publicised and then confirmed, and finally changes to the assessment of compensation, in particular the removal of hope and development value in specific circumstances.

Specific reforms under the LURA included:

- Local authorities could not make a CPO where the purpose of doing so was to deliver regeneration
- CPOs had to be publicised on-line as well as through service of notices in hard copy
- The Secretary of State could confirm CPOs on a conditional basis, which would ultimately impact the need to demonstrate there was no impediment to delivery at the point a CPO was made
- A CPO had to be implemented within 3 years of confirmation, this could not be extended beyond that timeframe and allowed a CPO for multi-phased schemes to be introduced
- If a claimant was relying on development value as a basis to claim compensation, they now had to either have planning permission in place or a Certificate of Appropriate Alternative Development
- Where a CPO was for the purpose of delivering a hospital, school or affordable housing, then a direction could be sought whereby claims for hope value could be disregarded for the purposes of paying compensation.

These reforms have now been enacted into law and acquiring authorities (AA) can rely upon them when preparing, making and implementing a CPO.

Current Parliament

In its election manifesto, the Labour Party committed to delivering more housing and also speeding up the process of securing compulsory purchase powers where they were needed.

Within the first 30 days in government, the Labour Party made a commitment to deliver 1.5 million new homes during this Parliament. They have also committed to firing the economic engine of the country and that means more jobs, more airport development and services required to support these industries. There is an acceptance that in order to do so, they will need to resort to the use of compulsory purchase powers to assemble the land and rights needed to deliver on their commitment.

As expected, this has necessitated further reform of the compensation code and a suite of consultation on reforms and bills have been put forward setting out how the government will deliver.

Consultation to proposed reforms

The Compulsory Purchase Process and Compensation Reforms was open to consultation from 19 December 2024 for a period of two months.

These reforms are seeking to make sweeping changes to the compensation code, to make it easier and quicker for acquiring authorities to secure the powers needed to deliver the housing and infrastructure agenda of the government.

The government says in its consultation document: *"Whilst the reforms introduced by the LURA have been implemented, this government wants to go further. In its manifesto for the 2024 General Election, the government committed to further reforming compulsory purchase compensation rules to improve land assembly, speed up site delivery and deliver housing, infrastructure, amenity, and transport benefits in the public interest. It promised to take steps to ensure that for specific types of development schemes, landowners are awarded fair compensation rather than inflated prices based on the prospect of planning permission."*

While it is questionable what has led to the conclusion that the current system of compensation is unfair, it is clear the government is seeking to provide acquiring authorities and developers with more certainty at the outset that certain classes of compensation, i.e. development value, hope value, etc will be disregarded because they lead to the most contention when compulsory purchase powers are deployed. However, the land acquisition price, whether it includes hope or development value, is a relatively small component when compared to the overall cost of delivering the final scheme.

Proposals for reform which have been subject to this consultation include:

- To broaden the list of CPO powers where it can be assumed there is a public benefit
- CPOs made under s125 Local Government Act allow for a direction to remove hope value where the schemes are facilitating affordable or social housing
- Where a CPO is made without a direction to remove hope value (and there is no objection) the AA can make a confirmation decision
- Where a CPO with direction to hope value and has been objected to the decision is delegated to an inspector. Where no objection then the AA can make a determination
- a general power to make a direction to remove hope value from the assessment of compensation for a specific category of sites where justified in the public interest, e.g. brownfield land suitable for housing delivery, but with no extant planning permission for residential development; land allocated for residential development in an adopted plan but which has not come forward for development
- Technical changes to CPO process, i.e.:
    - Serving notices electronically in specific circumstances
    - Public confirmation notices online
    - Allowing AA to confirm modifications to CPOs (over non-controversial matters).

While is important to note these are not reforms in themselves, but consultation to possible reforms, they do indicate very much the direction of travel.

Some issues

The government wants to remove the administrative barriers that hold up confirmation, therefore where the CPO is non-contentious, then the AA should be able to make a decision to confirm the CPO. In principle, it is easy to see why this would make sense, but there is a real concern between the blending of roles of the poacher and gamekeeper (to use an understood analogy). The current legislation already allows for a timely process: where there are no objections then the relevant government department can confirm the order. This proposed reform appears to remove the role of the government department entirely for reasons that do not ultimately indicate speed of decision, but potentially undermines the check and balances of the process entirely.

The broadening of purposes of CPO where hope value can be removed is far more challenging. CPOs are in themselves fairly blunt and draconian instruments to deliver goods and services the market cannot deliver without sacrificing time and cost of delivery. They are, however, always subject to the public interest argument balanced against the human rights of those with a property interest.

The erosion of development and hope value for landowners who have invested in property for a variety of reasons, including it being their pension fund, income for family, business investment, etc will be very challenging and ultimately could be deemed very unfair. If the public interest arguments moves to schemes such as road, infrastructure, services, etc through no fault of their own, where does the argument in the public interest versus human rights sit? This will be challenging call for many acquiring authorities to make and likely to end up more costly if larger landowners/developers seek to challenge this through the courts and win! In very simple terms, where land and property is concerned, you "cannot buck the market" and create artificial values in certain categories of land and property. It can be very unfair on individual land owners and may well benefit other land owners outside the red line boundary.

The government is yet to publish the results of this consultation which was with a wide range of parties with an interest at either end of the spectrum who will have responded.

Planning and Infrastructure Bill

Since the publication of this consultation, the government has also presented its flagship legislative attempt to promoting the delivery of new homes though the Planning and Infrastructure Bill. While this bill has far reaching scope and potential to establish a new regime for planning and development in England, it also includes reforms to remove hope value where land was being assembled to deliver development. Ultimately, it can be seen it is the government's view that hope value leads to unfair compensation awards being made.

More details on this Bill can be found here: Fast tracking growth: Planning and Infrastructure Bill unveiled | LSH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Nonye is the Commercial Lead for the CCS Estate Category team. She focuses on shaping the delivery of a variety of current and future strategic estate management solutions to the UK Government departments and their agencies.

Nonye is passionate about innovative and efficient solutions and has worked with a number of suppliers, government departments and charities, in developing category strategies and commercial products and services, aligned with market priorities. She has spent the last 10 years leading a number of procurement and contract management commercial activities for the public and private sectors.

CROWN COMMERCIAL SERVICE PROCUREMENT

RM6343 Estate Management Service 2

Nonye Amatobi nonye.amatobi@crowncommercial.gov.uk

Nonye outlines the invitation to tender process for the Estate Management Service 2 which went live on 28 March 2025 and ends on 12 May. "The public sector property market faces significant challenges but also holds substantial potential for innovation and improved outcomes through strategic supplier partnerships which EMS2 will support."

Overview

Estates Management Service2 RM6343 represents the intersection of procurement excellence and the property and estate management profession. Over the last decade, the property and estate industry has continued to weather changes in the market, leading to an evolution in habits and behaviours around the occupying and usage of properties.

Public sector property and estate have not been immune to these changes: starting with the exit of the United Kingdom from the European Union, which led to changes in laws, regulations and policies. As a result, the Procurement Act 2023 went live on 28 February 2025, introducing more flexibility though a choice of open or closed framework types, and transparency through requirements for more visibility of opportunities and greater oversight.

The global outbreak of Covid19 and the subsequent national lockdown measures gave the estate and property industry an opportunity to demonstrate spontaneity in adapting to changes to property requirements, operation, usage and management through the acceleration of asset rationalisation and portfolio optimisation. Since the partial and full easing of lockdown measures, the majority of departments have adopted a balanced approach to home and office working, which has, in effect, created a diverse demand for available public sector properties and encouraged greater flexibility, collaboration and innovation.

Another key impact for the property and estate industry is the trajectory of expiring PFI projects. With 154 projects expiring and transferring back to the public sector in the next 5 years, the surveying obligations will significantly affect market capacity [Ed – see full article in this issue].

These events have given the public sector fresh and unique opportunities to work collaboratively with the private sector suppliers and their supply chains, to continue to deliver innovative, responsive, responsible and advantageous solutions.

At the Crown Commercial Service (CCS), it is imperative that we stay aligned to the industry's evolution, catering to customer requirements for their assets, providing access to industry best practice, and digital transformation and Smart Building innovation through our Estate

Management Services (EMS) offerings to customers or buyers for each new iteration.

CCS and the Estates category

CCS is an executive agency of the Cabinet office, and as the biggest public procurement organisation, we help the public sector to maximise resources through our procurement expertise across multiple categories. Our Estate Management Services framework sets out to support customers through the occupying, operation and management of built assets. In July 2021, the CCS Estates Management Services (EMS - RM6168) framework agreement was launched as a replacement of the Estate Professional Services (EPS - RM3816) framework agreement.

EMS RM6168 will expire in January 2026 and the Invitation to Tender for the next iteration (EM2 - RM6343) went live on 28 March, 2025. It will continue to enable organisations to buy advice, guidance and associated services to help them manage their estates and assets. New to the plethora of services are four lots to cater for PFI services.

We are inviting bids from large, small and medium sized enterprises who have a breadth of experience and expertise in helping clients to optimise their property, release unwanted property assets, identify savings and opportunities to generate income from land and buildings, provide consultancy support around PFI contracts, general strategic advice, and act as performance partners in integrator environments.

The new EMS2 RM6343 framework agreement will be available to public sector authorities across central government, local authorities, charities, executive agencies and non-departmental bodies. It is designed to deliver full end to end property operation and management services, including reducing the size of estates, exiting inefficient leases, reducing running costs, releasing capital, supporting the sustainability agenda, facilitating flexible and cross-departmental working, acting as a managing agent, and providing PFI strategic advice.

It is expected that £650m will be spent through the framework over its 4-year lifespan and beyond, through call-off contracts.

The existing framework agreement attracted over a third of SMEs and we are constantly looking to increase that number, with regional expertise maximised through an efficient lotting structure.

Supporting the public sector estate strategy through EMS2 RM6343

The public sector estate is the biggest and most diverse property portfolio in the UK, covering over 159m sq m floor space, across circa 141,600 built assets and 23,100 land assets (Government Property Function, 2024). Its overall effectiveness has a direct relationship with the effectiveness of public services and driving economic growth in the UK. The Government Property Strategy 2022-2030 is focused on delivering three strategic missions:

- transform places and services
- deliver a smaller, better and greener public estate
- Improve professional excellence and insight.

The IBIS Oct 2024 UK report (International Bodyshop Industry Symposium), estimated a £32.95bn market value for the UK property and estate market, with significant public sector services spend during the period. The industry is matured and primarily dominated by global service providers, offering national and regional coverage for services.

In recent years, the industry has seen inflationary pressures, a weaker pound sterling as the costs of imports and purchases rise, and high interest rates. Despite modest GDP growth for the UK's economy, the industry's market compound annual growth rate is estimated at +2.4% for the next five years.

According to IBIS World, there are circa 24,000 businesses in property management services in the UK. This creates a very competitive environment for suppliers acting as intermediaries for property acquisition, disposal, renting, leasing, advisory and management services.

CCS' category strategies are supported by market intelligence and aligned to Government Property Strategies for the short, medium and longer terms. As a result, the EMS2 RM6343 framework agreement is the first Estates Category framework to be procured under the new Procurement Act 2023, and has been designed to give customers/buyers the flexibility to prioritise carbon net zero and sustainability goals for each department, when tailoring procurement requirements.

The framework will accommodate two routes to market via further competition, and award without competition, using a taxi rank system.

We will continue to provide further guidance on our website and through the buyer guidance document and FAQs, post framework launch.

EMS2 RM6343 structure

Following the success of the multidisciplinary lotting structure of the RM6168 framework, we have continued the approach in our new lotting structure for EMS2 RM6343, in line with customer and supplier feedback. This will also continue to support the attractiveness of our framework to SMEs and create flexibility for our buyers.

Details of the lotting structure:

Lot 1: Total Estate Management - This covers all services listed under estate (property) management, agency and lease management, estate surveying and strategic advice, valuation and business rating services.

Lot 2: Estate (Property) Management - Management of occupations on behalf of customers either as the landlord or tenant. Services include move management, financial management (rent, service charge, rates, insurance), Vertical Real Estate, 3rd party supplier management, energy management, building and occupational management, health and safety, and fire.

Lot 3: Agency and Lease Management - Management of the acquisition and disposal of commercial and residential real estate, whether held or occupied. Services may include property searches, advising on property price or rent for marketing purposes (informal valuation), marketing, sales, negotiations, purchasing, letting and leasing activities including rent reviews, lease events and compulsory purchase orders.

Lot 4: Surveying and Strategic Advice - Services to include the development and delivery of strategic asset management plans to achieve savings, additional income, alignment with policy, development and regeneration consultancy; provision of surveys and studies including dilapidation surveys and negotiations, party walls, rights of light and carbon assessments.

Lot 5: Valuation and Compulsory Purchase Orders - Valuation of built, physical, mechanical and electrical assets ranging from desktop to Red Book methodologies to comply with IFRS, RICS or departmental internal accounting procedures and compliance.

Lot 6: Business Rating Services - Provision of rating support (inc. payment) and rating appeal services as per check, challenge and appeal process for England, and the rateable value services for Wales and Scotland.

Lot 7: Workplace Services Performance Partner (previously known as Integrated Workplace Management) - Provision of services related to the innovative management and data capture of the workplace. Services will include integrated workplace management systems, SMART working solutions, space utilisation, capacity planning and management.

Lot 8A: PFI Technical and Strategic Advice Services - Provision of strategic, technical, commercial, project, programme, operational and estates management advice and support, during the operation, expiry and future service delivery of the PFI estate. All services outlined in this framework scope fully support the delivery of standardised processes as defined in Infrastructure Project Authority (IPA) PFI guidance. This excludes legal advice.

Lot 8B: PFI Surveying Services - provision of asset condition surveys, studies and strategic advice to support with the operation, expiry and future service delivery of the PFI estate, providing technical due diligence where required. Services outlined in this framework fully support the delivery of standardised processes as defined in IPA PFI guidance and collaborative ways of working.

Lot 8C: PFI Fire Safety and Audit - provision of fire surveys, studies and strategic advice to support with the operation, expiry and future service delivery of the PFI estate, providing technical due diligence where required. Services outlined in this Framework Specification fully support the delivery of standardised processes as defined in IPA PFI guidance and the collaborative ways of working.

Lot 8D: PFI Specialist Commercial and Financial Advice - Provision of specialist commercial and financial advice in relation to privately financed projects that may be general advice or may relate to one or more specific transactions. Advice may consist of the development, appraisal or execution of suitable strategies, policies and options for privately financed projects, including the provision of research, technical or market analysis. It could concern the financing, refinancing or variation of privately financed projects. Alternatively, it could require option appraisal, feasibility studies, valuation, due diligence or deal execution in connection with privately financed public sector assets and services.

Invitation to tender

The public sector property market faces significant challenges but also holds substantial potential for innovation and improved outcomes through strategic supplier partnerships which EMS2 will support.

Suitable bids are invited from 28 March 2025 to 12 May 2025.

Ongoing updates will be provided on the Estate Management Services 2 Website.

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

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Advertising rates for 2023/24 to remain the same

Georgia is Senior Strategy Director at Local Partnerships. She joined Local Partnerships in July 2014, having trained and qualified into the Projects team at city law firm Nabarro LLP (now CMS). In private practice, Georgia specialised in advising local authorities and the private sector in a range of public private partnerships (including PFI) in the waste, education and housing/regeneration sectors.

Georgia recently set up and ran a PFI unit within central government and now oversees strategy for Local Partnerships' PFI/PPP services and support to the public sector.

PFI EXPIRY

Preparing for PFI expiry – Practical guidance for authorities

Georgia Lewis georgia.lewis@localpartnerships.gov.uk

Georgia provides a comprehensive guide to dealing effectively with handback of PFI assets and stresses the need for early planning. "..as the number of expiring contracts continues to grow each year, it is vitally important that public authorities do not leave key decisions to the last minute."

Background and context

As many readers will know, the 'private finance initiative' (PFI) programme was introduced in the 1990s as a means of delivering critical public infrastructure at pace and at scale. The programme covers wide-ranging sectors and was used to design, build and operate new (and/or refurbished) public assets such as hospitals, schools, prisons, waste facilities, libraries, courts and roads. Public sector organisations involved in procuring PFI contracts include the NHS, central government departments, waste authorities, and local councils. Key defining features of the PFI are the use of private sector debt and equity and the transfer of risk associated with asset design, build and operations to the private sector.

In June 2020, the National Audit Office published a report "Managing PFI assets and services as contracts" (1) considering whether government is making appropriate preparations to manage the expiry of PFI contracts and including key recommendations. As at publication, there were over 700 operational PFI contracts in place in the UK with a capital value of £57bn. In the five years to 2024-25, an average of 10 contracts were set to expiry annually, increasing to an average of 31 contracts in each of the five years between 2025-26 and 2029-30.

Key findings and risks highlighted in the report include:

- where the public sector does not take a strategic or consistent approach to managing PFI contracts as they end, it risks failing to secure value for money during the expiry negotiations with the private sector
- there is a risk of increased costs and service disruptions if authorities do not prepare for contract expiry adequately in advance
- some authorities have insufficient knowledge about asset condition (increasing the risk that assets will be returned to the public sector in a worse quality than expected)
- authorities recognise that contract expiry will be resource intensive and require unique skills and expect to fill gaps with consultants
- a misalignment of investor and authority incentives at contract expiry creates potential for disputes
- early PFI contracts are likely to contain significant ambiguity around the roles and responsibilities of the parties at contract expiry.

Lessons have already been learned from expiries to date, including the need to prepare many years in advance of the expiry date. Best practice, as captured in guidance published in February 2022 by the Infrastructure and Projects Authority "Preparing for PFI contract expiry – Practical guidance for contracting authorities on managing expiry and service transition" (2), provides that PFI authorities should begin preparation for expiry at around seven years from expiry. Although this will vary (and longer and shorter timeframes may be appropriate taking into account the specifics of each project), this is not an unreasonable ball-park timeframe and as the number of expiring contracts continues to grow each year, it is vitally important that public authorities do not leave key decisions to the last minute [Ed – see previous article on CCS procurement, where the lotting structure reflects this PFI expiry challenge].

Contract expiry workstreams

Dealing with contract expiry can be resource intensive and will certainly require more support than is currently being provided to the project. Even the best providers and authorities with excellent relationships will be confronted by myriad issues that will need to be addressed through the process. The resolution and timing of tackling these issues will require careful project planning. Contract expiry should be considered at an early stage – ideally well in advance of relevant contractual provisions – while maintaining a good level of control over current project delivery. Plans for an orderly handover should be developed, and a strategy put in place for what happens next, to ensure that contract expiry can be a success. To achieve this, PFI authorities should ensure three separate concurrent workstreams:

1. managing the PFI contract on a day-to-day basis (to maximise efficiencies and achieve best value for money)
2. preparing for expiry (to ensure a smooth handover of physical assets maintained to the contractually-stipulated standard, together with the orderly transfer of personnel involved in providing the services (where applicable), and other assets such as warranties and service records etc)
3. considering the future of the assets after expiry (future service strategy).

<u>1. Managing the PFI contract on a day-to-day basis</u>

During the normal operation of the PFI contract, it is essential to ensure proper contract management. This requires a thorough understanding of the PFI contract including (for example) rights of audit and inspection and to information about the services. The contract will include a detailed payment and performance mechanism which allows for deductions from the annual charge to be made for specified failures. It is essential that terms are understood and appropriately enforced.

PFI contracts are performed on a 'self-reporting' basis whereby the PFI contractor essentially monitors and reports its own performance to the authority. It is essential that authorities monitor closely all reporting activities, first to check that reporting itself is in accordance with contractual requirements and second, to ensure that the details reported are accurate and that any failures are being addressed in accordance with the contract (through deductions or otherwise). This requires that authorities have a thorough understanding of the rights and obligations of both parties and can resource all activities involved in proper oversight. Although there will necessarily be a focus on the payment and performance mechanism, authorities will also need to understand and ensure the proper implementation of provisions relating to lifecycle planning, scheduled maintenance, reactive repairs and value testing (benchmarking and/or market testing).

To avoid disputes, an early understanding of the true condition of the asset needs to be established well before it is due to be handed back. This is particularly important if the handback processes are not clearly defined or are ambiguous.

Ensuring an effective 'business as usual' workstream will therefore likely require that authorities consider any number of the following:

- bespoke training on effective contract management (including proper oversight and monitoring of the contractor's self-reporting activities)
- bespoke training on key contractual provisions (and where necessary development of a user-friendly contract guide for use by the contract management team)
- opportunities for cost savings including regular benchmarking and market-testing (in accordance with the contract)
- early resolution of performance issues
- any opportunities for refinancing gain
- discussion, agreement and implementation of contract variations to ensure the contract remains current and effective (in particular with expiry and future service provision in mind).

<u>2. Preparing for expiry</u>

The first exercise that the public authority will have to undertake is to review contractual provisions relating to expiry, including handback. The detail and quality of relevant provisions will vary from contract to contract and in some cases, detail will be sparce, absent and/or buried in neglected contract schedules. All relevant information will need to be drawn together and analysed (including identifying gaps) and a clear guidance document should be developed. Where gaps or ambiguities are identified, authorities may need to consider specialist support and advice in order to develop a robust and fair strategy for addressing this with the PFI counterparty to agree suitable terms at an early stage. Questions will include:

- does the asset automatically revert to the authority after expiry or are there contractual steps that must be followed?
- is the expiry date clear and are there any permitted extensions (and if so, how will the authority decide if/when it would trigger any such extension and ensure the PFI contractor does not gain any tactical advantage in related discussions)?
- are there requirements for the PFI contractor to develop an asset list or exit plan (with associated timeframes)?
- what is required by way of final surveys (including parties' respective roles and responsibilities) and how are deficiencies in asset condition rectified and paid for?
- how and when to engage with authority-related parties (some of whom may not have been involved at contract commencement, eg academy trusts where schools have converted during the contract term)?

It is important to recognise the leverage that the authority has in terms of negotiating with the PFI contractor. Authorities will be in a much stronger position when they still have recourse to the project lenders. It is also important to establish when the debt is likely to be repaid and the processes for contacting lenders directly which, in some cases, may be contractually restricted. This will be important if, for example, the authority wants to access lifecycle funds.

PFI authorities will therefore need to consider:

- preparation of bespoke contract guidance clarifying the expiry process and contractual rights
- preparation of a detailed timeline of actions up to expiry including clear apportionment of roles and responsibilities between the parties
- an understanding of lessons learned on similar projects
- the need for any specific asset valuation(s)
- contractual rights and practical steps in relation to asset condition surveys (including as to the appointment of suitable surveyors)
- implementation of the expiry processes
- preparation of a handback protocol and deed of expiry
- preparation for staff transfers including any necessary consideration of TUPE (3) and pensions-related issues
- development of an expiry project plan and associated risk register.

In order to make a success of the preparation period and get ready for decisions around project expiry, the authority must ensure proper governance and resourcing is in place. It will also need to establish budgetary consequences for handback, acquisition or residual payments, and the costs of maintaining and operating the asset. Authorities will also need to begin the process of commissioning options appraisals for future service requirements post expiry (see further below).

3. Considering the future of the assets after expiry

One of the most important decisions that needs to be taken is whether the public authority intends to continue to use and operate the assets, or otherwise to vacate and dispose of them. If the former, the authority will need to consider whether it wants to carry out a wholesale re-procurement of the project (largely unaltered or with necessary changes to reflect its future service requirements) or to disaggregate or otherwise reorganise the services going forwards (through outsourcing or insourcing or a combination of the two). Within this decision-making process, it will be necessary to consider the benefits or otherwise of any permissible extension of existing arrangements.

Where the authority has decided to cease provision of the services, consideration of the future for the assets will require a full appraisal of all options available. If the ownership of the assets does not revert automatically to the public authority, it is important to understand the options available under the contract and the financial implications, including the cost of terminating leases or acquisition of the assets. Options may also include alternative uses of the assets which may create different revenue and expenditure opportunities and risks.

The authority will therefore need to undertake:

- early preparation of options' appraisals and comprehensive future service strategy
- preparation of business cases and internal reports
- procurement of new project or replacement contracts (as applicable)
- planning for any ongoing services to be carried out in house (as applicable)
- assurance reviews and health checks to make sure the future service strategy is on track and will deliver successfully on time and to budget.

Again, suitable governance and resourcing for this workstream is essential to ensure senior buy-in and robust risk management and decision-making. This will include the identification of, and early engagement with, all necessary stakeholders from across the organisation to ensure a coherent approach which is fully aligned with the authority's wider strategic objectives and priorities.

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1. https://www.nao.org.uk/reports/managing-pfi-assets-and-services-as-contracts-end/?nab=2
2. https://www.gov.uk/government/publications/preparing-for-pfi-contract-expiry
3. Transfer of Undertakings (Protection of Employment) Regulations 2006.

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The Terrier
ACES Secretary: Trevor Bishop MRICS
07853 262255 - secretary@aces.org.uk
ACES Editor: Betty Albon editor@aces.org.uk

SECTION 114 NOTICES What is a section 114 notice?

Chris Brain FRICS chris@chrisbrainassociates.com

In his usual clear style, Chris explains the whys and wherefores of s114 notices, including debunking the popularist view that it means councils who serve 'notices' are bankrupt.

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

Chris is a member of ACES and is one of ACES' Valuation Liaison Officers.

The financial climate for local authorities is dire. For some local authorities this can of course be put down to poor decision making in the past. But for many, it is as a result of external forces which they struggle to deal with. All of this has resulted in an increasing number of stories in the local government media around certain councils issuing section 114 notices. But what is a s114 notice and what does it mean?

Before I get to that, it's probably helpful to review how we got to where we are. It's worth mentioning at this point, that while the greatest pain is currently being felt by English councils – and that is where this article will mostly focus - those in Northern Ireland, Scotland and Wales are by no means immune.

Following the provisional Settlement last December, on 3 February the final Local Government Settlement in England provides a 6.8% in cash terms increase in councils' Core Spending Power compared to 2024-25. That's an extra £68bn altogether.

(In Wales there is an increase of 4.3% and in Scotland an increase of 6.5%, although as with all these figures, these are averages and individual council allocations can be above or below this figure.)

The austerity period saw English council funding halved on average. Despite real-terms increases in funding since 2019–20, English local government funding per resident remains on average 19% below 2010 levels, and overall core spending is down 27%.

This is against a backdrop where over a long period, pressure on local government finances has been seen from increased demand for services, such as homelessness, temporary accommodation, school transport and special educational needs in particular; the latter has risen by 58% in the decade up to 2024-25 according to the National Audit Office.

It's perhaps not surprising then that we see mention of s114 notices more and more often, and media headlines about councils going 'bankrupt'.

What is s114?

Section 114 has its origins in the rate capping policy of the Conservative Government of 1985. In that year, Liverpool City Council joined others in what was termed a rate-capping rebellion, which was a campaign which aimed to force the government to withdraw powers to restrict the spending of councils. In June 1985 the council changed tactics and set an illegal "deficit budget" which committed it to spending £30m more than its income, claiming that the excess represented grant "stolen" by central government.

When the government was putting together the Local Government Act 1988, it took the opportunity to seek to prevent such deficit budgets being approved in future - in the form of s114.

What does s114 say?

One thing to be very clear about, is that when a s114 notice is served, it does not mean that the council is bankrupt. In fact, its purpose is to prevent it from going bankrupt – not that you would realise this from much of the media reporting around such notices.

In fact, the word 'notice' does not event appear in this section of the Act, although it seems to have become widely accepted as a way of describing the 'reporting' action of the chief finance officer under it.

Another thing that many may not be aware of, is that s114 covers a number of different financial circumstances, not solely about so-called 'bankruptcy'.

The so-called 'bankruptcy' part of s114 is s114 (3), which says that:

"The chief finance officer of a relevant

authority shall make a report under this section if it appears to him that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure."

This is the section that is intended to prevent a repetition of the 1985 situation in Liverpool.

As you will see. The purpose of this report is to prevent bankruptcy, not resulting from bankruptcy.

What is its effect?

The s114 'notice' will suspend any relevant expenditure until the decision has been considered by the council (for S114(2) notices) or the cabinet (for S114A(2) notices), at which point the suspension ends.

That's why sometimes you can see councils issuing multiple 'notices', as in the case of Northamptonshire County Council in February and July of 2018, and LB Croydon in both November and December 2020.

In this latter case, the second s114 notice was issued on 2 December 2020 after councillors met the day before (as required by the initial notice) but failed to agree a suitably balanced budget.

The authority must consider the 'notice' at a meeting where it has to decide whether it agrees or disagrees with the views contained in the 'notice' and what action (if any) it proposes to take in consequence of it. Such meeting must be held not later than the end of the period of 21 days beginning with the day on which the 'notice' is issued.

This 21-day 'prohibition period' means that the authority must not enter into any new agreement which may involve the incurring of expenditure (at any time) by the authority, unless the chief finance officer of the authority authorises it to do so.

Such 'notices' are generally accompanied by freezes on all non-statutory and non-contractually binding expenditure. This can impact you and your work as a property professional, if you were about to enter into a contract, appoint consultants, or were part way through a procurement exercise.

There are restrictions on what the chief finance officer may authorise during this period, which are limited to where any such agreement is likely to:

a. prevent the situation that led him to make the report from getting worse
b. improve the situation, or
c. prevent the situation from recurring.

Authority for these purposes must be in writing, identify the ground on which it is given, and explain the chief finance officer's reasons for thinking that the ground applies. If the process is not properly followed, any agreement entered into will be deemed to be null and void, so you cannot just carry on with what you were planning to do, and may have to halt actions at the eleventh hour.

What other situations are covered by s114?

There are additional provisions (namely s114(2)) which are where a person holding any office or employment under the authority (other than the executive):

a. has made or is about to make a decision which involves or would involve the authority incurring expenditure which is unlawful
b. has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the authority, or
c. is about to enter an item of account the entry of which is unlawful.

In practice this part of s114 is rarely used.

How many s114 'notices' have been issued?

The very first council to issue a s114 'notice' was the London Borough of Barnet in 1988, followed by Lambeth and Camden in 1989 and 1992 respectively. Then there was quite a long gap until the next one was issued in 2000 by both Hillingdon and Hackney, then Milton Keynes in 2002. That's five 'notices' over 14 years.

It then took another 16 years before we saw the next s114 'notice', which was the first of the Northamptonshire ones mentioned earlier, in February 2018. A relative period of calm, which then started a run of 11 notices over the subsequent five years.

Those statistics alone tell you everything you need to know about the uptick in s114 'notices' in recent years, a reflection maybe of the generally deteriorating financial health of local government in England. Many point to this recent pattern in arguing for the need for there to be a complete restructuring of the local government finance system.

Although we have not seen a s114 'notice' issued since Nottingham in 2023, the threat is constant. In the past few weeks alone, there are rumours around potential 'notices' at Worcestershire, Shropshire, Somerset and Hillingdon.

We have seen a number of councils being given exceptional financial support from the UK Government. In the financial year 2025-26, the government has agreed to provide 30 councils with support to manage financial pressures via the Exceptional Financial Support process. For 8 councils, this included agreement to support for prior years.

If Council Tax increases are a measure of financial health, we can see that nine out of ten English councils are intending to adopt the maximum increase allowable without a local referendum.

There is extra pressure on councils that support children with special educational needs and disabilities (SEND). In a recent Local Government Association survey, over half have warned they will become insolvent when a temporary accounting measure that keeps spending deficits relating to SEND off their main balance sheets comes to an end in March 2026.

Where next for local government finance?

The current UK Government has committed to an overhaul of the way English councils are funded, and this is planned to take effect from 2026-27. What that will look like we do not yet know. And as always, the devil will be in the detail.

Whatever is proposed will be in the context of policy commitments to boost UK economic growth, as well as pressure to overhaul spending on health and social care and the already announced increases in spending on defence. It will be interesting to see what impact the overhaul has.

As the Institute of Fiscal Studies stated in December, *"The clearest shortcoming with the English local government finance system is the arbitrary nature with which most funding is allocated between councils. It is therefore welcome that the government proposes to introduce an updated funding system from 2026–27 onwards, although the details of what is proposed will matter, and the government needs to be clear about what it is trying to achieve with its new system."*

Richard is an honorary member of ACES who was President in 2004/05, a member of ACES Council for a number of years, and a stalwart of Heart of England Branch, both before and after his retirement in 2008. Up to that date he had worked for Nottingham City Council for 35 years.

MY LEGACY - NOTTINGHAM

What has happened to my legacy – Part one

Richard Allen

In this first of a two-part article, Richard gives a factual account of his experiences at Nottingham City Council. But not to be a spoiler, both pieces are really about leadership, knowledge, power, communication, collaboration, and the changing profile and roles of chief estate surveyors working in public sector property. Richard also promotes the benefits of ACES membership, especially the necessity to network.

Introduction

On my retirement in 2008 from Nottingham City Council, the Leader wrote me a personal letter thanking me for the contribution I had made to the city, and which ended *"I know you are leaving a legacy for the future which we are all proud of".*

In my retirement speech, having spent 35 years with the council and 8 of those years leading the property team in my position as Assistant Director (Property), I referred to the legacy I was leaving. A well established professional 'family' property team; a property portfolio worth £1bn (excluding council housing) 'the family silver'; an investment portfolio yielding 6% p.a. that supported economic development and growth, worth £200m, and which had returned 225% over 10 years to 2007 (capital growth, income and sales,) - better than the IPD commercial property 205% and Footsie all share index 82%; an authority that had worked in silos starting to work corporately, thus now in a position to rationalise its operational property; and the Broadmarsh shopping centre flagship redevelopment, which I had been personally working on for 10 years, that would put the city back into the top tier of nationally ranked retail centres, generate more revenue for the council and fund a new bus station and car park.

Nottingham City Council is now effectively bankrupt. The family silver is being broken up to raise £100m from capital sales to reduce an £800m debt and a £30m revenue shortfall last year. The government top commissioner overseeing Nottingham said recently that the council needs to stop being inefficient and that it is blindingly obvious that it has not been making the best use of its properties. Given the significant financial and resource constraints the council faces, the now partly demolished former Broadmarsh shopping centre, probably the largest and most important city centre development site in the UK, is to be sold 'off market' to a buyer with a 'considerable track record of major development'.

My favourite author is Ken Follett who writes historical novels and pays tribute to the dedicated historians who undertake the research for his work. He says "without them we would not understand where we come from. And it makes it even more difficult to figure out where we are going." This statement is the inspiration for writing another of my final articles for ACES' Terrier (actually two articles). As one of the older members of ACES, I am in a position to look back to 1973 when I joined Nottingham City Council. Over the articles I will look at how the role of the Chief Estate Surveyor and use of property as an asset at my old authority evolved. This first article will cover the period up to my retirement in 2008 and explain the legacy. My second article will cover the period from 2008 to the present day, and tries to explain what has happened to the legacy during very challenging times for all local authorities.

Current view across partly demolished former Broadmarsh Shopping Centre site

The legacy

Knowledge is power

After obtaining a BSc (Estate Management) degree at the College of Estate Management, my first four working years were spent with the British Rail Property Board. With a degree in the subject, I was fast tracked on the estate management training scheme. The training was good. It taught me much, in particular the art of communication. When, why and how to communicate, both verbally and written, and only to put anything in writing when necessary. I was also learning the meaning of the adage 'knowledge is power'.

Chief estate surveyors with passion, profile and power

In September 1973 I joined Nottingham City Council as a Senior Estate Surveyor in the Estates Department. The council had an interest in over half the land area within the city boundary and extensive land holdings beyond the boundary, as a result of the enclosure awards, philanthropic gifts of land, and opportunist land banking acquisitions. The Estates department was large with around 40, mainly young, chartered surveyors: half involved in compulsory purchase work, about 30% in managing the estate, and 20% buying or selling houses depending on whether Labour or the Tories were in power. The political control changed a few times in my early years at the authority until finally it became Labour, to which it has remained until this day.

During my first week I was approached by a very smartly dressed silver haired gentleman. He told me that he was the Consultant Surveyor to the authority but had been for a number of years the Chief Estates Surveyor. He explained that the authority had elected members who thought that they ran the council, but he had been responsible for all property decisions. If the elected members wanted to do something silly or inappropriate, he would tell them and it would not happen on his watch.

After just 6 months there was a local government reorganisation. Education and social services roles were transferred to Nottinghamshire County Council. Nottingham City Council became very much a district council dominated by its housing role. The estates set up, renamed the Land Division, became part of a large multi disciplinary Department of Technical Services, bringing together estate surveyors, architects, civil engineers and quantity surveyors. The Assistant Director (Land) was the ACES member who was also a founder member of the Heart of England Branch.

The Department was led by a chartered quantity surveyor, but who always had a copy of 'Modern Methods of Valuation' on the corner of his desk. He was full of ideas, passionate, pragmatic, high profile and thought and acted more like a chief estate surveyor. The authority operated in silos. The Chief Executive was the Town Clerk, a lawyer whose role was primarily just to make sure the council was not acting ultra vires and to organise elections. If anything needed to be done they had to come to the director of my department.

So the authority was run effectively really by the person who was the chief estates surveyor, as he was the most powerful officer in the council. The elected members were ambitious for the city and the department was proactive. Its work initially was mainly completing the slum clearance programme, development of new housing, and regeneration of the city centre. The planners had promoted the development of two large, covered shopping centres at the end of the 1960s. The Victoria Centre would cater for the residents in the north of the city and Broadmarsh for those in the south. It created what came to be known as a dumb bell retail centre. The first to be

Nottingham Science Park


Karlsruhe House

completed was the Victoria Centre, built on the site of the old Great Central railway station. No site assembly was needed as it was in one ownership. The Broadmarsh Centre, on the other hand, had to be developed on a site assembled by the city council using CPO powers. All this took time. It meant that the Victoria Centre was anchored by Jessops, the major department store in the city at the time, now John Lewis. It was the first to open. The Broadmarsh anchor was the local Coop, so it was always considered to be the secondary shopping centre in the city.

During the late 1970s and early 1980s the country was in recession. Manufacturing and heavy industry declined. The council focus changed. Almost all development stalled in the city. The departmental director and labour elected members considered it was their role 'to make things happen' in the city. And to do so take risks. The council offered to gap fund strategically important developments through Urban Development Grants. This approach was successful, adopted nationally and became known as City Grants.

A number of major housing developers went bust in the recession due to land banking and huge increases in borrowing costs. The council offered development sites to the market on the basis of housing partnership schemes. Houses were built on a licence arrangement with the land and built houses sold directly to the house purchasers; developers did not have to borrow to purchase the land. The country's future lay in the development of small to medium size enterprises. Led by our director, the council started a programme of building small business units. Over the next 30 years it developed around 600 small industrial and business units in numerous courts and refurbished former textile factories. It developed a science park in partnership with Nottingham University, a number of business centres, and a food park.

The images show the entrance to the Nottingham Science Park, developed over many years to support economic development, and Karlsruhe House, which was the last factory to be purchased by the council and converted into workspace for small/medium size enterprises.

Initially the developments were funded by the council but the majority were funded through the government's urban programme. Some of these grants were meant to be repaid but I know in many cases this did not happen. The department set up an economic development unit and offered grants and advice to small business. To raise the profile and improve the marketing of its investment properties, particularly those that supported the growth of small businesses, it branded the investment team estate surveyors as 'Nottingham Property Plus', the 'plus' standing for a landlord the tenant would know and trust, who would take on responsibility for the major property costs such as external and structural repairs and insurance, would provide business support and access to grants, and with a large network of workspace across the city, would enable businesses to move easily to larger premises as the business grew.

Decline of the chief estate surveyor

At the end of the 1980s there was another recession. The old Town Clerk retired and the council created the new much stronger leadership role for a chief executive to modernise working practises. Departments were reorganised and the property function ended up with the architects in a new Department of Design and Property Services, but still under the existing Director. Economic development went to a new Development department, which included the town planning role. Regeneration was to take place through public/private sector partnerships. Government quangos were set up to promote and manage regeneration and the allocation of grants. The council property professionals and property assets started to take on a more supporting role rather than driving regeneration and economic development.

<u>Asset management planning raises the profile of property</u>

Public sector growth was also out of control. An Audit Commission report was highly critical of how local authorities used their property assets. The departmental director had by then retired. The new one was an architect close to retirement. All local authorities had to appoint a Corporate Property Officer to write an Asset Management Plan (AMP). At the time, my position was Assistant Director (Property) so I took on that position and wrote the first AMP. It was written to a format prescribed by central government setting out how an authority would manage its assets, collect data, and produce performance indicators on condition and usage. It was heavily process driven and to succeed, needed an authority to work in a corporate way.

The council's first corporate chief executive had introduced service planning for all services. Rather than achieving a corporate approach, this just encouraged more silo working. In 1998 the council took over responsibility for the services it had lost in 1974 and focus shifted from housing to education as the secondary and primary schools were bottom, and third from bottom, respectively of the national schools' performance tables.

Over a five-year period, after the requirement to produce AMPs was introduced, the council had four chief executives who all tried to get the council officers to work in a corporate way. A new first tier of management was introduced: corporate directors. But departmentalism and silo working were firmly embedded in the culture. Property was seen as a free resource. Getting the council to understand that property was a corporate resource, rather than individual departmental assets, was slow. But it was starting to happen by the time I retired. Knowledge was being shared and power conceded to support a collaborative approach to the use of resources. One service manager did, however, say to me he was only 'playing the game' while he had to, but that he would revert back this old ways once he could. So there was still work to be done.

In 2004/05 I had the privilege of being the President of ACES. I adopted as my theme 'Profile and Pride'. Profile because the production of AMPs and corporate collaborative working was raising both the profile of property and the role of the chief estate surveyor in local government to use property as a resource to influence and shape their communities, thus leaving a legacy for their community of which they could be proud.

Broadmarsh shopping centre redevelopment

During my time at the council, the various economic driven developments added revenue to its investment portfolio. But around a fifth of the rental income came from its ground rent in the Broadmarsh shopping centre. Under the lease, the council received one third of the gross (not net) rent: a very favourable arrangement for the council. But the centre was lagging behind the Victoria Centre and needed investment. Together with the inner ring road, which ran immediately to the south of the centre, it was a barrier between the station and city centre.

In 1988 a meeting was held with Possfund, the then owners of the shopping centre, with a view to redeveloping the centre and moving the ring road south of the station. As the country was going into recession no progress was made until the late 1990s when serious talks on a scheme started. Possfund eventually sold the centre to Westfield, the largest shopping centre operator in Australia, who wanted to move into Europe. In 2005, during the week when I held my ACES Presidential Conference in Nottingham, a development agreement was signed. It was conditional on Westfield getting an anchor store for the centre and 25% prelets. The store would be 2.5 times its existing size and would cost the council nothing. The council income was to be protected during the development period and the scheme would also pay for a new bus station, car park and road improvements in the area. A great deal for the city, or so it seemed at the time.

Mistakes

Significant change took place in Nottingham during my 35 years at the council. Much had been property led. But it would be wrong to say that it had all been perfect. Mistakes were made, particularly with housing. The slum clearance programme nationally had been a fast-track programme to get people out of poor housing. It was not a programme to get people into good housing. There was little time or thought given to the layout and design of the new housing. Many of the developments, particularly the poorly designed deck access estates, have had to be demolished and rebuilt at significant cost to the public purse. Similar mistakes must not happen in this government's 'dash' to develop much need housing.

In the 1960s the council built Maid Marion Way, a dual carriage way on the west side of the city centre: the start of an inner ring road programme that did not materialise. The open air Mount Street Bus Station that was just outside this new road, which served Derby and towns west of the city, was then developed as a covered bus station, shopping arcade and multi-storey car park. Because it was cut off from the city centre, it became a 'white elephant' as the shops were never occupied and the bus station soon closed. History may be repeating itself at the Broad Marsh which I will refer to in my next article.

Outsourcing starts

The Estates department I joined in 1973 was clearly over resourced. The private sector was not that much better. Each year services had to make budget savings which could usually be achieved by not filling vacancies. Because everything was done in-house, the quality of some work was questionable.

In 1990 there was a national property rating revaluation. The last revaluation had been in 1972, and a retired senior estate and valuation surveyor had been brought out of retirement to deal with the appeals. There was no in-house expertise and not a lot in the private sector. I was responsible for a team appealing, where appropriate, the new valuations but decided we needed help. The bigger and more difficult appeals were outsourced to a local experienced rating surveyor. The Concert Hall and Theatre Royal was given a combined rateable value of £1.23m.

This valuation was based on the

Theatre Royal/Concert Hall complex

Interior of Albert Hall

'contractors test' method of valuation. This basis of valuation was challenged at the Valuation Tribunal. Our consultant rating surveyor ran rings around a very capable district valuer and convinced the tribunal that a 'comparative' valuation could be justified. The main evidence was the Albert Hall, the location for my presidential conference in 2005, which had been let on the open market.

The rateable value was reduced to £174,000, and even with the phasing in of the rates to be paid, it represented future savings to the council of many millions of pounds. The consultant's fee was based on a percentage of the reduction in the rateable value. It was in six figures. For the next revaluation the fee was to be paid on a falling percentage basis with a cap. We were learning the rules of outsourcing. It convinced me that there are times when the private sector knows best and should be used.

To determine whether work is done in-house or outsourced should be subjected to the 'time, quality and cost' test. If doing it in-house fails any of these tests then outsourcing should be at least considered: far better way of demonstrating best value than the so-called 4Cs: 'challenge, consult, compare, and compete', introduced in the 90s and used by the Audit Commission. To outsource work and operate in partnership with the private sector, it is essential to know how this sector works. Something I quickly needed to learn, as partnership working, outsourcing and using consultants was to become more the norm. Gaining this knowledge and the outsourcing skills I needed proved to be by far the best benefit I got from my ACES membership.

My time was up

During the 39 years of my working life, the biggest change in the workplace was the introduction of information technology. Communication was no longer an art. It was becoming a science. In the end I was being bombarded daily by emails: to many, ill thought out and badly written. It was taking longer to complete things than when I started work in 1969. Leadership and managing staff performance was becoming increasingly more difficult. Having just turned 60 I decided my time was up.

To be continued…..

Richard is Group Business Development Director for the Norse Group, with over 30 years of experience in the built environment for the private and public sectors, and a key leader of the executive team charged with strategic client retention, new client acquisition, and revenue growth. Cultivating long-term relationships and joint venture partnerships, Richard builds successful pipeline opportunities for public sector clients, creating new revenue streams and growth. His 'raison d'être' is to support, help and assist public sector clients, their communities and residents, to work and live well within the built environment. He is passionate about our planet!

REIMAGINING URBAN ASSET MANAGEMENT

Unlocking value for sustainable cities

Richard Gawthorpe Richard.Gawthorpe@norsegroup.co.uk

Richard identifies the advantages of adopting circular economy principles. "Public sector land… presents a significant opportunity to create value. A strategic approach ensures that land is repurposed in a way that maximises both financial returns and social impact."

Context

The future of our towns and cities is at a critical juncture. With public sector reform reshaping local government, the opportunity to reimagine urban assets has never been greater.

The traditional reliance on government grant funding to maintain and enhance public assets is no longer viable. Instead, innovative approaches must transform underutilised spaces into thriving, self-sustaining communities. By integrating services, unlocking new revenue streams, and embedding circular economy principles, the sector can drive long-term resilience and financial independence.

Across the UK, towns and cities contain vast amounts of underutilised or underperforming public assets. Redundant retail spaces, outdated office buildings, and surplus public sector land present significant opportunities. Rather than viewing these as liabilities, the sector (local authorities, blue light services, and health estates) must explore how they can be repurposed into dynamic, revenue-generating ecosystems. Converting surplus spaces into mixed-use developments—combining commercial, residential, and community assets—creates environments that attract businesses, support local enterprise, and provide essential services. Co-locating public services with commercial and residential elements improves accessibility, reduces operational costs, and enhances economic viability. This approach moves beyond asset disposal, shifting the focus to long-term value retention.

Circular economy principles

Embracing circular economy principles is critical to ensuring sustainable urban regeneration. Traditional asset management models follow a linear approach —build, use, dispose. Instead, resource efficiency, longevity, and continuous reinvestment must take priority.

Adaptive reuse of buildings significantly reduces embodied carbon and costs, while regenerative urban design integrates green infrastructure, energy-efficient retrofitting, and modular construction to enhance resilience. Embedding smart resource management through Internet of Things-driven asset monitoring improves maintenance efficiency and extends asset lifecycles. These strategies reduce waste, lower operational costs, and create regenerative urban spaces that retain economic and social value over time.

Ensuring urban asset strategies align with local needs is essential. Place-based service delivery allows investments to reflect demographic, economic, and social conditions, ensuring multi-use assets that evolve with community needs. A comprehensive approach to asset and service management maximises efficiency and sustainability. AI-powered predictive maintenance extends asset lifespans, while closed-loop waste and energy systems—such as waste-to-energy conversions—enhance financial and environmental returns. Public sector land, including surplus NHS estates and underutilised local authority property, presents a significant opportunity to create value. A strategic approach ensures that land is repurposed in a way that maximises both financial returns and social impact.

Balancing urban expansion with Green Belt policies remains a challenge. However, by adopting innovative land-use strategies, the sector can unlock development potential without compromising environmental or planning constraints. Redeveloping brownfield and greyfield sites allow for compact, well-planned mixed-use developments that maximise land efficiency and drive economic growth. Sustainable urban extensions integrate transport, services, and housing holistically, while maximising infill development within existing urban centres reduces sprawl and enhances infrastructure utility. Aligning investments with long-term sustainability goals means incorporating renewable energy solutions such as solar, wind, and district heating networks, as well as water reuse systems like rainwater harvesting and greywater recycling.

Planning and Infrastructure Bill

A significant enabler of this transformation is the Planning and Infrastructure Bill, introduced to Parliament on 11 March 2025. Designed to accelerate the biggest building boom in a generation, the bill streamlines planning approvals, reduces bureaucratic constraints, and unlocks development potential across the UK.

Key provisions include faster planning decisions to enable the rapid repurposing of underutilised assets, greater flexibility in land use to support mixed-use developments that drive economic sustainability, and infrastructure-led growth, ensuring that essential transport and public services are in place to sustain long-term regeneration.

For local authorities and public sector estate managers, this legislation represents a game-changing opportunity. Aligning urban asset management strategies with the new planning framework allows investment to be unlocked, redevelopment to accelerate, and communities to become resilient and revenue-generating. The bill reinforces the need for integrated service management, strategic asset optimisation, and impact investment to maximise the benefits of these planning reforms. However, traditional funding models for public realm assets are becoming increasingly unsustainable. Government grants and borrowing constraints limit the ability of local authorities to invest in long-term infrastructure. Impact investment offers an alternative, unlocking capital for projects that deliver social, environmental, and financial returns. Investors - ranging from pension funds to social impact bonds - seek opportunities that align with their environmental, social, and governance objectives.

The sector can tap into this funding by leveraging green bonds and impact investment strategies to attract sustainable infrastructure funding, subscription-based services for infrastructure and utilities to create recurring revenue streams, and by generating financial resilience through sustainable local governance. Establishing long-term investment funds allows commercial returns from public estate developments to be reinvested into maintaining public spaces, reducing reliance on government funding and ensuring that assets contribute to their own upkeep rather than becoming financial burdens.

The landscape of urban asset management is evolving. Public sector reform offers an unprecedented opportunity to unlock value, reimagine service delivery, and build self-sustaining communities. The Planning and Infrastructure Bill will accelerate this transformation by removing planning barriers, enabling faster development, and reinforcing the financial sustainability of public assets. The challenge now is to embrace innovation, rethink traditional models, and lead the transition toward a more sustainable, self-sufficient urban future.

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Simon is a Director in Boyer's Cardiff office. He joined Boyer in 2005 and helps to lead the Cardiff team. Simon is involved in a wide range of projects across different sectors including residential development (private and housing association), education redevelopment, primary health care provision and hospitality/leisure. He works in Wales and southern England and regularly provides development advice, site appraisals and promotion, as well as managing the submission of large-scale planning applications.

HIGH STREET RENTAL AUCTIONS

To what extent can this approach solve the problems on the high street?

Simon Barry simonbarry@boyerplanning.co.uk

Simon asks if "new and innovative initiatives such as HSRAs offer a viable solution to reinvigorating these once-bustling areas and fostering a more dynamic, diverse presence?"

The high street landscape

A walk along your local high street today presents a marked contrast to its appearance a decade ago. Once characterised by an array of shops, restaurants and gathering spots, many high streets now face a growing number of unoccupied units. Foundations of the high street, such as Woolworths, BHS, Arcadia Group and Debenhams, have ceased trading, leaving voids in what were once vibrant town centres. While the causes are multifaceted – from the rise of e-commerce and the pandemic's long-lasting effects to the cost-of-living crisis and shifting consumer habits – several variables have culminated in a high street landscape now defined by desolate stretches and deserted storefronts.

A lifeline?

In response to these nationwide issues, the government's inception of High Street Rental Auctions (HSRAs) aims to empower local councils to auction leases for long-term vacant retail spaces, offering a potential lifeline to urban centres facing economic decline. However, even with the introduction of new initiatives like HSRAs, it remains evident that the high street's future depends on more than just filling in the voids.

It is right that the regeneration of our high street is a priority for the government: the vitality of a local high street has a significant knock-on impact on the broader economic and social value of our towns and cities. Waking up to the news of yet another prominent brand shuttering multiple stores has become an all-too-familiar occurrence. Could, then, new and innovative initiatives such as HSRAs offer a viable solution to reinvigorating these once-bustling areas and fostering a more dynamic, diverse presence?

But great minds from across retail, planning and regeneration have attempted to find a solution to the 'perfect storm' battering so amany of our high streets, and the failure to do so suggests that the solution is far from simple. For example, despite initiatives such as the Future High Streets scheme, which aims to support the regeneration of town centres, challenges persist.

The suggestion by the government that 'disengaged landlords' are 'sitting on empty properties' further highlights the complexity of property investment. No landlord wants their investment to remain vacant while maintenance bills mount or the property falls into disrepair: most would welcome any alternative.

High Street Rental Auctions

AI generated

Ministry of Housing, Communities & Local Government

This presentation is based upon the official MHSLG slide deck and presentation provided by the HRSA Team, Wolverhampton

But, as is demonstrated by the number of multinationals and independents closing on the high street, and the fact that one in seven high street units is empty, the state of the high street is ultimately at the mercy of supply and demand factors. Boyer has first-hand experience of this, and we are currently working for a number of clients regarding restaurants, pubs, coffee shops and general retail. We are aware that there are detailed considerations which need to be taken into account before any investment is made.

The previous government's introduction of Class E was a bold move, using considerable deregulation of the planning system to encourage high street regeneration, allow a wider choice and support local demand. While there has been some success in this, and it inevitably increases the flexible use, many properties remain empty.

It seems unlikely, therefore, given the flexibility of change of use and the substantial marketing that is invested in such properties, that an auction could resolve their fortunes. There are many broad, complex and ever-changing factors at play, and the government's priority for high street regeneration must be to address them.

The ethos of 'right to rent' is a throw-back to localism – itself an ineffective gesture to offer power to local communities which, for a plethora of reasons, failed to deliver.

I would question why a building which had been marketed for many months would attract interest at auction; whether landlords' properties should be removed from their possession (albeit temporarily) when they have invested in both the bricks and mortar and the management and marketing of the unit, and how the new tenants would succeed where the professional landlord has failed.

Furthermore, do local authorities have the resources to do so, in terms of skills and finances? The perilous state of local authority finances would suggest not.

Conclusions

With further high street closures imminent and an already barren desert of traditional retail outlets, the role of government, landlords, local authorities and communities in navigating these difficulties cannot be underestimated.

Could HSRAs propose a promising opportunity for independent retailers and start-ups seeking affordable premises? Might they benefit hospitality ventures such as cafés, restaurants and bars, as well as enterprises like hair salons, gyms and co-working spaces? Feasibility remains doubtful.

Ultimately, the high street's revival depends on a delicate balance of innovation, investment and the ability to adapt to the evolving needs of consumers and businesses. Until this alignment is achieved, the fate of our high streets stands uncertain. Nonetheless, it is a challenge that deserves sustained focus and action from all stakeholders.

Editor note

MHCLG has prepared detailed information about the HSRA process for local authorities. See the slide for the opening reference.

Ben is a chartered commercial investment surveyor with an emphasis on sales by auction. Ben joined Savills as a Director in July 2024 to focus on the commercial offering within the market and leading a mixed use auction team. Ben has advised central government and local authorities, providing strategic advice across the country, helping clients to achieve their goals in a manner that suits them.

SALES BY AUCTION
A practical guide to auctions for local authorities

Ben Hodge ben.hodge@savills.com

In this punchy article, Ben extols the virtues of selling surplus property by auction. "By aligning council priorities with auction values, councils can maximise the return on their assets, ensure compliance, and provide a clear and justifiable sales process."

Aligning council priorities with auction values

Local authorities often find themselves in possession of legacy properties that require significant capital expenditure. These properties, while potentially valuable, can become financial burdens if not managed effectively. To address this, councils may turn to auctions as a strategic method to raise capital, fund new ventures, or cover existing costs.

Transparency and compliance in auctions

One of the key advantages of auctions is their inherent transparency. With 'Know Your Customer' compliance at the forefront, auctions ensure that all transactions are conducted openly and fairly. This transparency is crucial for public sector bodies, which have a duty to demonstrate best value for taxpayers. By using auctions, councils can provide a clear and justifiable sales process, making it easier to defend decisions if challenged.

Achieving market value

Auctions are designed to achieve market value by bringing together willing buyers and sellers who agree on a price without compulsion. This competitive environment ensures that properties are sold at their true market value, reflecting current demand and supply dynamics. For councils, this means they can maximise the return on their assets, providing much-needed funds for other projects or liabilities.

Definitive timescales and liquid sales process

Another significant benefit of auctions is the definitive timescales they offer. Typically, the period between exchange and completion is around 20 working days. This allows councils to have the completion monies in their accounts by the end of the month, providing a liquid and efficient sales process. This quick turnaround is particularly beneficial for councils needing to raise capital swiftly.

Cost-effective disposal method

Traditionally, auctions have been seen as a relatively expensive route to market. However, as buyers have become more accustomed to absorbing costs, public sector bodies can now charge disposal costs back to the buyer. This shift has made auctions a cost-neutral method of disposal for councils, further enhancing their appeal as a strategic sales option.

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Alex McKinlay
Head of Public Sector
alex.mckinlay@savills.com

Emily Simpson
Framework Manager
emily.simpson@savills.com

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of properties at auction. Our global brand and extensive reach, combined with a strong local presence through our network of over 60 offices across the UK, ensures that we can effectively market and sell properties for councils.

Track record

As a team, Savills has regularly acted for local authorities across London and country-wide locations, in addition to other public bodies with similar requirements. Our deals range greatly, from Grade II listed sports facilities, to a vacant former bank in East Dulwich with redevelopment potential. In both examples, the publicly owned client demonstrated market value through the transparent auction sales method, realising the proceeds of the sale within four weeks of exchange.

Conclusion

For local authorities looking to manage their property portfolios effectively, auctions offer a transparent, efficient, and cost-effective solution. By aligning council priorities with auction values, councils can maximise the return on their assets, ensure compliance, and provide a clear and justifiable sales process. If you are a local authority interested in discussing your property needs, whether residential, commercial, or otherwise, please get in touch with us at Savills. Our expertise and extensive network are at your service to help you achieve the best outcomes for your assets.

David is a land agent, consultant, and member of the Natural Capital team at Carter Jonas. Prior to this, David was Head of the Property Services function at Northumbrian Water for over 25 years. As part of that role, he helped develop the organisation's thinking around corporate natural capital accounting and biodiversity net gain, including how this link into their corporate property strategy and wider business goals.

BIODIVERSITY NET GAIN

Navigating the evolving market

David Alborough David.Alborough@carterjonas.co.uk
and Sophie Davidson Sophie.Davidson@carterjonas.co.uk

This report is a summary of a recent research report by the Carter Jonas Research team https://www.carterjonas.co.uk/research-and-insight/biodiversity-net-gain-navigating-evolving-market . The report analyses the evolving market and points to future provision of BNG.

Introduction

Biodiversity net gain (BNG) policy has now been in effect for a year, driving investment in nature-based solutions and contributing to the UK's wider environmental goals. Introduced in February 2024, BNG mandates developers in England to leave biodiversity in a measurably better state post-development. The Environment Act 2021 set out a minimum requirement of 10% net gain to be secured for 30 years, although some local planning authorities (LPAs) are requiring a higher percentage.

This new and rapidly evolving landscape holds significant potential for collaboration between landowners, land managers, developers, environmental organisations, LPAs and brokers. If achieving net gain on-site is not feasible or strategically optimal, the developer can create biodiversity units off-site or purchase them from landowners (the private market), who will create or enhance habitats on their behalf. If they are unable to find the relevant off-site units to meet trading rules, developers can buy statutory credits from Defra.

As highlighted by the National Audit Office (May 2024), Defra is relying on the private market to fulfil demand for off-site solutions. Yet the market is still in its infancy. While developers are learning to navigate the complexities of the policy, landowners and land managers are exploring how to maximise their offering. In some locations, particularly in the East and Southeast, several habitat banks are already registered and more are in the pipeline, resulting in considerable competition. In others, demand for biodiversity units is outpacing the supply

Sophie is a Senior Analyst in the Research team at Carter Jonas, reporting on market trends and themes across both the rural and commercial divisions.

Other Carter Jonas personnel involved in this report are Lucy George, Associate, Rural, and Richard Holliday, (Associate, Planning & Development.

The boundaries of England's 159 NCAs are defined by natural landscapes, rather than county or district borders. They help guide decisions on, for instance, land management, planning and conservation.

of units, leaving substantial room for growth of the market.

This research aims to answer questions on the requirements of the average development, how net gain is being delivered to date, and the potential demand over the next two years, to gain an understanding of how the market is developing and any barriers to growth.

Please note that the data used in this research represents a snapshot of the market, and averages and assumptions may evolve as best practice and understanding changes.

A typical development

An early understanding of a development site's biodiversity value enables developers to optimise design and ensure harm to habitats is minimised and appropriately mitigated. This can allow for a more accurate assessment of viability from as early as site selection, and help to avoid additional expenses and delays later on.

In brief, developers must appoint an ecologist to calculate their baseline (or pre-development) and post-intervention (or post-development) habitat, hedgerow and watercourse biodiversity value (in units using Defra's statutory biodiversity metric). If a 10% net gain (or higher, if prescribed by the LPA) cannot be achieved on all three of habitats, hedgerows and watercourses when the two assessments are compared, developers will then look to off-site solutions, having exhausted the onsite opportunities in line with the mitigation hierarchy.

Average biodiversity baseline per ha

We have analysed over 3,300 ha of development sites, spanning a diverse range of property sectors and all regions of England, to identify what the average development site's baseline value is. This helps us to understand future demand and the potential for growth for the private BNG market.

Our data shows that the average habitat (area-based) baseline unit per ha is 3.45. The calculation takes into consideration factors including the type of habitat and its size, distinctiveness, condition and strategic significance (denoting its locational and ecological importance). For instance, the average 10-ha site has a habitat baseline value of 34.5, and would need to enhance existing habitats or create new habitats to reach at least 37.95 (10% net gain).

Of course, there is a wide variation (illustrated by the extreme high and low lines in figure 1) depending on the density of habitats on the site, but a typical range has become evident. For hedgerow and watercourse units (or linear habitats), this number is much smaller at an average of 0.50 and 0.15, respectively.

Figure 1 shows the lower and upper quartiles for baseline biodiversity units per ha (in purple and green), the average (depicted by the line between the purple and green areas) and the extreme high and low figures (the lines extended upwards and downwards). As such, we are generally seeing developments fall between the purple and green areas.

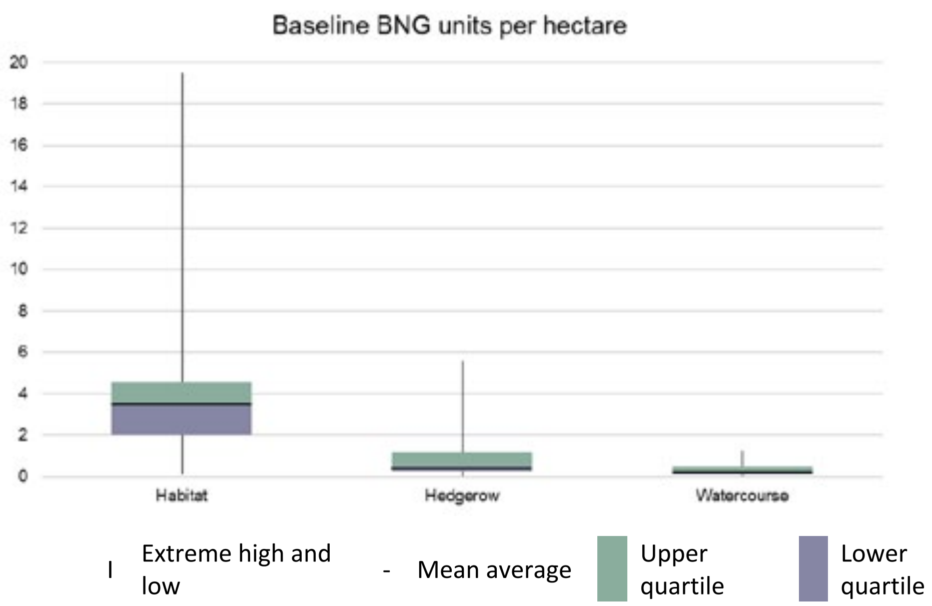


Figure 1: Average baseline biodiversity units per ha

Source: Glenigan; Carter Jonas Research

Biodiversity units: greenfield vs. brownfield

There is variation between baseline values of greenfield and brownfield sites, although not as large as may be expected. Compared to the average across all sites of 3.45 units per ha, our research found an average baseline of 3.60 units per ha for greenfield sites and 3.17 units per ha for brownfield sites. This illustrates that sites that are largely previously developed can have a significant environmental value but it is likely that developers will still need to invest in a BNG solution. In particular, brownfield sites with open mosaic habitats (characterised by a mix of bare ground and vegetated patches, creating a 'mosaic' of different environments) are often recognised for their high ecological value. These are typically found in vacant sites in urban areas and former industrial sites, such as old factories or quarries.

On analysis of solely residential developments, the average baseline value is 0.28 habitat units per dwelling. Again, there is variation between greenfield and brownfield sites, with average baseline units of 0.30 and 0.22, respectively.

How is BNG being delivered?

Delivering BNG on-site v off-site

Our findings show that 54.7% of developments are providing all BNG on-site. The remaining developments have either secured an off-site solution or have stated in their planning application that they will be looking to agree one. This includes where developers are using another site under their ownership to deliver BNG. In some areas, local authority-linked habitat banks are the key source of off-site units. Some are actively engaged in creating biodiversity units for purchase which, as Local Nature Recovery Strategies (LNRS) are formulated (as discussed later), may accelerate this trend.

Exceeding BNG requirements

Interestingly, even though the Environment Act prescribes a 10% net gain, we see developments going much higher (even without the LPA requiring a higher percentage). When all BNG is delivered on-site, we see an average net gain of 29.4% for habitat units. Again, this varies between greenfield and brownfield developments, with brownfield developments averaging a higher percentage increase (most likely due to the opportunity for significant gains from habitat creation in areas of low biodiversity). However, even when developers look to off-site solutions, we still see net gain percentages much higher than 10%, with developers either buying or delivering on land under their ownership in excess of what is required.

There are a few reasons why this might be the case. Firstly, as developers start to understand BNG and their requirements, they might be adopting a cautious approach, overprovisioning to mitigate the risk of unexpected costs or habitat failure. It could be the result of other planning policy or site-specific requirements, for example, a need for street trees, sustainable drainage, or specific landscaping. It may also be that it aligns with their corporate or project ESG goals, or that they are using the over-delivery to enhance the planning narrative and overall planning balance. Or it may be because they need to deliver more of a particular habitat or distinctiveness, so the total net gain appears in excess.

Future demand

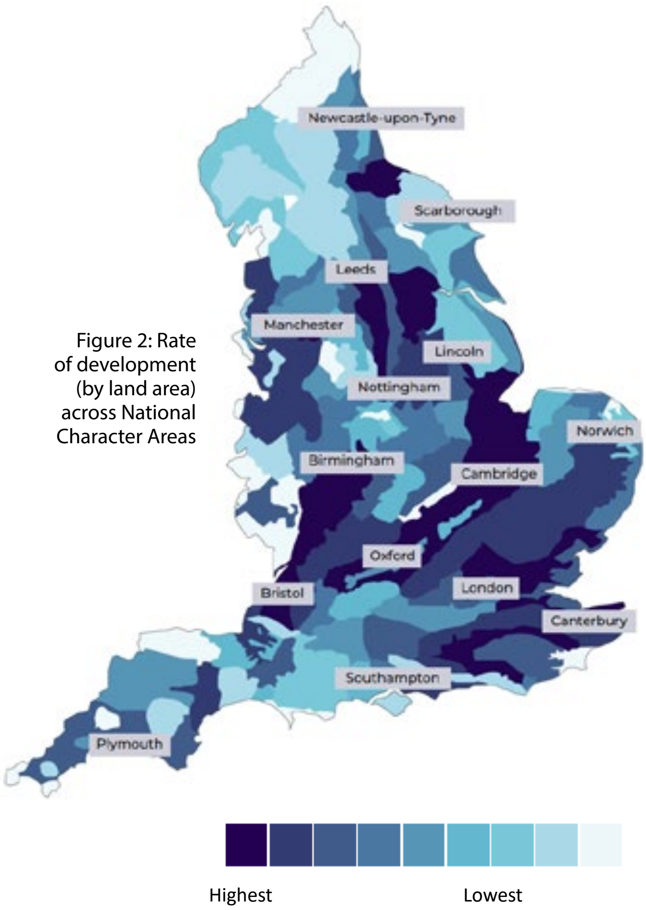
We have extended the findings of our analysis to understand which National Character Areas (NCAs) are likely to see the most demand for biodiversity units. By using data on the site area of new developments expected to start construction in the next two years, we have estimated the biodiversity units needed to be purchased from the private market, taking into consideration the potential proportion of developments that require off-site solutions and the average requirement per ha of development.

The metric incentivises the delivery of BNG within the same LPA or NCA. As per the metric's Spatial Risk Multiplier, off-site units from neighbouring NCAs or LPAs are reduced in value by 25%, and outside of that are reduced by 50%. Although LPAs have an important role to play, particularly in outlining local BNG requirements, NCAs in many areas of the country are further reaching and often span multiple LPAs, meaning that opportunities are often greater within these boundaries. As such, our experience is that the BNG market at present is largely operating at NCA level. That said, there is a potential for planning policy to shift the dynamic from an NCA to LPA-based market, with LPAs mandating that BNG be delivered with their locality.

We have estimated that the average off-site requirement per NCA is 141 units in the two years from April 2025, but there is a large degree of variation. Our analysis of over 15,000 planning applications shows that there are hotspots where the requirement for off-site BNG is likely to be significantly higher than the average and where competition for units may arise. In some areas, the neighbouring NCA also has a strong pipeline for development, potentially creating further competition.

We expect the greatest demand to be in the Northern Thames Basin. A range of new developments is planned for the next two years, including residential developments,

Figure 2: Rate of development (by land area) across National Character Areas



Source: Glenigan; Natural England; Carter Jonas GIS; Carter Jonas Research

154

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12 local authorities we provide annual asset valuations for data centres, commercial buildings and renewable energy. While the NCA has a relatively high percentage of urban area (28.2%), there is considerable opportunity for unit delivery in its rural areas. Other than Inner London to the south (albeit likely to have its own challenges, being 94.8% urban), the surrounding NCAs (and most beyond that) are also expected to have a higher-than-average need for units. Unlocking supply for off-site units will be essential to the successful delivery of development.

It is also likely that more applications will be submitted and approved in that two-year period. Indeed, if the Labour government's reforms to the planning system are successful in increasing the rate of development, these numbers could be much greater. Likewise, the extension of BNG to Nationally Significant Infrastructure Projects (expected in November 2025) will, undoubtedly, create even more competition for units. Regardless of these considerations, our analysis indicates that the market could still be larger than initially estimated.

Local Nature Recovery Strategies

Local Nature Recovery Strategies (LNRS) are plans that outline priorities for nature recovery, mandated by the Environment Act 2021 and central to the UK government's Nature Recovery Network initiative. There are 48 responsible authorities across England leading on their preparation.

LNRS play a role in BNG by defining which areas have a high level of 'strategic significance'. In the biodiversity metric (the calculation tool that assesses biodiversity value), a 1.15 multiplier (or 15% increase) is applied if the biodiversity units are being created in an area mapped in the LNRS. This means that development projects that create or enhance habitats in these areas would have a higher biodiversity value, reducing the amount of land required to achieve the targeted gain.

As such, it would be beneficial to establish habitat banks for off-site BNG solutions in LNRS areas, and so the publication of the strategies should accelerate their creation and, in turn, the supply of biodiversity units. In some areas with a shortage in availability of biodiversity units, it has been quoted that habitat bank creation is waiting for the LNRS to be published, being pivotal in deciding where to set them up.

We contacted all LNRS and received a response from 58% on the status of their strategy. The majority of these have either opened consultations on their strategy or are planning to launch one in the first quarter of the year. It is then expected that strategies will be in place by the end of 2025, with most planned for launch in the third quarter.

Supply of biodiversity units for BNG

Considering that 45.3% of developments are requiring an off-site BNG solution, the market requires a healthy flow of supply. But few 'off-the-shelf' solutions are available yet and most habitat banks are not yet fully registered. Some providers will offer bespoke solutions, but this will take more time and so may slow the commencement of developments.

So far, the supply of units has been uneven both geographically and across different unit types. For instance, in some areas there has been a relatively high number of grassland units created which has put downward pressure on prices. In contrast, there is a national market, and a premium paid, for watercourse units due to their sparsity. The market is intended to be competitive, with supply and demand dynamics driving pricing, but we can expect these initial fluctuations to stabilise as the market matures.

There is currently significant opportunity in the supply of fractional units. We are aware of developers going to the market with a requirement of less than 1 unit, some even less than 0.05. These are usually disproportionately expensive. This is partly because transaction costs inflate the overall price, and partly because habitat banks often have a minimum transaction size, thereby limiting supply. We have observed that smaller sites (typically delivered by smaller developers) are more likely to be affected as it can be challenging to deliver BNG on-site due to their limited space and more constrained area.

However, forecasting future supply is not feasible. While it is possible to identify land of the right ecology which could be suitable, the business motivations of landowners or property issues, such as existing restrictive covenants on the land, could hold equal or greater weight. This will affect not only supply but also, in turn, price. While competition may initially drive down prices, they will reach a threshold where landowners will no longer be motivated to enter the market. At this point, prices will rise.

Looking forward: the future of BNG

Best practice will, inevitably, change and evolve as all players in the market collectively learn from early experiences and refine their strategies. For instance, there may be shifts in approaches to management, such as developers favouring off-site providers as delivering units themselves may be costly or impractical. Or the opposite may be true.

There will likely be questions on (and perhaps an uneven approach to) enforcement of BNG obligations. While LPAs have a responsibility to investigate a breach of planning control, such as non-compliance with planning conditions and s106 agreements, they are not legally required to take action. And, at a time when LPA budgets are under severe pressure, enforcement activities can be the first to suffer when budgets and resources are focused on the determination of planning applications. Nevertheless, effective enforcement is important to ensure the integrity and success of the market, so it will be interesting to see how LPAs approach this.

Further, balancing land use for food production and habitat creation will likely continue to be a subject of debate. However, as highlighted in Defra's recent "United Kingdom Food Security Report 2024," agriculture and natural capital are correlated positively. The report emphasises that *"long term decline in the UK's natural capital is a pressing risk to UK food production," and that "agriculture is reliant on healthy biodiversity."*

Agriculture can reap significant benefits from enhanced ecosystems, such as through increased pollination and healthier soil. Additionally, evidence indicates that biodiverse ecosystems are more resilient to climate-related risks. Identifying tertiary and less productive agricultural land for habitat creation will not only be crucial to its success, but offers opportunities for additional, long-term income streams, along with the numerous social and environmental benefits that biodiversity provides.

Mark is a chartered landscape architect with over 19 years of experience in private consultancy and third-sector organisations. He has a varied and diverse portfolio of project work ranging from residential, commercial/industrial, renewable energy, ports, highways, rail, conventional energy and infrastructure, to city-wide public realm strategies and master planning covering all aspects of Landscape Institute and RIBA work stages. He has experience across the UK, Canada, the USA.

BIODIVERSITY NET GAIN
Successes and challenges

Mark Topping Markt@lanproservices.co.uk

Mark points out some of the issues with BNG: "It is important to remember that we are still in the early days of a very significant change in approach and that an element of confusion is inevitable."

The impact of BNG regulations

Biodiversity net gain (BNG) became mandatory for major developments from 12 February 2024 and for small sites from 2 April. A year on from its initiation, we look at the triumphs and tribulations.

As a property consultancy consisting of ecologists and landscape consultants in addition to planners, Lanpro has long promoted and implemented a holistic approach to masterplanning, which takes the existing environmental parameters as its base and delivers a scheme around this. The implementation of BNG, however, takes this a step further.

It goes without saying that BNG has had a significant impact on the development sector. BNG must now be considered at all stages of the planning process, from validation, through to assessment, discharge of conditions and reporting. Furthermore, the requirement to manage on-site BNG for 30 years has a significant impact on the management of schemes.

For the purposes of the regulations, BNG is measured using the biodiversity metric calculator which has been developed by Defra. Net gain is measured as the percentage change in the biodiversity value of pre- and post-development habitats. The minimum 10% gain must be achieved separately for area habitats, hedgerows and watercourses, if these different categories of habitat occur within the planning boundary.

Although initiated by the previous government, the introduction of BNG is well timed in view of the new government's revised policy on Green Belt release. The increased flexibility regarding Green Belt release could help implement BNG as it can unlock land for development within the proximity of green space, which is often of a low quality in biodiversity terms. Thus the 'grey belt' - poor quality or brownfield sites within the greenbelt – provide an opportunity for development without a considerable cost in BNG.

Most would view the policy as a net gain in many respects: over time, it will result in considerable enhancements to natural environments and will see greener, healthier developments with high value and high quality habitats.

Issues and challenges

That said, the implication has invariably exposed issues and challenges. A report by the National Audit Office published an assessment of the progress that Defra and Natural England had made in implementing BNG, criticising Defra for launching BNG, *'without having all elements in place to ensure its long-term success and issues with monitoring and enforcement with onsite and offsite gains'*. It was also critical of the reporting, financing, monitoring and implementation of BNG.

It is important to remember that we are still in the early days of a very significant change in approach and that an element of confusion is inevitable. An example of this is that in some cases, developers who understand the process are looking carefully at their application

boundaries in relation to the 'red line' (the application boundary) and the 'blue line' (their landholding which is not part of the development application). In doing so, they can ensure that they are assessing only core areas and are not over-prescribing BNG. They are also considering blue line ownership opportunities and landbanks for 'off-site' provision of BNG.

In some respects, it is frustrating that the application of the legislation is so rigid, specifically in relation to timing. An example is a site that Lanpro is currently working on, where the development is replacing grassland. The grassland as originally surveyed was of a low quality and therefore scored as such. The development went through a protracted planning application and during this time, the client failed to maintain the grassland as rigorously as before. Due to the length of the negotiations with the LPA, a repeat ecology survey was required.

Upon re-survey it was found that the grassland's condition had improved beyond that originally surveyed. Consequently, whereas the developer originally had a surplus of BNG on site, it now had a deficit due to the utilised land being deemed to be of a higher quality than previously. The only feasible way to address this on site was the removal of proposed native species tree planting proposed to free up more grassland habitat. This removed potential for new woodland on site which would have

responded well to enhancing the sylvan landscape character of the area. The fact that the grassland habitat improved in such a short timeframe raises questions about the long-term value of such a habitat and was particularly disappointing as it meant a reduction in proposed woodland cover on site, which the ecologist maintained would have created a significantly better on-site habitat than the enhanced grassland.

At such an early stage in the implementation of BNG, fears of inadequate scrutiny or decision-making delay are inevitable. Inadequate scrutiny could lead to schemes coming forward that don't add value to nature due to the quality of the interventions proposed. Delays to decision-making would cause significant issues to the whole planning process and may have implications on the construction industry too, subject to the working of conditions or lack of decision-making, which may have likely prestart conditions relating to BNG.

The fact that few schemes have gone to appeal over BNG is a good sign, but the impact on smaller developers has not yet been measured; we should not overlook the constraints that may be much greater for some developers than others.

Detlev is the Strategic Head of Property and Commercial Services at Sevenoaks District Council, and a member of ACES. He has worked in a wide range of areas of planning, development and property in both the public and private sectors. With over 30 years-experience, he is particularly noted for working alongside commercial, surveying, finance, legal and property teams to deliver complex schemes.

TRADING WITH NATURE

By Detlev O. Münster

Detlev sets out a case study where a cluster of like-minded farmers and landowners has come together with a shared ambition to protect and restore the River Darent and surrounding landscape via long-term large-scale nature restoration. The partnership, which includes the district council, aims to maximise the potential of the landscape for biodiversity, species conservation, flood risk, supply and quality of water, carbon storage, health and wellbeing, and community benefit. It has the potential to provide the district with a significant amount of off-site Biodiversity Net Gain units.

Context and background

The UK's agricultural grant landscape has evolved a great deal since leaving the EU's Common Agricultural Policy. This has been replaced by a number of schemes including Defra's Environmental Land Management Scheme (ELMS). One of the proposed elements of the ELMS includes the Landscape Recovery Scheme, which supports action at farm level to make farming more sustainable and helps make space for nature alongside food production. It supports 'long-term, significant habitat restoration' and 'enables landowners to produce environmental and climate goods on their land'.

The Darent Valley is located just 15 minutes from London, making it vulnerable to urban pressures. The Darent Valley Farming Cluster is a group of farmers and landowners in the Darent Valley that recognised an opportunity to adopt a joint approach to land and river management. The 19 landowners offer a potential 6,500 ha of land under management, with the potential to offer 1,800 ha for habitat creation and enhancement, almost all based within an area of outstanding natural beauty, with rare chalk grasslands rising from the valley floor and one of approximately 210 chalk streams globally running along the valley (the River Darent), together with threatened species and habitats in need of protection (see map).

In 2022, the Darent Valley Farming Cluster (DVFC), with Kent Wildlife Trust (KWT) as the lead partner, was one of only 22 schemes in the UK to be selected for the first phase of the Landscape Recovery Scheme. This pilot project aims to assess the habitat, land use and natural capital value of the mid and upper Darent Valley Catchment area. It will make recommendations for the DVFC, partners and other landowners to deliver habitat and biodiversity improvements, and other public benefits through future environmental projects for local nature and landscape recovery.

Since the funding was first authorised, the Darent Valley Landscape Recovery Project (DVLRP) has carried out species level habitat condition surveys to create a baseline for the future, identifying opportunities where habitats and biodiversity can be enhanced, and carbon capture improved. Opportunities for assessing the natural capital value of the land have been explored too. A long-term (30+ yrs) environmental land management scheme is currently being devised, but further guidance is awaited from DEFRA. The consulting team consists of Adonis Blue Environmental Consultants, Birketts LLP, rural consultants BTF Partnership, partners of Kent Wildlife Trust, North West Kent Countryside Partnership, SERT and Accelar all ensuring appropriate environmental, commercial, governance, financial, public engagement and legal advice is provided to the partnership, with the intention to baseline natural capital, biodiversity and carbon assessments, with access to a Land Bank.

Kent Downs is conducting an accessibility audit within the project's boundaries, with Greenjack Countryside Services subcontracted to deliver this work. Adonis Blue Environmental Consultants, also part of Kent Wildlife Trust Group, is an ecological consultancy spearheading biodiversity net gain (BNG) in Kent and developed a bespoke Carbon + Habitat tool to calculate carbon sequestration and biodiversity uplift, available to participants. This will allow financial instruments to be created that the partnership area can trade and capitalise from.

The aims of the Project:

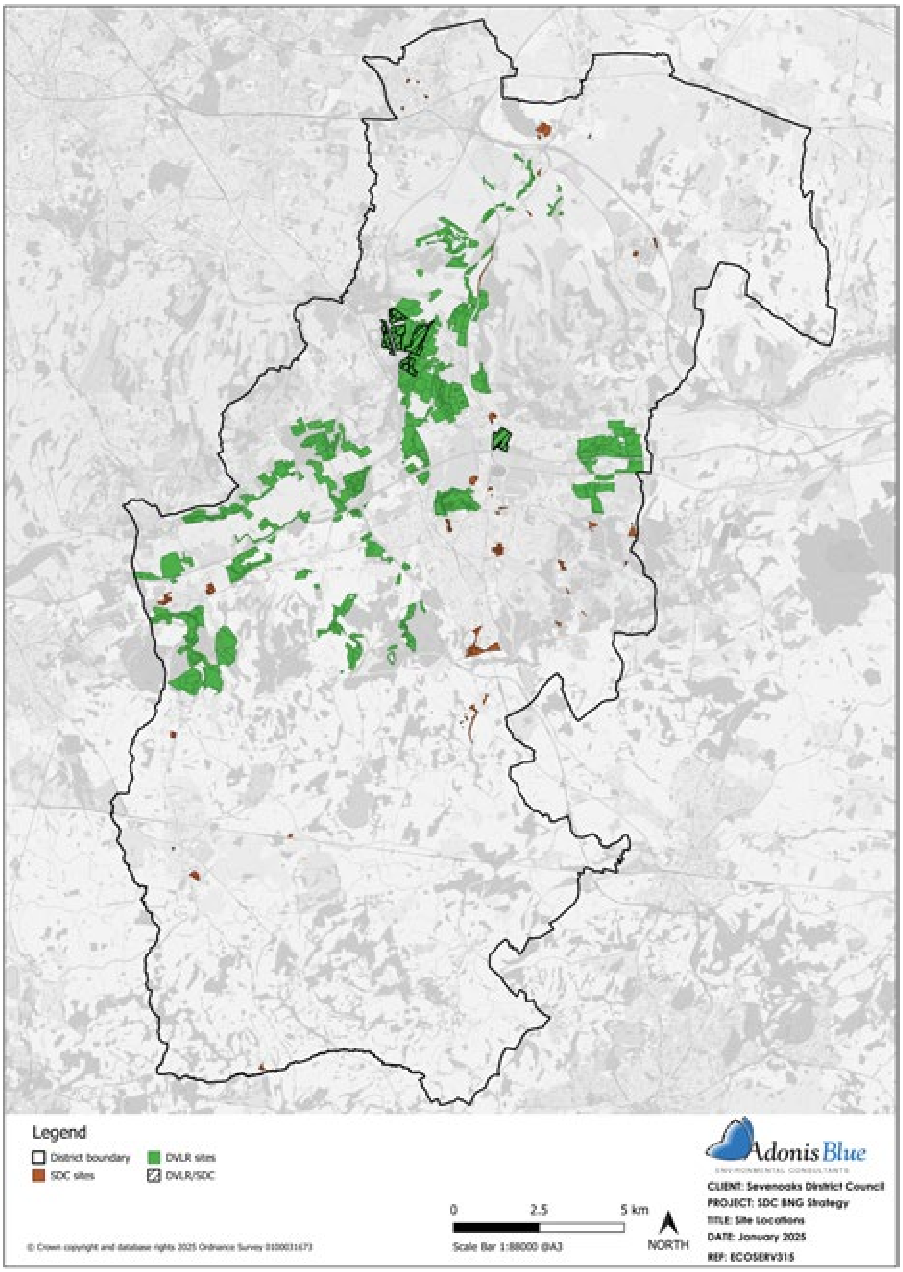
General: to create a greater area of wildlife rich habitat; encourage greater connectivity between habitats; manage land to increase biodiversity; create a buffer zone to protect the River Darent and enhance resilience

Specific aims: restore 35kms of river; restore c.95 ha of chalk grasslands and create more grasslands; increase lowland meadows fourfold; restore hundreds of hectares of species-rich grasslands; enhance 500 ha of scrub and woodland.

The council's role

Sevenoaks District Council owns 214 ha of woodland, open spaces and rare habitats within the boundaries of the DVLRP and could contribute substantial environmental benefits to the group through connectivity and coordinated eco-system improvements. The council would also enhance the environmental assets and impact of its own land through shared knowledge and access to finance.

The council's land holdings within the partnership area have the ability to promote and enhance ecological and habitat continuity and contribute significantly to holistic eco-systems and water management. The council's land is also within the greenbelt and National Landscape Area (formerly AONB) and while



its development potential is limited, it offers a unique opportunity to contribute to a wider BNG and carbon sequestration programme that will allow the council to generate financial returns from these sites.

Project potential

Following detailed ecological site assessments, the partnership area's ecology was baselined and using the agreed evaluation method for determining BNG units, it was concluded that the DVLRP had the potential to create 7,156 BNG units. In terms of carbon sequestration, the project has the potential to store significant amounts of carbon to mitigate climate change. The estimated carbon removal for the whole project area is c92,061 tonnes of CO_2 equivalents over 50 years. That is roughly equal to removing up to 1,000 petrol cars from the road every year. Using The River Trust replenish toolbox, the value of volumetric water benefits is estimated at c226,085 cu m. This benefit is the volume of water held back in the catchment, and The River Trust is developing a viable market for replenish credits that businesses can purchase to offset their water usage. There are also other potential income options available, and the DVLRP therefore has various nature based solutions it could deploy in the future to generate income, especially once markets mature.

Detailed financial modelling has however been based on the BNG and carbon sequestration instruments that can be created. While carbon sequestration markets are still in their infancy in the UK, the BNG credit market is beginning to take hold, given statutory requirements through the planning system for all new developments to provide a minimum uplift in BNG units of 10%.

The envisaged blended finance transaction which is based on nature based green finance, which offers an opportunity to diversify income streams, is summarised in the flow diagram.

The partnership has developed a blended finance business model which includes:

- The capital and maintenance costs of the goods and services being generated
- The revenue, cashflow, profits and losses
- When return on investment is going to accrue
- Sensitivity analysis of the financial forecasts
- How public funds will be ringfenced from private interests.

While the model is dependent on income from BNG units being sold (and also income from carbon sequestration credits), public funds will be vital to the project's long-term viability. Public funds may be used:

- As part of the ongoing project revenue streams
- As part of the upfront capital needed to get the project off the ground
- To bridge the gap between outgoings and income
- To de-risk and incentivise more private money to come into the project.

Trading

With the focus on BNG units and the trading thereof, across the DVLRP area the partnership could theoretically trade 7,073 BNG credits, and this could generate c£175m of revenue from the sale of BNG units over the 30-year period. Taking into account capital costs, operational and maintenance costs, and financing costs, the estimated profit (before taxes) that could be generated is c£126m. It is important to note that figures are constantly being reviewed and updated and will change according to demand for BNG units and costs.

The distribution of profits is complex, but if this is distilled to a very basic level, with the council's land supporting 160 BNG units, then in theory, the potential revenue could be £3.9m and apportioning estimated costs of c£1.8m, this would leave a profit of £2.1m with an average net income per ha per year of c£583. This is additional income that the council would otherwise not benefit from, and with the added advantage of a fully funded and dedicated land management programme for the next 30 years.

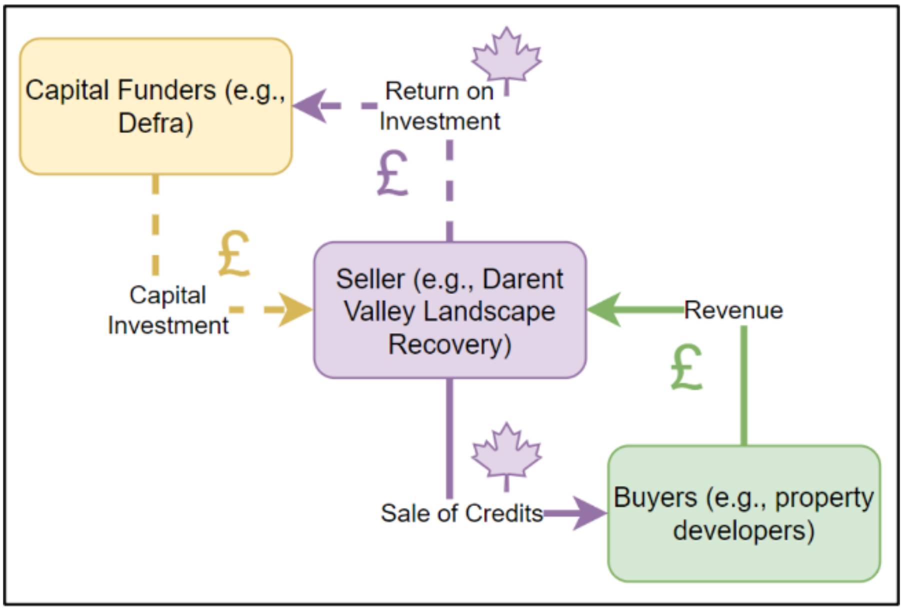
While the council would incur additional company costs that would be levied on all partnership landowners, there is a collective advantage of ensuring adherence to a wider strategic land management plan and the ability for the company to manage the sale of BNG units and interact with the market.

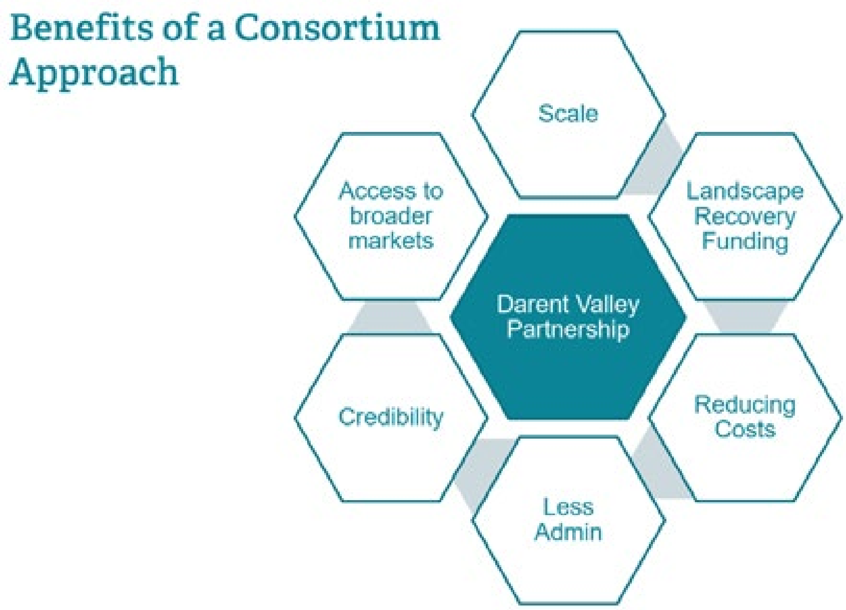
The long game

The partnership recognises that the receipt of financial rewards will not be realised from day one, and that the disposal of its BNG credits will vary over numerous years and depends on market demand. Hence the rationale in establishing a company and the need for government grants to assist with the initial set-up costs, which would be recuperable over the land management period. Indeed, the council's ability to participate from day one catalyses the partnership and could assist in forward funding the company, together with grants, and its future income being guaranteed through its share class.

In order to capitalise from the trading in BNG units, the council would need to agree to hold the land within the cluster for a minimum of 30-years and agree to specific land management practices. These land management practices over a 30-year period will incur restrictions on how it would be able to use its landholdings and would incur initial set-up costs. However, the costs would be recoverable, together with future revenue income streams over the 30-year period. These costs and income streams would therefore be shared by the cluster partnership, based on the model and governance arrangements to be set.

The partnership has agreed to commission KWT as its agent for a fixed period to act as its strategic land manager and market broker. The management agreement will also be incentivised to ensure the partnership is effectively





managed and credits are traded at an appropriate level.

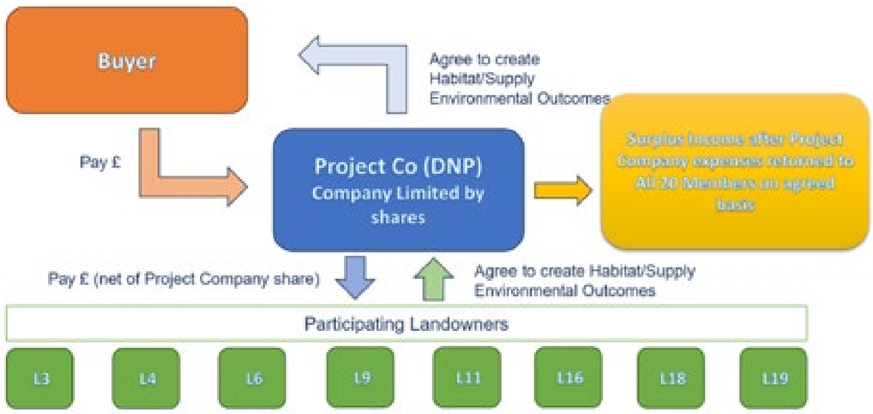
To date the partnership has agreed to establish a company limited by shares where each landholder, including the council, would own a share of the company. This structure was considered the most appropriate as it would enable the creation of different share classes, thereby allowing the distribution of future income streams to be spread accordingly and equitably. It would also allow future landowners to join the partnership at a later date.

The company structure also allows the partnership to collectively trade its BNG credits on the open market. The company's articles are agreed in principle and await refinement, along with land management agreements that will be based on DEFRA's implementation agreement, which is yet to be finalised. The land management agreement would in particular stipulate the conditions required for enhancing the land and the application of government grants.

Key benefits

The key benefits for the council joining the DVLRP can be summarised as:

- Comprehensive nature conservation management based on effective ecosystem management, with a fully funded programme over a 30-year period, funding for which is currently not available and would depend on annual council budget setting processes and ad hoc grant requests
- The generation of new income streams



- The council demonstrating a proactive stance in comprehensively addressing the decarbonisation agenda with nature conservation, enhancing biodiversity, and promoting good land use and farming practices based on environmental (primarily ecological) principles
- Knowledge sharing.

While the partnership benefits from a cluster of forward thinking and proactive rural landowners and farmers that existentially believe and understand the need for action, the establishment of the DVLRP needs to also be seen within a wider legislative and Kent-based policy and strategy landscape.

The 2023 State of Nature Report alarmingly notes a 38% decrease in UK species, with a strong decline in some insects, and 10% of species in Kent being threatened with extinction. The report highlights that Kent's habitats are not in good condition, with 30% of SSSIs also not in good condition, and that those areas under conservation management are in decline. The report warns that habitat fragmentation and loss is likely to continue without direct intervention in land management practices.

The Environment Act 2021 sets new targets including:

- Restoring or creating wildlife rich habitats: 500,000 ha by 2042
- Halting the decline of species by 2030 and ensure species abundance is 10% greater than 2030
- Reducing the risk of species extinction
- Increasing total tree and woodland cover from 14.5% of land area to 16.5% by 2050.

Local Nature Recovery Strategies

Local Nature Recovery Strategies (LNRSs) are also a legal requirement under the Environment Act 2021 and there are 48 LNRS across England. In Summer 2023, Kent County Council began developing its LNRS, branded as Making Space for Nature in Kent and Medway, in partnership with local planning authorities and other stakeholders.

LNRSs are designed to protect and buffer existing designated, high value and priority habitat, setting out priority recovery zones to extend, enhance and connect Kent and Medway's habitat network to aid nature's recovery. The strategy is spatially framed and informs future local plans and development management in relation to BNG. Sevenoaks District Council is currently preparing its local plan having regard to the strategy.

A key tool in targeting off-site BNG will be the LNRS. Habitat created or enhanced within areas identified by the LNRS will be set as strategically significant for nature recovery and will generate a higher number of Biodiversity Units, compared to non-strategically significant areas not identified within the LNRS. This is intended to incentivise local habitat creation and enhancement within the identified LNRS areas, providing a key spatial consideration to the investment of BNG payments and form the most impactful areas of BNG investment.

The DVLRP provides a unique habitat land bank where off-site BNG credits can be applied. The partnership has firmly sought to optimise the use of BNG (and carbon sequestration) and developed a land management and land use model that is firmly centred around the role of private landowners, land managers, and farmers in delivering better, more coherent and resilient wildlife networks. With local authority funding becoming scarcer, BNG is a key incentivising land management tool, and allows councils strategically to utilise their land holdings, not only to generate funding for land management, but support growth and sustainable development within their administrative boundaries.

In preparing this article, Detlev is especially grateful to Marc Crouch, Darent Valley Landscape Recovery Project Manager for reviewing the article and to Vincent Ganley and Andrew Willmore from Adonis Blue Environmental Consultants.

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Mark is the founder and Director of Shared Assets, an infrastructure organisation working to create a socially just future through practical projects that build new relationships between people and the land.

COMMUNITY FARM OWNERSHIP

Community models for farm ownership

Mark Walton mark@sharedassets.org.uk

Mark explores how community ownership models such as land trusts could provide farmers with an alternative to the potential issues of farm sale or inheritance and be of benefit for farm protection, food security and people. One particularly knotty issue is provision of housing for the retiring farmer and the farm successors.

When farmers are approaching retirement, the two main options for them when considering succession - or the future of their farms - are commercial sale on the open market or passing the property on to their children. However, both options can raise complex issues.

Retirement itself can have a different meaning for farmers. Research by the University of Exeter's Centre for Rural Policy Research (1) found that only 19% of respondents planned on fully retiring. Of those who did have plans for full or semi-retirement, 48% planned to retire after the age of 70. Reasons for putting off retirement included practical issues such as where to live and how to finance retirement.

The same research found that 27% of farmers have not discussed their retirement plans with anyone and only 28% of those with a successor had a formal succession plan in place.

Given that farmers in the UK have an average age of 59, and 40% are over 65, there is clearly a potential farm succession issue looming. This has arguably been complicated further by forthcoming changes to the inheritance tax system, which will see inheritance tax relief for business and for agricultural assets capped at £1m.

The system of farm inheritance also reinforces structural inequalities in access to and ownership of land. 99.8% of principal farmers in the UK are white (Office for National Statistics 2022), with the inheritance system perpetuating this racial inequality on an intergenerational basis. Women are also often excluded under this system; a large majority (72.3%) of farmers surveyed identified a son as the person most likely to succeed, compared with only 17.7% choosing a daughter, despite an almost even split in the proportions of respondents with sons and daughters.

Within this context, Shared Assets has been working with Stir To Action (https://www.stirtoaction.com/), Ecological Land Cooperative (https://ecologicalland.coop/) and the Community

Supported Agriculture Network (https://communitysupportedagriculture.org.uk/) on a project funded by Farming the Future (https://www.farmingthefuture.uk/), to explore how community ownership models such as 'land trusts' could provide farmers with an alternative to sale or inheritance.

Such models have the potential to ensure that agricultural land is kept in production, contributes to our food security, and offers more communities opportunities to access land for food growing through democratic ownership models.

What is an agroecological land trust?

A land trust is not a legal structure but is more a description of what an organisation does; it holds land in trust on behalf of a community or future generations. In this research, we looked particularly at Agroecological Land Trusts (AFTs) which own land and utilise agroecological methods on their land.

AFTs can operate at two distinct scales: Multiple Farm Trusts and Single Farm Trusts.

Multiple Farm Trusts: may own a portfolio of farms spread over a wider geographical area, often because they are part of a national wider movement for farmland protection. They grow their portfolio by actively seeking and purchasing farms on the open market or by receiving gifts of land and property. They are unlikely to operate the farms themselves, usually leasing them to one or more individual farmers or farm businesses.

An example of a multiple farm trust is the Ecological Land Cooperative (ELC) which owns a number of farm sites across England and Wales. The land is managed and farmed ecologically by their steward members. ELC supports them in buying the land, gaining planning permission and establishing key infrastructure.

Single Farm Trusts: are more likely to be place-based and interested in purchasing or receiving a single farm or a small number of properties in a specific local area. They may operate the farm themselves or lease it to one or more individual farmers or farm businesses. While they may work as part of a wider approach to food system change, they exist within a context of economic regeneration in an individual place or region.

An example of a single farm trust is Canalside Community Benefit Society (https://www.canalsidecommunityfood.org.uk/) which owns and runs a 12-acre community supported agriculture scheme near Leamington Spa with a £100,000 turnover, and five part-time staff. The land, which the society has rented for 10 years, was bought at a cost of £125,000 with money raised through the sale of community shares to 168 shareholders.

Opportunities and challenges of community ownership models

Both multiple and single farm models create new opportunities for farm succession but also present some key challenges. The research looked particularly at:

- The financial models of the trusts
- Securing ownership of the land
- The financial models of the individual farms
- The provision of housing.

Financial models in use by Agroecological Farmland Trusts

AFTs have (at minimum) a need for two streams of finance, which are interconnected. The first is the core costs of the organisation itself – staff, overheads, etc. The second is the capital cost associated with each farm or parcel of land, especially the upfront money needed to purchase or acquire that land and to invest in buildings and infrastructure.

Finance is typically obtained from grants, loans, and equity in the form of community shares (2). The research identified the need for patient low interest loans, repayable grants, and sources of capital grants.

Securing ownership of the land

While some AFTs - especially multiple farm trusts - receive donations of land, in most cases the trust has to purchase the farm. Community shares have been used by the majority of single farm trusts to raise the capital to purchase the land. For this reason, most communities have chosen to establish a community benefit society (a specific legal structure that enables the issuing of community shares) in order to undertake their buyout. Even once capital has been raised to purchase a farm, further funds are often required for renovations, infrastructure, housing and equipment. These costs may also be covered by community shares or through crowdfunding, grants and loans.

Beyond raising the capital there is still the challenge of developing a business model that generates enough revenue to pay farmers fairly, pay dividends to shareholders, and repay loans.

Financial models of individual farms

Many community owned farms develop 'collective enterprise' models where several different businesses work together on one farm. This can create benefits such as reducing costs for shared equipment, enabling joint marketing, making more effective use of land and buildings, and building a circular economy on the farm, where waste products from one business are used by another. Collective working can also reduce isolation.

While these models can often substantially increase the employment opportunities offered by a single farm - with one farm reporting that employment had increased from six people in 2008 to 119 in 2024 - they can also lead to, or exacerbate, issues of housing provision.

Housing provision

The issue of rural housing provision was identified as a key limitation on the expansion of AFTs. It can be difficult to obtain planning permission for new agricultural dwellings, and while seeking permission, land workers often have to live in poor quality temporary housing.

As outlined above, the models of farming being supported by the trusts tend to be labour intensive and often entail several farm businesses operating on what was once a single family farm, meaning that more housing may be required.

We have also previously identified that practical issues, such as where to live and how to finance retirement, are a significant challenge for retiring farmers. A farmer who is considering gifting or selling their farm to an AFT may wish to keep the farmhouse in order to provide themselves with a home for their retirement. In other cases, there may be a requirement for the farm house to be sold to enable them to purchase a new home elsewhere, or for the benefit of family members.

Taken together these factors create a lack of housing supply which is a barrier to the expansion of the AFT model as a vehicle for family farm succession.

Meanwhile, there is a thriving sector of Community Land Trusts (CLTs) which provide an existing model for the development of community-led housing, including in rural areas (https://www.communitylandtrusts.org.uk/). By bringing together representatives of the CLT sector and AFTs to explore how they might work to address the housing barriers to the transfer of farmland from family to community ownership, we identified that AFTs could act as:

- a land provider, making land available to a local CLT which would lead the delivery of new housing on the land
- a CLT themselves and work with a housing association to provide the homes on site, and
- as a registered housing provider themselves, enabling them to access funding for the development of affordable homes on their land.

While CLTs in the UK are most closely associated with housing provision, they also provide a community-led and democratic model for the ownership and management of land for a wide range of other purposes, and the sector is actively exploring the potential for CLTs to manage more land for food production and nature restoration. There is great potential for closer collaboration between Agroecological Farmland Trusts and CLTs, such as through the sharing of resources, expertise and data.

Alternative models for farm succession

Many farmers do not have children who wish to take on the responsibility for the family farm. Others fear that sale on the open market may mean an uncertain future for the land itself. Both inheritance and sale on the open market also sustain dominant and inequitable models of private land ownership.

Community land stewardship models have the potential to pave the way for a more equitable and regenerative land system, as well as providing farmers with the security of knowing their land will be sustainably farmed in perpetuity. However there remain challenges to be overcome with respect to adequate provision of sources of accessible capital funding, planning, and housing provision.

More detail on this research and briefings on each of the issues raised can be found at: https://www.stirtoaction.com/family-farm-succession

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Chris has over 40 years' experience in the parks industry and is currently South Derbyshire District Council's Parks and Green Spaces Manager, where he is responsible for a range of green spaces, from local parks to large areas of the National Forest which includes 154 acres of forest and the Rosliston Forestry Centre.

Being passionate about parks and green spaces for as long as he can remember, he became a Green Flag Award judge from the very start of the awards, and over the past 29 years volunteering, has had the opportunity to judge hundreds of parks both around the UK and beyond. He has undertaken a number of international judging tours including Spain, The United Arab Emirates, Mexico, America and Saudi Arabia.

For his service to the Green Flag Awards and public parks he was awarded an MBE in the Queens 9th Birthday honours in 2016. In 2017 Chris was appointed to the UK Governments Parks Action Group as the parks industry representative and in 2024 was appointed chair of the UK Government's new Parks Working Group. He is also one of the founder members of the Parks Management Association and is a member of The Royal Parks Guild.

THE NATURAL HEALTH SERVICE

The health benefits of parks and green spaces

Chris Worman MBE Chris.Worman@southderbyshire.gov.uk

Chris makes a plea to treating open spaces as essential infrastructure: "the huge benefits of parks and green spaces are just ignored by decision makers and only valued by the cost of cutting the grass. In my view this is very short sighted and is why our health costs are now running out of control."

It's difficult to believe it's 5 years since the Coronavirus pandemic with lockdowns and queuing around supermarket car parks. How we valued our parks and green spaces during those dark days when we could not visit anyone.

Five years on, we continue to hear time and time again of the precarious nature of our NHS and the nation's health, and that given the current trajectory, we simply cannot afford to fund it to the level that we all expect.

Undervalued parks and green spaces

When you look at all the treatment costs associated with the wide range of illnesses, my grandmother's old phrase of prevention is better than cure springs into my head. Yet, time after time, the huge benefits of parks and green spaces are just ignored by decision makers and only valued by the cost of cutting the grass. In my view this is very short sighted and is why our health costs are now running out of control.

We have lost so much during austerity, leaving many local green spaces unmaintained with poor or no facilities, no staff, unsafe, and little reason to visit. Yet with investment these spaces - which you can find in every village, town and city - can be green heath centres, where people can benefit from being more active, outdoors and close to nature.

However, people will only use green spaces that provide a quality, safe and well-maintained environment and deliver facilities for the local community which can encourage people to be more active than they otherwise might have been. Its not rocket science, its simple things like choosing to walk rather than take a car journey. It is taking your children to the local park, rather than traveling to an escape room. Or simply sitting on a park bench to de-stress and help with our mental health.

In today's political language, it's a great invest to save project!

The financial case

In the 2024 Office for National Statistics natural capital accounts, it identified the health benefits from recreation at £489bn.

Research shows that that frequent use of parks is worth £30bn per year to the British public, and by encouraging the public to meet their recommended weekly activity, could improve the quality of life by £2bn p.a. (Preventive Medicine Volume 91, October 2016, Pages 383-38). This could release 40% of the current healthcare budget to be reallocated, and in reality,


Art in the park


Environmental education


Exploring woodland

Woodland trails


Author trying out the green gym equipment


Forest bathing


Parks as a sports venue


Volunteering opportunities

only a fraction of this would be needed in parks, allowing for funding to be realised for other government priorities (Future Parks Accelerator).

Everyone I speak to recognises the value of parks and green spaces and when spaces are under threat, communities come together to fight for them.

With all the learning from the pandemic years, the plethora of data that supports the need and benefits of green spaces, the climate emergency, ecological emergency and cost of living crisis, surely then the time is right now to take our parks seriously.

Unless we do, the multitude of benefits will be lost, and our health and environmental costs will just continue to spiral out of control.

Make a positive change

The challenge remains on how to convince our national and local leaders to make a positive change.

With correct funding we can start to address our skills shortage and attract a younger, more diverse workforce that makes a real impact on how we are judged by future generations.

Parks remain a great leveller and should be above politics, and be recognised and valued for all their benefits, from the massive impact on our health and wellbeing, supporting sustainable communities, helping with climate change mitigation, and supporting biodiversity, rather just the binary cost of cutting the grass.

I passionately believe parks and green spaces are essential infrastructure and should therefore be funded as such. It will need vision, strong leadership and cross-party collaboration to make a positive change, but we could make a step change for the generations to come.

Despite the financial challenges the new government faces, there appears to be an understanding of the value of our parks and green spaces, and it has established a new Parks Working Group of which I am fortunate enough to be chair, so let's see where that takes us!

I conclude with a quote from the great American landscape architect and park designer Frederick Law Olmsted:

"Parks are a reflection of what life should be, a reminder that there is always space for renewal and transformation".

Philippa is a Senior Development Manager at AMP Clean Energy, having worked in project development there for over two years. She is involved in all aspects of getting low carbon projects to fruition but has primarily been liaising with local authorities and collaborating with them on Battery Box.

BATTERY BOXES
Doing things differently – Clean Power 2030, local energy storage and battery box

Philippa Rees Philippa.Rees@ampcleanenergy.com

"For the past two years, AMP Clean Energy has bucked the trend for ever bigger and bigger energy storage projects by developing micro-sized energy storage projects we call Battery Box." Philippa outlines the initiative and case studies it with ACES' member, Suffolk County Council.

CP30

Last November, the (now not-so) new government unveiled CP30, or Clean Power 2030. CP30 is the action plan published by the newly created National Energy System Operator (NESO) and contains guidance for achieving the ambitious target of clean power for Great Britain by 2030.

The good news is that NESO believes it is indeed possible to transition to a net zero power system before the decade is out, but this will only be possible by acting now, acting fast, and 'doing things differently'.

As part of the CP30 plan, we need to increase the amount of energy storage in the UK from 5,000 Megawatts (MW) today, to 27,000MW by 2030 – in just 6 years.

Perhaps a great recent example of why we need energy storage was shown on 22 January when, during a particularly still period, the UK generated just 220MW of wind power. Contrast that to the record set in December, when an incredible 22,523MW was generated on an especially windy day, and we are reminded of the key role energy storage needs to play to balance our electricity networks

Does your estate hold the key to net zero?

Generate rental income and cut carbon with Battery Box

Many local authorities have already taken the first step towards boosting revenue, fighting climate change and powering communities with Battery Box.

amp CLEAN ENERGY

BATTERY BOX

Leading the charge

Meet Battery Box. A compact energy storage solution that makes it easy to generate rental income and save carbon.

Generate income

For each Battery Box we install, you can choose an annual index linked payment on a long term lease or a one-off payment upfront. All Battery Boxes are fully funded, owned and operated by Battery Box.

Quickly scale up

Whether it's one or hundreds of boxes, it's easy to scale up income and save carbon across your estate.

Maximise vacant sites

Battery Box needs just 24m^2 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.

Power local communities

Provide renewable back-up for local energy networks, reducing the risk of localised power cuts and facilitating other low carbon technologies.

Don't miss out. Contact us today to play your part in the UK's energy future:

battery.box@ampcleanenergy.com **ampcleanenergy.com/batterybox**

and provide security in an increasingly renewable energy-based grid.

In the Spring 2024 Terrier, my colleague Ben Wallace wrote an article about how energy storage works and the different types that can be found in the UK, so I won't go on about this in any more detail. What is being focussed on here is something a bit different (think of CP30's need to do things differently!).

Battery Box

For the past two years, AMP Clean Energy has bucked the trend for ever bigger and bigger energy storage projects by developing micro-sized energy storage projects we call Battery Box. These are locally connected small-scale batteries, which are only 25 sq m in size. They provide all the benefits of grid-balancing that big batteries can, but by being small they provide another, much needed service to our electricity networks. As they connect at lower voltage, they artificially increase local capacity and therefore reinforce the 'last mile' of our electricity network – the cables that supply our homes and businesses. These cables are already straining to keep up with the demand needed to power our electric vehicles and heat pumps – something that is only going to increase in years to come as the electrification of heating and transportation becomes the norm.

The reason for our interest in ACES is that we are now working with over 60 local authorities across England, Wales and Scotland to host Battery Boxes, with leases already signed with a number of these and many more to come.

Why do we love working with local authorities?

Simple:

- Virtually all councils have now declared climate emergencies, recognising the urgent need to limit the impacts of climate change and have plans to decarbonise fully, some as early as 2030. Each Battery Box installed saves 160 tonnes of carbon per year, close to 5,000 tonnes of CO_2 over the project's lifecycle, which aligns perfectly with local decarbonisation goals
- The adoption of electrical vehicles (EVs) is all around us. How many people reading this had an EV 5 years ago? Perhaps not many, but by 2035 all new cars in the UK will have to be electric. Along with the growing adoption of heat pumps and other low-carbon technologies, our demand for electricity from our low voltage networks has never been higher. Local authorities can help their residents as each Battery Box helps to reinforce the local network, unlocking capacity and ensuring their areas are ready for this energy shift
- At a time where many local authorities are looking to diversify income opportunities, each Battery Box hosted also earns the council long term index linked rental income, and this is for small sites that are vacant, unused and undeveloped by the council and otherwise not earning any income for them
- The type of land councils own is also great for Battery Boxes – think grass verges, edges of car parks, and other small parcels of land that have limited development potential
- And the best bit? Local authorities have multi-site land holdings, meaning they can host multiple Battery Boxes, scaling up the income, the carbon saved and the local network benefits.

How does it work?

Councils are perhaps more resource constrained than ever before with competing priorities and demands on your time. It is therefore vitally important that working with Battery Box is as pain-free as can be, and Battery Box will take on as much of the work as possible. There are 5 steps:

1. Estate review
The number of Battery Box projects varies significantly between councils. Some may have just a handful; others may have as many as 40-50 sites. Using Land Registry linked software, the Battery Box team will make an assessment of the council's estate, considering proximity to existing substations, space, and planning constraints, creating a 'long list' of possible projects. This is all completed in-house by Battery Box at no cost or commitment. Our team has already reviewed over 500,000 sites in the past 2 years.

2. Connection applications
A Battery Box only works if it can secure an electrical connection to the local electricity network – that's why all our sites are within 50 metres of an existing secondary substation. But to be sure we can connect; we must make connection applications to the Distribution Network Operator. Battery Box will prepare, submit and pay for the connection applications, with no commitment from the council – all we need from you is a brief Letter of Authority giving us consent to make the applications.

3. Planning consent
Once we have received the connection offers, we create a 'shortlist' of possible sites. It is at this point that we ask councils to review the sites and deselect any they don't feel are suitable. Once we have the green light, we then produce full planning applications for the sites in-house and at our cost.

We now have over 125 planning consents from over 60 different local planning authorities and a success rate of over 80%.

4. Lease
The next piece of the puzzle is the lease agreement. Using the Battery Box lease template, the short form agreement has been tailored to cover needs of local authorities, including reinstatement provisions and a decommissioning insurance – which is entirely for the benefit of the council, and would pay out in the unlikely event that Battery Box didn't clear the site. Some councils choose to manage this process in-house, others use external solicitors, but for both, Battery Box will contribute towards the legal costs.

Once a template lease is agreed, it is very easy to replicate this agreement for multiple sites.

5. Construction
After the lease is signed and planning permission granted, Battery Box will construct the site, typically within 6-12 months. AMP will also notify the council when work is due to commence, allowing time for the council to prepare for this and ensure all site stakeholders are aware. Construction then takes just 2-3 weeks.

Case study: Bringing Battery Boxes to Suffolk

Last year, Battery Box signed a number of leases with Suffolk County Council, for sites across the county. This was the result of a collaborative approach, wherein we worked closely with Hannah Hammond - a member of FACES and recently appointed Deputy Vice Chair of ACES Eastern Branch. Hannah was our key point of contact, who was in turn liaising across different departments of Suffolk County Council.

"I initially joined the Battery Box project to shadow a meeting and gain additional CPD for my APC. However, I left that meeting as the project lead and began my involvement at stage 3, working through the shortlist of locations across Suffolk County Council's estate. I reviewed all the proposed sites and used colour coding to establish the status of each site: red for those that would not proceed, yellow for those with potential but requiring further investigation, and green for those I was confident could advance to the next step. This approach allowed me to eliminate swiftly sites that were likely to be contentious or complex.

Before proceeding further with the leases, I instructed Lambert Smith Hampton (LSH) to provide formal valuation advice. As Battery Boxes are a new technology with no existing competitors, their expertise provided additional confidence that this project complied with s123 of the Local Government Act 1972 and enabled us to support the project with greater assurance. We also reviewed the lease terms in detail with LSH, and during discussions with Battery Box, we identified the need for further attention to terms around decommissioning and insurance to reduce risk to the council, which were addressed positively by Battery Box.

We have successfully completed a number of leases; and are now focusing on sites proposed for highway land, which have presented challenges due to legal complications regarding their positioning on the highway. These complexities have given me valuable insight into highways law and experience of the management of stakeholders. Working through this process has been interesting and has contributed to my professional development. I am interested to see how the construction process unfolds and to witness these Battery Boxes in operation, saving carbon.

For anyone interested in this project themselves, I would be happy for them to reach out to me if they would like to discuss further." – Hannah Hammond, Estates & Commercial Property Surveyor, Suffolk County Council.

If you're interested in finding out more about Battery Box and how to host them, please do get in touch with Philippa.

SOLAR POWER
A rooftop revolution

Kevin Joyce

Kevin has been a regular contributor to ACES' Terrier, and here considers the integration of solar power in new build housing as well as options for re-roofs of listed buildings and properties in conservation areas

Background

In October 2024, at an International Investment Summit at the Guildhall in the City of London, global investors pledged to invest £63bn in eight growth areas of the UK economy: manufacturing, financial services, clean energy, life sciences, creative industries, digital and technology, defence capabilities, and professional services. At the Summit, the Chancellor announced that the UK Infrastructure Bank is to be transformed into a new National Wealth Fund with £27.8bn to be invested in green energy and other growth industries (1).

This commitment aligns with government targets to, by 2030, double onshore wind and quadruple offshore wind energy generation, as well as triple solar power generation, as part of a concerted drive to combat climate change.

A rooftop revolution

Solar power development will, in part, see a 'rooftop revolution' take place, encouraging builders and homeowners to harness solar energy through more thermal and photovoltaic rooftop installations (2).

Solar PV panels have traditionally been fitted to mounted brackets which sit on top of roof tiles or slates, usually with a gap between the panels and roof, and are angled on the best side of a roof to ensure they receive maximum sunlight (3). Solar PV slates and tiles, also known as solar shingles, are like mini solar panels, and may be installed as part of a roof alongside slates and tiles, rather than sitting on top of the roof. Designed to blend in with a roof's aesthetics, they can be installed in new roof construction or if a replacement roof is to be fitted (3).

Traditional solar panels have attracted some criticism, for example, because of their bulky appearance, or with gaps between the panels and roofs becoming nesting areas for birds and small mammals (3). More integrated solar

Photographs of Spinkhill and Nansleden reproduced with the kind permission of GB-Sol

St. Silas Church Roof in Islington

New build houses at Nansledan

panel designs are emerging though, with continuous advancements in materials and manufacturing techniques creating lightweight, thin and flexible panels which sit much flusher to roofs.

Solar PV slates and tiles can be made of a variety or materials, including monocrystalline solar cells which are the most efficient but cannot be moulded into elaborate shapes; thin-film solar cells made of copper, indium, gallium and selenite semiconductor material that are light and flexible; glass and steel that can work well for contemporary houses; or recycled plastic (4). Being a more recent product, there are only a limited number of manufacturers in the UK offering them at present.

These are a good option in particular for listed buildings requiring replacement roofs, and for properties in conservation areas. I referred to St. Silas Church in Islington in north London in a previous article (2011 Autumn Terrier), a Grade Two listed building where the roof was replaced, in what was then a pioneering project involving a seamless integration of solar slates and natural Welsh slates on the south face of the roof (5). I revisited this recently and the roof still appears as aesthetically pleasing today as back then.

A leading manufacturer and installer, GB-Sol, has installed both integrated and edge-to-edge PV slate roofs nationally in both new construction and replacement roofs projects. Edge-to-edge roofs allow solar energy capture to be maximised more fully, and has been utilised on the slate roof on a chapel conversion in Spinkhill, near Sheffield. A pair of new build houses with a shared edge-to-edge PV Slate roof at Nansledan in Cornwall use a roof which complements a Cornish natural slate roof next door.

Battery storage

Solar installations may include battery storage in their systems, enabling excess electricity generated to be stored for use when the panels/tiles are not producing enough electricity to meet occupiers' needs. Many battery systems can be set up to benefit from cheaper night rate electricity that can then be used during the day. Roughly 15% of users choose to add more than one battery storage unit, to further increase stored energy capacity (6).

Battery storage is benefitting from the development of more advanced battery technologies with, for example, the use of lithium-ion and flow batteries having improved energy density, lifespan, and charging and discharging capabilities, enabling better utilisation of the stored solar energy (7).

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Nikhil is a Senior Policy Adviser (Climate Change) at Historic England. Previously, he studied history and then worked in local government, where he developed a keen interest in tackling climate change. Bringing that passion to Historic England, Nikhil now focuses on influencing climate change policy on the national level, ensuring that historic buildings and the wider historic environment have a part to play in the UK's Net Zero journey.

RETROFITTING HISTORIC BUILDINGS

Retrofitting historic buildings in the public sector – Not if, but how

Nikhil Scott Nikhil.Scott@historicengland.org.uk

Nikhil identifies the scale of buildings of traditional construction which will require retrofitting. He shares insights about how they must be improved – "it's not a question of if they can be retrofitted, but how they should be retrofitted."

In 2022, buildings were the second largest source of carbon emissions in the UK. It is clear therefore that to reach Net Zero, we must reduce emissions from the built environment. An important part of that sector is 'historic buildings', here defined as buildings of traditional construction built before 1919, some of which are 'listed' in recognition of their architectural or historical significance. 32% of all non-domestic buildings in England were built before 1919, a third of the nation's non-domestic properties that will have to be retrofitted between now and 2050 if Net Zero is to be achieved.

In this article, I will share insights about how that historic third must be improved – it's not a question of if they can be retrofitted, but how they should be retrofitted.

First three images courtesy of Historic England

Reducing emissions, improving resilience

Retrofitting refers to measures that reduce a building's carbon emissions and ensure that it is resilient to our changing climate. As well as the increased occupant comfort that comes with retrofitting, the environmental benefits to retrofitting are significant. Retrofitting not only reduces operational carbon emissions, but also avoids the production of the 'embodied carbon' that is associated with new builds (emissions produced by construction, demolition, maintenance, and materials). Since the carbon emissions associated with the construction of traditional buildings was often negligible and was emitted centuries ago, keeping our historic buildings in good use is one of the most environmentally friendly things we can do in the built environment sector – the most sustainable building is one that already exists.

However, retrofitting historic buildings must be considered carefully. In general, traditional and modern buildings differ

The mechanics of a ground source heat pump installed in a farm outhouse

Secondary glazing

2024 Historic England Advice Note 18 – "Adapting Historic Buildings for Energy and Carbon Efficiency".

The Whole Building Approach and finding the right balance

A well-known approach to retrofitting is 'fabric first', which prioritises the upgrading of a building's fabric. However, Historic England discourages the use of this approach when adapting buildings of traditional construction, as the installation of poorly considered insulation can lead to problems. Rather, we recommend the 'Whole Building Approach', which holistically looks at all parts of a building's nature to find the right set of solutions tailored to each individual structure, including its materials, location, and usage.

The four main parts of the Whole Building Approach (as described in Historic England Advice Note 18) are:

1) Understanding the building and how it performs. This is the essential starting point for your retrofit journey

2) Understanding the significance of a historic building, including the contribution of its setting. It is important to understand how any retrofit intervention could affect your building's 'significance' – essentially, what makes it special

3) Prioritising interventions that are proportionate, effective, and sustainable. This involves finding the right solution for your property, which might be very different from the solution for your neighbour's property

4) Avoiding and minimising harm and the risk of maladaptation. Retrofitting can harm building and occupant health if the wrong measures, materials, or methods are used. It is important to choose the right solutions for your property.

fundamentally in how they manage moisture, air, and heat, and so retrofitting measures must consider the properties of traditional building materials and architecture. For example, the spread of damp and mould is an outcome that can occur when measures are installed that interrupt the normal movement of water in a traditional building.

Another important consideration for retrofitting historic buildings is understanding the planning system. Some measures require planning permission, and if a measure is undertaken on a listed building, it may require listed building consent as well.

To help with these two considerations, understanding how to treat historic buildings and understanding the planning process, Historic England proposes two approaches, both of which are described in further detail in our freely availably

Our second recommended approach is to find the right balance when applying for planning permission and/or listed building consent. It is crucial to give due consideration to the balance of priorities around changes to historic buildings – environmental concerns (the need to reduce emissions and adapt buildings) must be weighed up against the desire to preserve the significance of a historic building. Therefore, if appropriate retrofit

Gloucester Cathedral, with solar panels on the nave roof
Image courtesy of Historic England Archive

measures are proposed which will provide public benefits without damaging or obscuring a building's significance, your application is more likely to be successful.

Types of retrofit measures for historic buildings

There are many kinds of retrofit measure, some of which may require planning permission and/or listed building consent, but some of which can be delivered without permissions and with little difficulty or expense. By using the Whole Building Approach, you can find out which combination of measures will produce the best for your building:

- Repair and maintenance: Often overlooked, keeping your building in good condition can go a long way towards reducing energy usage
- Windows and doors: Draught-proofing and double-glazing can be effective ways of saving heat and energy, and adding awnings can be an effective way of controlling the temperature in a building with many windows
- Heating: Low-carbon heating systems can reduce both your carbon emissions and heating bills. Water-, air-, or ground-source heat pumps can be appropriate additions to a historic building if they do not have a major impact on significance
- Renewable electricity: Solar panels can similarly cut your emissions and bills. While a building's historic appearance might mean that solar panels could impact its significance, a satisfactory solution can often be found by mounting panels on less visible roof slopes or in the property's grounds
- Insulation: Insulation can reduce the amount of heat lost by your property. However, such measures must be considered carefully to avoid the risk of negative unintended consequences.

There have been many examples in recent years of even the most historic and protected buildings being retrofitted. Gloucester Cathedral is one such case study, a Grade I listed medieval structure built in the Gothic Perpendicular style, and the first cathedral to install solar panels back in 2016. This installation was done as part of the cathedral's 'Project Pilgrim', a conservation and sustainability initiative intended to improve the visitor experience and reduce carbon emissions. The 150-panel array was sensitively located in a place that would not be visible so as not to detract from the building's unique architecture, and these solar panels now meet a quarter of the building's electricity needs.

Not if but how

The retrofitting of historic buildings is an essential part of the national journey to Net Zero – accounting for a third of all non-domestic buildings in England, this is not a building type that can be left behind.

Over the course of this article, I hope to have convinced you that it is not a question of if historic building can be retrofitted, but how they should be retrofitted. Doing so is essential not only to improve occupant comfort and for the achievement of Net Zero in the built environment, but also to ensure that the country's heritage can be made fit for the future, preserved and enhanced for the benefit of future generations.

Laura is a Principal in Avison Young's London Planning Team specialising in office and mixed use development in central London.

Matthew is a Director in Avison Young's London Planning Team advising on a mix of projects within central and greater London.

BALANCING RETROFIT

Retrofitting first or redevelopment?

Laura Jenkinson Laura.Jenkinson@avisonyoung.com
and Matthew Piggott Matthew.Pigott@avisonyoung.com

Laura and Matthew identify that "The property industry stands at a critical juncture. Collaboration between government, public bodies, and private sector stakeholders will be key to balancing sustainability with deliverability." … "Even when demolition is necessary, a pragmatic and sustainable approach can reduce overall carbon impacts and maximise wider planning benefits."

Introduction: The current policy landscape

There is 'no time to waste' - that was Angela Rayner's message ahead of the second reading of the Planning and Infrastructure Bill on 24 March. The urgency is clear: with a promise to deliver not just 1.5 million homes, but also significant economic growth to boost the economy, the government recognises that the planning system needs an overhaul to meet this objective. And while the new bill prioritises growth, how can this be aligned with the government's climate change mitigation commitments and the net-zero agenda?

The new December 2024 National Planning Policy Framework (NPPF) has introduced more emphasis on optimising site capacity in brownfield locations, yet it has also established the potential for development on land which has not been developed, including the introduction of 'Grey Belt' land in sustainable locations.

Clearly, the most sustainable locations are the most accessible ones. And there is growing momentum for a retrofit-first approach, with local authorities, particularly in London boroughs, already implementing policies to encourage reuse and reduce carbon-intensive redevelopment. These policies are being applied with varying flexibility and success – and in some cases, the resistance of redevelopment at all costs has stymied development in some locations. The government clearly needs to take control of things if it is to secure the growth it needs and prioritise development in the most sustainable locations.

In previous articles for CoStar and Building Design, we highlighted how the property sector is at a crossroads in the journey to net-zero, with increasing pressure on developers to prioritise retrofit over demolition.

As the market adapts to decarbonisation requirements, developers, including ACES members, face a dual challenge: delivering sustainable development and prioritising sustainable locations, while ensuring financial viability and optimising growth potential. It is not always pragmatic to retain buildings – and if there is an opportunity to optimise capacity in central and outer London, surely we need to accept redevelopment is still required in some locations - particularly as the new NPPF states that 'Previously Developed Land' within settlements for homes and other needs should be approved unless substantial harm would be caused.

We need clarity, balance, pragmatism and we need to consider each building and project on its own merits, while also not being bogged down in a disproportionate need for evidence for either demolition or retention. This goes not just for office buildings but also estate regeneration projects.

The emerging standards and their impact

The shift towards decarbonisation has resulted in a wholesale change in the evidence required to secure planning permission. This adds a further financial burden as planning applications are increasingly expensive and time consuming to put together, sometimes with unreasonable expectations of the evidence required (for example, it can be impossible to undertake detailed surveys of a building to understand the scope for extension while a building is occupied).

In addition to familiar frameworks like BREEAM, which is not without its challenges but is something we have all grown accustomed to over the past decade, local authorities are introducing more demanding standards.

Whole lifecycle and embodied carbon targets, details of materials reuse and materials passporting evidence seeks to encourage a retrofit first approach while maximising potential re-use of existing materials. On top of this, we are seeing new policies with specific Energy Use Intensity and space heating demands. These targets increasingly reflect Low Energy Transformation Initiative (LETI) aspirational benchmarks, but offer limited flexibility where site-specific circumstances make achieving them challenging.

We are also seeing the introduction of new frameworks, such as the National Australian Built Environment Rating System, which rate buildings on their operational energy performance rather than just design intent.

While these frameworks raise the sustainability bar, they are also impacting development potential as well as viability. For example, in our experience, meeting LETI targets is proving particularly challenging for long-term estate regeneration projects, where the additional costs required to meet them are significantly impacting viability. This is further exacerbated by market uncertainty, as construction technology and materials struggle to keep pace with rising standards.

In the commercial sector, the introduction of Minimum Energy Efficiency Standards (MEES) adds further pressure. MEES mandates that landlords must improve energy efficiency in below-standard buildings or face obsolescence. With 25% of UK buildings at risk of obsolescence by 2030, landlords and estate managers must act swiftly to future-proof their assets.

It is perhaps telling that the government is yet to introduce any planning policies on a "retrofit first" approach, given the challenges, and we wait to see what will be published in the forthcoming National Development Management Policies. However, the government consultations continue, including the "Improving the energy performance of privately rented homes: consultation document" of February 2025, and "Reforms to the Energy Performance of Buildings regime", December 2024. And something needs to be done, as there is a danger "retrofit first" becomes a trojan horse simply to resist development in some locations.

Indeed, while "retrofit-first" is fast becoming the default position, it must not become retrofit-only. There is a real danger that if national retrofit policies are too dogmatic, they could render brownfield sites unviable or inefficient, ultimately undermining both sustainability and growth objectives.

Pragmatic optioneering, weighing the benefits of retrofit v redevelopment including on socio-economic as well as environmental grounds, is essential – and the evidence needs to be proportionate, noting that time in the planning system is money, at a time when yields and the cost of borrowing is high. In some cases, a light-touch retrofit may deliver meaningful carbon reductions. However, where buildings are fundamentally inefficient or obsolete, redevelopment through the planning system may be the more sustainable and viable option in the long term.

For estate managers, the challenge is clear: decarbonise portfolios while protecting financial value. Retrofitting is part of the solution, but it is not the only solution. The challenge becomes even more acute for heritage buildings – and we need a more pragmatic government heritage agency that recognises the long-term optimal use of buildings sometimes means more intervention. After all, buildings are not museums.

We also need better tax breaks and financial incentives for retrofits, noting the cost, uncertainty and insurance risk associated with them. It is not just about the planning system – we need a cohesive solution.

Case Study: City of London

The City of London offers a blueprint for pragmatic sustainability. Its draft Local Plan introduces a carbon optioneering process for all major developments. This ensures that the most sustainable solution is pursued, whether through retrofit or redevelopment, while balancing wider economic and viability considerations and ensuring that the process is clear enough not to result in wasted time through the pre-application and planning application process.

It has also recently adopted a Planning for Sustainability Supplementary Planning Document (February 2025) and its Heritage Building Retrofit Toolkit assists with the decision making for decarbonising heritage buildings.

At Avison Young, we were one of the first consultants to go through the carbon optioneering process, through the redevelopment of Hill House, where we secured a resolution to grant planning permission for Landsec in 2024. The scheme delivers:

- 660,000 sq ft of best-in-class office space across 19 storeys
- A net-zero development in both construction and operation.

In this case, the existing building's core and layout limitations made retrofit unviable, preventing the site from being optimised for modern use. However, through the carbon optioneering process, we were able to:

- Retain 58% of the structure, including the basement retaining walls, piles, and foundations - significantly reducing carbon impacts
- Ensure that demolition materials were reused wherever possible in the new construction.

This case highlights how, even when demolition is necessary, a pragmatic and sustainable approach can reduce overall carbon impacts and maximise wider planning benefits. However, there is a real question whether this approach can feasibly be replicated across the country.

While optioneering may work in high value locations, the cost and complexity may be prohibitive in smaller towns and rural areas. This underscores the need for any future national retrofit policies to be achievable and deliverable across the UK.

We all form real connections to the places where we live, love, work and play. But those connections don't happen by accident. **We call that placemaking**.

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public.sector@avisonyoung.com

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Conclusion: Collaboration for deliverable sustainability

The property industry stands at a critical juncture. Collaboration between government, public bodies, and private sector stakeholders will be key to balancing sustainability with deliverability. While there is an increasing pressure to decarbonise in property, it is important this does not actively preclude sustainable growth.

A retrofit-first approach is a necessary step toward achieving net-zero, but it must be applied pragmatically. Any retrofit-only policy risks rendering brownfield sites unviable, jeopardising both sustainability and growth objectives.

The City of London's carbon optioneering model offers a potential blueprint for pragmatic, balanced sustainability. However, replicating this success outside major cities will require government incentives and flexible policies that ensure deliverability at all levels.

For ACES members, the challenge is clear: decarbonise portfolios while protecting financial value. This means embracing innovative solutions like including Avison Young's 'Decarb' service, which creates value by helping estate managers optimise sites, reduce carbon impacts, and unlock financial returns. But also considering more substantial interventions, like Hill House, where a light-touch approach won't work.

Ultimately, to meet the UK's ambitious housing and climate targets, we must adopt a flexible, solution-driven approach optimising brownfield sites while delivering sustainable, future-proofed development.

And we do need a national position soon to stop some authorities using it as a Trojan horse to resist development. We all need to move with the growth agenda.

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

APC INTERVIEWS

Running an APC E-mock interview

Jen Lemen BSc (Hons) FRICS jen@property-elite.co.uk

This is the second part of a series of articles Jen has agreed to write. Here she gives practical advice about 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." However, "assessing can be nerve wracking, and your candidate will no doubt be nervous too."

In my last ACES article, I wrote about the power of mentorship and how the current generation of chartered surveyors can help the next generation to get qualified.

As an APC counsellor, supervisor or mentor, it's likely that you will want to (or be asked to) provide an e-mock interview to your candidate(s). This is an essential part of an APC candidate's journey to becoming MRICS, and provides a realistic test of how they will perform in the real thing.

Official APC interviews are conducted online by RICS, using Microsoft Teams. On this basis, we recommend that e-mock interviews are also conduct using Teams to that you can provide candidates with accurate feedback on their performance using the same platform. If you have the opportunity to provide your candidate with more than one e-mock interview, perhaps do one in person and then the second or final interview online.

RICS script and interview structure

It is easy to run a solo chaired and assessed e-mock. If possible, however, you should bring in colleagues to perform the three key roles of chair, assessor 1 and assessor 2. The script and roles that each of you will follow will depend on if you have a 'solo' panel or a panel of three.

Either way, you should follow the official RICS script and interview structure to simulate what the candidate will experience in the real thing.

We recommend that all APC counsellor, supervisor or mentor undertakes the RICS Assessor training (providing that you have the time to commit to providing real life assessments for RICS). This will provide you with the best possible insight into how the interview process works and best practice for assessors. You can also undertake your chair training and further assessor training for the other

Time frame	**Interview structure**
Pre interview	**Introduction & welcome**

[Time not part of the interview]	• Check that each assessor and the candidate can see and hear each other
	• Ask the candidate to give a 360 show of the room including ceiling and desktop
	• Brief introduction of each panel members (introduction of the auditor if one is present)
	• Explain interview process to candidate (see sections below):
	    o Presentation – 10 minutes
	    o Questions on presentation – 10 minutes
	    o Discussion on overall experience including CPD, technical competencies, Rules of Conduct and professional practice – 25 minutes
	    o Chairperson's area of questioning on professional and technical matters (conduct and ethics should be weaved through as well as covered at the end) – 10 minutes
	    o Close interview (giving candidate last word) - 1-2 minutes
	• Check that the candidate is fit and well and able to proceed
	• Ask candidate to start presentation when they are ready

10 mins	**Candidate presentation**
	• Let the candidate know when they are nearing the end of their time • Ensure the presentation is only 10 minutes
10 mins	**Questions on presentation**
	• Thank candidate for their presentation • Move onto questioning on presentation • You may wish to ask the first question (this helps the flow of the interview) • Assessor 1 to cover their questions (3–4 mins) • Assessor 2 to cover their questions (3–4 mins) • Cover any questions you feel assessors may have missed • Watch the time and close
30 mins	**Discussion on overall experience including CPD, technical competencies, mandatory competencies**
	• Move onto questioning on overall experience including CPD, technical competencies, Rules of Conduct and professional practice • Assessor 1 to start with questioning on their areas of competence • Other assessors to follow • Cover any questions you feel assessors may have missed • Watch the time and close
8 mins	**Professional and technical matters, CPD, Rules of Conduct**
	• Move onto questioning on professional and technical matters, CPD, and Rules of Conduct • Rules of Conduct (relevance to experience if possible) • Health and safety (RICS Surveying Safely guide) • General (RICS business/industry hot topics) • Watch the time • Draw the interview to a close
2 mins	**Close interview**
	• Thank the candidate • Pick up any questions passed over during interview • Give candidate last word • Any questions candidate wishes to come back on • Advise candidate RICS will inform them of the result by e-mail in 5 working days

APC routes, such as SPA and Specialist.

The interview must last for exactly 60 minutes – no less and no more, unless the candidate has any access arrangements or special considerations where additional time may be allowed by RICS.

On page 65 is the structure that you must follow when providing an e-mock interview (https://www.rics.org/content/dam/ricsglobal/documents/surveying/APC-assessor-guide_final_February-2024.pdf):

We recommend booking a two-hour slot when providing an e-mock interview to a candidate; 20 min for the welcome, 60 min for the interview and then 40 min at the end for feedback. We recommend following up the interview with a written feedback report – the RICS has a template you can download at https://www.rics.org/join-rics/assessments-information/assessor. At Property Elite, we use online software called Otter.ai to record and provide summaries and transcripts of e-mock interviews – these have been invaluable to both our assessors and our candidates.

If you feel comfortable to do so, then you may wish to allow your candidate to record the interview so that you can review sections with them. This could include their verbal responses and use of body language.

Preparation is essential to provide an effective e-mock interview. This includes reviewing the candidate's submission and preparing areas of questioning or focus. We do not recommend having a stringent list of questions that you will ask, as the questioning will take its own path once you get started. However, some cues and 'starting' questions will help you to structure the interview effectively. Try to avoid just reading out questions – the candidate's answer will often provide areas to ask follow-on questions and explore their advice (level 3), actions (level 2) or knowledge (level 1) further.

Conclusions – best practice advice

And, to conclude, some advice on best practice when delivering your e-mock interview:

- Base all the questions on the candidate's declared competencies and experience. You should not question the candidate on competencies outside of those that they have declared
- Start your questioning at the highest level that the candidate has declared
- Base your questions on the candidate's examples – do not ask hypothetical questions or questions outside of the experience declared by the candidate. You may need to ask wider questions if the candidate has not written about specific examples or if the examples provided are not relevant to the competency requirements
- Do not use 'stock' questions or focus your questioning on level 1 (if a higher level has been declared)
- If a candidate does not reach the highest level declared, then you can work down the competencies to assess their competence. Don't just ask 'stock' level 1 questions where there is a higher level to start at and the candidate has provided relevant, specific examples
- Do not exceed the 60-minute timeframe – within this, you must cover the breadth and depth of the declared competencies and entire submission elements
- If a candidate doesn't reach the required level, despite sufficient questioning to provide them with the opportunity to do so – don't dwell on it and move on. Time is generally not on your side!
- Do not give any indication of whether a response is right or wrong – a simple thank you, or okay, is fine and you can then move onto the next competency
- You can tell the candidate which competency you are questioning them on, but do not tell them the level that they are being questioned on. That said, asking about specific examples may give this away in any case!
- Make ample notes as you go, to allow you to provide feedback to your candidate.

Finally, good luck – the more practice you have in providing e-mock interviews and assessing official interviews, the better assessor and counsellor (or supervisor) you will become. Like everything, it is a skill – the best assessors provide a constructive and positive environment for candidates to succeed within. We are not here to be gatekeepers or 'examiners' – we are here to facilitate an environment whereby candidates can demonstrate their competence and advice. Assessing can be nerve wracking, and your candidate will no doubt be nervous too – so be kind to yourself and your candidate, and work with them to provide a fair and equitable outcome.

[Ed – see also next article from the RICS giving some helpful links for the RICS assessment].

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RICS ASSESSMENT
Final preparations for RICS Assessment: The countdown begins!

Rachel Palmer rpalmer@rics.org and Adam Quinn aquinn2@rics.org

Rachel and Adam give some timely guidance and pointers about preparing for the RICS assessment.

Adam and Rachel are part of the RICS UK&I Candidate Support team whose role is to ensure enrolled candidates on all routes to membership understand the requirements of the RICS and are prepared for the assessment, as well as offering a suite of additional resources to support their progress and well being.

For candidates who have just submitted their application for the RICS assessment, congratulations on reaching this significant milestone! As you move closer to your final submission and assessment, it's time to shift focus toward the crucial final preparations. The countdown has officially begun, and we're here to ensure you're fully equipped for success!

Get ready for the "Final Countdown Webinar"

We know that the final stages of your RICS journey can be both exciting and nerve-wracking. That's why we're thrilled to offer you the "Final Countdown Webinar", an essential session designed to guide you through the last preparations before your assessment. This interactive webinar will cover:

- Lionheart providing tips and advice as you approach your Final Assessment interview and a chance to ask any questions
- How to ensure your submission meets RICS standards
- Common pitfalls to avoid
- Tips for confidently navigating your final assessment and the opportunity to test functionality of your presentation with the webinar host.

This is a fantastic opportunity to ask questions and clarify any uncertainties as you approach your assessment date. Make sure to mark your calendars and attend this informative session to give yourself the best chance of success.

How to access the Final Countdown webinar

The "Final Countdown Webinar" - Candidate support sessions - UK & Ireland - Click the link to register and access the webinar.

Important reminders: Session 2 2025 dates

For those planning to submit their assessment in Session 2, 2025, please be mindful of the key dates in the build-up for session 2 2025:

Assessment dates - UK

Make sure to plan ahead, start your preparations early, and take advantage of the RICS Candidate Support Hub for additional resources and guidance.

Need support? Visit the RICS Candidate Support Hub

Remember, you don't have to do this alone! The RICS Candidate Support Hub is a valuable resource available to help you throughout the assessment process. Whether you need advice on your submission, tips on presentation, or assistance with any other queries, the Support Hub is there to guide you every step of the way.

Visit the RICS Candidate Support Hub: Candidate support and resources

We wish you all the best as you prepare for your RICS assessment and look forward to celebrating your success!

[Ed – see also Jen Lemen's article about preparing for APC interviews].

Disclaimer: Please check the RICS Candidate Support Hub or your candidate portal for the most up-to-date information and RICS templates and supporting documents to help you submit in future sessions.

RICS®

Vickie is a London-based project manager in the construction industry, known for her problem-solving skills and commitment to diversity. With a background in events/programmes, she transitioned into construction through a major project opportunity. Her role involves stakeholder management, problem-solving, and ensuring project success. Passionate about mentorship, she advocates for continuous learning, risk-taking, and networking.

CONSTRUCTION CAREERS UNCOVERED

Vickie's journey and advice

Vickie Oni Vickie.oni@watts.co.uk

This article continues the theme of promoting young surveyors into the profession, with the positive experiences of Watts' Vickie Oni.

The construction industry is fast-paced, dynamic, and constantly evolving. But what does a typical day look like for a project manager in this sector? To mark Apprentice Week in the UK, we caught up with Vickie Oni, a project manager based in London, to get an insight into her role, career journey, and advice for aspiring professionals.

For Vickie, a career in construction wasn't something she initially planned. She was introduced to the industry by a former manager who brought her on board for a major NHS project. Despite not having a construction-related degree, Vickie's background in logistics meant that many of her skills were easily transferrable.

"I took relevant courses, and the rest is history," she shares. "Construction is a long-lasting and rewarding career. There will always be a need for it. I also noticed the lack of females and ethnic minorities in the sector, which made me want to go for it all the more."

A typical day, problem solving and stakeholder management

So, what does a day in the life of a project manager look like? No two days are ever the same, but for Vickie, a large part of her day involves liaising with clients and contractors.

Regular check-ins are essential to keeping projects on track, resolving any challenges that arise, and maintaining strong relationships with stakeholders.

Meetings, both in-person and virtual, form another key aspect of her role. Whether she is chairing discussions or attending as part of the project team, these sessions help align all parties and drive progress.

Her role demands a high level of organisation and the ability to multitask efficiently. Strong communication skills are essential, as she is constantly engaging with different stakeholders. A keen eye for detail, problem-solving abilities, and the capacity to build lasting relationships all contribute to her success. Given the fast-moving and sometimes unpredictable nature of the industry, remaining calm under pressure is an invaluable skill.

And, of course, one of the most critical aspects of her job is 'putting out fires on site'—though, as Vickie humorously clarifies, *"not literally!"*

Overcoming challenges, a high-rise fire remediation project

One of the projects Vickie is currently working on is a fire remediation project for a high-rise building in Croydon. The last nine months have been a whirlwind, full of challenges that have tested her problem-solving skills and resilience.

"I'm proud of the team I'm working alongside to overcome the very tough obstacles that come with a project like this, especially at a time like now," she says. With another 18 months to go, she remains committed to delivering results alongside her team.

The most rewarding part of the job

For Vickie, the most fulfilling aspect of her role is the sense of accomplishment that comes at the end of a project.

"Knowing that you have contributed to the development of society in some way is incredibly rewarding," she explains. Whether it's a hospital, a residential building, or infrastructure that improves communities, project managers play a crucial role in shaping the built environment.

Advice for young aspiring professionals - take risks and keep learning

For those considering a career in construction, Vickie's advice is clear - take risks. Stepping outside your comfort zone and embracing new challenges is the best way to grow. The industry is vast, and there are countless opportunities to develop and refine your skills.

She encourages aspiring professionals never to stop learning. Expanding your skill set and actively seeking new experiences will not only increase your knowledge but also build confidence. In an industry that thrives on collaboration, networking is equally important. Making connections with professionals in the field can open doors to opportunities that might not otherwise be available.

"The more experiences you gain, the more knowledge you acquire, which ultimately builds your confidence and your professional network," she says. Taking the initiative to seek out opportunities, rather than waiting for them to appear, is one of the key lessons she has learned in her career.

Vickie's journey into project management is a testament to how transferable skills, determination, and a willingness to learn can open doors in the construction industry. Her passion for the sector, commitment to problem solving, and drive to support diversity, make her a standout professional.

For those thinking about a career in construction, her story is a reminder that opportunities are there for those who seek them—and that taking the leap can lead to a truly rewarding career.

MIPIM CHALLENGERS PROGRAMME

In conversation with the MIPIM Challengers – Beyond the week in Cannes

Jessie Leung Jessie.Leung@jll.com
and Charlotte Leach charlotte.leach@avisonyoung.com

Having experienced MIPIM through the lens of young professionals, Charlotte and Jessie come together to share their reflections on the programme, the industry, and how senior leaders can better support emerging voices. There's some good advice here for ACES' members and FACES.

Jessie is a Surveyor in the Development and Regeneration South team at JLL, covering the Southwest region on various asset management and development advisory projects with local authorities and private landowners. She started her career in Knight Frank Hong Kong and relocated to Bristol in 2021, having most recently worked at South Gloucestershire Council on the delivery of estates strategy. Jessie is keen to inspire the next generation of talents and actively engages in school outreach events to promote diversity and inclusion in the surveying profession.

Charlotte is a Graduate Planner in Avison Young's 'Place' team, based in Bristol. She supports on projects predominantly across retail, housing and employment with a strong focus on the Southwest region, and provides planning consultancy to unlock the full development potential of assets. She is committed to promoting diversity and inclusion in the real estate industry and was selected as a MIPIM Challenger for 2025 in recognition of her insights on the topic.

The MIPIM Challengers Programme

The MIPIM Challengers Programme, launched in 2024, is an initiative designed to amplify the voices of the next generation of real estate professionals. Each year, 16 young leaders under the age of 30 are selected to participate in the full MIPIM event. These "Challengers" are given a platform to present bold, disruptive ideas and innovative solutions for tackling global urban challenges. At the MIPIM Challengers Conference, they have the opportunity to engage directly with industry leaders and decision-makers, reshaping the future of the built environment.

Charlotte, a member of the 2025 cohort, earned her place with her essay on gender diversity and inclusivity in the built environment. She also presented on Sponge Cities and Flooding Resilience on the MIPIM Challengers Conference panel. Jessie, a 2024 cohort alum, was among the first "Challengers" involved in this initiative.

Having experienced MIPIM through the lens of young professionals, Charlotte and Jessie come together to share their reflections on the programme, the industry, and how senior leaders can better support emerging voices in this candid conversation.

1. First impressions

As a first-time attendee, what is your first impression of MIPIM?

Charlotte:
In the lead up to MIPIM, I stayed true to my nature as a 'planner' and gathered as much advice as possible from seasoned MIPIM colleagues. Yet, no amount of preparation could fully convey the scale and energy of the event until I experienced it firsthand.

MIPIM was a melting pot of visionaries, investors, and thought leaders from around the globe, all converging to share ideas, opportunities, and innovations. Walking through the stands and pavilions, I was struck by the diversity of projects and trends on display—everything from innovative urban models to cutting-edge sustainable solutions. I was particularly impressed by the city model at the London stand, which had been transported all the way from the UK to showcase the capital's vision. The UK made a strong showing this year, with stands from Manchester, Cardiff, Liverpool, Newcastle, and Central

South (Southampton/Portsmouth/Bournemouth), all buzzing with activity, and cementing the UK's position as a hub for real estate innovation and investment.

The beachfront Avison Young Pavilion deserves special mention. It became a haven amid the MIPIM chaos – a place to catch up with colleagues, network with clients, and enjoy engaging content over a much-needed coffee. The bright orange Avison Young umbrellas were impossible to miss, shining like a beacon through the gloom of what turned out to be a very wet MIPIM!

The support from my colleagues and fellow Challengers was invaluable, helping me to navigate with confidence what could have been an overwhelming experience. This was helped greatly by meeting up with Jessie and connecting with other Challengers in the lead up to the event.

Overall, the atmosphere can be summed up as both inspiring and intense, a true reflection of the ambition and energy driving the future of real estate and urban development.

Jessie:
I am grateful to be sponsored another year's ticket to MIPIM and be able to explore it in a different capacity without the pressure to prepare for a presentation on stage! The biggest shock this year is certainly the weather: the infrastructure in Cannes wasn't ready for torrential rain but it did not dampen the mood – I saw people shaking hands and making introductions amidst the downpour!

The sentiment of the industry appears to be lively, with a lot of first timers. It was good to see the public and private sector working together to present the best of UK to the global stage, as collaboration is the key to create partnerships. There is a lot more substantive discussion on sustainability and PropTech on the actual application and operational impact. At the same time, another big focus is on recruitment and retention of talents, which is very interesting as it implies AI cannot replace property professionals, even though there is certainly room for upskilling to ensure we all keep up with the latest market trends.

Learning from last year's experience, I managed my diary more strategically and became more selective on what I wanted to do. I put in individual meetings in the morning for new contacts, then booked in a few events and drinks in the afternoon and evening. A quick scan of the MIPIM crowd shows visibly less women than last year, which is disappointing, but I still managed to meet up with a few inspiring female role models who shared their personal tips on navigating their career. MIPIM is the place where people meet up randomly, share ideas and follow up on conversations, which truly demonstrates the value of building relationships through in-person events. Also, more people are aware of the MIPIM Challengers programme which is a big plus! Hopefully it will continue to grow and create even bigger impact on MIPIM and the property industry through bringing in the voices of young professionals.

Diversity, equality and inclusion

2. Do you think there is enough discussion on diversity, equity and inclusion (DEI) in an all-rounded way?

Charlotte:
My journey to MIPIM began with my essay submission for the Challengers Programme, where I explored how diversity and inclusion in real estate—particularly the mainstreaming of gender considerations into planning policy—can address critical challenges posed by urbanisation. It was encouraging to discover that a fellow Challenger, also a planner, had written her essay on the same topic. The selection of both essays underscores that gender equity is firmly on the agenda.

Seeing the momentum around DEI at MIPIM firsthand was inspiring, especially the focus on gender equity and talent retention. The Avison Young x Real Estate Balance survey results presentation was a standout moment for me. The survey highlighted progress in addressing gender imbalances in real estate while also emphasising the work still needed. It reinforced the importance of measurement as a foundation for meaningful change—after all, "you can't change what you can't measure."

Other events further cemented the focus on DEI, such as "The Battle for Talent: Recruiting and Retaining Diverse Talent in Real Estate" (with JLL, Knight Frank, and Savills) and "Equality of Opportunities in Real Estate". While I had heard much about the prevalence of the "Blue Suits" at MIPIM, I was reassured to see a growing presence of young and diverse professionals—a clear testament to the impact of the Challengers initiative.

Despite these promising developments, there's still room to broaden the conversation. Future discussions should encompass other vital aspects of diversity, such as age, neurodiversity, and cultural representation. While this year's panels and content on gender equity were encouraging, the industry would benefit from adopting a more intersectional approach. Diverse perspectives across all levels of decision-making are essential to fostering creative, inclusive, and resilient urban development. DEI cannot remain a peripheral "add-on" or a checkbox exercise, but instead it must be embedded at the heart of everything we do to ensure the future success of the industry.

Jessie:
I attended the two Real Estate Balance events Charlotte mentioned and was able to contribute some ideas in the roundtable chat on the value of mentorship and sponsorship. I also met the brilliant ambassadors of Regeneration Brainery which is an organisation to support bright young minds joining the property industry. In short, there is enough opportunities to discuss the topic, yet I observed that the attendees at these events are very unrepresentative of the mainstream MIPIM delegates – there are more female and young professionals. Discussion is important but until we can get more decision-makers to listen and make actual action, the sea of blue suits will remain the same at MIPIM.

Moreover, the DEI Scope largely remains on the level of gender, race and age at MIPIM and there is not enough focus on social mobility, neurodiversity, LGBTQ+, caring responsibilities, workplace mental health and other aspects. I believe intersectionality is vital in promoting DEI and stimulating new solutions, as the built environment is multi-disciplinary, and we live in a three-dimensional world. If we want to attract and retain the right talent, we need to make sure they feel comfortable to be themselves in the work environment.

What I hope to see at MIPIM in the future, is a re-branded MIPIM Challengers programme, where senior leaders across the regions from both the public and private sector, big corporates and SMEs, pitch on the efforts and innovative ways their firms have addressed DEI in the past year, and then the audience can vote for the best company!

Panel discussion on Sponge Cities and Flooding Resilience

View from the Auditorium

A lasting influence

3. What's one change that you'll implement at work/career life after the whole MIPIM Challengers experience (from when you're selected in December to the post-MIPIM week)?

Charlotte:
After the MIPIM Challengers experience—and the much-needed week to recover (!) —one key change I'm committing to is embracing opportunities for public speaking and thought leadership more intentionally. The programme highlighted the value of stepping forward to share ideas and perspectives, even when they feel unfinished or imperfect; I strongly believe that the pursuit of perfection is one of the biggest barriers to growth and innovation. Having completed my first ever panel at MIPIM, nothing else feels quite as daunting!

Seizing these moments is not just about amplifying vital messages—such as decarbonisation, climate resilience, and inclusivity—but also about forging connections and collaborations that last throughout your career. In an era of technology and artificial intelligence, the MIPIM experience reinforced the value of these spontaneous in-person interactions for unlocking opportunities with the best and most influential minds in the industry. I'm looking forward to crossing paths with these connections again as my career unfolds!

Jessie:
MIPIM only lasts a week but the impact of being on the Challengers programme went way beyond. It gave me the opportunity to build connections outside of my city, boost confidence in public speaking and networking, and learn from the very different experiences of people from all walks of life. Like the debate on the big return to offices, there is high value for early careers professionals to learn through listening to conversations and how senior leaders present themselves.

The one change I'll implement after being a Challenger is to bring someone along my journey of growth every step of the way. The Challengers programme has been an accelerator to my career and personal development, and I have been inspired by so many strong women at and outside of MIPIM. The motto of my alma mater is 'as one lamp lights another, nor grows less', which rings especially true in the context of mentoring and supporting the next generation of young talents. I am keen on passing on the opportunities that I have been given for the ripple effect to spread on. For example, the first thing is to shout about the Challengers programme so more young professionals from diverse backgrounds can apply and get an opportunity to experience the same. Cascade mentoring is another good idea where you have to be a mentor and mentee at the same time to pass on the positive influence.

Fun at MIPIM

4. What was the most fun part of attending MIPIM?

Charlotte:
Without doubt, the most fun part of attending MIPIM was being part of the Challenger's programme, and being surrounded by like-minded and innovative peers. It was a pleasure to engage in lively discussions with people who are passionate about pushing boundaries and rethinking how we approach urban development.

The programme's interactive format, from pitching ideas to exchanging perspectives in the Challenger's workshop, made the experience not only intellectually stimulating but also genuinely enjoyable. Speaking on the panel was one of the best parts of the experience for me, as it was the culmination of months of hard work and preparation, and I felt that I was a part of a unique and special opportunity. Not many people can say they have been a panellist at MIPIM so early on in their career – and I am genuinely proud to have been a part of it and to have made friends for life with both cohorts of Challengers. I hope to lean on the Challengers network and continue our peer-to-peer mentoring for years to come.

Jessie:
The highlight of this year would be reuniting with my 2024 cohort of Challengers! It's a pleasure to witness their growth in the past year, talk about changes in our life, and generally it is just good to be with people who are at similar career stages. Also, it was refreshing to meet the new 2025 Challengers as everyone has such different ideas! I met up with Charlotte twice before MIPIM as we are both based in Bristol. It was great to connect with fellow women in property and her passion to bring forward changes in the industry really shines through. I am excited to follow her career journey after MIPIM, and of course the other 15 Challengers on the cohort!

Another fun part is realising my social battery is higher than I thought – you will not know your limit until you are pushed! Who would have thought an introvert can also enjoy MIPIM 100% and make the best out of it, as long as you still carve out some downtime for preparation, thoughts and reflections.

Advice

5. What's your advice for the next cohort of MIPIM Challengers?

Charlotte:
My advice for the next cohort of MIPIM Challengers would be to embrace the opportunity, even if it feels outside your comfort zone. While going to MIPIM is a fantastic opportunity to grow professionally, one of the main highlights for me was having the opportunity to develop personal skills such as public speaking and self-confidence. I felt incredibly supported by the organisers, my fellow Challengers and by Avison Young, so my advice would be to seize every opportunity; even if you think you are underqualified, the likelihood is that you are more capable and knowledgeable than you realise.

But most of all, I would say try to relax, enjoy the experience and engage with the content – it is a privilege to be there at such a formative stage in your career, so try and soak it all up and not put too many expectations on yourself.

Jessie:
It will be chaotic, but it is all part of the fun. Try to plan for what you want to achieve; at the same time be ready that MIPIM will always 'challenge' your plans, so be adaptive and welcome the surprises that come at you. Connect with your fellow Challengers before MIPIM – it's always good to have the network of support before and during the week!

Also, take every opportunity you can to advocate for yourself throughout the programme. It is an underrated skill to recognise your own achievements and to be able to explain yourself and what you do to new connections, and the more you talk about it the more you feel truly a part of this wonderful industry. I am grateful to my JLL team for supporting me to go to MIPIM again and given me the freedom to arrange my diary and meetings. Business development is not usually something young professionals can learn from formal training, but it is experience like this that gradually builds up your skills and external relationships.

Senior leaders' support

6. How do you think senior leaders can support young professionals in networking events beyond MIPIM?

Charlotte:
Senior leaders can make a big impact for young professionals at networking events by introducing them to key contacts, highlighting their contributions, and sharing practical advice to make networking less daunting. For example, this could be achieved by a 'bring a younger colleague' initiative where young professionals are invited to networking sessions so that we are included in conversations that are often reserved for the C-suite. Facilitating cognitive diversity means creating opportunities for young professionals with different life experiences, perspectives and skills that might otherwise be overlooked due to generational gaps. Regeneration Brainery is a fantastic example of this in action. Their work inspires young people to enter the property industry by fostering a welcoming and supportive environment that builds confidence.

Another key learning point from MIPIM is that internal networking can be as valuable as external networking. I travelled to the event on the Avison Young train carriage; as someone who is fairly new to the company, this provided an invaluable opportunity to forge connections internally with colleagues from different offices and teams, which helped me to feel supported and confident going into the event!

Jessie:
The reason I knew of MIPIM Challengers programme was when a senior leader forwarded the opportunity to me. Therefore, first is to share any kind of networking or learning opportunities you know of to the junior members of the team. Second is bring them to client meetings or events wherever possible and proactively introduce them to your existing connections. This is particularly valuable for young professionals who come from less represented background who may not have the role models from their family or social circle to show them the value and impact of effective networking. Third is encourage them to organise their own networking events with young professionals and sponsor the event if appropriate or provide any resources.

Networking should almost become a part of the structured training for graduates. Also, hosting an external event in the office or a familiar setting can reduce anxiety, or coordinating internal networking initiatives such as coffee roulette (our teams in JLL are giving very positive feedback!) The gist is to give young professionals the opportunity to try new experiences and encourage them to start early. Networking is just as important as building the knowledge foundation – after all property is a people industry. Meaningful connections can go a long way.

Iain Mulvey is an experienced regeneration and business development professional. He spent the first six years of his career working with the Regional Development Agencies, and the next 20 years working in private practice with GVA/Avison Young and Carter Jonas. During that time, he has worked with many local authorities across the country, advising on a range of issues across investment, development and regeneration, as well as with central government departments, corporate occupiers, pension funds and overseas investors.

PENSIONS REFORM AND PROPERTY

Local Government Pension Service reform and what it means for real estate

Iain Mulvey iainmulvey@aol.com

ACES' supporter of many years, Iain has written this article which is relevant to recipients of local government pensions. It considers the potential implications of pension funds being directed to real estate projects. "However, even at £360bn, use of the LGPS is certainly not the silver bullet to solve the UK's infrastructure funding problems when you consider the overall costs involved."

What is being proposed?

Rachel Reeves announced an ambitious plan in mid-November 2024 at the annual Mansion House speech to merge local government pension schemes (LGPS) which currently have a combined asset value of £360bn.

This is not the first time that it has been considered, and was previously raised by George Osborne in 2013, which gave rise to eight pooled vehicles formed from 86 authorities. Since then, the pooling process has seen over 70% of LGPS' assets moved into pooled vehicles.

The ever-reducing amount of 'fiscal headroom' means that it seems that a more radical and structured approach is required to stimulate growth, to prevent the economy flatlining and ensure that investment in critical projects is made. Logically, the sentiment behind merging LGPS schemes is that larger funds can make larger commitments and help drive much needed economic growth in the UK by investing in infrastructure, housing and other major projects of national interest.

This is largely based on the effective use of similar funds to achieve those objectives in countries such as Australia, and in particular, Canada. We have seen the ability of those funds to commit significant spend to real estate projects in the UK such as the Ontario Teachers' Pension Fund, which has over £15bn invested in property alone on a global basis. Both Canada and Australia have significantly smaller populations than the UK, which means that investment is constrained by the size of the domestic market and their needs to internationalise, to spread risk and diversify income. However, if it can work effectively there, why not here?

What does this mean for real estate?

Local authority pension funds have historically been major investors in real estate, both in terms of direct and indirect holdings. Overall, the LGPS is valued at £360bn across all asset classes. This of course does not include the direct investments made by local authorities into property such as those made by Spelthorne, Portsmouth and Surrey, which have been the subject of much debate elsewhere and sit outside the LGPS schemes. Real Estate currently has an overall weighting of 8% across all LGPS assets, according to the latest figures shown in the chart.

Even at 8%, £28.0bn of real estate assets is highly significant in the context of the overall market. In order to compare this to the size of the wider market, most agents reported that the total universe of real estate investment in the 2024 calendar year was c£40.0bn, albeit this is significantly lower than previous years, where over £60.0bn has been achieved. Major investment into institutional grade commercial property has been made over a significant period of time by the likes of Teesside Pension Fund, West Midlands Metropolitan Pension Fund, Strathclyde Pension Fund, Greater Manchester Pension Fund, and others, and the assets allocated to real estate which form those mandates are managed by external Financial Conduct Authority accredited advisors.

In the past, some other smaller local authority pension funds have often been forced to target smaller lot sizes due to the overall size of the individual funds and the need to diversity that capital across different sectors. In some cases, this led to geographically dispersed portfolios of management intensive stock. As a result, some authorities divested of their direct property holdings as they took up a disproportionate amount of management time for limited returns, in comparison with other asset classes and the capital received was distributed elsewhere or put into indirect property vehicles.

Logically, having larger merged allocations for real estate would allow investment into projects of a national interest that may assist in driving economic growth. However, it doesn't necessarily follow that the returns will exceed or even match those currently received from activity undertaken to date. The majority of LGPS assets are made up of institutional grade core and core plus assets that have often performed strongly against established benchmarks. Targeting that investment capital at supporting economic growth may serve a purpose for UK PLC but not necessarily members of the scheme.

The difficulty with direct real estate investment is the lack of liquidity. The 'pooling' will therefore be far harder to achieve for direct property holdings than other asset classes in terms of managing the transition, where it relies on transactions taking place or combining contracts placed with external advisors. Fund managers will see an opportunity to align with large discretionary mandates, although for those with existing contracts it may represent something of a threat. I suspect this may only be achieved over a two-term Labour government for the same reasons that this has now already been on the table for 12 years.

£m	2023	% of total	2022	% of total2
Equities	182,320	51.00%	188,579	52.00%
Bonds	44,107	12.00%	53,168	15.00%
Property	28,393	8.00%	30,087	8.00%
Infrastructu	22,739	6.00%	17,830	5.00%
Private Equ	22,012	6.00%	20,637	6.00%
Multi-asset	13,204	4.00%	12,856	4.00%
Private deb	11,076	3.00%	6,647	2.00%
Diversified	8,506	2.00%	9,586	3.00%
Liability Dr	3,419	1.00%	3,753	1.00%
Hedge Func	1,845	1.00%	1,881	1.00%
Derivatives	438		1,156	
Cash	7,297		8,903	

According to the most recently published figures, there is already investment in 'Infrastructure' by LGPS Funds which accounts for around 6%/£22.7bn of the total. It would be logical to assume that the vast majority of this is held in equities or other asset classes more liquid than property and could be more readily redirected. Again for context, the latest estimates suggest that the HS2 line from London to Birmingham might cost over £80bn in total, the upgrade to the TransPennine Express at over £11bn, Crossrail 2 at £30bn and the London Underground Bakerloo Line extension between £5.2-£8.7bn. It has also even been estimated that £16.3bn would be required to fix all the UK's potholes, according to the local authority road maintenance and repair survey. Therefore, despite its current size, a material reshaping of the LGPS would be needed to contribute a significant proportion impact to projects of that nature.

Another potential complication is the how to factor in ESG considerations. This is likely to make the picture more confusing if the funding can only be provided to 'sustainable' projects, which may limit its effectiveness and of course returns for members. Rather like local authorities buying property assets directly, once the lines become blurred between investment and regeneration considerations, it appears that both objectives can never be achieved in tandem.

Conclusion

Overall, the logic appears sound – the UK needs increased funding to drive future economic growth and pay for larger infrastructure projects. That won't all come from the private sector or overseas investors, especially as investors have become distrustful of following cost overruns, delivery times not being met, and of course the cancellation of HS2 Phase 2. However, even at £360bn, use of the LGPS is certainly not the silver bullet to solve the UK's infrastructure funding problems when you consider the overall costs involved.

The other key question is the practicality of making it happen. Is there really any guarantee that returns will be better for the 6.5m members of the LGPS and how will challenges to making it happen be overcome, especially for the real estate element as it is so illiquid. It will be fascinating to see the results of the most recent consultation, but expect significant resistance from a number of stakeholders.

Therefore I am not entirely confidant we will see much change over the term of the next parliament, however much it may be needed.

Nadia has been involved with BIDs since establishing the Newtown Improvement District, Johannesburg's Cultural Precinct, and has been managing Team London Bridge (TLB) since 2007.

From major regeneration to responsible business programmes, Nadia has developed and implemented the broad spectrum of services that BIDs offer, while steering them through pivotal moments in their lifecycles. Nadia manages a cohesive executive team and represents TLB on the boards of key local and pan-London bodies.

Don is Head of Marketing and Comms, Team London Bridge. His experience in place marketing has been formed across a variety of sectors. At Team London Bridge his role has focused on moulding the identity of the area as a business and visitor destination, attracting inward investment and visitors to London Bridge, promoting services and experiences to local employees, and communicating change.

LONDON BRIDGE BID

Shaping London Bridge: The Impact of Team London Bridge, a Business Improvement District

Nadia Broccardo Nadia@teamlondonbridge.co.uk and
Donald Campbell Donald@teamlondonbridge.co.uk

Nadia and Don outline the evolution of the London Bridge BID and the wealth of initiatives it instigates and support to business communities. The BID has helped build "resilience through partnership and preparedness."

20 years ago, organisations in London Bridge started conversations about how best to manage the area through a period of redevelopment while continuing to thrive and grow as a business district. They decided on establishing a Business Improvement District (BID) - a model from North America then only recently introduced in the UK, by holding a successful ballot of local businesses and setting up Team London Bridge.

A BID is a defined area where organisations come together to invest in local improvements, services, and projects that enhance the district for the businesses themselves, as well as their employees, residents, and visitors. Funded by a levy on local business rates, BIDs drive economic growth, sustainability, and community engagement. Team London Bridge, the BID for the London Bridge area, has been instrumental in transforming this striking part of London into a dynamic, thriving, and forward-thinking destination.

The London Bridge area: A historic and cultural gem

London Bridge, in the London Borough of Southwark, is one of the most striking areas of the capital, rich in history, culture, and architectural marvels. Home to landmarks such as The Shard, Tower Bridge, HMS Belfast and on its border, Southwark Cathedral, the area offers some of the most impressive views along the River Thames. Its cultural heritage is further enhanced by Borough Market, Vinegar Yard, and Bermondsey Street—bustling with a mix of high-end restaurants, casual eateries, and innovative food startups. This vibrant setting makes London Bridge a must-visit destination for locals and tourists alike.

"Is life better in London Bridge thanks to the BID? Absolutely, yes."

Cross-sector local investment

Over the past five years, Team London Bridge has invested £7m into the area through BID levy funding, with an additional £3m generated through partnership, directly to support services and projects. This £10m investment has driven economic growth, improved infrastructure, and ensured London Bridge remains a vibrant and safe district for businesses and visitors alike.

London Bridge is a cross-sector area, home to national head offices of global corporations, a university campus, cultural organisations and landmarks, a huge transport interchange, one of London's most famous hospitals – Guy's, - local government, and has around 350 businesses. As a result, the local agenda is

wide ranging. Priorities differ and change. However, the business community in this central London district is always aligned in their commitment and ambition to provide high quality services and projects together, be it additional street cleaning or leading the community in sustainable change.

Transformative strategic development

Team London Bridge has spearheaded a range of visionary strategies shaping the area's identity, sustainability, and future development. These include:

- The London Bridge Plan (2016)
- London Bridge Culture Strategy (2018)
- Responsible Business Strategy (2020)
- Net Zero Routemap (2022)
- Green Space Action Plan (2024)
- Health-Led Approach to Urban Places Framework (2025).

These initiatives have progressed agendas including business growth, championing culture, increasing cycling, advocating good corporate social responsibility practices and amplifying the results, increasing green spaces, improving climate resilience, and ensuring London Bridge remains a dynamic and forward-thinking area.

Giving businesses a voice

Team London Bridge has ensured that the voice of businesses is heard in planning key local developments, including the construction of The Shard and the redevelopment of London Bridge Station. The London Bridge Plan has guided sustainable development, preserving the area's unique character while fostering innovation.

Commitment to sustainability

Sustainability is at the heart of Team London Bridge's work. It's driven by the local businesses and is something that differentiates London Bridge from many other business districts in the capital. While the businesses themselves are at different stages of their sustainability journey, they can all buy into area wide goals, such as being a net zero district by 2030, and celebrate achievements together to create an environment of cooperation and momentum. District wide projects range from things like waste consolidation and cargo bike delivery schemes, to working with large landowners to investigate a district heat network together, potentially sourcing heat from the River Thames.

Achievements have included:

- Seven new public gardens to help adapt to climate change
- Helping over 200 SE1 businesses switch to cargo bikes for deliveries
- Engaging 50 businesses to sign the Decarbonisation Charter, aligning with the Net Zero Routemap.

Improved safety and security

Security has been significantly enhanced in the area by Team London Bridge, funding two full-time police officers, one from the Metropolitan Police and the other from British Transport Police, who are dedicated to addressing business concerns within the BID boundary. This proactive approach has strengthened crime response and is helping reduce the number of offences recorded locally, even the challenge of retail theft that is mirrored across the country. Overseen by a dedicated Director of Security and Community Partnership, the relationships between businesses and law enforcement bodies are strong and cooperative, making the area safer for all.

Investing in community projects

Since 2006, the Team London Bridge-convened Building Bridges Task Group has invested close to £1m into community initiatives. In addition, every year, the London Bridge business community annually collects over 3,000 Christmas gift donations for local charities, fostering a strong sense of social responsibility.

LBC security team

Bollywood event 2023

Social impact is something that this business community and employees here have always prioritised. Such is their commitment to London Bridge, people will volunteer locally and take a day to help out planting a new parklet and their employers are more than happy for them to do this. The number of ethically aware organisations in the London Bridge continues to drive this field of work on, and has helped form a set of values that Team London Bridge adheres to and advocates on its behalf.

Transforming the local environment

The BID has delivered over 4,000 sq m of new urban greening across a number of sites - equivalent to the size of a new urban park. By reusing plants from the Chelsea Flower Show and maintaining green spaces, Team London Bridge has enhanced the area's sustainability and visual appeal, providing new spaces for people to socialise and enjoy the increasing biodiversity. Establishing and maintaining these spaces is a key element of delivering a place that encourages healthy lifestyles and provides opportunities for exercise or relaxing.

Championing local businesses and culture

Through digital campaigns, social media competitions, and events, the BID has spotlighted local businesses and cultural initiatives. A local loyalty and promotional initiative, the London Bridge DealCard, is one of the longest running and most popular offerings from Team London Bridge. Many local employees use it daily, and businesses engage it to launch new lines and build relationships with the 50,000+ office workers.

London Bridge thrives as a cultural hub, hosting art installations, street performances, and festivals that bring the community together and celebrate the district's diversity. Events produced, programmed or sponsored by Team London Bridge like the Hip Hop Weekender and Medi-Culture Festival have brought fresh energy to the community, celebrating London Bridge's diverse and unique identity.

The role of the BID is to amplify the work of local partners, bring opportunities to the table, and co-produce a calendar of events that make a great place to work, visit and live. Local employees have voiced that coming to work in London Bridge helps make them feel happy and energised; having access to a changing calendar of engaging activities is part of that. In many cases these are free of charge, which indeed helps a lot!

The future of London Bridge

Thanks to Team London Bridge, the area has seen unprecedented growth, innovation, and community engagement. It faces the same challenges as all urban areas – significant crime levels, adapting to hybrid working, climate crisis, political change, reductions in public funding, the high cost of living – but has built resilience through partnership and preparedness.

Opportunities will continue to open for regeneration, even in this already heavily developed area. Life sciences are driving a wave of investment south of London Bridge station, with King's College London, Guy's and St Thomas' NHS Foundation Trust, and Guy's and St Thomas' Foundation, already establishing a cluster of world-leading medical and research institutions.

Through strategic investment, sustainability initiatives, and cultural vibrancy, the BID has ensured that London Bridge remains one of the most exciting districts in London. With a people-first approach and a clear vision for the future, London Bridge continues to thrive as a world-class destination for business, culture, and community.

BIDs up and down the country are doing fantastic work to support their business communities. Democracy is key at this micro-local level and organisations in London Bridge will vote once again in 2025 to decide whether or not to continue these additional services funded by the BID levy for another five years. However, with this track record, the prospects looks extremely positive for Team London Bridge and its committed community.


Xmas Lantern Parade

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Andy has worked in the private rented sector for over 25 years and joined Leaders Romans Group from his previous role at Greystones Management Consultancy where he advised clients on property investments across the UK. He has experience dealing with all property services, from lettings to managing and disposing of large scale institutional owned property portfolios. Previously, Andy was Managing Director of Allsop Letting & Management, where he focused on delivering change programmes.

RENTERS' RIGHTS BILL

Which players in the residential property market will benefit from the Renters' Rights Bill

Andy Jones ACJones@lrg.co.uk

Andy identifies some interesting trends in the growing attractiveness of the private rental sector. "Institutional investment in … BTR … is set to grow, not as a reaction to legislation, but as part of a broader evolution driven by market demand and investor standards. To succeed, policymakers must support this evolution…"

The private rental sector (PRS) is undergoing one of its most transformative periods in decades. At the heart of this change, the Renters' Rights Bill is intended to enhance tenant protections and drive higher standards across the sector.

At the same time, the relative success of residential property investment over commercial investment is attracting new players, particularly institutional investors - considerably reshaping the landscape of residential property.

Policy as a catalyst for change

The Renters' Rights Bill, introduced by the Labour government, builds upon the groundwork laid by its predecessor, the Conservative's Renters' Reform Bill. Both pieces of legislation share a common ambition: to professionalise the PRS and create a fairer system. This includes a commitment to raise standards including through tenancy security and stricter health and safety regulations.

At Leaders Romans Group we work with a wide range of landlords – from individual landlords who own a single investment property, to institutional investors, who operate larger-scale investments across many geographic locations within the UK, and of course in the growing Build to Rent (BTR) sector. So we see the pressures of changing market conditions and imminent legislation across the sector. And while we are strongly in favour of high standards in health and safety, security of tenancies and fair rents, we see the major problem facing the sector as being one of supply and demand.

Changing demographics

According to the English Housing Survey, the number of households renting privately has increased by 93% in the last 15 years, while the number of owner-occupied households has grown by just 3%. The increased number renting is not solely linked to mortgage rates or the economy, but is part of a longer-term trend which also responds to the preference among younger generations for more flexibility. The same survey shows a new tenant demographic emerging: the numbers of renting households with dependent children has doubled since 2003/4, making up 30% of the sector and the number of 'comfortable renters' (middle-class and well-off) is expanding too, representing 44% of the rental sector.

The growth of Build to Rent

Clearly a solution to meeting demand and preventing further rent escalations

is increasing supply. Fortunately the signs are positive. Research shows a substantial increase in 'professional' institutional investment in the UK BTR market. Surveyed in 2022, 70% of global institutional investors stated that they anticipated being active in the suburban BTR market within the next five years: a substantial increase from the 42% then active. Furthermore, analysis by the British Property Federation shows that the BTR pipeline, which includes completed homes, those currently under construction, or those in various stages of planning, now stands at over 273,700. It grew by 5% and the total number of completed units has now surpassed 120,000, a growth of 23% in completed stock over the past 12 months.

Our white paper *BTR suburban communities: the next stage in the evolution of Build to Rent* found that suburban BTR is key to meeting growing demand, as well as meeting the standards that the government has set out: BTR suburban communities offer fair leases and rents, along with excellent service and property maintenance.

The future for the PRS

Institutional investment in residential property, BTR specifically, is set to grow, not as a reaction to legislation, but as part of a broader evolution driven by market demand and investor standards. To succeed, policymakers must support this evolution, ensuring that regulation fosters growth without stifling innovation or supply.

For property professionals, the message is clear: opportunities abound, particularly for those who embrace the sector's professionalisation. As demand for rental housing continues to climb, the future of residential portfolio investment looks not just promising but essential to the UK's housing landscape.

Editor note: the Renters' Rights Bill, introduced in Parliament on September 11, 2024, is technically due to complete stages in parliament in April and will be enacted in summer 2025.

DAN MEEK, RURAL BRANCH

ACES Rural Branch members met at the Farmers Fayre, Stoneleigh on 28 November 2024 for an interesting day of topical and focused CPD, followed by the Branch AGM. 19 members from 13 different local authorities attended, spanning the country from Cornwall to Norfolk.

Members received a presentation from Giles Hunt, Land and Estates Director at the National Trust, and star of the popular Channel 4 series 'Our Dream Farm'. The presentation followed with a good discussion on how managers of Council Farms can work more closely with managers of the National Trust and other charitable, institutional, and private sector landlords' agents to improve the performance of the 'farming ladder'. Delegates were left in no doubt that these rural landlords see Council Farms as a critical part of farming's next generation supply chain.

The Rural Branch has been approached by former ACES member Helen Mcleod-Bakie (formerly of Pembrokeshire County Council and now with Bruton Knowles) who is working with CIPFA and wishes to discuss an ACES/CIPFA jointly published best practice guidance note on rural estate asset valuations. The Rural Branch is currently reviewing its own guidance note in advance of pending discussions with Helen and CIPFA.

The AGM followed and the following 'officers' were voted in:

- Chair – Josie Palmer, Hampshire County Council
- Vice Chair – Rebecca Roper, Cambridgeshire County Council
- Secretary – Dan Meek, Norse Group
- Treasurer – Stephen Morgan, Cornwall Council
- CIPFA Liaison Officer – David Job, Cheshire East & West
- DEFRA Farm Tenancy Forum delegate – Dan Meek, Norse Group
- Welsh Government Liaison Officer – Vacant.

The Rural Branch secretary has attended one virtual and one in person Farm Tenancy Forum (FTF) meeting with DEFRA, Industry stakeholders such as the NFU, Tenant Farmers Association, Country Land and Business Association, National Federation of Young Farmers' Clubs, Agricultural Law Association, and others. Farming Minister, the Rt Hon Daniel Zeichner MP, also attends the in-person meetings. Matters being discussed include the impact on the tenant farming sector of the Autumn budget announcements – not just the controversial headline Agricultural Property Relief 'tax grab' but many less obvious impacts. One particular issue affecting Council Farm tenants which is being discussed with DEFRA and Rural Payments Agency officials is the inability for an incoming tenant to break a former tenant's Agri-Environment Scheme contract without the express consent of the former tenant, who may have a vested interest in not giving consent.

It was understood the Law Commission had been asked to consider a review of the agricultural landlord and tenant legislation as part of its programme for the next 24 months. Another specific area of legislation being looked at is the Farming Transformation Fund.

Members were also briefed on the role of the forthcoming Tenant Farming Commissioner. One of the key roles of the Commissioner would be to ensure the Agricultural Landlord and Tenant Code of Practice is upheld by all parties to include landlords, tenants, and their respective professional and legal advisers.

KEVIN MOORE, HEART OF ENGLAND

February's Branch Meeting was held at RICS Offices in Colmore Row, Birmingham, making use of their facilities for a hybrid meeting with 18 attendees, including several FACES members. It was good to note that 5 new members have joined the branch since last November's AGM.

We welcomed Marcus Perry, ACES Branch Liaison Officer who shared the proposed tri fold ACES promotional leaflet [Ed – now circulated to branches].

Mavesh Ibrar, RICS Public Affairs Officer, provided an update on RICS matters and issues affecting the public sector. Branch Chair, Andrew Stirling, gave a presentation on "Developing estates infrastructure strategies for NHS Integrated Care Systems.

Professional matters raised and discussed included High Street Rental Auctions, hope value in compulsory purchase, and crematoria comparables.

In between the Branch meetings, our monthly on-line catch ups continue and these provide a useful medium for requesting advice and sharing matters of interest. Plans are underway to introduce a more formal CPD element to these.

HANNAH HAMMOND, EASTERN BRANCH

Hello! My name is Hannah Hammond, I am a Graduate Estates Surveyor currently on the wild ride that is the APC. I have been given the exciting opportunity as a FACES member to take on a new role within the Eastern Branch as a Vice Deputy Chair…. what this role entails is still being explored! I was asked to help with the report for what this branch has been up to so far this year and so I thought I would share it from my perspective as a FACES member.

We kicked off the year with a series of insightful online presentations, which included:

January: Nyear Yaseen, Lambert Smith Hampton's Director Land Assembly & Compulsory Purchase, delivered a comprehensive presentation on broadening

the list of CPO powers where there is a public benefit. Key points included:

- CPOs made under S125 LGA allowing for a direction to remove hope value where schemes facilitate affordable or social housing
- The process for making confirmation decisions and delegating decisions to inspectors
- Technical changes to the CPO process, such as serving notices electronically and allowing the Acquiring Authority to confirm modifications to CPOs over non-controversial matters.

It was interesting to hear about the latest changes in the CPO process, as I had only studied this at university for a module a couple of years ago and it was good to refresh my learning and see first hand the importance of keeping up to date with the changes in legislation [Ed – see full article from Nyear in this issue of ACES' Terrier].

February: The branch held one of its classic monthly catch-up sessions where attendees have the opportunity to speak about projects they have been working on and ask the group for advice and opinions on matters. As a FACES member, I always find these to be interesting and varied in terms of topics. I often come away having learnt something new and it's great to know that there is such a supportive group of professionals to reach out to.

March: Chris Crissell, Estates Strategic Planning Manager Suffolk and Norfolk East Essex ICB, presented on "Understanding the s106 and CIL Process in SNEE ICB".

On **21 March**, I helped to organise an in-person ACES event at Chelmsford County Hall. The event featured several notable speakers who provided valuable insights on various topics:

- Ryan Cracknell and George Wright from Ellisons Solicitors discussed the Procurement Act 2023, offering a detailed overview of its implications and applications
- Gary Macdonnell from Essex County Council shared exciting updates on the development of Beaulieu Park Station, highlighting the project's significance for the region
- Chris Bandy, Head of Property at Essex County Council, provided an informative tour and update on Shire Hall, showcasing the unique features of such an historic building and the challenges attached to bringing buildings of this nature

back into beneficial use. It was interesting to see the old court rooms, stunning ball room and my personal favourite, the eerie tunnel which used to link the building to the police station, definitely not the type of building I usually get to visit.

The event also included opportunities for networking and discussions, making it a highly interactive and engaging experience for all attendees and contributed valuably to my CPD diary.

Looking ahead the branch has further monthly meetings scheduled with a line-up of speakers which is already growing. We also have another in-person branch meeting planned for June, with details being finalised.

The Eastern Branch is also making efforts to identify and extend invitations to councils in the Eastern region that are not yet represented, aiming to broaden the network and enhance collaboration. By reaching out to these councils, we hope to bring more property professionals into our community, fostering a diverse and inclusive environment where everyone can contribute and benefit from shared knowledge and experiences.

It has been great to get to know so many professionals within the same industry, many of which have offered great advice for tackling my APC. I have enjoyed being a part of the ACES planning group and look forward to getting more involved over the coming months.

GERRY DEVINE, WELSH BRANCH

Spring meeting 18 February 2025

Following the pattern established last year our first meeting of 2025 was held online and was attended by 28 participants, 18 of whom were ACES members (including one guest from another ACES Branch) and the other 10 as CLAW (Consortium of Local Authorities ion Wales) members. ACES Welsh Branch meetings are held jointly with the CLAW Asset Management and Estates Group.

The Branch Chairman, Ben Winstanley, provided feedback from the ACES Council meeting on 31 January and the Branch Secretary updated the group on some membership changes, including a new member from a new-to-ACES organisation.

One topic which has been in the forefront of discussion in recent meetings is team structures and restructuring. On this occasion, the topic widened from property and estates team structures to directorates and council structures. Since Devolution in Wales, the Welsh Government (WG) has twice reviewed the 1996 Local Government Reorganisation, when the 22 unitary local authorities in Wales were created, but has not bitten the bullet to reduce that number, instead urging local authorities to collaborate with neighbouring authorities to improve efficiency and make savings. This has happened in a limited way in some service areas, e.g., a Shared Regulatory Services covers the Cardiff, Vale of Glamorgan and Bridgend Council areas and was particularly active in enforcing the regulations during the Covid lockdowns.

Now it seems various factors such as the shortage of professional staff, agile working, and a reduction of the operational estate, are pushing local authorities into more collaborative practices. One property manager engages the services of a QS in a neighbour authority, while another property manager has to share architects who are taking on work from neighbouring authorities.

It appears difficulty in recruiting directors, especially to some of the smaller LAs, has led them to seek the services of directors from neighbouring authorities, possibly leading to longer-term joint working partnerships. It was felt there was scope for internal rationalisation, stating that there is a building maintenance team in one directorate (Housing) and a construction services team in another (Place) alongside the estates team, leading to duplication of van travel, which, in a geographically large area, could be expensive. There may be a case for a corporate landlord model.

Another property manager warned that this model is not a magic bullet and in those authorities owning a housing stock, a housing maintenance team was usually needed to deal with repetitive maintenance jobs, while the property team needed construction services to deal with reactive maintenance in e.g., schools, statutory maintenance and compliance, sometimes retaining those roles for properties that had been leased out under Community Asset Transfer (CAT).

The Chairman moved the discussion on to Operational property and rationalisation plans saying that in his LA a new chief executive was making a drive to get more staff back into the office. Cardiff Council is building a new county hall as part of the Cardiff Arena development and this new headquarters will replace three pre-Covid office buildings, with total floor area reduced by around 75%. The NHS specialist estates team would remain in its leased space in the short to medium term, but they had found working from home to be more effective. At one county council where the various council departments were largely responsible for the property they occupied, there is a move to change this, as there is too much underused space in dispersed buildings which is too costly, so rationalisation is needed.

At another county council, working from home had become standard practice post-Covid but a new chief executive now wants more people based in the office. However, after rationalisation there is not enough office space (one floor in County Hall is leased to a third party) so there is now an office booking system in use and meeting rooms are part of this, with small meeting pods for 2 or 3 people in person and often 7 or 8 others joining remotely.

Blaenau Gwent was the first Council in Wales to move to fully agile working (all office staff contracts are 'work from home') and two of the three office buildings have been disposed of, but a new director has taken a different view and taken the third office off the market as he wants senior managers to be more visible in the office.

Data can be a powerful tool, e.g., showing swings in energy use, and well-selected property data has brought property management back to the top of the agenda. Closing the office for one day a week can be a good way of showing cost savings, but bear in mind that some people such as social workers may need to be on call in the office, so property managers need always to be on top of their data.

Climate Change and Net Zero – the Chairman has had discussions with Welsh Government personnel to seek to clarify its definition of Net Zero, His perception is that Net Zero by 2030 is largely regarded as a target to work towards rather than something seen as achievable. One member said that property and energy teams need to work together: in one incident, an energy team had changed the lighting systems in a building without first consulting the building maintenance team, which led to bad results as older buildings can be problematic for maintenance. A disconnect between energy and property management is not uncommon.

The WG review of Community Asset Transfers in conjunction with Cardiff University. It was suggested in our last meeting that this was heavily weighted towards community groups. A presentation undertaken by Kelly Daniels from Rhonddda Cynon Taf suggested that the main reason for CATs was the continuation of a service to the local community. Experience with charities has been they need too much support, even though most CATs are done at a peppercorn rent. External auditors elsewhere had recommended that CATs and similar lettings to churches and charities be done at a reasonable commercial rent, with any concessions or support being made in the form of an annual grant, so that arrangements were more transparent to the paying public who ultimately bore the cost of such support.

Data Cymru and KPIs – it was reported that Helen McLeod-Baikie, as one of the CIPFA/ACES SAM Diploma presenters, had said that she was a little surprised at the hesitancy of colleagues in adopting KPIs as suggested by Data Cymru. Data is part of the SAM course and felt that the importance of data gathering, assimilation and use should be brought to the attention of the group.

Battery storage facilities. One member reported that 40 sites had been identified by one company but only six of these were likely to be viable and the company (AMP Energy) had only offered a premium of £10,000 or a rent £1,000 p.a. per site. In another authority, over 90 identified sites had subsequently been whittled down to 19, but in his view some of those are not viable. Another company that had approached an authority, Innova, had offered to do all the planning work. These approaches seem to be specialist companies, but it would be interesting to know what other companies were in this market to gauge the level of competition for sites [Ed – see full article on battery storage in this issue].

Immediate past Branch Chairman, Clive Ball, provided an update on the Real Estate Degree course at the University of South Wales (USW) which he was instrumental in setting up, and mentioned that he was astounded to have received not one but two ACES Awards for Excellence (Community Champion and Project of the Year). All present offered well deserved congratulations to Clive. One Network 75 student on the course was in attendance at the meeting.

CPD session

Chris Brain covered a varied range of topics:

- Public Sector Finance - the Draft Welsh Government Budget and its potential effects on Welsh Local Government finances, as well as the continuing financial challenges being faced by local authorities in England
- Asset Management - "A decade of cuts", a Senedd (Welsh Parliament) report which considered the impact of funding reductions for culture and sport in Wales, and, in the light of a recent review by the National Institute of Economic and Social Research, considered the likely impact of some 23 PFI schemes across the public sector in Wales that are due to come to an end in the near future [Ed – see full article on PFI terminations in this issue]. Chris also looked at disagreements between parties to the Stoke schools PFI, the largest of its kind in England, which will be among the first to expire in October 2025
- Other items included were Crumbling Public Buildings, the future of Worcestershire's County Hall; the rate of shop closures as analysed by the Centre for Retail Research; South Cambridgeshire DC's consultation on its four-day-week trial; the Law Commission consultation on the security of tenure provisions in the Landlord and Tenant Act 1954; and the fallout for the RICS from the High Court judgement in Iya Patarkatsishvili & Vevhen Hunyak v. William Woodward-Fisher
- Housing - dangerous staircases identified by Newcastle City Council; LB Havering plans to convert an office block to alleviate homelessness in the borough; and the submissions for new towns across England
- Climate Change - Peterborough's 'roadmap to net zero'; Doncaster's planning approval for a huge battery energy storage site in Yorkshire; BT's scrapping of its programme to convert its street cabinets into EV charging points; and "Halting and Reversing the Loss of Nature and Biodiversity by 2030", a report by the Climate Change, Environment and Infrastructure Committee of the Senedd
- Air Quality - Greater Manchester's decision not to implement a Clean Air Zone but instead to take an investment-led approach to air pollution by bringing in lower and zero emission buses and taxis and new traffic management measures
- Valuation - recent changes to the RICS Red Book. Key areas which valuers need to be aware of and their implications for value and the valuer included VPGA 8 – ESG (Environmental, Social and Governance) (and Sustainability too) in the Valuation of Real Estate interests; VPGA 11 – Valuer relationship with the Auditor; VPGA 10 – Material Valuation Uncertainty and VPS 1 – Master Service Agreements. Each of these key areas was explored in depth, looking at factors such as constraints and risks, ESG data and inputs ((IVS 104) and the RICS Red Book ESG 'checklist'
- CIPFA/LASAAC Code Consultation – recently closed, following the recent HM Treasury Thematic review. The three key consultation areas were Measurement Principles for EUV and DRC, Valuation Frequency, and Indexation. These were again examined in detail and considered against the revised requirements of VPGA 11 and VPGA 10, the valuer's role, the auditor's role, and how these are interdependent; the need to avoid 'standardisation' in material value uncertainty; and, where a Master Service Agreement exists, whether the valuer needs to confirm in writing any separate additional terms of engagement.

What an information packed CPD session of just over two hours! It must make the ACES membership fee worth it for the CPD alone!

JOHN READ, NORTH EAST BRANCH

While the branch hasn't held any meetings in 2025, there has been plenty going on behind the scenes.

Firstly, it has been agreed that I would take on the role of Joint Branch Secretary to assist with some of the administrative functions of the branch. Helen Stubbs is to continue with the front facing secretarial duties.

In addition, as agreed at the AGM last year, we have been working on an online questionnaire for branch members to seek their views on setting a programme of events for 2025 and beyond. The questionnaire was finally agreed by the Branch Executive in March and I would like to express a big thank you to David Pethen, ACES Assistant Secretary, for formatting, circulating and providing analysis of the answers. We had a good response with over 55% of members responding.

The questionnaire sought member views on the form, content and frequency of branch activity and will be shared with the membership. Here is a brief summary of some of the findings:

- 21 branch members responded
- There was a very strong preference for CPD and networking at in-person branch meetings with a majority looking for 3-6 hours' CPD per meeting
- The vast majority considered the length of previous in-person meetings to be "about right"
- The majority had preference for 1-2 annual in-person meetings with some preferring 2-3 meetings
- In terms of location for in-person meetings, the views were mixed, but many preferred locations with good rail and road (with accessible parking) access, with suggestions including Teesisde, Darlington, Leeds, Sheffield and North Yorkshire
- There was a fairly even split preferring 1-2 and 3-4 virtual meetings per year, which showed a demand for this format
- For virtual meetings, the majority preferred a different format and length to in-person meetings, with a preference for shorter meetings of 1-2 hours covering topical issues, catch-up and exchange of views
- Microsoft Teams was the preferred platform for virtual meetings, although over half were also happy to use Zoom
- There was a varied list of suggestions for topics at branch meetings, with topics including general CPD, L&T, valuations, APC, legal updates, housing investment, national ACES updates, and local government specific issues. There was also mention of recruitment and retention issues and tours of new facilities
- The vast majority were happy with email communication, although there was some interest in setting up a WhatsApp group.

Moving forward, the Branch Executive is due to discuss the survey findings and agree a programme of branch activity for 2025 and we should be in a position to publish our 2025 programme by the end of April.

MARCUS PERRY, SOUTH EAST BRANCH

Following the Branch AGM and SE Branch meeting held on-line on 27 November 2024, Branch Chair(man) David Kemp stood down from his role. Branch members thanked David for his valiant service in guiding the branch since Covid, at times almost single handedly – we wish him well for the future.

With the dawning of 2025, the SE Branch found itself in a state of flux, with no-one offering to take over the role of Branch chair from David, and general apathy and indifference to our ACES organisation rife among the branch membership. At the ACES Council meeting in January, Council gave me the task - as ACES Branch Liaison Officer – of nursing the branch back to good health, starting with finding a replacement for David Kemp to drive the branch "onwards and upwards". Come the summer edition of ACES Terrier, I hope to report some progress with this task.

In the meantime, we held our first branch meeting for 2025 on 12 March, on-line via Teams. The meeting drew a healthy attendance of 12 members, including our two new recruits since the start of the year, whom I hope we made welcome. Thanks go to our new Branch Secretary, Elizabeth Williams from Horsham, for sending out the agendas etc, and to ACES Assistant (National) Secretary David Pethan for helping me with the Informal CPD element of the meeting. The topic – "The Government's Devolution Plan for Local Government" – attracted good participation from the members on-line, who reported on how their authority was affected by the government's directive, and initial progress in transitioning into Strategic Unitaries. We agreed to return to this topic later in the year when progress and timescales should be clearer.

Our next branch meeting will be a hybrid event (in-person and via Teams) to be held in the afternoon of Wednesday 11 June at the Horsham District Council offices of Branch Secretary Elizabeth Williams. National President Dan Meek has been invited and he hopes to attend. We also hope to have an interesting CPD element to the meeting – "Biodiversity Net Gain in Operation" – which I am currently trying to organise.

Excluding Honorary and Retired Members, the SE Branch membership stands at 21. Not one of the large county councils within the branch's catchment area (Berkshire, Surrey, West Sussex, East Sussex, Kent), all with sizeable property departments, has a current member of ACES on staff – and Hampshire's only ACES member chairs the ACES Rural Branch. It is hoped our new ACES tri-fold publicity/ recruitment pamphlet will come into play when we try to redress this lack of representation during the current year.

With a new branch chair in place and some new members, there could be exciting and interesting times ahead for the SE Branch – I do hope so.

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
Southwold or bust

Simon Eades

More recollections and coincidences from Simon.

In June 2006 when I started working at Lowestoft, I joined a new team which was responsible for all aspects of property management in the district, and I soon became involved with many council properties over the area. I imagine that over the 12 years I must have completed over 1,000 individual valuations. One of the differences between Great Yarmouth Borough Council and Waveney District Council [WDC] is the geography of the two districts. The former is based almost exclusively on the twin towns of Great Yarmouth and Gorleston and the latter had four other centres within the council boundary, all of which had council owned assets that required inspections at some time or another.

Southwold was one of the towns I used to visit on a regular basis in my early years at WDC. There was a wide variety of council owned property associated with a seaside town. I seem to recall that my first visit was in the summer of 2006, shortly after I arrived at WDC and over the years, I visited the town many times. I had not been back there since I retired in 2018, but that changed recently following a present from my younger son to mark a significant birthday.

He lived at home for part of the time while I was working at WDC, completing his university degree in Ipswich. When I opened the present, he reminded me that one year the WDC property team went to Southwold for a Christmas lunch. I said that was right and could I remember what we actually did on the trip? I told him that my recollection of that day trip to Southwold was that we went to have a Christmas lunch at one of the pubs and had a walk around the town. In addition to having the Christmas lunch, we also had a tour around the Adnams Brewery - I could not remember whether it was the brewery or the distillery. The birthday present was a distillery tour for two.

In February my younger son and wife came to us for a week's holiday and during the stay we went to Southwold to enjoy the distillery tour. The journey to Southwold from Norwich was familiar. We went on the road to Lowestoft and crossed the Norfolk/Suffolk border at Beccles crossing over the River Waveney. I thought I heard someone knock on the window shouting "Passport please." After all I was going from Norfolk to Suffolk and I knew that a Norfolk boy had to be careful in Suffolk. I had to keep a close eye on my Norwich City coffee mug and be discrete in my comments about the football the previous Saturday!

It was interesting crossing the River Waveney. I felt like I was going home. I have been back to Lowestoft and Beccles to umpire cricket matches, but this time I was in the passenger seat and was able to look at the surroundings and switch on my memory. After Beccles we turned right and took the road to Southwold going through Wrentham - and my eyes lit up. This was the village where there was a large vacant council owned site. My memory as to the final outcome is hazy, but there was considerable debate over the years as to the site density and the cost of construction and eventual development.

We took the back road from Wrentham to Southwold. In 2006 on my first visit to Southwold I missed this turning in Wrentham and arrived late in Southwold. Not the best introduction when you are meeting the local district councillors for the first time!

On this occasion, we found a car park close to the town centre and went for a walk. We had half an hour before we had to register for the distillery tour and found a coffee shop and had a sausage roll. We arrived on time at the Swan Hotel, registered for the tour, and joined six other people.

It was an interesting tour. It was fascinating to hear how Adnams has diversified into making gin and other spirits following its earlier start in brewing. The equipment in the distillery was stunning and the confident and informative way that the tour guide led the group was impressive. Adnams' efforts in using local suppliers to reduce their carbon footprint were commendable and of particular interest was the way in which Adnams recycle the beer to make liquor. The beer is sent through to the distillery and the resultant spirit is then matured in oak barrels. At the subsequent tasting session, we were able to taste this among the gins and other liquors. It retained the malty flavor of the beer but had a woody sweetness and it was a very interesting drink to end the tasting. I was glad I had had the sausage roll!

I mentioned to the tour guide that this was my second distillery tour. She asked when I had come before. I said I did not remember the precise date, but it had to be at least 10 years ago. I commented that this tour was extremely interesting and she mentioned that they have developed over time. I said that I was interested in buying a bottle of their dry gin distilled for making low alcohol drinks. After the tour we went to the Adnams shop and bought a bottle to act as a reminder of the tour. We followed this with a cup of tea and I said I would like to go down memory lane and have another look at the town.

Firstly, we drove towards the harbour as I wanted to see any changes since my last visit. There were familiar buildings but I could not remember my previous involvement with them. I suspect they were assets that I inspected for asset valuation purposes.

We turned round and drove back to the town and went along the seafront. I knew that there were familiar properties, including the one I went to in summer 2006. I told my son that we were going to look at a seaside property and he pointed out the pier! I said no, it was the property opposite, and as we approached it the memories came flooding back [Ed – pun intended?].

The property occupied a significant area of land approaching 9 acres. It was a leisure facility comprising a tea rooms, a model boat lake and a larger area of water. Over the years I went there many times to try and assist and persuade the tenants to meet their obligations. The overriding issue I seem to recall was that the tenants, as the business operators, had different views to that of the landlord as to the long-term maintenance of the asset. My recollection was that the negotiations were interesting but challenging and always time consuming – which was, perhaps, the best answer I could give to the question as to what I could remember! However, it was evident that since my last visit there had been considerable investment in the asset to make it more interesting, so clearly there seems to have been agreement on all sides. The facilities seem to be thriving.

The second property was a two-storey terrace house. I can recall difficulties in having to determine the value of the freehold interest. It had been part of the housing portfolio for some time and had been converted into three flats. I could recall that the 125-year leases for the two occupied flats were fairly recent and under the terms of the lease, WDC retained the external repairing responsibilities. When the third flat was placed on the market with a local agent the two remaining occupiers made an application to acquire the freeholds from WDC. The difficulty, as far as I could recall, was that the specific methodology for a case of this kind did not exist, but there were two established methods that were available if all parties were in agreement.

The instruction that I received was to value the freehold interest reflecting the existence of the leases. An assumption was made as to the value of the vacant flat and I prepared a valuation of the freehold interest. I know that this figure would be divided into three and this would provide the basis of negotiations with the two long lessees. Once a figure was agreed then an adjustment could be made to the agreed purchase price of the vacant flat.

My instruction was limited to providing the valuation and I was not involved with the negotiations, but seem to recall hearing that there was an eventual agreement.

At this point we decided that we would return home. We followed the main road to the A12, passing Adnams' delivery depot and drove home via a different route to Beccles and then along the A146 to Norwich. It had been a wonderful day.

The following day the whole family decided to go to North Norfolk for a walk along the coast and passed a very large barn displaying the Adnams' logo. We learnt the previous day that the barley used by Adnams comes from the Holkham Estate and to see the large barn was somewhat coincidential.

A COINCIDENCE OF COINCIDENCES

Dave Pogson

I'm pleased to say that Dave has once more dusted down his keyboard, having been stimulated from reading Winter Terrier. I invite stories from ACES members on famous people that didn't turn up to arranged meetings, or who unexpectedly sat near them but didn't speak ... or even ones that did. It reminded me of a Suffolk Scribbler piece, which follows Dave's.

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://davidlewispogson.wordpress.com

I can't find a collective noun for several coincidences all happening at once so I've coined one: 'a coincidence of coincidences'. I'd been reading Simon Eades' entertaining article 'More Musings - Catch up in December' mentioning his coincidences in the Winter issue of ACES Terrier and thinking 'How extraordinary!' Only days before I found myself driving up the M6 to have a set of coincidental experiences of my own. They took me back over 50 years to the early part of my surveying career.

The image is looking south along the Tea Rooms (formerly the Station House) at the former Station Yard, Plumpton, Penrith, Cumbria with the surrounding Cumberland hills in the background and the West Coast Main Line running to the left out of sight beyond the new buildings in the old Yard. Photo taken on 23 January 2025 by the writer as the rain eased momentarily.

In January 2025, my wife and I were heading north to The Pot Place Garden Centre and Tea Rooms in the Station Yard at Plumpton, a tiny village some 4 miles north of Penrith, about 50 miles from my home. It's reached from the M6 via the B5305, a back road into the wilds of Cumberland only used by people who specifically need to go there. As we crossed the summit of Shap Fell and levelled off at 1,037 feet, I was telling her about the only two times in my life that I had visited there before.

Former Station Yard, Plumpton

I'd first visited Plumpton Station Yard in about late 1972, not long after qualifying as an Associate of the RICS. As an Assistant Surveyor for the Ministry of Public Buildings and Works, I'd been instructed to find a suitable building for an Ancient Monuments Works Depot somewhere between Carlisle and Penrith. I'd heard about the closed station with its vacant goods shed and so went with the Ancient Monuments surveyor to inspect it. He drove me up from our Preston office to meet his Regional Manager there.

When we arrived it was snowing, and I realised that I'd forgotten to bring a coat. Fortunately my companion had a spare site coat in his car which he loaned me for the day. I was glad of it. The Regional Manager loved the goods shed and its location, told me what he needed to spend to make it fit for purpose, and instructed me to negotiate a lease with the owners, the British Railways Property Board (BRPB). I was a bit concerned about the tenure as BRPB would only offer a six-monthly tenancy as standard policy. I felt that the service should have a lengthy lease for security to justify its investment in the accommodation works. However, I was overruled by the Regional Manager and so agreed terms on that less-secure basis. It turns out that he was right to take the risk, as the building was used for many years.

In early 1973 I had cause to visit Plumpton Station Yard again. It was for a meeting to discuss a complaint made by the irate BRPB tenant living in the Station House next to the West Coast Main Line railway. He was fed up with the Ancient Monuments people parking on the narrow yard road leading to the goods shed and blocking access to the house. Apart from the weather being miserable again, the coincidence this time was that my cousin was the BRPB surveyor, having recently taken over management of the Board's holdings in Cumbria. He was required to travel by rail to Penrith or Carlisle and take a taxi from either station to reach Plumpton. Like me he was based in Preston, so we agreed that it was more sensible for both of us to travel in my Mini.

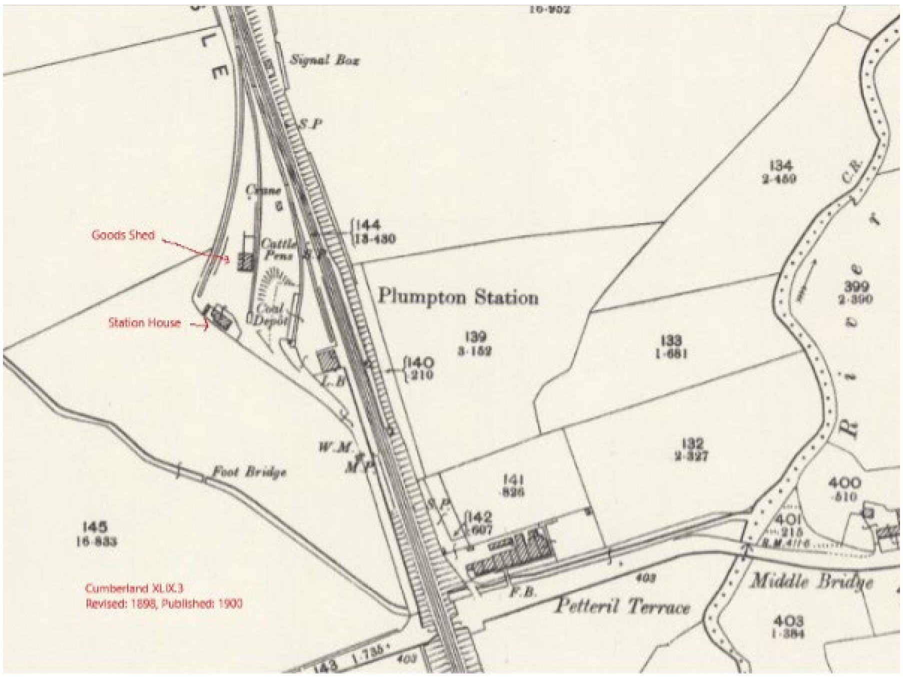
On the way he told me that his Station House tenant expected Willie Whitelaw, the local MP for Penrith and the Border, and Secretary of State for Northern Ireland under Ted Heath, to attend the meeting. Willie Whitelaw owned and lived in Lowther Castle Estate and Deer Park, about 11 miles from Plumpton on the south side of Penrith. We suspected that the Station House tenant felt that he might be steam-rolled into some adverse agreement and wanted support. Willie had told the tenant that he would be arriving there by helicopter, presumably for security reasons. We met on site, accepted the tenant's invitation to sit in the Station House to talk over a cup of tea, and worked out a practical solution to improve parking which the tenant was happy with.

Willie Whitelaw never turned up. We never found out why, but possibly things in Northern Ireland were kicking off again. Regardless of that, Plumpton, its bad weather and its shed were becoming a feature in my life. I didn't know then that Willie Whitelaw and Northern Ireland might soon figure in my life too (see 'Every Rebel has a Cause' in 2016/17 Winter Terrier for that story).

At the end of 1973, the Ministry of Public Buildings and Works instructed me to start travelling to Northern Ireland to buy houses. They were needed to accommodate the civil servants seconded there to support the new administrative arrangements arising from 'the Troubles'. However, Willie Whitelaw was ending his term as Secretary of State for Northern Ireland then. So, despite me nipping in and out of Stormont and the occasional visit to the former Governor's Residence at Hillsborough Castle, used by the Secretary of State since 1972, I never saw him in Belfast on my visits in early 1974. However I had the benefit of the services of one of his chauffeurs, who lived in the grounds of the Castle, and one of his official cars for my house inspections.

By May 1974 I'd resigned and joined Lancashire County Council so my chances of bumping into him to ask why he hadn't turned up at Plumpton in 1973, or to share Northern Ireland experiences, were significantly reduced. But two years later I took my wife and 3-year old daughter to visit his Lowther Castle Estate and Deer Park. Although I didn't really expect to see him at the gate taking the entrance money, I did wonder if we'd encounter him as we wandered around. It was not to be. However, one of his friendly highland cattle did gently bump my daughter from behind with its nose and nudge her over. That was the closest physical contact that anyone from my family had ever had with him.

When I did finally encounter him, it was so long after 1974 that he probably wouldn't have remembered Plumpton anyway, even if I'd asked him. While working for South Lakeland District



Plumpton Station Yard 1898-90. Map reproduced with the permission of the National Library of Scotland under Creative Commons Attribution (CC-BY) licence. Amendments to the original are indicated in red.

Station buildings around the 1960s/70s

The image shows the original Station buildings (now demolished) looking North alongside the West Coast Main Line with the old goods shed in the background to the left behind the tree and the goods wagon. The Station House is out of sight even further left. Photo likely dates from the 1960s/70s judging from the parked car's vintage. Photo by Harold D Bowtell from the collection of, and with the permission of, the Cumbria Railways Association

Council around 1990, I had to travel with colleagues by rail from Kendal to London for a meeting. Willie must have caught the train from Penrith and I took a seat level with him and his entourage across the central aisle in the same carriage. He'd been Deputy Prime Minister from 1979 but had given up that responsibility and ceased to be an MP in 1988, although continuing to be Deputy Leader of the Conservative Party. Maggie Thatcher had rewarded him for his loyalty to her and for his ability to manage political challenges by making him in 1988 Viscount Whitelaw, with a seat in the Lords. In 1989 she added that famous quote "Every Prime Minister needs a Willie." Well - please forgive the expression but - my cousin and I hadn't needed a Willie in early 1973 in Plumpton to sort out his constituent. We never spoke on that train so, for the fourth time, Willie had unknowingly missed a golden opportunity to get to know me.

That brief encounter with Willie on the train certainly didn't live up to my meeting with Prime Minister Harold Wilson on Sheffield's Pond Street station when I was a surveying student, but that's another story [Ed – duly noted….].

My recent return to Plumpton Station Yard with my wife followed the earlier trend of bad weather, sheds and, of course, no Willie Whitelaw since, sadly, he had died in 1999. It also brought me back into contact with my cousin. As I barely recognised the place following its changes, I had to email him after the visit to verify that I'd been at the right location and ask him to jog my memory about the details.

My wife had been admiring a neighbour's very substantial potting shed which he had bought at Plumpton. So, we had gone to look at the outdoor display, with a view to acquiring a shed from the garden centre which now sits on the cleared-site of the old goods shed. Of the original buildings, only the old Station House remains, but is served by a roomy car park which would have suited the old Station House tenant right down to the ground.

Co-incidentally the weather was as bad as it was on both of those previous visits. I've been there three times in over 50 years but never seen the sun shine. This time I made sure to take a large, warm coat. The reason we went on that particular day was because Storm Eowyn was chasing us up the motorway, promising even worse conditions for the following day. We learnt subsequently just how good a decision (made by my wife) that was from watching the TV news broadcast on the day after the storm. High-sided vehicles littered that section of the M6. As it was, the rain only held off long enough to allow us to walk quickly around the garden shed display before heading into the sales office for shelter. We followed that with lunch in the old Station House that I'd sat in with my cousin 50-odd years earlier, now used as very pleasant and reasonably priced tea rooms. The weather just grew worse as we travelled south to home, with the clouds at roof level over Tebay. Even the Herdwicks in the fields flanking the M6 were seeking shelter. That night, as if to confirm the usefulness of the visit, Eowyn stripped the top layer of felt off my old garden shed roof!

SUFFOLK SCRIBBLER

Doctor, the Reverend Ian Paisley

Reading Dave's coincidences article reminded me of one of Bert Marshall's Suffolk Scribbler pieces about a similar meeting with a prominent figure at that time. So, for those of you who are too young to remember the great Suffolk Scribbler series, here's a taster.

Ian Paisley, so it is said, was delivering one of his scorching sermons.

"In the hell that awaits the sinner," he roared, "there will be a-weeping and a-wailing and a-gnashing of teeth." An old man in the front row was impressed, scared and a little puzzled. "Dr. Paisley" he mumbled through his ancient gums, "what if you have nae teeth?"

The great man paused for only a second. "Teeth," he thundered, "will be provided".

Dr. Paisley's public image is that of an uncompromising, obstinate, intolerant, hard-line politician. Not the sort of man you would want to share a pot of Earl Grey with. And yet some time ago, a friend, with religious inclinations, took the trouble to go to his church in Belfast to see at first hand what it was all about. He reported back that Dr. Paisley was the most charismatic preacher he had ever heard.

So when I had my opportunity to meet him, I did not know what to expect.

In the days, long, long ago when there were extensive programmes of compulsory acquisition work, usually for highway purposes, it so happened that in my authority one of our road schemes brought about the demolition of one of Dr. Paisley's churches; a clear-cut equivalent reinstatement situation. Compensation principles and the building of a replacement church were resolved without too much difficulty. Then the great man let it be known that there were "one or two loose ends" and he wished to conclude the negotiations personally when he was next in Suffolk.

Now this was at the height of "The Troubles" and arranging a meeting was not altogether straightforward. A date and time of 2pm were fixed and later "a civil servant" telephoned me. "Where exactly will the meeting take place?" he asked. "It could take place in my own room," I replied, thinking a matter of status could be involved. "What sort of room is it?" he said and when I mentioned ground floor with windows along 2 sides, he made it clear that was totally out of the question. "Is there an internal room with no windows?" "Yes," I said, "then that's the one." Other than that, I was not expecting to attend the meeting personally.

So I forgot all about it until lunchtime on the day of the meeting. Generally I took a lunchtime walk, so I left the building and walked off down the road as usual. After a few steps, a black Granada cruised past, only to do a flashy 3-point turn further on and cruise back. There were 4 snappily dressed young men in it with short haircuts. It would have blended in more with a flashing neon sign saying "SPECIAL BRANCH" on the roof. "Christ", I thought, "This is the day Ian Paisley is due." Trying not to draw any attention, I hotfooted it back to the office.

After a hurried briefing, my valuer said he wanted me to attend and do the talking but he had no idea what the problem was. Those of you who have done compulsory acquisition work will know exactly what I thought. It was common practice for all owners and agents to pull any trick in the book to increase compensation. Those with member contacts or even minor celebrity status were by far the worst.

Just before 2pm one of the "Granada Four" introduced himself and then began to lurk just inside the entrance to the building. We were told to sit in the meeting room. At precisely 2 pm, more black Granadas arrived and the Ian Paisley party was conducted in. He sat on the opposite side of the table flanked by 2 vicars and a minder. Dr. Paisley was affable but the others were unsmiling and watchful. It was soon clear that I was completely wrong about Mr Paisley. He was one of the most courteous and professional negotiators I ever dealt with, and a real gent.

First he made it clear that he had come to conclude negotiations with me, and no one else. He added that he was very grateful with how the whole business had been dealt with, very satisfied with the new church, and looking forward to an official opening ceremony. But there were a few minor matters that he hoped we could help with. "Such as?" I asked. "Well first of all, most of my congregation are elderly and will need help to attend services in the new location. My church," he confided, "has built many more churches in recent years than anyone so we know a little bit about this. And what we need is another minibus. A second hand one will suffice costing probably about £3,000. Could the authority fund this?" He stopped.

My turn. Taking a deep breath I said, "Before agreeing to that I would prefer to hear the full list of additional minor matters." He smiled, and leaning forward touched my arm lightly. "A very professional approach," he commended, "I can see you've done this sort of thing before Mr Scribbler". Without further ado he went through all his additional claims and in no time at all we did a deal, and he, and his party, were soon on their way.

About 10 years later, at a loose end following a foreshortened RICS meeting, I was nosing around a second-hand bookshop in Charing Cross Road when I realised that a fellow browser was Dr Paisley. He was looking through some dusty ecclesiastical tomes. Should I go across and introduced myself? To do so would mean going across the room and tapping him on the shoulder. Checking out the others in the room I couldn't spot which were the minders, so thought it best to leave well alone and be on my way.

MORE SUFFOLK SCRIBBLER

Finding myself with two blank pages, I've dug out some more extracts of an aeronautical nature. These four pieces were written between 2002 and 2003. The airfield referred to has since been closed and the grass runway dug up. While it is currently being farmed, I fear it may end up as a housing site. The Scribbler would have been upset with that. However, the wartime control tower remains.

The Grumman Avenger

A number of people have complained to me about the lack of aeronautical notes in this column. So here goes.

There were more than 30 operational airfields in Suffolk in World War II and my local one does its best to maintain the historical connection. There is still a small grass runway and the control tower and a number of flying events are organised each year. A few months ago I managed to attend my first event, a "fly-in". The day was marred by a thunderstorm, with heavy rain, which hovered over the airfield for about 2 hours.

The Grumman Avenger is a mid-wing monoplane US Navy World War II carrier based torpedo bomber. It carried a crew of three. It weighs more than 15,000 lbs, could carry a 2,000 lb bomb load and has a 1,700 HP 14 cylinder air-cooled radial supercharged engine. One parked up against the spectator fence. It was big, blue and beautiful but looked far too big to land on a WWII carrier, but it did. The pilot was in residence about 16 feet above ground. It looked as though he was sat in the front of the upper deck of a double decker bus. He began to fire up the engine hoping that the heavy rain would at least ease before he started his display.

There were already spectators lining the spectator fence, regulars by the look of it. They were all sat on deck chairs, protected by giant golf umbrellas, and wore baseball caps, shades and aeroplane badges. They were nice and dry. The rain was thudding down on my ex-army waterproof and the hood was well and truly up. I stood behind the regulars but still very close to the Grumman Avenger.

The pilot now had the engine running nice and smooth. The plane was parked at stylish 45 degrees to the fence and behind it the wash from the big propeller along the wet grass was impressive. I wondered how the pilot would manoeuvre the plane out in the absence of the tugs used in "Airline". Ah yes he had his parking brakes full on. Obviously he would rev up a bit, ease off the left wheel brake, swivel around the braked right wheel and then move off when pointing away from the spectator area.

And this he proceeded to do. Mind you I thought it would get a bit breezy when the full effect off that propeller wash came right over us. So I tightened up the hood of my waterproof, put my hands over my ears and closed my eyes and mouth; even though the experts in front of me seemed totally unconcerned. The slipstream, as the plane rotated in front of us impressively warm, wet and very powerful. As it died away I opened my eyes to see in front of me a row of totally wrecked golf umbrellas and some very startled spectators without baseball caps and shades, as these were, by now, spread over the field about 100 yards behind me.

The Avenger went unconcerned about its business and put in a good flying display despite the weather. The regulars went home. I think I'll go again.

The Grumman Avenger revisited

Having received favourable comments on this topic here is a little more.

From time to time I meet my brother Peter in Letchworth. Last time, just for a change, we decided to meet at Duxford Airfield, which is, as you will all know, part of the Imperial War Museum and a world renowned heritage complex. The occasion was some National Bus Rally and Peter was going anyway so I agreed to meet him there. On the day, having got an impression of the average bus enthusiast, I wandered about hoping not to meet anyone who actually knew me, and as it happened I didn't, including Peter, as we failed to make contact. The point of this somewhat lengthy preamble is to emphasise, I think, that I am not, nor have I ever been, a member of any bus enthusiast organisation.

The newest building at Duxford is the American Air Museum, a superlative example of a modern and vast exhibition hall that you, as property people, should all make a point of trying to see. I made a beeline for it and what should I see suspended on wires just inside the entrance but a Grumman Avenger in World War II Pacific Theatre livery. What a coincidence! It was only a few days after my visit to Rougham, as reported last time! But there is more. In front of the American Air Museum was a temporary grandstand and other bits and pieces which I thought no more about, until, that is, the following week when there was some film from Duxford on the local TV news. It was a Rededication Ceremony attended by Prince Charles and President Bush (the original one, not George W). Guess what the opening shot was? Correct it was the Grumman Avenger followed by a close up of the writing on the side of its cockpit, which I had failed to spot on my visit. This was "Captain George Bush". He flew this type of aircraft during his war service in the Pacific. In his speech he made the point that he had actually completed 3 more carrier take-offs than landings during his service and so had a much closer acquaintance with the Pacific Ocean than most.

So much for Duxford, but the wheel of coincidence continued to turn as, only a few days later, an interested observer could have spotted Yesterday's Man [Dick Miller, a previous Terrier columnist] and the Suffolk Scribbler wandering round Rougham Airfield together on its last flying day of 2002. I may explain why next time; or then again, I may not.

Grumman reunited

12 months ago I first became acquainted with the Grumman Avenger. And now I was on my way back to see it again. It was my local airfield's annual big day. The full entrance fee is £7. Last year, as I

approached the entrance, the young Air-Cadet undiplomatically sang out "Another old-age pensioner; £4". This year the charm offensive paid off. I pulled up alongside and slowly wound down the window. "Are you a 4 or a 7?" I was asked confidentially. "I'm a 4!" I replied with some pleasure, "and I'll have a programme".

The Grumman was there again complete with pilot, Tony Haig-Thomas. There was to be a flying display in the afternoon. Tony, a slightly overweight 60-year old, by the look of it, (who isn't?), was struggling into his overalls. He then started to "clamber aboard"; not an easy task. It involved using inset foot and hand holds to get a knee onto the wing trailing edge and then a climb up on to the wing itself. There isn't a door, just a slightly extended window which the pilot has to sort of swing through. When the time came for the display Tony sang out "Clear" before revving the motor up, even though there was no one standing about, and he cranked up the plane's extremely powerful motor.

Sadly, though I had my camera ready, there were no umbrellas or anything to be devastated and off he went to do a very powerful and it has to be said, ponderous, flying display. See you next year!

Waiting for the Grumman Avenger

My local airfield's big flying weekend is in August and this year it was preceded by two weeks continuous torrential rain. As I was too busy to go anyway, I had written it off, but when Sunday's forecast promised a clear, hot day I decided to watch the comings and goings and the upper part of any flying displays from the safety of my garden. Who knows? I might even catch a glimpse of the Grumman Avenger.

The day dawned clear and hot and eventually I managed to get out with deck chair, for comfort, and the papers I was working on, for effect, and settled down to enjoy the fun. There were plenty of civilian light aircraft and gliders about and in due course a Spitfire arrived and put in a superb display much of which I could see and all of which I could hear. I stood up for a better view and was transfixed. At the end of the display, still in a state of transfixation, I sat down again. On a wasp.

The sting was very painful but luckily I had a companion on hand to apply the "After Bite" (registered trademark). The instructions are to "rub appliance on affected area" which is all very well but, for the lone surveyor, that would have been difficult, even with a set of mirrors and detailed guidance from an experienced contortionist. Numerous applications were needed to keep the pain down and their frequency finally began to test the patience of my companion, provoking the final comment of "what a lot of fuss about such a little prick." Isn't it strange how pain makes such pointed value judgements so deeply hurtful?

Later on in the afternoon a P51 Mustang gave a display that rivalled the Spitfire's and I was able to focus on this and notice how much harsher the Mustang engine noise was and how the whine of the supercharger was quite separate and often louder than the unsilenced engine. I was again transfixed and at the end of the display sat down again, having checked for wasps, carefully taking some of my weight off the sting by resting an elbow on the edge of the patio table.

Unfortunately, I failed to notice the wasp there and this inserted its sting firmly into my left elbow. I think it was at this point that I lost my presence of mind and it's probably better now to draw a veil over the rest of the proceedings.

Suffice it to say that many colleagues and former staff have long held the opinion that Scribbler does not know his arse from his elbow. Well, he does now!

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