

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Overview & Scrutiny Committee **DATE:** 11<sup>th</sup> September, 2008

**CONTACT OFFICER:** Denise Alder, Strategic Director of the Green & Built Environment

(For all Enquiries) Basharat Nazir, Housing Performance Manager  
(01753) 875202

**WARD(S):** All

### **PART I** **FOR CONSIDERATION & COMMENT**

#### **NEIGHBOURHOOD SHOPS POLICY**

##### 1. **Purpose of Report**

To inform Members of the current Neighbourhood Shops Policy, concerns about its inflexibility in terms of mixes of uses on larger parades and to seek views about amendments to the Policy.

A Cabinet Member has expressed concern about the restriction in the Neighbourhoods Shops Policy on the limit for A3 use as this allows no flexibility for the larger parades and potentially conflicts with the policy aim to encourage uses that meet the needs of local people.

##### 2. **Recommendation(s)/Proposed Action**

2.1 The Committee is requested to:

- a) note the concerns about the inflexibility of the current Neighbourhood Shops Policy as it is applied to larger parades;
- b) make recommendations to Cabinet about any amendments it considers necessary to the Neighbourhoods Shops Policy attached as Appendix A; or
- c) refer the matter to the Neighbourhoods and Renewal Scrutiny Panel for detailed consideration.

##### 3. **Key Priorities – Taking Pride in Slough and Making a Difference to Communities and our Environment**

**Priority 1 – Creating safe, environmentally friendly and sustainable neighbourhoods.**

*Aims*

1.1 *Deliver cleaner and safer neighbourhoods.*

1.2 *Adopt a green and sustainable approach to managing and developing the environment.*

**Priority 2 – Improving lives for those in need and creating thriving communities.**

Aims:

2.2 *Focus on vulnerable people and those living in poverty*

#### **Priority 4 – Ensuring excellence in customer services**

Aims:

4.1 *Deliver excellent customer focused services in an excellent customer environment*

#### 4. **Other Implications**

##### (a) Financial

There are no financial implications directly arising from this report.

##### (b) Human Rights Act and other Legal Implications

There are no specific legal or Human Rights Act implications. The legal position relating to management of the neighbourhood shops is set out in paragraph 5.2.

##### (c) Workforce

There are no issues arising from this report.

#### 5. **Supporting Information**

##### Neighbourhood Shops

##### 5.1 **Background**

When large local authority housing estates were constructed (typically in the 1950's & 1960's) it was usual for them to contain shopping parades and other facilities such as pubs and churches. Councils retained ownership of the shops and leased them to businesses. The parades were often "traditional" – with butchers, bakers, newsagents and the uses met day-to-day local shopping needs. The management of the shopping parades was undertaken by the Council to ensure the right mix of uses.

##### 5.2 **Current position**

Slough Borough Council owns 88 shops. People 1st (Slough) are responsible for managing those shops on the Council's behalf. People 1st (Slough) have instructed ColliersCRE to provide estate management and valuation services in respect of the shops it manages on behalf of the Council. ColliersCRE were the successful bidder following an invitation to tender to potential suppliers for the provision of those services in April 2007.

##### 5.3 ColliersCRE's role is as follows:

- Deal with initial complaints from tenants in respect of repairs and whether the repairs are the landlords responsibility

- Instruct the councils building maintenance contractor Interserve
- Deal with assignments, subletting, change of use
- Market the vacant units
- Inspect the properties to ensure tenants are complying by their lease obligations
- Advice on lease renewals, rent reviews and new lettings

5.4 When it comes to tenants requesting change of use ColliersCRE inspect the property to check for conflicts and refer to the Neighbourhood Shops Policy (NSP). They then advise People 1<sup>st</sup> and decide whether consent is reasonable based upon the NSP guide (Policy). ColliersCRE use the NSP guide as a reference for cross selling on the parades.

### **Neighbourhood Shops Policy**

5.5 A Neighbourhood Shops Policy was adopted by Slough Borough Council in December 2002. This is attached as Appendix A.

5.6 The Policy seeks to encourage uses which meet the needs of local people. It also sets out the policy regarding changes of use as follows:

- a) In parades where there are existing A3 uses (restaurant/hot food takeaway) uses, the Council as landlord will not generally allow a shop to change its use to Class A3 (restaurant/takeaway). When considering any applications due consideration will be given to 3.3 ( the Council will give preference to uses which demonstrably meet local needs and/or create employment opportunities) as well as other estate management issues such the vitality of the parade and cross-trading (i.e. duplication of trades and competition issues).
- b) Change of use to A2 (financial services) will only be considered if it does not have a detrimental affect on the remainder of the parade.
- c) Changes of use to community use will be considered on its merits and local circumstances.
- d) Uses which compete with existing trades in a parade will generally not be considered.

Reason: Successful parades house a good “tenant mix” i.e. a mix of complementary uses where undue cross-trading between tenants is minimised. A3 uses, particularly takeaways, can create dead “frontages” as they often only open in the evening. This detracts from the rest of the parade and can also cause nuisance problems.

5.7 The new leadership’s policy is to ensure local parades in the Council’s control have a diverse range of shops that residents want to use – with rents set at levels that help shops survive. Concern has been expressed that the current policy regarding change of use is inflexible, particularly in respect of the mixed uses on larger parades and potentially conflicts with the aim to encourage uses that meet the needs of local people.

5.8 The Overview & Scrutiny Committee are being invited to review the policy and recommend any proposed changes to Cabinet. There is scope to look at setting limits/guidelines on the proportion of A3 and other uses on the larger parades. Alternatively, the Committee may decide to refer this

matter to the Neighbourhoods & Renewal Scrutiny Panel for their consideration.

6. **Comments of Other Committees**

None.

7. **Conclusion**

The report outlines concerns about the inflexibility of the current Neighbourhood Shops Policy which was adopted in December 2002. It seeks Member views on possible amendments.

8. **Appendices Attached**

Appendix A – Neighbourhood Shops Policy

9. **Background Papers**

Neighbourhood Shops Policy  
Contract for the Provision of Valuation Services – People 1<sup>st</sup> Slough Ltd and ColliersCRE PLC.

**SLOUGH BOROUGH COUNCIL**

**NEIGHBOURHOOD SHOPS POLICY**

**SCOPE OF POLICY**

- 1.1 The policy is intended to cover all neighbourhood and local shops owned by the Council. These are:

Address	No. Units	Ward
9-14 Anslow Place	6	Haymill
51-55 Cheviot Road	3	Foxborough
5-13 Harrison Way	5	Cippenham
74-104 Knolton Way	8	Wexham Lea
279 Long Furlong Drive	1	Britwell
9 Minster Way	1	Langley St. Mary's
14-24 Parlaunt Road	6	Foxborough
84 St Andrews Way	1	Cippenham
252-254 Scaffell Road	2	Haymill
2-12 Stoneymeade	4	Chalvey
228-260 Trelawney Avenue	17	Kederminster
296-308 Trelawney Avenue	7	Kederminster
45-97 Wentworth Avenue	<u>27</u>	Britwell
	88	

- 1.2 The policy will also cover broader “social” uses such as doctors and dentists who operate in the vicinity of these parades.

**2. REASON FOR POLICY**

- 2.1 The policy aims to provide the Council, shop tenants and local people a clear indication as to what the Council hopes to achieve from retaining these parades.

**3. POLICY**

- 3.1 **The Council supports the retention of local parades.**

Reason: it is considered important that people have the choice to shop locally. It offers convenience and reduces car use. Local shops also help the local economy and employ local people.

- 3.2 **The Council will seek to encourage uses which meet the needs of local people.**

Reason: Local parades must adapt to meet local needs if they are to prosper. The Council will find ways for local people to express their views as to what they would like to see in parades.

***3.3 The Council will give preference to uses which demonstrably meet local needs and/or create employment opportunities.***

*Reason: Parades must serve local people's needs and the Council wishes to encourage employment.*

**3.4 The parades produce a valuable source of income which funds the Council's housing services. They will therefore be managed in a commercial manner, subject to the other policy objectives.**

*Reason: The Council wishes to see strong local businesses, and expects businesses to be commercially viable, however, it does not expect to directly support these through rent subsidies. It will aim to create an environment where tenants can trade successfully and will manage tenants in a sympathetic manner, where appropriate.*

**3.5 Policy regarding changes of use:**

- e) In parades where there are existing A3 uses (restaurant/hot food takeaway) uses, the Council as landlord will not generally allow a shop to change its use to Class A3 (restaurant/takeaway). When considering any applications due consideration will be given to 3.3 above, as well as other estate management issues such the vitality of the parade and cross-trading (i.e. duplication of trades and competition issues).**
- f) Change of use to A2 (financial services) will only be considered if it does not have a detrimental affect on the remainder of the parade.**
- g) Changes of use to community use will be considered on its merits and local circumstances.**
- h) Uses which compete with existing trades in a parade will generally not be considered.**

*Reason: Successful parades house a good "tenant mix" i.e. a mix of complementary uses where undue cross trading between tenants is minimised. A3 uses, particularly takeaways, can create dead "frontages" as they often only open in the evening. This detracts from the rest of the parade and can also cause nuisance problems.*

#### **4. NEIGHBOURHOOD USES**

- 4.1 To assist in identifying "acceptable uses" the Council has compiled a **guide** listing uses which are considered to fall within a definition of a neighbourhood use.**
- 4.2 The list is not definitive and decisions on acceptable uses will be principally determined by the balance of existing uses in an area, the needs of local people or any particular requirement the Council may have. It is accepted that the list may change as markets develop and local demands change and the Valuation Services Manager has the discretion to revise the list.**
- 4.3 Applications for uses outside the list will be considered on their merits in the context of the overall policy and circumstances in a parade. The list is attached as an annex to this policy.**

## **PLANNING PERMISSION.**

- 5.1 The Council's role as landlord is entirely separate from its role as Local Planning Authority. The fact that planning permission has or could be obtained for a certain use does not override the policy, as landlord's consent will be considered independently. Similarly, the fact that the Council as landlord may wish to see a certain use will not mean that planning permission would be obtained.

Slough Borough Council  
**December 2002**

<b><u>USE</u></b>	<b>USE</b>
Art Shop	Greengrocer
Baker	Hairdresser
Beauty Salon	Health Food Shop
Bookmakers	Ironmongers/Hardware Shop
Butchers (including Halal butchers)	Launderette/Dry Cleaners
Car Accessories	Locksmiths
Carpet Shop	Off-licence
Chemist	Opticians
Children's Clothing/Baby Shop	Medical Clinic
Chiropodist	Music/Record Shop
Clothing	Pet Shop
Computer Shop	Sports Shop
Confectioner, Newsagent & Tobacconist	Toy Shop
Cycle Shop	TV Rental Shop
Dental Clinic	Locksmith/shoe repairs
Doctors Surgery	Post Office
DIY	Charity shop
Electrical Shop	Small supermarkets
Fishmongers	
Florist	
Furniture Shop	
Gift/Card Shop	