

Enterprise and Economic Development Overview and Scrutiny Panel
Tuesday, 15th January, 2008

Review Title: **Securing the Future of Small Shops**

Overview & Scrutiny Panel: **Major Projects**

Panel Chairman: **Cllr. Charles Gerrish**

Overview & Scrutiny Project Officer: **Anna Burgess/Alison Enever**

Supporting Service Officer: **Mel Clinton**

Process for Tracking O&S Recommendations - Guidance note for Cabinet Members

The enclosed table lists all the recommendations arising from the above Overview & Scrutiny Review. Individual recommendations are referred to the relevant named Cabinet Members (or whole Cabinet in the case of a whole Cabinet referral) as listed in the '**Cabinet Member**' column of the table. In order to provide the O&S Panel with an Cabinet response on each recommendation, the named Cabinet member (or whole Cabinet) is asked to complete the last 3 columns of the table as follows:

Decision Response

The Cabinet has the following options:

Accept the Panel's recommendation

Reject the Panel's recommendation

Defer a decision on the recommendation because a response cannot be given at this time. This could be because the recommendation needs to be considered in light of a future Cabinet decision, imminent legislation, relevant strategy development or budget considerations, etc.

Implementation Date

For `Accept' decision responses, give the date that the recommendation will be implemented.

For `Defer' decision responses, give the date that the recommendation will be reconsidered.

For `Reject' decisions this is not applicable so write n/a

Rationale

Use this space to explain the rationale for your decision response and implementation date. For accepted recommendations, please give details of how they will be implemented.

Securing the Future of Small Shops Review: Recommendations

Recommendation	Cabinet Member	Decision Response	Implementation Date	Rationale
<p>Recommendation 1: The Panel recommends that the Council should undertake further work to measure these social and often `hidden' benefits that independent shops can bring. The use of a toolkit such as the 93Happy Planet Index⁹⁴ devised by the New Economics Foundation to assess social, economic and environmental benefits will enable a more accurate picture of the value that such businesses bring. This will provide the evidence base which the Council should use to inform future policy decision making, including its own</p>	<p>Cllr David Hawkins (subject to Full Council approval)</p>	<p>Defer</p>		<p>Acceptance of the recommendation would commit the Council to such measurement when further work is required to determine if measurement as proposed would possible and meaningful in relation to independent shops. It is therefore proposed to defer a decision pending production of the Retail Strategy and consideration of such approaches in relation to measuring performance and the `wellbeing' of the area.</p> <p>The Happy Planet Index has been developed by the New Economics Foundation as a measure of the</p>

procurement strategy, in this area.				'ecological efficiency with which human wellbeing is delivered'. It has been developed as an alternative to traditional approaches that place Gross Domestic Product at the centre of measures of success. The Happy Planet Index applies at the level of nation-states.
Recommendation 2: The Panel recommends that the Council undertakes work to look at ways of making better use of community shops in villages and subsidiary urban areas as a means of disseminating council information to residents.	Cllr Malcolm Hanney (subject to Full Council approval)	Defer		The Customer Access Programme is currently being reviewed; this recommendation will be considered as part of the programme of future developments.
Recommendation 3: The B&NES retail strategy must have regard to work that is being carried out through the Bath and North East Somerset Vision process, paying particular attention to the emerging work in those areas outside of the City.	Cllr David Hawkins (subject to Full Council approval)	Accept	Underway - complete autumn 07.	The Bath & North East Somerset Vision work is a key consideration in development of the Retail Strategy.
Recommendation 4: That officers in service areas outside Development and Major Projects, such as Transport and Highways, Planning, Property Services, Policy and Partnerships and Revenue and Benefits must be fully involved in the development of	Cllr David Hawkins (subject to Full Council	Accept	Underway - complete autumn 07.	A cross service officer Retail Strategy Project Team is guiding the development of the Retail Strategy.

the B&NES retail strategy.	approval)			
Recommendation 5: the Council needs to raise the profile of the advice it already offers, through its contract with Business West, its property enquiry system and the business website (www.business-matters.biz), working with partners such as the Chambers, FSB, Envolve and Community Action, to reach retailers.	Cllr David Hawkins and Cllr Malcolm Hanney (subject to Full Council approval)	Accept	Underway - complete by April 08.	A number of initiatives are underway to help in identifying the current and future needs of businesses - an electronic bulletin, Business Inform, was launched for all businesses earlier this year, a series of Business Breakfasts are being held and a Business Census is underway. Partners to be engaged as recommended to identify how best to raise the profile of advice offered for small shops and to address recommendations 6, 7, 11, 12 and 22 below.
Recommendation 6: the Council, led by the Economic Development Team, should explore alternative ways of reaching out to and communicating with independent retailers	Cllr David Hawkins (subject to Full Council approval)	Accept	April 08	Whilst accepted, it is considered that this should primarily be pursued via existing channels for business support and advice such as Business West, which receives funding support from the Council. See response to recommendation 5 above.
Recommendation 7: The Panel recommends that events organised by the Council such as evening seminars on legislation affecting retailers should, in future, be open for <i>all</i> retailers to attend.	Cllr David Hawkins (subject to Full Council approval)	Defer		The key driver and reason for the current meetings is to build and develop a good working landlord and tenant relationship with Council tenants. These meetings are used to identify the key points of contact within Property Services and more

	approval)			<p>importantly identify the individual officers specifically responsible for managing each tenants' premises. The current meetings are merely intended to raise awareness of key issues and it is made clear at the beginning of these meetings that the Council is not providing professional advice. Opening the meetings to a wider audience would detract from their main purpose and could raise issues of professional liability.</p> <p>However, It is proposed that the most appropriate means of providing information on issues affecting small shops should be via existing funded initiatives such as Business West. See the engagement with partners proposed in response to recommendation 5.</p>
<p>Recommendation 8: The Panel recommends that the Council investigate what further support can be given to Community Action in their work to help support the viability of village shops and co-operatives, and similar organisations and the programmes they offer.</p>	<p>Cllr Malcolm Hanney (subject to Full Council approval)</p>	<p>Reject - but support alternative means for pursuing the principle</p>		<p>It is proposed that existing rural programmes and structures are used as a basis for considering support for the viability of village shops and the organisations most appropriate to deliver any such further support. It is therefore proposed that the sub-regional Rural Strategy Group be requested to consider the issue and the opportunities for commissioning</p>

				<p>further support through the West of England Rural Social and Community Programme and Rural Renaissance Initiative. This could include consideration of opportunities through the Village Shops Small Grants Scheme which includes representatives from the three West of England rural Unitary Authorities and the Post Office.</p>
<p>Recommendation 9: The Panel recommends that the Council learns more about the value and benefits of these enterprises [shops where local residents volunteer to staff and run their local shop] and establishes itself as a source of information and advice for those communities wishing to go down this route</p>	<p>Cllr David Hawkins (subject to Full Council approval)</p>	<p>Reject - but support alternative means for pursuing the principle</p>		<p>As with recommendation 8 it is proposed that the existing rural programmes and structures, together with the services provided by the Council for Voluntary Service, are used as a basis for considering how best to identify best practice and make information available for organisations wishing to pursue this approach.</p>
<p>Recommendation 10: The Panel recommends that the council should investigate the opportunities for opening up existing council-run training courses (e.g. on Health and Safety, computer skills and food hygiene) and allowing local, independent retailers access to this training, taking advantage of the economies of scale that could be realised.</p>	<p>Cllr Malcolm Hanney (subject to Full Council approval)</p>	<p>Accept - but also pursue other alternatives</p>		<p>It is proposed that courses are publicised on the Business Matters website and through other means of communicating with small shops that may arise through the response to recommendation 5 above.</p> <p>However, Council run courses are primarily intended to equip staff to carry out the requirements of their</p>

				jobs and would not be tailored to the needs of small shops. Business West provides business training and signposting to relevant training providers, including local organisations such as the Chambers and Federation of Small Businesses. This links to recommendation 5 proposing measures to raise awareness of services offered by Business West.
Recommendation 11: The Panel recommends the Council should explore alternative ways of communicating with retailers, possibly via the establishment of an on-line forum/the Business Matters website, so that key messages can be passed through to retailers and enable them to share experiences and communicate amongst themselves. One single contact point for retailers in the Economic Development Team would act as a useful signpost service until such time as Council Connect is able to offer advice on all service areas in the Council.	Cllr David Hawkins and Cllr Malcolm Hanney (subject to Full Council approval)	Defer	March 08	Best use needs to be made of available resources and existing initiatives such as the services provided by Business West. This recommendation needs to be considered following the engagement with business organisations proposed in response to recommendation 5 To be considered under the response to recommendation 5 above.
Recommendation 12: The Panel recommends that to strengthen the Council's understanding of the needs of its stakeholders, officers across service areas who routinely deal with issues affecting	Cllr David Hawkins, Cllr Charles	Reject - but principle accepted and alternatives		The principle of a better understanding of small shops is accepted but it is considered that the aim can be achieved more efficiently

<p>retailers (e.g. in Economic Development, Planning, Property Services etc) should spend time working alongside retailers, as part of a work-shadowing programme or exercise.</p>	<p>Gerrish, Cllr Malcolm Hanney (subject to Full Council approval)</p>	<p>proposed</p>		<p>and effectively.</p> <p>The recommendation is not considered achievable in view of resource pressures and could compromise appropriate levels of professional separation of roles, such as that of Property Services Officers in collecting rent and ensuring compliance with lease obligations.</p> <p>The retail strategy will address the needs of retailers.</p> <p>Current initiatives aimed at developing the Council's understanding of business issues and needs include, Business Inform, a series of Business Breakfasts, work in developing the Retail Strategy and a Business Census. It is proposed that further measures should be considered under the response to recommendation 5 above.</p>
<p>Recommendation 13: The Panel believes that the current Bath and North East Somerset Vision work provides the opportunity for closer working between the Council and Town Centre Management Groups to develop strategies to make shopping areas mores user-friendly. As work on the Vision progresses the Panel</p>	<p>Whole Cabinet (subject to Full Council approval)</p>	<p>Accept</p>	<p>Underway and ongoing</p>	<p>Enhancement of the public realm is a key feature of the Vision work for Bath & North East Somerset, and includes for example consideration of legibility within the City of Bath and how this can be enhanced within an overall framework for the public realm</p>

<p>recommends that enhancement of the public realm should be embedded in forward planning at the earliest opportunity, considering such models as the 'legible cities' toolkit that has been adopted by Bristol City Council</p>				<p>and movement.</p>
<p>Recommendation 14: The Panel recommends that work should be undertaken to explore ways in which the Council can exercise influence on the diversity and distinctiveness of the retail mix.</p>	<p>Cllr Charles Gerrish and Cllr Malcolm Hanney (subject to Full Council approval)</p>	<p>Accept</p>	<p>Mar 08</p>	<p>This is being explored through the retail strategy, the recommendations of which will need to be considered once the strategy is produced in autumn 07.</p> <p>Approaches to influencing the retail mix will need to consider commercial implications.</p>
<p>Recommendation 15: The Panel recommends that there should be clearer guidelines for retailers and landlords about the buildings they occupy so that they are aware from the outset of what the implications are of their tenancy.</p>	<p>Cllr David Hawkins (subject to Full Council approval)</p>	<p>Reject</p>	<p>Done</p>	<p>It is understood that this recommendation specifically refers to Listed Buildings. Property Services provides a Guide for Tenants, setting out the contractual nature of the terms they are about to sign up to, including, obligations with regards to such issues as rental and repairing liabilities, alterations, ability to assign and breaches of covenant. However, it is not considered appropriate for the Council to provide advice beyond this or to advise non-Council tenants.</p>

				The Council provides a guide, 'Owning a Listed Building' on its website and a Government guide, 'Planning Permission: A Guide for Business'. Links to his guidance will be provided on the business matters website.
Recommendation 16: The Panel recommends that the Council should recognise that Best Value does not always necessarily mean the highest rent on an individual property.	Cllr Malcolm Hanney (subject to Full Council approval)	Accept		The Council manages its commercial estate to achieve the best value over the medium to long term. Individual decisions that do not realise the highest short term income are made in a transparent manner in accordance with Council procedures and priorities.
Recommendation 17: The Panel wishes to be fully reassured that Property Services has adopted the principles laid out in the recently revised Code of Practice for Commercial Leases in England and Wales in respect of property in the Council's portfolio.	Cllr Malcolm Hanney (subject to Full Council approval)	Defer		Property Services already practice many of the recommendations of the lease code. The code and its implications are to be considered by the Property Board. A decision can be made once this process is complete.
Recommendation 18: In particular, the Panel recommends that as work continues on the regeneration and development of Southgate, the Council and its partners, Morley and Multi Development, should consider how best to ensure that the retail mix in this new development adds to the	Cllr David Hawkins (subject to Full Council	Accept	Mar 08	The Council will work with Morley Fund Management and Multi-Development to explore this issue, taking into account the emerging retail strategy. However, it needs to be noted that the retail mix is ultimately a commercial decision for

<p>distinctive retail experience offered by Bath, complementing and adding to the City's strong independent sector.</p>	<p>approval)</p>			<p>Morley Fund Management and Multi-Development.</p>
<p>Recommendation 19: The Panel recommends that Policy S.9 in the draft local plan is carried forward into both the adopted local plan and retail strategy and eventually into the Local Development Framework documents</p>	<p>Cllr Charles Gerrish and Cllr David Hawkins (subject to Full Council approval)</p>	<p>Accept - subject to the provisions set out under Rationale</p>	<p>Local Plan to be considered for adoption at Council meeting on 13th September Autumn 07 Commence Local Development Framework - beginning with the Core Strategy Issues and Options consultation October 07</p>	<p>Following Council's consideration of the Local Plan Inquiry Inspector's recommended modification to policy S.9 Council has agreed that the policy should be carried forward in to the adopted local plan. This is subject to adoption of the plan by Council on 13th September. The issue covered by S9 will be considered in developing the retail strategy. It is accepted that the principle of protecting local shopping provision (as set out in policy S.9) should be taken forward for consideration through the Local Development Framework (LDF) process, which will include extensive stakeholder and wider community involvement.</p>
<p>Recommendation 20: In recognition of the important role that independent retailers play in communities across the district, the Panel recommends that consideration is given to the establishment of a Member Champion for Small Business within the</p>	<p>Full Council</p>	<p>Accept</p>		<p>To provide recognition and championing of the small business sector within the Council and in engaging with external bodies.</p>

Council.				
Recommendation 21: The Panel recommends that their observations should form part of the input into the Retail Strategy as it is developed over the coming months.	Cllr David Hawkins (subject to Full Council approval)	Accept	Underway - complete autumn 07.	The Panel report forms part of the base of background material and evidence for the retail strategy.
Recommendation 22: The Panel recommends that the Council needs to look at additional ways in which it can encourage and support the small independent businesses, which are in many ways the life-blood of our communities. This may be one way of contributing to the growth and employment that is needed to cope with the anticipated growth of housing over the next twenty years.	Cllr David Hawkins (subject to Full Council approval)	Accept	Underway - complete March 08	Work is currently underway in respect of the Retail Strategy and a Business Development and Employment Land Study which will include consideration of ways to encourage and support small independent businesses through established and recognised channels. Also to be considered under the response to recommendation 5 above.