

NOTTINGHAM CITY COUNCIL

CITY CENTRE FORUM

MINUTES of the meeting held at LB31 - Loxley House, Station Street, Nottingham, NG2 3NG on 1 September 2014 from 13.36 - 17.08

Nottingham City Council

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|---|----------------------------|--------------------------------------|
| ✓ | Councillor Michael Edwards | Bridge Ward (Chair) |
| | Councillor Nick McDonald | PH Jobs and Growth |
| | Councillor Jane Urquhart | PH Planning and Transport |
| ✓ | Councillor David Trimble | PH Leisure and Culture |
| | Councillor Nicola Heaton | PH Community Services |
| | Councillor Jon Collins | PH Strategic Regeneration |
| | Councillor Azad Choudhry | Arboretum Ward |
| ✓ | Councillor Anne Peach | Radford and Park Ward |
| ✓ | Councillor David Mellen | Dales and St Ann's Ward |
| | Councillor Georgina Culley | Minority Group (2 places) |
| | Councillor Brian Grocock | Chair of Licensing Committee |
| ✓ | Councillor Chris Gibson | Chair of Planning Committee |
| ✓ | Councillor John Hartshorne | Bridge Estate (Trusts and Charities) |

Nottingham Business

- | | | |
|---|-------------------------|--------------------------------------|
| ✓ | Adam Tamsett | Intu Properties |
| ✓ | Jennifer Spencer | Experience Nottinghamshire |
| ✓ | Jeff Allen (Vice-Chair) |)Nottingham BID (3 places) |
| | Tom Waldron -Lynch |) |
| ✓ | Chris Sinclair | Nottingham Means Business (2 places) |

Nottinghamshire Police

Chief Inspector Shaun Ostle Community Protection, Notts Constabulary

✓ indicates present

Councillors, Partners and Colleagues

Catherine Mayhew	City Centre Co-ordinator
Nicki Jenkins	Head of Economic Programmes and Skills
Stewart Thornhill	Central Neighbourhood Development Officer
Thomas Miles Corbett	
Catherine Ziane-Pryor	Governance Officer

29 APOLOGIES FOR ABSENCE

David Bishop
Tom Waldron-Lynch
Janine Bone (Adam Tamsett substituting)

30 DECLARATIONS OF INTERESTS

None

31 MINUTES

The minutes of the meeting held on 2 June 2014 were confirmed and signed by the Chair.

32 URGENT ITEM - APPOINTMENT OF VICE CHAIR

The Chair of the meeting is of the opinion that this item, although not included on the agenda, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972, in view of the special circumstances of ensuring the continuity of Forum Business in the potential absence of the Chair.

RESOLVED for Jeff Allen representing Nottingham BID to be appointed Vice-Chair for the 2014/15 municipal year.

33 CITY CENTRE VACANCY SURVEY

Catherine Mayhew, City Centre Coordinator, delivered a presentation which was included in the online agenda following the meeting, providing detailed information on retail unit vacancy within the City Centre.

In summary, the following points were highlighted:

- (a) the twice yearly survey is undertaken by the City Council, in consultation with partners from the Retail Growth Forum, including Intu, considering the occupancy of private and council owned ground floor units within an identified City Centre area;
- (b) the core area considered in the City Council survey varies slightly from, and is smaller than, that considered by the national Local Data Company (LDC) survey which is expected to produce its results shortly;
- (c) the City Council survey produced detailed figures providing information on vacant units as follows:

Number of units Occupied	1,120		
Units Let		1,096	
Awaiting Occupancy		24	
Number of units Unoccupied	168		13.0%
Empty		93	
Under offer		23	
Unavailable		52	
(Unlet excl. unavailable		116)	9.0%
Total	<u>1,288</u>		

- (d) at 13.0%, Nottingham's retail vacancy rate is similar to the LDC GB shop vacancy rate of 13.4% as with 168 vacant units, this equated to a vacancy figure of 13%. However, once the units which are unavailable (development pending), under offer and awaiting occupancy are deducted, this produces an adjusted vacancy figure of

9.4% which is the lowest rate in the city for the past 5 years, which compares favourably with the LDC overall retail and leisure vacancy rate at 11.9%;

- (e) also considered in the survey is the vacancy duration and vacancy hotspots.
- (f) a Vacancy Action Plan will consider what internal and external mechanisms can be applied to increase City Centre occupation.

Points raised during the meeting included:

- (a) some areas attract certain types of shop i.e. part of Mansfield Road is occupied mainly by shops selling chocolate and alcohol. This attracts specific customers and also behavioural issues which could deter other types of business from locating in that area. Instances such as this need to be considered as part of the vacancy action plan, possibly involving Community Protection Officers to assist in addressing behaviour issues;
- (b) mapping should be consistent as while the survey concludes that there are less vacant shops than 2 years ago, it is a concern that the boundaries do not match those of the LDC survey, which is what most national retailers will refer to;
- (c) private owners need encouragement to maintain the premises above the shops and possibly even adapt them for separate business use;
- (d) it is concerned that the cafe areas on High Pavement are not considered as part of the survey area;
- (e) Hockley is a key independent business area in the City but controls should be considered to prevent a potential shift from retail to leisure businesses such as cafes and bars;
- (f) the new Market Square was planned to include high-quality restaurant and food areas, so a shift from clothes and retail shops to fast food outlets would not be desirable;
- (g) the continuing development of student accommodation within the city centre is a long-term concern as once the current student market is saturated, this accommodation may not be of a sufficient standard to attract high quality residential occupiers ;
- (h) providing student accommodation in vacant office buildings within the City Centre is a positive move as it releases much needed family suitable housing in the suburbs. Student housing ensures that the City Centre remains vibrant;
- (i) market forces drive business, providing what people want;
- (j) it is difficult to attract larger brands to the City Centre until the appropriate quality and quantity of retail space can be provided;
- (k) the survey will help to inform the work of the Planning Policy Team although it should be noted that planning is not able to dictate the type of retail business which can occupy a premises, as long as it is designated as retail;
- (l) while some areas may appear a little outdated, no obvious drop in footfall is identified unless a destination business withdraws or moves elsewhere;
- (m) online shopping appears not to have had as much of an impact on City Centre retail compared to out-of-town shopping centres and grocers as people are attracted to the choice of the City Centre leisure offer.

RESOLVED

- (1) to note the City Centre Vacancy Survey results as of May 2014;**
- (2) for the following to be scheduled for future meetings:**

- (i) **student accommodation within the City Centre;**
- (ii) **Broadmarsh development update;**
- (iii) **City Centre transport schemes.**

34 OFFICE SECTOR UPDATE

Chris Sinclair, Innes England, representing Nottingham Means Business, delivered a PowerPoint presentation, which can be viewed at the online agenda. The Nottingham Office Agents Forum, consisting of 15 partners, undertakes annual reviews to assess the office offer available within Nottingham.

The slides highlighted the following points:

- (a) there is no specific office area within Nottingham with pockets of office accommodation scattered throughout the City;
- (b) 3 annual reviews have been undertaken with Business Park data held separately to ensure that a like-for-like comparison is possible;
- (c) during 2013, there has been 130% increase in grade A office space deals;
- (d) there is a total stock of 6,639,000 ft.²;
- (e) 413,000 ft.² of office space has changed use, mainly to student accommodation;
- (f) so far during 2014, 67,000 ft.² office space has been traded, three quarters of the deals taking place involved space of more than 5,000 ft.²;
- (g) a third of the deals to date are connected to the Creative Quarter however, there continues to be a shortage of suitable office accommodation in this area;
- (h) the key deals during this year have been as follows:
 - (i) City Gate - 12,700 ft.²;
 - (ii) County House – 9,600 ft.²;
 - (iii) Hounds Gate – 7,400 ft.²;
- (i) investments transactions during 2014 have involved 108,000 ft.² which is an increase of 51% on the same period last year;
- (j) there is an increasing appetite from institutional investors for high quality office space;
- (k) a further 2,500,000 ft.² of quality office accommodation is proposed within the City core area including schemes at Unity Square, NG2 Business Park, and Eastside.

Chris Sinclair responded to the Forum's questions as follows;

- (l) the 'Portal' development has stalled due to planning permissions. It could potentially be sited on NG2 as this is a popular location in the City, especially with easy access to the tram and train station;
- (m) there is a shortage of grade A office accommodation in Nottingham so key sites are being considered and the City Council is investigating how larger developments can be progressed and encouraged;
- (n) the Southern Gateway area to the City is the most obvious key regeneration area to promote;
- (o) currently the rent in Nottingham per square-foot is £15-16, but further incentives need to be offered such as 'rent free' periods;

- (p) Derby and Leicester are in a similar position to Nottingham with regards to the quality and volume of office space available and concerns that it is not viable to build speculative office space at this time;
- (q) the effects of the economic recovery are beginning to show in Nottingham but it may be a few years yet until expansion is obvious;
- (r) as adequate accommodation is not available in Nottingham, business is lost to other cities which offer larger and higher grade office space.

RESOLVED to note the presentation and update.

35 CITY CENTRE ISSUES DISCUSSION

Stewart Thornhill, Central Neighbourhood Development Officer, delivered a presentation which can be viewed at the online agenda, providing a brief overview of City Centre issues.

The Forum's questions were responded to as follows:

- (a) as more people are living in the City Centre, noise has become the main issue of complaint. This includes customer smoking outside pubs and cafés but the City Council are working with premises to encourage them to create specific smoking areas;
- (b) parking is an ongoing issue which has improved although abuse of parking permits continues;
- (c) some street pedlars are causing problems but the majority of complaints from businesses concern face-to-face fundraisers, with some of fundraisers using an authorised stands. Also known as 'chuggers', some have adopted an aggressive approach to fundraising which is being addressed. Nottingham's approach has been held up as best practice by engaging with 'chuggers' when issues arise;
- (d) begging has reduced but with funding cuts to some of the support agencies it is expected that this problem will increase. As of October, Community Protection Officers and the Police have a new power of 'Public Space Protection Orders'. However, this doesn't cover busking issues but Community Protection Officers are willing to take more responsibility in this area;
- (e) there is a voluntary code of practice for buskers, however, not all comply. The number of busking pitches has been reduced which results in unauthorised busking. This is not known to be a problem in the outlying town centres;
- (f) drug and alcohol abuse is increasing and generally is a larger issue in parks, deterring public use with specific problems reported at the Rest Gardens off Barker Gate;
- (g) the problem of rogue 'Big Issue' sellers is being addressed with Big Issue;
- (h) more people are now living in the City Centre resulting in many more issues being raised both by residents and businesses, including storage prior to collection of domestic waste. This is an ongoing issue which Planning need to address in the planning application process by ensuring that refuse storage must be provided for residential properties.

Jeff Allen, Nottingham BID, requested that before adoption, local businesses be consulted on proposed policies which may impact on them.

RESOLVED

- (1) to note the presentation;**
- (2) for Stewart Thornhill to take measures to address the gathering of drinkers and drug users at the Rest Garden on Barker Gate;**
- (3) for a briefing note outlining the powers of the 'Public Space Protection Order' to be circulated to members of the Forum.**

ANTI SOCIAL BEHAVIOUR, POLICING AND CRIME ACT 2014 AT A GLANCE

NOTE

The potential actions available to practitioners below are for guideline purposes only and do not take into consideration aggravating or other material or important factors which must be identified and considered before deciding on the most appropriate course of action in each individual cases. Things to consider for both alleged victims and witnesses and alleged perpetrators include:-

Ability of witness or victim to attend court – consider physical, mental and /or medical conditions and the support that needs to be offered. Consider range of victim and witness support, Equality Act 2010, Mental Health, Physical disabilities, Drug / Alcohol dependency, ECHR, Equality Impact Assessments.

All enforcement actions that are carried out must meet the threshold or test for the order being sought. – Legal Advice must always be sought

Type of Order	Purpose	Applicant	Test	Details	Penalty on Breach	Appeals
Community Trigger	To give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a solution	Councils Police Clinical commissioning grps Registered Social Landlords	To be defined but not more than 3 complaints in 6 mths Take account of Persistence of asb Harm / potential harm caused Adequacy of response	When initiated, communicate with victim If threshold met:- Hold multi agency case review Problem solve approach Action plan Action plan discussed with victim and resolution found		
Community Remedy	Gives victims a say in out of court punishment for low-level crime / asb	Police Officer PCSO OIC Authorised person	Evidence of engagement in ASB or offence committed Admittance of behaviour Evidence is of the threshold for court proceedings			
Community Protection Notice	To stop person, business or organisation committing asb which spoils the community's quality of life	Council Officers Police Officers PCSOs Social Landlords	Behaviour has to have:- Detrimental effect on quality of life for those in locality Be persistent or continuing and Be unreasonable	Written warnings requiring cessation of behaviour Requirement to do things, stop things or take reasonable steps to avoid asb Can allow Council to carry out works in default	Breach is criminal offence Fixed Penalty Notice up to £100 Fine up to £2,500 Fine up to £20,000 for businesses	Appeal within 21 days of issue Costs of works in default challenged if considered disproportionate
Public Spaces Protection Order	To stop individuals or groups committing asb in a public space	Councils in consultation with Police PCC and other relevant bodies	Behaviour has to:- Be having or be likely to have, a detrimental effect on the quality of life of those in the locality Be persistent or continuing nature and Be unreasonable	Restrictions and requirements set by Council Blanket restrictions or requirement or targeted towards behaviours by groups at certain times Can restrict access to public rights of way Can be enforced by Police and Council	Breach is a criminal offence Fixed Penalty Notice up to £100 Fine of up to £1000 on prosecution	Anyone who lives in, regularly works in or visits the area can appeal within 6 weeks of issue
Police Dispersal Power	Requires a person committing or likely to commit asb, crime or disorder to leave the area for up to 48 hrs	Police Officers in uniform PCSO (if designated powers from Chief Constable)	Contributing or likely to contribute to members of the public in the locality being harassed, alarmed or distressed and Direction necessary to remove or reduce likelihood of asb, crime or disorder	Must specify the area to which it relates, time and route to leave by Can confiscate items used to commit asb, crime, or disorder Must be authorised by Insp Only for those over 10yrs Under 16s can be taken home or to a place of safety	Breach is a criminal offence Fine of up to £2,500 and/or up to 3 mths in prison Failure to hand over items = £500 fine	Persons given a Direction to leave must speak to Insp
Civil Injunction	To stop or prevent individuals engaging in asb To quickly nip issues in the bud	Local Councils Social Landlords Police (incl BTP) Environment Agency NHS Protect	On the balance of probabilities, the respondent has engaged or is threatening to engage in conduct capable of causing nuisance or annoyance to any person; and The court considers it is just and convenient to grant the injunction to stop the asb	Injunctions will include prohibitions and can also include positive requirement for the perpetrator to address underlying causes Agencies must consult YOT for under 18s	Not a criminal offence y must be proved to criminal standard Contempt of court with unlimited fine or up to 2 yrs in prison U18s supervision order or detention order of up to 3 mths for 14-17yr olds	Over 18s to the High Court U18s to Crown Court
Criminal Behaviour Orders	Issued by criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity	CPS in its own right or following request from Council or Police	If the Court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or is likely to cause harassment, alarm or distress to any person and The court considers that making the order will help prevent the offender from engaging in such behaviour	Issued by any criminal court ASB does not need to be part of the criminal offence Order to include prohibitions but can also include positive requirements Agencies must consult YOT for U18s	Breach is a criminal offence and proved to the criminal standard On summary conviction up to 6mths prison or fine or both U18s sentencing powers of the youth court apply	Appeals made in Mags (including Youth Courts) lie to the Crown Court Appeals made in Crown Court lie to the Court of Appeal

