

| REPORT OF REGENERATION & SOCIAL INCLUSION SCRUTINY COMMISSION | | |
|--|----------------------------------|----------------------------------|
| Public Realm Improvement and Regeneration scrutiny report | Classification Public | Enclosures Appendix 1 |
| | Ward(s) affected All | |

1 FOREWORD BY THE CHAIR OF THE REGENERATION AND SOCIAL INCLUSION SCRUTINY COMMISSION: COUNCILLOR VINCENT STOPS

It is self evident that our retail centres across the borough are of vital importance to the cohesion of our community, providing employment, shopping and services to residents. Without a thriving retail sector, the heart of our local centres is lost. Hackney's retail centres are not performing this function well. Statistics confirm how little residents spend on shopping in the borough.

It is also self evident that shoppers will want to spend more of their time and money if the environment in which they shop is a pleasant one.

The thesis for this scrutiny was that the Council should work with traders to improve the public realm and that this would contribute to the vitality of our retail centres. The Commission accordingly gathered evidence to support this view and investigated practicable approaches.

The Commission has concluded that there would be real benefits to businesses and residents if the Council was active in creating beautiful, accessible streets in our local shopping centres where residents will want to spend time and money. This will also be important if Hackney is to counter competition from other boroughs and the large malls that have successfully created a clean, though sterile and boring, environment in which to shop.

I commend this report to the Cabinet and Council.

2 BACKGROUND

- 2.1 Use of streets and public spaces is the only point of contact with services provided by the local authority for a large section of the population, and a high-quality, accessible public realm can bring about a range of economic, social and environment benefits. However public spaces are often underused because they are uninteresting and poorly planned, dominated by the car and cluttered with street furniture, signs and rails.¹

This can have a significant detrimental effect on town centre economies. People are unlikely to choose to start a business, seek employment or spend leisure time in places that are unattractive or difficult to get to and move around in. Recent media coverage has highlighted, for example, that visitors are staying away from West End theatres and restaurants because of poor street ambience and a perception that it is unsafe. Similar issues are replicated in centres across the UK.

Both local authorities and business communities have an incentive to address these trends, resulting in the development of a variety of partnership initiatives to regenerate town centres through enhanced management. One method of funding town centre management schemes that warrants particular attention is through a Business Improvement Districts (BID), a mechanism that originated in the USA and has been piloted in the UK since 2001.

In light of the recent conclusion of these pilot BIDs, the position of urban regeneration high up the political agenda and ongoing production of Hackney's Local Development Framework, a scrutiny review was to investigate the state of the public realm in Hackney's town centres and how the Council might learn from good practice developed in other towns and cities.

- 2.2 The terms of reference for the review were as follows:

- To investigate best practice in public realm improvement and its potential to improve the economic vitality of our commercial areas;
- To review current LBH policy in relation to BIDs, including the outcome of the Made in London voluntary BID and current proposals for a BID in Stoke Newington;
- To identify good practice and lessons learnt from pilot BIDs in London and other similar initiatives;

¹ ODPM Select Committee report *Living Places: Cleaner Safer Greener* July 2003

- To identify expectations and aspirations of local traders with regards to public realm improvement and their relationship with the Council;
- To identify ways to promote greater involvement of local businesses in public realm improvement initiatives;
- To make recommendations for future policy.

During the review it became apparent that it is difficult to separate public realm improvement issues from planning policy issues and therefore the Commission also touched upon the latter. Owing to constraints of time and the large amount of material for consideration, it was decided that it was not feasible for the review to consider Hackney's policy regarding parks and green spaces despite its relevance, but that the Commission would be mindful of the potential implications for town centres when monitoring Hackney's Green Spaces strategy in the following year.

2.3 The evidence for the review was gathered between July and December 2005 by the following methods:

- Regeneration & Social Inclusion Commission meeting 21 July
Presentations from external practitioners and LBH officers on legislation, best practice and LBH policy in relation to BIDs;
Overview of public realm improvements in central London;
Data from LBH Retail and Leisure Surveys.
- Regeneration & Social Inclusion Commission meeting 5 September
Visit to Kensington High Street to view exemplar streetscape improvements.
- 'How We Can Deliver 21st Century Towns' 15 September
Participation in debate with urban design practitioners.
- Regeneration & Social Inclusion Commission meeting 19 October
Presentations from external practitioners on the role of Transport for London and town centre managers in relation to public realm and regeneration; good practice in urban design.
- Regeneration & Social Inclusion Commission meeting 28 November
Consultation with local business community and residents;
Feedback from ALG conference 'Liveable London'.
- Regeneration & Social Inclusion Commission meeting 19 December
Responses from LBH officers to draft recommendations.
- Written submissions from local businesses.

- Additional meetings with Council Officers as necessary.

A list of all those who gave evidence and background papers that informed the review is included at sections 7 and 9 of this report.

3 COMMENTS OF THE FINANCIAL CONTROLLER

In implementing any of the recommendations contained within the report the Council will need to work within the resources allocated to the relevant services and remain within the revenue cash limit, capital programme or other external funding that is available.

Specific schemes will need to be financially appraised and go through the Council procedures for approval and procurement.

4 COMMENTS OF THE MONITORING OFFICER

There is concern in some quarters that Government proposals on a new offence of Corporate Manslaughter will affect the willingness of councils to innovate in controlling the public realm. That discussion continues but should not be taken, at this stage, to preclude the further studies being recommended in this report. There are no other legal or propriety issues that require comment.

5 SUMMARY AND RECOMMENDATIONS

The Commission heard a range of evidence from policy makers, business partnerships, traders and case studies that business will benefit from an improvement to the public realm.

The Commission also found that there is consistent criticism of the quality of the public realm, in Hackney as well as more generally in the UK. London's streets are repeatedly cited as dirty, cluttered with barriers to pedestrian movement and designed to give priority to motor vehicles.

Clearly it is existing policies and, more importantly, their implementation that has brought about the street environment in Hackney as it is today. Therefore in order to remedy the identified shortcomings the Council does need to revisit some of these policies, improve the implementation of others and enhance their delivery through greater co-operation both internally and externally with businesses and other relevant authorities.

The following recommendations are listed in no particular order of priority.

Recommendation One

The Commission heard evidence that business benefits from a better pedestrian environment and that the over domination of our streets by motor vehicles can discourage visitors. The Government has recognised the issue and has commissioned guidance better suited to the type of streets we have in Hackney.

Many of the issues facing London's streets were effectively summarized in a study by Gehl Architects *Towards a fine city for people, public life, public spaces – London 2004*, which recommended that London policy makers improve conditions for walking and encourage people to walk; create pedestrian priority streets or widen footways; minimise the amount of street furniture; introduce good pedestrian crossings which create direct routes; avoid unnecessary footway interruptions; and create good cycling routes and cycle parking facilities.

The Commission recommends that Hackney Council uses the recommendations of the Gehl report to inform its streetscene policies to create a better balance between motor vehicles, pedestrians and cyclists in our retail streets.

Recommendation Two

Pedestrian guard railing was cited by some witnesses as an anathema to pedestrian friendly streets. LBH officers have begun to consider this issue and have commissioned a study to inform a review of policy. Members recognized that it is necessary to use guard railing in certain situations but where guard rails are employed they should be neat and uniform.

The Commission considers that how our streets look and operate is not simply a technical issue for technical officers. It is a political decision for the local authority.

The Commission is pleased that Hackney Council is reviewing its policy on Pedestrian Guard Rails and recommends that the Council operates a presumption against guard railing. To enable delivery, the Council should adopt a specific and transparent policy that can be supported by Members. Where guard rails are employed, they should be neat and uniform.

Recommendation Three

Although outside of the remit of this scrutiny review, Members were impressed by the strength of opinion on the part of Stoke Newington businesses regarding parking provision in commercial areas, almost to the

exclusion of all other measures. This conflicted with other data viewed by the Commission which suggested that the vast majority of shoppers travel to the borough's town centres by foot or bus. However, Members considered that a valid point had been raised with regards to parking allocation in the borough.

The Commission recommends that the Council and Transport for London give priority to commercial users in terms of allocation of the available parking in commercial centres, particularly for loading and the parking of vehicles essential to the operation of the business. Where opportunities for parking reviews arise, consideration should be given to the issue of parking for commercial use.

Recommendation Four

Since the 1960s traffic engineers have been responsible for designing our streets in accordance with guidance with a single focus on movement and little account taken of aesthetic considerations. This has resulted in streets designed with an emphasis on motor vehicle capacity; with pedestrian and aesthetic considerations an afterthought.

The Commission recommends that the Council adopts and implements policies that place much greater emphasis on designing attractive, accessible streets and that urban design issues are given an equality of consideration in designing our streets.

Recommendation Five

Despite recent improvements, the most often cited complaint from traders with regards to the public realm was the low standard of cleanliness, which mirrors levels of concern elsewhere in London. Traders would welcome tighter control of times that rubbish can be put out in the street and stricter enforcement of offenders who do not abide by the regulations. They would also welcome an increase both in regular cleaning activity and targeted events.

The Commission recommends that Hackney Council makes sensitive but effective use of enforcement powers with regards to commercial waste, control of waste collection times and the use of pavement for unauthorized storage of rubbish, illegal pavement trading of and other items.

Recommendation Six

Many different agencies within and without the Council have responsibility for Hackney's streets, for example phone companies can install telephone

boxes; utility companies can dig up the streets; Transport for London (TfL) is the highway authority for the borough's strategic routes, controls the red routes and can install street furniture along bus routes; our waste department supplies waste bins. These authorities do not always work together in a co-ordinated manner. The Commission learnt that TfL would be receptive to a statement of the Council's requirements when it intervenes in Hackney's streets.

The Commission recommends that Hackney Council reviews current arrangements for co-ordination between the various departments and authorities responsible for the design and maintenance of public spaces to ensure a holistic approach; and that the Council issue a statement on its aspirations for TfL Area Schemes to ensure a high-quality uniform streetscape in the borough.

Recommendation Seven

Business Improvement Districts (BIDs) have been piloted in this country with a focus on improving the local environment where business operates. Although there is some reluctance on the part of local traders to enter into formal agreements, traders might be willing to contribute financially to initiatives which they felt would benefit their businesses and the borough and they certainly wanted more engagement with the Council.

The Commission recommends that the Council continues to explore the potential for town centre management initiatives with the local business community, including the development of informal and formal BIDs; and actively engages with retail business by continuing to support existing business associations in the borough and promoting their development in other parts of the borough.

Recommendation Eight

Section 106 agreements are conditions attached to planning permissions whereby a developer agrees to provide additional benefits for the benefit of the community. The Commission encourages the Council to make full use of this opportunity to improve the public realm.

The Commission recommends that Hackney Council seeks to ensure developers look beyond their site and engage with the Council in how their developments interface with the highway.

Recommendation Nine

The Commission found that there are various other sources of funding available to local authorities to supplement or substitute for funds raised

through public/private partnerships or from developments, such as the European Commission or the Greater London Authority.

The Commission recommends that Hackney Council investigates the full range of potential funding sources.

6 FINDINGS

6.1 Issues facing Hackney's town centres

Nearly 60 per cent of towns and cities in Britain are in economic decline. Over 40% of UK independent food, drink and tobacco retailers have closed over the last decade and local banks, post offices, pubs and hardware stores are fast disappearing.²

The Commission learnt that as people are prepared to travel further for retail and leisure pursuits, the demand for local services is reduced and congestion in and out of town centres increases. This causes a reduction in investment; town centres become polarised and less desirable and so trapped in a vicious downward cycle.

Hackney's centres suffer from such under-use and under-investment as residents tend to shop elsewhere. Hackney's Retail and Leisure Study identified that for every £1 residents spend on shopping, only 14p is spent in the borough: 6p in Dalston, 4p in Mare Street, 3p in Stoke Newington and 1p in Stamford Hill. The results also showed that all three of Hackney's main centres - Dalston, Stoke Newington and Hackney Mare Street - suffer from environmental problems and concerns about crime, as well as lack of range and quality of goods.

Residents prefer to shop for comparison goods³ outside of the borough, particularly in the West End which accounts for almost 40% of all comparison shopping trips. The main centre for comparison goods shopping in the borough is Dalston, which only draws 11% of all main shopping trips. The primary reason given by residents for comparison shopping in Hackney is close proximity to home. The main reason for going elsewhere is the (perceived) better quality and range of the shops.⁴

While Hackney households do spend approximately 69% of their convenience goods⁵ expenditure in the borough's centres, this is

² Living Streets News Release *The Walking Pound* July 2005

³ For example clothes, books and furniture

⁴ Hackney Retail and Leisure Survey, Executive Summary, May 2005, p.3-5.

⁵ For example food, drink, and non-durable household goods

overwhelmingly concentrated in Tesco in Morning Lane, Mare Street and Sainsbury in the Kingsland Shopping Centre, Dalston.

In 2004 there were 4967 retail jobs (excepting motor vehicles and motorcycles; repair of personal and household goods) in Hackney (6.2% of all jobs in the borough) and 3640 hotel and restaurant jobs (4.5%).⁶ Retail and hotels/restaurants are important employment sectors in Hackney but their percentage of overall employment in the borough is below regional and national averages.⁷ Recent increases in house-prices, bringing in higher-income households, have increased the potential for expansion to meet consumption needs therefore making Hackney a more attractive place for national retailers to invest could add to this potential and create a significant number of new jobs.

A survey of businesses carried out in 2002 to inform this report listed security and the level of crime as the main disadvantage in terms of their premises and location in Hackney, followed by poor road and parking facilities, and poor image. When asked what the Council should be doing to help business, the most frequent response was to improve parking facilities, followed by delivering better street cleaning and improving security through better lighting and CCTV.⁸

The experiences of local businesses who participated in the scrutiny review corroborated these findings.⁹ All respondents considered that the Council should be playing a greater role in encouraging trading. In their understanding, there are a range of reasons why Hackney does not attract customers for retail and leisure pursuits (including those over and above the remit for this review but which are noted for completeness) which can be summarised as follows:

- Dirty streets which are not cleaned frequently enough;
- Lack of enforcement for breaches of litter and waste regulations;
- Graffiti;
- Perception of crime risk;
- Frequent digging up of the main roads into the borough;
- Inequitable resource allocation amongst the borough's centres;
- Lack of proper town centre management;
- Insufficient community policing;

⁶ Annual business inquiry workplace analysis, published December 2005

⁷ Hackney's Local Economy, A Report by Urban and Property Economics Consultancy Ltd, March 2003, p.25-26, Executive Summary p.xiv

⁸ Hackney's Local Economy, A Report by Urban and Property Economics Consultancy Ltd, March 2003, p.40-41

⁹ While respondents came from various parts of the borough it should be noted that the vast majority represented Stoke Newington. The results of the survey are summarised in appendix 1.

- Inappropriate use of public spaces, for example use of Bohemia Place for buses;
- Breaches of conservation regulations in shop fronts (Stoke Newington Church Street);
- Lack of car parking facilities and in particular the impact of recent controlled parking zones;
- Lack of balance in retail and leisure provision.

6.2 Economic incentives for public realm improvement

As towns increasingly compete with one another to attract investment, the presence of public spaces becomes a vital business and marketing tool: companies are attracted to locations that offer well-designed, well-managed public places and these in turn attract customers, employees and services. It has been demonstrated that well-planned improvements to public spaces with town centres can boost commercial trading by up to 40 per cent and generate significant private sector investment.¹⁰

A study by Central London Partnership for Transport for London also found that good walking environments are important for London's economy as a clean and pleasant environment creates the right conditions for customers and employees alike. 85% of the businesses they surveyed identified the quality of the streetscape as 'important' in the ability to attract customers or tenants as people are naturally drawn to places that are attractive, clean and safe.¹¹

The charity Living Streets found that customers coming to town centres on foot spend more than those coming by car – known as the 'walking pound' - as increasingly people are turning away from one big supermarket shop to make more frequent visits to shops near where they live and work.

The Town Centres Survey 2003-4 prepared by Accent Marketing and Research for TfL Surface Transport looked at 11 town centres around London from the West End to local high streets like Eltham and Dalston, and found that customers coming in on foot spend more per week (£91) than those coming in by bus (£63) or car (£64).¹²

The Commission looked at a variety of schemes that have helped town centres to attract retailers and customers or survive competition from out-of-town shopping malls.

¹⁰ Commission for Architecture & the Built Environment *The Value of Public Space* March 2004, p.4-5

¹¹ Central London Partnership *Quality Streets: Why Good Walking Environments Matter for London's Economy* July 2003

¹² Living Streets News Release *The Walking Pound* July 2005

Case Studies

Bexleyheath

Bexleyheath town centre survived competition from Bluewater shopping centre by creating its own niche, providing a well rounded town centre rather than simply providing shopping facilities - High Street shops mix with independent shops and businesses along a traditional High Street, a cinema, Bingo club, bowling alley and restaurants. Cleaning and CCTV facilities have been prioritized and accessibility was also improved. An average of 170,000 people a week now visit the town.

Research has shown that people are willing to travel further to a city centre than a retail park because it offers history, identity and a variety of activities.¹³

Coventry

Coventry launched CV One in April 2002, a not-for-profit company combining the twin functions of managing Coventry's city centre and promoting the city and its surrounding region.

Operating with around 90 staff, the company is responsible for carrying out a number of tasks with the focus on safe and clean from managing car parks and street cleaning to public events and conference and tourism work. It also manages perception-change through media management, visitor literature and web presence. It has an annual budget of over £7 million. Core funding comes from Coventry City Council, but £3 million has come from grant funding and the company is in effect an arms-length organisation with an independent board of directors, drawn from the private sector as well as the local authority.

Improved pedestrianisation, a new civic square, clearer signage and better placement of street furniture alongside the introduction of CCTV and radio security schemes and an alcohol-free zone has resulted in a 25% increase in footfall in the town centre on Saturdays.

Copenhagen

Redevelopment schemes have provided high-quality public spaces in the city, with more seats, shared space that prioritises pedestrians and quality paving. Residents of Copenhagen spend four times as much time in the city centre as before these schemes. Public money invested in renovating public spaces has been paid back through an increased number of tax payers in the city and an increased turnover for businesses.

¹³ British Council of Shopping Centres *The Shopping Centre Industry: Its importance to the UK Economy* 2004

While it is difficult to disaggregate the benefits of public realm improvements and produce hard data directly linking improvements with business revenues, a general consensus exists that these kinds of improvements can have an extremely positive impact.

6.3 Improving the street environment – roads and transport

About 85% of public space is made up of roads and highways.

Pedestrians and cyclists currently face many impediments. The Department of Transport's prime consideration has traditionally been safety rather than the quality of public space and this translates into the guidance it issues to local authorities. Transport engineers continue to use guidance from the 1960s which encourages deference towards motor vehicles and traffic segregation. This has led to the creation of shopping districts in pedestrianised areas which have no life outside of shopping hours, and roads solely for traffic use which can create barriers between centres and residential areas.

Road safety practitioners have aimed to prevent pedestrians from straying into the paths of cars by making them use inconvenient footbridges or tunnels or channeling them through 'cattle pens', often requiring a wait in the middle of the road.

Central London Partnerships commissioned a study of issues facing London's public spaces by Jan Gehl, who did much to influence the development of Copenhagen. The subsequent report proposed an incremental approach to reducing the impact of vehicles on our streets and also highlighted the barriers to walking from general street clutter to lack of places to sit. Its specific recommendations to policy makers throughout London included to improve conditions for walking and encourage people to walk; to create pedestrian priority streets or widen footways; to minimise the amount of street furniture; to introduce good pedestrian crossings which create direct routes; to avoid unnecessary footway interruptions; and to create good cycling routes and cycle parking facilities.

The Commission is pleased to learn that one main aim of the Council's PRIDE (Public Realm Improvement and Decluttering) programme for 2005/2006 is to improve the general state and condition of local cycle routes by introducing local route information and signing to support these routes, improving carriageway surfacing where roads are in poor condition, painting the cycle lanes green where appropriate, effective linking into the main route network where necessary and upgrading access for disabled users.

One means to create a better balance between street users is through the concept of 'shared space', with less defined boundaries between street users, it can provide better pedestrian environments and also encourages vehicles to drive more carefully. This has been found to be successful where the ratio of pedestrians to cars is high, such as Neal Street and Seven Dials in Covent Garden, though is obviously not suitable for all road environments.

Recommendation One

The Commission recommends that Hackney Council uses the recommendations of the Gehl report to inform its streetscene policies to create a better balance between motor vehicles, pedestrians and cyclists in our retail streets.

One particular barrier to pedestrian movement is caused by guard railing. Custom and practice has dictated the installation of guard railing for stated reasons of pedestrian safety but there is no body of evidence to back up any substantive safety benefit.

This historic practice is being challenged, most notably on Kensington High Street and in Nottingham City, but also more locally on Shoreditch High Street and Newington Green where it has not been routinely used. Better ways of solving these problems include widening footways to allow more space, creating safe pedestrian crossings where needed, regulating traffic speed and access and addressing key issues regarding the relationship between pedestrians and vehicles.

London Borough of Hackney's Road Safety Scrutiny Panel report presented to Cabinet in April 2004 found that the use of railings, which are said to give both sets of road users a sense of increased security, can lead drivers to feel secure in increasing their speed, in the belief that railings would take the brunt of any impact and that pedestrians will not step out into the path of the traffic.

Pedestrian guard rails also create other dangers. Pedestrians often get trapped outside guard railings and are forced to climb the railing to reach the footway; guard railing coming round corners forces pedestrians to take a detour, creates an abrupt walking rhythm and often causes crowding. Railings are routinely inset up to 3 feet into the footway, which reduces the amount of space for pedestrians to walk upon.

The Commission recognises that there have been genuine safety and litigation concerns associated with the removal of guard rails, although this is now being challenged. Members in Kensington and Chelsea had to take personal liability to go against the recommendations of some of their

officers. However recent guidance from the UK Roads Board on highway risk and liability claims has indicated that on these kinds of issues courts have rules that road users bear responsibility for their own safety. Provided the local authority can demonstrate that it has considered all of the relevant issues and that in its opinion the removal of railings is justified, individuals may be able to establish breach of duty of care only in exceptional circumstances.¹⁴

Members also recognize that it is necessary to use guard-railing in certain situations but where they are employed they should be neat and uniform.

Case Studies

Kensington High Street

Only 60 metres remain of the 715 metres of pedestrian guard railings along Kensington High Street. Since they were removed, accident figures have decreased (see below). While there is no real evidence to demonstrate why this is so, traffic engineers believe that the removal of guard rails encourages drivers to drive more carefully.

| Type of accident | Kensington High Street Annual accident rate | | |
|------------------|---|-------|-----------|
| | Before | After | %age diff |
| All | 65.7 | 32.7 | -50.2 |
| Pedestrian | 26.3 | 8.7 | -66.9 |
| Bicycle | 11.7 | 7.3 | -37.6 |
| Motorcycle | 15.3 | 8.7 | -43.1 |

Figure 1 Statistics supplied by Royal Borough of Kensington & Chelsea

Shoreditch Triangle Traffic Reform Scheme

An Intelligent Space Partnerships survey in 2003 found that road crossing in Shoreditch has become much safer since this scheme was introduced in 2001. The scheme increased the number of crossing facilities, improved crossing layouts to fit closely along pedestrian desire lines and widened pavements. Pedestrian use of assigned crossing areas has subsequently increased by 56% and informal crossing away from assigned crossing areas decreased by 61%. Substantive improvements to the physical environment have also contributed towards greater leisure use of the Triangle.

Hammersmith Broadway Island

Surface crossings replaced subways and wider footways were installed. 87% of the public felt that the scheme has improved interchange, is safer and has enhanced the local economy.

¹⁴ UK Roads Board Highway Risk and Liability Claims, December 2005, p.28

The Commission is pleased to learn that the Council will be appointing a consultant to review pedestrian guard rail policy; tasked with reviewing and making recommendations for assessment criteria in relation to 5 sites.

Recommendation Two

The Commission is pleased that Hackney Council is reviewing its policy on Pedestrian Guard Rails and recommends that the Council operates a presumption against guard railing. To enable delivery, the Council should adopt a specific and transparent policy that can be supported by Members. Where guard rails are employed, they should be neat and uniform.

While the Commission heard evidence from external practitioners that pedestrian-friendly measures can generate high revenues, they also heard from Hackney's businesses, particularly in Stoke Newington Church Street, that in their view inadequate car parking facilities has a significant negative impact on trading. They cited the controlled parking zones¹⁵ introduced earlier in the year as having caused in some cases a 20-30% downturn in revenue in Stoke Newington.

The LBH Retail and Leisure study did however show that 84% of visitors to Stoke Newington go by bus or on foot¹⁶ and that only 16% of resident's comparison shopping and 32% of convenience shopping is done by car.¹⁷ This does not of course preclude the possibility that better car-parking facilities would bring more customers. Some traders noted additionally that in their experience drivers spend more money in shops than customers arriving by other means, although this is also contrary to the national evidence stated above.

Despite these contradictions, Members considered that traders had genuine concerns regarding provision of car parking facilities. Moreover, Living Spaces also identified that businesses require support from the local authority during the transitional period immediately after pedestrian-friendly measures are implemented. LBH officers noted that the abuse of loading and unloading regulations should be better enforced.

Recommendation Three

The Commission recommends that the Council and Transport for London give priority to commercial users in terms of allocation of the

¹⁵ In a CPZ, residents, local businesses and their visitors are given priority and must display permits to show their entitlement to park. Outside the hours of control, parking is unrestricted.

¹⁶ Hackney Retail and Leisure Study, Visitor Survey, April 2005, p.31

¹⁷ Hackney Retail and Leisure Study, Executive Summary, May 2005, p.4

available parking in commercial centres, particularly for loading and the parking of vehicles essential to the operation of the business. Where opportunities for parking reviews arise, consideration should be given to the issue of parking for commercial use.

6.4 Improving the street environment – aesthetics and cleanliness

The Commission heard evidence from the perspective of a transport planner, traffic engineer and urban designer as to how our streets had evolved. This evidence suggested that for too many years a single profession with a single focus on movement had been responsible for designing our streets, following guidance too stringently and taking little account of aesthetic considerations. Instead, it was proposed that the relevant authorities should design streets that are attractive based on criteria of what people like, rather than just following out-dated rules-based guidance.

The Gehl report found the particular problems occurring in London's streets to be: clutter and obstruction from excessive and poorly sited street furniture; lack of seating, restricting social interaction; difficult access for the disabled, elderly and infirm; and generally a poor street environment. Members considered that the use of limited street furniture with less clutter, neat lamp-posts and a uniform colour scheme would create more inviting space and be more appealing to passers-by. Design should actively encourage the creation of social and user-friendly space.

Hackney Council's Public Realm Design Guide was published in December 2004 and set out design principles for the borough, including a more uniform street furniture policy. The Commission was pleased to learn that the Streetscene Team is ensuring that this uniformity programme is being rolled out and that they are slowly making progress on minimizing street clutter, ensuring pavement is of good quality and adopting urban design principles as they become more nationally-recognised.

Another aim of the Council's PRIDE programme for 2005/2006 is to enhance the main thoroughfares across the borough by repairing, painting and removing all unnecessary street furniture along these routes, focusing on the decluttering of street furniture, repairing or removing street furniture where appropriate; painting anti-flyposting paint on all relevant street furniture and painting all other street furniture. The Commission welcomes this progress and hopes this will continue and be extended.

The Commission heard evidence from a number of streetscene improvement schemes in London, including those with a specific aim of promoting trading.

Case Studies

Camden Boulevard Project

As part of a long-term project to bring enhanced style, quality and cleanliness, streets are being repaved using a quality of stone that will take the impact of high intensity street cleaning and will be cost-effective in the long-term. Camden commissioned a trial of paving that absorbs harmful Nitrogen Oxide (NOx) from traffic exhausts and breaks down the harmful elements into safe nitrogen and has just begun laying it down in a trial area.

The Council will be washing more footways rather than just sweeping them. The Boulevard Project involves working closely with a number of partners including public utility companies to ensure their works are carried out to the same standards; with other Council departments such as Housing and Leisure; and with local shops and businesses to improve the appearance of their frontages.

Newington Green

A partnership between Islington Council, Transport for London (TfL) and the local community aimed to increase the amount of open space, make the surrounding roads safer, improve pedestrian connections and make the Green a more pleasant place for the community. Local businesses were consulted as to their needs. The revamped Green, completed in 2004, now has 75% more grassed area, new timber decking seating and meeting areas, new bins, five new silver birches and 3,900 new plants.

Kensington High Street

The Royal Borough of Kensington & Chelsea adapted the William Morris motto 'Have nothing in your homes (*streets*) that you do not know to be useful or believe to be beautiful' to guide officers in designing improvements to Kensington High Street. The project was conceived to counter competition from the White City retail development in the neighbouring borough of Hammersmith & Fulham.

The refurbished section of the High Street is 1.1km in length and the total cost of the scheme, carried out 2000-2003, was £4.8M with a further £1M for resurfacing work. Consistent designs were employed, high quality paving stones used, street furniture streamlined and made more uniform. This has resulted in a more pleasant environment, accompanied by redesigned pedestrian crossings and tactile paving to improve accessibility.

'The very unique design of the street lamps on Kensington High Street reflects a costly but super-effective and stylish idea of having lights and signalling all in one package unlike the cluttered existence on Mare Street where every other foot has several used and un-used poles.' (Cllr Rashid)

Recommendation Four

The Commission recommends that the Council adopts and implements policies that place much greater emphasis on designing attractive, accessible streets and that urban design issues are given an equality of consideration in designing our streets.

A major concern for the businesses who participated in the review was street cleanliness. This was viewed as a problem in all of the borough's centres and is also a London-wide concern, for example a series of ALG-funded Community Street Audit Pilots found that cleaner streets was the top priority amongst residents in Hanwell, Harlesden and Harold Hill and the second highest priority in Dagenham Heathway.

Traders in Hackney considered that the streets should be cleaned more frequently and there should be better enforcement of businesses and individuals who break litter regulations. This was seen as a high priority, although aesthetic improvements such as shop fronts, paving and tree planting would also be beneficial. Members noted with concern a report that waste bags had not been resealed by Council inspectors following inspection.

The Environment Enforcement Team (EET) & Waste Services team work in partnership to combat a range of domestic, commercial and illegal waste dumping issues. This partnership working includes regular joint enforcement operations throughout the borough for identified 'hot-spots'. In addition to these targeted operations, there have also been two multi-agency Enforcement Action Days (Shoreditch - April 2005/Dalston - October 2005) to enforce against a range of issues including commercial waste & illegal dumping. Traders were positive about these Action Days and considered there should be more of them and extended to other parts of the borough.

As part of implementation of the Enforcement Strategy, additional enforcement personnel will be recruited for the existing EET and the team will be reorganised into the four neighbourhood area structure to synergise with other Council services areas such as Waste Services. The proposed structure & additional enforcement personnel will enhance the current level of enforcement against various issues including illegal dumping & commercial waste compliance as well as enhancing the existing partnership working and joint enforcement operations. Subsequently, this will improve upon the current level of compliance for commercial waste disposal.

As regards general levels of cleanliness, Waste Services are currently formulating a Street Cleansing Improvement Plan which is to be reported to Cabinet on 30 January. This plan includes increased frequency of

cleansing generally, as well as particular attention to town centres, secondary shopping and industrial areas.

The Commission welcomed these changes and hoped they would be a means of addressing their recommendation on this issue.

Recommendation Five

The Commission recommends that Hackney Council makes sensitive but effective use of enforcement powers with regards to commercial waste, control of waste collection times and the use of pavement for unauthorized storage of rubbish, illegal pavement trading of and other items.

6.5 Delivering public realm improvement schemes – a holistic approach

The poor condition of public spaces is in part a result of poor management stemming from a fragmented system of ownership, statutory role and management responsibilities with no one agency in charge with the remit and sufficient powers to manage public spaces.¹⁸

While this situation is to some extent outside the power of the local authority to remedy, and is rather for the Government to address, agencies can aim to co-ordinate better between themselves and adopt a more holistic approach to public improvement.

Within local authorities, the management of public spaces is split between several departments including planning, highways, housing, economic regeneration and environment. This is made more complicated with the involvement of other authorities such as Transport for London (the highway authority for the borough's strategic routes), telecommunications companies and public utility companies.

The cluttered streetscene is one result of not working together: the road layouts and accompanying signs, signals, barriers and road markings are the cumulative result of a number of unco-ordinated interventions. In parts of the borough, for example, traffic lights are obscured by road signs.

Evidence suggests that public spaces should be treated as a cross-cutting issue. This can be done firstly by developing more coherent management structures. One proposal from regional development agencies is for local authorities to introduce area-based managers to deliver focused action plans, bringing together all the agencies involved. Councils should consider setting up multidisciplinary teams which can consider how the needs of different users can be incorporated into the design and

¹⁸ OPDM Select Committee *Living Places: Cleaner, Safer, Greener* July 2003, p.8

management of streets. Members advocated that all agencies working in the borough be encouraged to adopt a uniform and minimal approach.

The Commission learnt that Hackney Council does not currently employ an urban designer, although urban design specialists are employed in the Planning Department and the Conservation and Urban Design Team input into planning policy and all major planning schemes. Discussions between Members and Officers indicated that all would welcome this input be extended to cover all schemes and good practice shared across the relevant departments by means of a shared resource or training scheme.

Recommendation Six

The Commission recommends that Hackney Council reviews current arrangements for co-ordination between the various departments and authorities responsible for the design and maintenance of public spaces to ensure a holistic approach; and that the Council issue a statement on its aspirations for TfL Area Schemes to ensure a high-quality uniform streetscape in the borough.

6.6 Delivering public realm improvements – town centre management

Town centre management is a co-ordinated initiative to ensure that town centres are desirable and attractive places. Business input into town centre management is necessary to understand what will work from a retail perspective and can provide a valuable source of funding for public realm improvements. The Commission looked at the types of partnerships that have been set up to manage local centres.

Town Centre Management Schemes (TCMS) are partnerships between a local authority and local businesses to develop a strategy for a town centre. They are generally funded by the partners for an initial three-year period. Some partnerships have secured additional funding from the National Lottery, the European Union or appropriate Regional Development Agency. When first established, many town centre management initiatives focus on resolving an environmental, security or marketing problem but most evolve to have a far wider remit.

The Central London Partnership (CLP) is a public-private partnership involving eight London boroughs with a mission 'to make central London a better place to live, work, invest and visit'. The partnership aims to bring together the different sectors involved in managing the public realm to share information; work towards improving movement, urban quality and prospects for people and business; and to speak up for central London.

In 2001, 22 pilot Business Improvement Districts (BIDs) were set up across the UK, including 5 London BIDs supported by The Circle Initiative. The legal framework for BIDs was set by the Local Government Act 2003 with BIDS Regulations launched in 2004. In ballots subsequently held between since November 2004 to launch formal BIDs, 20 districts have voted in favour of a BID proposal and 5 have voted against.

A BID is a flexible funding mechanism to improve and manage a clearly defined commercial area through the provision of added value services. It is established for a specified period of time (to a maximum of 5 years) for a prescribed set of services and based on a mandatory levy on all defined ratepayers following a majority (in terms of number of ratepayers and the proportion of their rateable value) vote. As well as delivering cleaner, greener, safer measures, BIDs provide a voice for businesses.

The development of a BID is initiated by businesses, who identify the area and the issues and put together a proposal which includes delivery guarantees, performance indicators and management structure. The BID team and the local authority must work closely together, with businesses involved at every stage of the process.

The Commission heard that while a BID can deliver real benefits, it is not applicable for every area. The Better Bankside BID developed 5 key criteria against which to judge the suitability of the area:

- Viability – can the levy be set at a reasonable level and still generate adequate funds for the BID?
- Sustainability – revenue generated from the levy needs to be in proportion to, or in excess of, revenue required to service the area.
- Marketability – is there an adequate mix and number of businesses who will directly benefit from a BID to guarantee a successful vote?
- Do-ability – can the BID services complement, or join up with, existing services in such a way as to make a sufficient difference?
- Social responsibility –the Bankside case considered whether the BID should seek to deliver a social/educational programme to the communities in which it is situated.

Setting up a BID is neither quick, easy nor cheap but support is available from consultancies such as Partnership Solutions. Administration costs vary but examples from pilot BIDs include:

| | Better Bankside | Waterloo Quarter |
|--------------------|--------------------|-------------------|
| Management team | £190,000 per annum | £84,000 per annum |
| Company management | £23,500 per annum | £5,000 per annum |
| Office overheads | £12,500 per annum | £5,000 per annum |

Case Studies

Heart of London BID (City of Westminster)

The Heart of London BID lists its priorities as 'clean, safe, accessible, investment and marketing'.

For example, during the pilot BID 2,200 bags of rubbish were removed from the local area each month over and above what is removed by Westminster City Council.

Levy arrangements:

1% of rateable value, 0.5% for advertising space

Minimum threshold £50,000

Anticipated annual levy income £550,000

Anticipated additional annual income £360,000

In an area of such intense use the subsequent budget would not be sufficient to make a tangible difference therefore just over 50% of the Heart of London's budget comes from the property owners in the area via voluntary membership agreements.

Better Bankside BID (London Borough of Southwark)

The Better Bankside BID focuses on providing 'green, clean and safe', measures include bankside wardens, architectural lighting and grant-aided planting.

Levy arrangements:

2% of rateable value

Minimum threshold £10,000

Anticipated annual levy income £530,000

Better Bankside operates in an area with many medium and long term regeneration challenges therefore is likely that income will be derived from regional regeneration funds, section 106 agreements and companies investing in corporate social responsibility initiatives to enable the BID company to deliver more than the basics of clean, safe and marketing.

Waterloo Quarter pilot BID (London Boroughs of Lambeth and Southwark)

This pilot BID focuses on market management, graffiti removal, decorative lighting and community planting. The scheme also funds initiatives to counter handbag crime and a radio-link between shops and the police.

A vote will be organized in 2006.¹⁹

¹⁹ www.londonbids.info

The Stoke Newington Business Association began in early 2005 to discuss the various options open to them in terms of a fully-fledged or voluntary-style BID. The Commission learned that the Regeneration Team have been supporting the business sector to explore these options rather than taking a lead, as is appropriate. While initially sceptical, traders concluded that a BID would be an added value and could contribute to their aim of becoming a destination point in Hackney. They were keen to pursue key BID targets of public realm improvement, streetscene, marketing and promotion.

Various issues were noted in relation to the viability of a BID in Stoke Newington. A BID usually develops out of a strong existing partnership between the business community, the local authority and other stakeholders which is not currently in place in Stoke Newington. The requirement of lease-holders rather than free-holders to pay the levy has been contentious locally as well as elsewhere, as arguably free-holders have more to gain long-term from improvements. Business representatives also expressed concern that the Council may not stick to the agreed level of baseline services once the BID was in place and therefore businesses would pay for services they are already entitled to.

Moreover the low spending in Hackney centres indicated by the Retail and Leisure Surveys means that the fiscal base for an additional BID levy is very limited, although the Commission noted that a pound-for-pound BID levy is not the only mechanism for income-raising and can be supplemented by voluntary contributions or EU money.

The views of businesses who participated in the scrutiny review were fairly evenly divided on these issues. Some considered that the Council should already be providing the services under discussion; others that they would support some kind of informal partnership; others that it would be profitable to investigate the potential for a BID. There was a perception in some quarters that the Council prioritises its resources on the central areas of the borough while neglecting the outer areas. Participants indicated that confidence in Council services would have to be raised before seriously exploring partnership working. While not overall in favour of pursuing a formal BID, the representatives who gave evidence at meetings did state that they would be prepared to contribute towards additional measures, citing for example publicity and Christmas lights.

Irrespective of these issues, a general consensus existed that the Council should support both the borough's existing businesses associations and development of comparable networks in other areas, particularly to engage the Turkish and Vietnamese communities. Members considered that better partnership-working and exploring town centre management schemes could help to keep valuable enterprise in the borough.

Recommendation Seven

The Commission recommends that the Council continues to explore the potential for town centre management initiatives with the local business community, including the development of informal and formal BIDs; and actively engages with retail business by continuing to support existing business associations in the borough and promoting their development in other parts of the borough.

6.7 Delivering public realm improvements – additional funding sources

The Commission found that there are various additional sources of funding available to local authorities to supplement or substitute for funds raised through public/private partnerships or from developments.

New developments provide an opportunity for Local Authorities to raise funds. In recent years much use has been made of Section 106 agreements attached to planning permissions, which are negotiated agreements between the local planning authority and the developer that require the developer to contribute towards offsetting some of the impacts of the development (such as loss of local amenity or payment for traffic management work) and to provide additional benefits for the benefit of the community, usually in the form of related development supplied at the developer's expense.

The Commission learnt that Cabinet had agreed a Supplementary Planning Document concerning Section 106 conditions on 19 December 2005, which outlined a number of planning contribution categories including town centre management and strategic transport impacts. Small developments will be asked for contributions on a site-by-site basis but larger developments will provide significant potential to make public realm improvements. The SPD will also ensure a much more joined-up approach to section 106s. Officers considered that it would be productive to formalise recent communications on this issue between the Planning Department and the Streetscene Team.

Recommendation Eight

The Commission recommends that Hackney Council seeks to ensure developers look beyond their site and engage with the Council in how their developments interface with the highway.

Other sources of funding referred to included EU programmes; Government programmes such as the Single Regeneration Budget; RDA programmes, such as the Mayor's Walking Strategy and TfL Borough Spending Plans; and charitable organisations such as the National Lottery.

Case Studies

AGORA

AGORA is a £2.7 million project, part-funded by the European Social Fund's Equal programme. This GB-wide public-private partnership, led by the Manchester Metropolitan University and the Association of Town Centre Management, will empower communities in predominantly deprived areas to manage their town and/or district centres. A community-led approach will ensure that local people have a vital input into the regeneration of local retail districts by building on the experience of existing town centre management schemes while creating innovative models adapted from the social economy sector.²⁰

Big Lottery Fund

The Big Lottery Fund (BLF) is in the process of launching a range of new funding programmes, including Changing Spaces, a £234 million programme expected to run from January 2006. The programme's aims include creating good quality community spaces where a wide range of activities can take place and encouraging people to use community spaces by improving access to them. It is expected that local authorities will be able to apply to the appointed award partners for funding for specific projects.²¹

Made in London

The Made in London Programme is an SRB-funded series of projects aimed at improving capital infrastructure on industrial estates across North and East London. It is an independent partnership including Urban Futures Ltd, the Thames Gateway London Partnership, the Park Royal Partnership, the South London Partnership, Business Link for London, Enfield Education Business Partnership and a number of London local authorities and universities. All works are part funded by Made in London subject to landlords/tenants matching the funding £1 for £1.

In Hackney, Made in London supported a project to improve the safety of the environment around Regents Studios by installing CCTV cameras, upgraded fencing and better lighting. £10,000 came from Made in London SRB funds to match £10,000 from the management company. Made in Hackney also provided match funding of £10,000 for lighting replacement and £19,100 for road resurfacing in the London Fields Industrial Estate.

²⁰ www.retail-network.org

²¹ www.biglotteryfund.org.uk

Recommendation Nine

The Commission recommends that Hackney Council investigates the full range of potential funding sources.

| | |
|------------------------------|-------------------------------------|
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7 CONTRIBUTORS

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The following additional people provided information on other occasions or by correspondence:

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 Miss Angela Knight, Evergreen and Outrageous Flower Shop, Stoke Newington
 Tais Lima, Red, Stoke Newington
 Katherine Lockwood, The Spence Bakery, Stoke Newington
 Jill Low, OPEN Dalston
 Robert K Lux, Bailey Lux and Edwards property developers, Shoreditch
 R Marchese, Gino's Barber Shop, Stoke Newington
 Barley Massey, Fabrications, Broadway Market
 Sally Mehmet, Hairbase +, Stoke Newington
 Marie Murray, OPEN Dalston
 Selma Mustafa & Ricky Catwell, Affinity – The Jewellery Agency, Stoke Newington
 Carla Octigan, Shine Holistic, Stoke Newington
 Gerrard O'Sullivan, Ryans Bar, Stoke Newington
 Alpesh Patel, Post Office, Stoke Newington
 Mr K Patel, T/A Diamond's News and Off Licence, Stoke Newington
 Mr Murat Payraz, The Blue Legume Café, Stoke Newington
 Mortimer Ribbons, Ribbons & Taylor, Stoke Newington
 Mrs Rifat, KAC Builders Merchants, Stoke Newington
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- Councillor Vincent Stops (Chair)
- Councillor Daniel Kemp (Vice-Chair)
- Councillor Michael Desmond
- Councillor Eseoghene Okonedo
- Councillor Salma Rashid
- Councillor Christopher Sills
- Councillor Thanh Vu

- Scrutiny Officer: Sarah Harrison

9 BACKGROUND PAPERS

The following documents have been relied on in the preparation of this report and were either presented to the Scrutiny Commission or referred to during the meetings:

LBH Public Realm Design Guide December 2004

LBH Retail and Leisure Surveys May 2005

LBH Road Safety Scrutiny Panel report April 2004

British Council of Shopping Centres *The Shopping Centre Industry: Its importance to the UK Economy* 2004

Business in the Community *The Role of Business in Neighbourhood Renewal* May 2005

Central London Partnership *Quality Streets: Why Good Walking Environments Matter for London's Economy* July 2003

Circle Initiative *BIDS arrive in London* 2005

Commission for Architecture and the Built Environment *The Value of Public Space* March 2004

GEHL Architects *Towards a fine City for People: Public Spaces and Public Life – London 2004* June 2004

Hackney's Local Economy, A Report by Urban and Property Economics Consultancy Ltd, March 2003

Living Streets News Release *The Walking Pound* July 2005

ODPM Select Committee *Living Places: Cleaner, Safer, Greener* July 2003

Transport for London Streetscape Guidance, July 2004

UK National Roads Board *Highway Risk and Liability Claims: A Practical Guide to Appendix C of the Roads Board report 'Well Maintained Highways – Code of Practice for Highway Maintenance Management'* December 2005

APPENDIX 1 Survey of local businesses

Questionnaires were sent out to businesses throughout the borough and also circulated online via the borough's various business networks.

40 completed questionnaires were received: 37 from Stoke Newington, 1 from Dalston Kingsland, 1 from South Shoreditch and 1 from Victoria Park. Responses were also received from 3 additional parties in Dalston Kingsland, Hackney Central and Hoxton Market. 30 respondents identified themselves as retailers, 4 as health/beauty establishments, 3 as cafes, 1 as night-time economy, 1 as leisure and 4 as other.

The results were as follows:

All respondents considered that the Council should be playing a greater role in encouraging trading in their area.

Respondents were asked to identify which of the following measures would be effective in encouraging trade where their business is: Anti crime measures, street cleaning, smarter shop fronts, town wardens, higher quality pedestrian space and street environment, better lighting, better pavements, graffiti removal, wider range/better shops, more planting/green spaces, more cycle parking, improved public transport, more pedestrian space, less vehicular traffic and more benches.

Respondents considered that almost all of the proposed measures would be effective to a greater or lesser extent at promoting trading, with the exception of less vehicular traffic and provision of more benches.

Anti-crime measures were considered to be the most effective, with 95% of respondents identifying them as likely to be effective or very effective. 90% of respondents thought that street cleaning would be effective or very effective, 87.5% higher quality pedestrian space and street environment (specifying illegal shop fronts, illuminated signs and restoration of paving stones), 85% smarter shop fronts and 80% town wardens.

In addition to these proposals, respondents also cited the following measures as likely to be effective: a planned balance of uses of commercial premises, specifically more daytime shops; better controlled road works; more police presence; free car parking, better car parking facilities and less restricted parking; and a named person at the Council responsible for liaising with local groups and businesses continuously.

40% of respondents considered that the Council should be solely responsible for providing all of these services, 25% that they would consider working with the Council in the context of a Business Improvement District and 30% that they

would consider working the Council in another form of partnership. Additional comments noted that a reluctance for joint contributions was due to the fact that businesses already pay high rates, the impact of a BID on small businesses in particular and a lack of confidence in the Council's ability to deliver results. Despite this, many felt that there should be greater dialogue between the Council and local businesses.

The overwhelmingly majority felt that any partnership should prioritise funding of anti-crime measures, followed by street cleaning, then town wardens, graffiti removal and a higher quality pedestrian environment.

Although the questionnaire did not specifically mention the issue of car parking, a number of respondents referred to it as their major problem in attracting business – either because the poor state of public transport made it difficult to get to the area another way; or because drivers spend more money than those who come by other means; or due to a need for more provision for delivery vehicles to park.