

Dear Alan

Development Services Scrutiny

Many thanks for taking on board in principle local concerns falling within the area of your committee. I understand from our conversation that you are putting it on the agenda for the 26th of January for your Panel to consider whether the matters are worthy of Scrutiny and if they are, you very kindly offered to come to Bishop's Castle and hold a Special Panel - and I do think that will resound very well indeed and perhaps do something to repair the Council's reputation in the area.

You told me that you feel obliged to ask officers to provide reports on the three matters; and we agreed that I'd ask the concerned representatives down here to furnish their own, very brief, summary of concerns so that you have balanced views to put before your Panel.

You will note that I've headed our conversations "public opinion" - the three matters are as follows:

1. **REMOVAL OF YELLOW LINES FOR A TRIAL PERIOD.** This matter is a long standing issue where agreement we thought had been reached ('we' means me and the Town Council) but after a couple of years of an understanding being moved forward, Chris Edwards and Tom McCabe have decided that its inappropriate to have this trial. This reverses the path which we were following through meetings with the previous Assistant Director, Phil Crosland. You can readily understand that this is extremely irritating for the Town Council.

I attach a brief report on the matter from the Deputy Mayor, Jane Carroll, who has been involved with this for many years.



Report by Jane - Yellow Lines in Bishops Castle with maps.doc

2. **LETTING OF WORKSHOPS, ENTERPRISE HOUSE.** The matter here is not so much one of failing to respond to public opinion as to the dilatory nature of the Council's officers exciting adverse public opinion! The seven workshops kitted out as refrigerated units for Embreys the Butchers (and some considerable Council expenditure involved) were vacated after a year's notice by the tenants. During that time the Shropshire Council appears to have taken very little interest in taking advance moves on dealing with the possible dilapidations clause in the lease; or in moving forward on letting the units to new tenants. The impact locally is that the local regeneration company, Enterprise South West Shropshire (you will recall kindly being briefed on this a couple of years ago) has lost £1,000 a month income. Additionally, Economic Development is losing £1,500 a month. I attach a report from the Centre Manager, Mike Ashwell which sums up the matter very well.



Mike Ashwell - state of workshops post embrey.doc

Economic Development is the client, Property Services the contractor in letting and property management. Corporate responsibility precludes a really robust relationship. Your Panel might consider the larger issue as to whether letting and management of our industrial estates/units could be externalised.

3. **SALE OF INDUSTRIAL ESTATE LAND FOR A BIO MASS PLANT.** Public opinion has been overwhelmingly hostile to this; South Shropshire District Council took no view on the matter so was unable to represent local opinion at the Public Inquiry where the developers won planning approval. I've asked Shropshire Council to respond to public opinion, which they could do in two ways:

(a) By announcing a decision not to sell any land for Bio Mass purposes. Emails - three of them to the Portfolio Holder, David Roberts, have remained unanswered. Officers in the press and in correspondence have not taken a view but have announced that the land is being marketed nationally - one assumes with the permission still on it.

b) By approving sale of a part of the land in question to a coal merchant, Mr. Sankey, who had we understood an agreement from South Shropshire Council to purchase the land. This agreement was subject (i) to planning permission which he obtained' and (ii) to approval of the sale by AWM and the Council (landowners). Clearly the Council could have agreed the sale but they have declined to do so. I am awaiting a summary of the situation from the Bishop's Castle Group which I will forward to you.

I hope you feel able to circulate this note and attachments to your Members and officers so that they can at least get an idea of the basic situation and I very much hope that you will approve a Special Meeting in Bishop's Castle.

Incidentally, Community Services will I think also be looking at a Special Meeting in Bishop's Castle to consider Teme Leisure and the management of SpArC so it might be worth considering with Councillor Kidd either a joint meeting or sequential meetings on the same day so that local public etc can very conveniently attend.

Very best wishes
Yours sincerely

Peter

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PS I am sending a copy of this email to your Committee Clerk.

Yellow Lines in Bishop's Castle – summary of present situation.

The present single yellow lines at the top of town are the result of a battle with Shropshire County Council in the 1990s. The County Council wanted a "whole town centre" scheme which was opposed by the town. A small scheme at the top of town with just single yellows was finally agreed but was unpopular from the start. The lines are in totally unnecessary places where no-one would ever park (e.g. top of Union St. and by the Town Hall) but make parking legal there on Sundays and nights! And they prevent parking in places where parking would be acceptable. The yellow lines have **never** been enforced except for brief visits by "Parkright" in 2007 following de-regulation of parking in Shropshire. "Parkright" were not welcome in Bishop's Castle and never returned following complaints by the Town Council. In the same year the Town Council adopted a policy (unanimously) of maximizing street parking in the town, especially at the top end where there are no car parks. The council asked for the yellow lines to be removed and white lines to be introduced in specific places where parking might appear to be OK but could in fact cause an obstruction. It also asked for white lines 10 metres each side of junctions and across private entrances.

The white lining of junctions and entrances took place and a scheme to put white lines in Station St. in specific places where parking might appear to be OK but could in fact cause an obstruction was introduced and has worked well. Buses were frequently held up in Station St. because vehicles were parked opposite each other in places where the road was insufficiently wide to allow a bus to get through. The lines "remind" drivers that parking in that place could cause an obstruction.

Members of the Town Council met Mr. Phil Crossland of SCC and then Shropshire Council Highways about the top of town on at least two occasions. On each occasion he agreed that the yellow lines were nonsensical and should go. He agreed with the positioning of the proposed white lines but said he would prefer them to be double yellow lines and therefore enforceable. However the Town Council persuaded him that a white lines scheme as an experiment for 12 months was worth trying. Such a scheme would be very cheap and therefore, as there is no parking enforcement in Bishop's Castle anyway, a trial would be worth while.

Two years ago Mr. Crossland wanted the agreement of the emergency services and the police before going ahead. Inspector Payton agreed and so did the Fire Service but the ambulance service took so long to respond that the police inspector and the town clerk changed in the meantime. Members of the Town Council met the new Inspector Ken McKaill on September 17th to persuade him to agree to the plan and he was sympathetic during the meeting. However his eventual response seemed to be that parking was nothing to do with the police any longer and it was up to the Highway Authority.

The Town Council is extremely frustrated at pursuing this plan for the top of town for nearly three years to no avail despite frequent meetings and

apparent agreements. It is taking so long that every time we seem near to achievement, personnel change and we are back to square one! Bishop's Castle has no through traffic – it is effectively by-passed. Many local people live and work in the town centre and the centre operates effectively – there are very few unavoidable hold-ups or obstructions, the centre is generally a safe place to be and people find it so (Better Welcome survey 2007). It doesn't need heavy regulation. The neighbouring town of Clun, though smaller than BC, has no yellow lines and yet copes with through traffic and Shropshire Council doesn't apparently see the need to take action. The measure the Bishop's Castle Town Council are suggesting are minimal and very cheap – isn't the scheme worth trying out for 12 months.

Workshops at Enterprise House, Bishop's Castle

History

1. Whole Enterprise House complex purchased & refurbished in 1996 as part of Rural Challenge regeneration project. Buildings owned by SSDC and leased on peppercorn rent to Bishops Castle & District Lifeline Co. Ltd. (BCDL)
2. Workshop tenancies and income managed by BCDL.
3. Necessary redevelopment in 2000 requires that the lease for the workshops only is handed back to SSDC. It is agreed that in lieu of this asset SSDC will remit £1000 pcm to BCDL. SSDC manage the continuing workshop tenancies and receive rent of approx £2500 pcm.
4. Workshops extended with specialist loading bay and further food preparation unit.

In mid 2008 Embreys (the tenant) serve notice to quit.

BCDL and presumably Shropshire County Property Services are made aware by SSDC Chief Exec.

Embreys end of tenancy is set for June 30th 2009

Much of the building is vacated on March 30th 2009.

There is no handover of keys or the building, one door key is left in the lock.

The current state of the workshops

As there was no handover, the buildings have been left with large, purpose built refrigeration rooms internally in 4 of the 7 workshops. The toilets are in a poor state and many internal/external alterations, made without permission. Internal wiring has been removed and left in a dangerous condition and the fire extinguishers have been removed. The main door to the workshops has been bricked up; consequently the ability to let these as individual units has been compromised.

Externally there are many compressor units in a poor state of maintenance and, on a visual inspection, unsafe. Windows have been broken to provide access for cooling pipes.

Repairs and refurbishment

We would assume that the building would have been returned to a lettable condition by Shropshire Council Property Services with funds provided by Embreys under the terms of their lease. They had treated the building as if they were their own and had made alterations to it with no consultation or permission.

To date no remedial work has been carried out.

Re-letting

The end of tenancy was known at least 6 months in advance.

Locally BCDL sourced 2 very likely tenants. Shropshire County property services advertised once in the local press with no firm results.

One of the tenants was a food processor and wanted, initially to rent 2 workshops and the office space. They have since pulled out after being very committed for 4 months – reason was very likely the lack of progress. The

second possible tenant only wants one unit. Communications between SC and the tenant have been dilatory and only taken place on either the action of the tenant or prodding from BCDL. This tenant is already an office tenant at Enterprise House and would be an extremely safe bet. He is currently being good natured about the delays but needs a timescale for his own business planning. His last communication with Property Services (December 22) yielded "we'll contact you in the New Year".

Impact on BCDL

Since August 2009 they are losing £1000 pcm as their share of the rental income. This income would carry the company through the financial year with a small surplus to reinvest in its work in the area.

NOTE:

During the past 9 months it has become apparent that the management and enforcement of the Embrey tenancy by SSDC was far from rigorous. It appears that there may be loopholes in their agreement that would make legal enforcement of reparations very difficult.

During the life of the tenancy if BCDL staff would inform SSDC Property Services if they noticed that works were being carried out without permission. Often there was no follow up.

Indeed this became most apparent when SSDC failed to inform BCDL in 2000 that a new internal electricity meter had been installed in the Embrey workshop. It has been the case that BCDL has paid the energy bill for the whole site and recharged tenants. This oversight has cost BCDL nearly £20k.

So if this matter is scrutinised it should be noted that the handover of the Workshops and tenancies from SSDC to SC was very likely lacking in both rigour and precision and that a good deal of the blame will lie in the history books.