STATES OF JERSEY



RETAIL POLICY (S.R.6/2014): RESPONSE OF THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES

Presented to the States on 1st October 2014 by the Minister for Transport and Technical Services

STATES GREFFE

RETAIL POLICY (S.R.6/2014): RESPONSE OF THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES

Ministerial Response to: S.R.6/2014

Review title: Retail Policy

Scrutiny Panel: Economic Affairs

INTRODUCTION

Transport and Technical Services (TTS) recognises that ensuring a vibrant town centre is essential and is pleased to note that recommendations in this report with regard to transport are generally consistent with the Sustainable Transport Policy, though progress has been limited by funding constraints. TTS comments where required and are listed below.

FINDINGS

	Findings	Comments (ED unless otherwise specified)
1	Retail remains an important sector of the Jersey economy, accounting for approximately 7% of the total GVA and nearly 8000 employment positions. However, the value and volume of retail sales have notably declined since 2008 and there are signs that this trend is likely to continue, particularly with regard to non-food products.	
2	The overarching retail policy since 2006 has been the Retail Framework, which has focused predominantly on food retailing, food price competition and supermarket operators. It was last updated in 2010.	
3	Although slow to react, since August 2013 the Minister for Economic Development has recognised and begun to act on the need to engage with retailers to develop initiatives and plans to help address the downward economic trends and challenges associated with the on-island retail sector.	
4	The Chief Executive of Jersey Business, who has played a significant role working with the Economic Development Department on the development of the draft Retail Development Plan, is leaving the	

	Findings	Comments (ED unless otherwise specified)
	organisation. It is unclear if this will have an impact on any of the draft initiatives currently proposed to involve Jersey Business.	
5	Doubts about the positive outcome of a free parking trial on Saturdays were raised amongst TTS, EDD and the Town Team. The approximate cost of such a trial (£300,000) has since been earmarked to assist alternative retail initiatives.	
6	The Economic Development Department created avoidable confusion and delays to its own and the Panel's work in relation to retail, by developing the draft Retail Development Plan with inadequate inclusion of and communication with other stakeholders, and failing to notify the Panel of the ongoing work despite procedural requirements to do so.	
7	Despite the highly promising purpose and membership of the Town Team, its future is uncertain. There are proposals from the Economic Development Department for the Town Team to be incorporated within or perhaps even replaced by a new 'Retail Jersey' brand via the Retail Development Plan.	
8	Online competition represents the most significant challenge to Jersey's 'high street' retailers.	
9	Online retailers are notably more appealing than traditional bricks and mortar retailers around the issues of price and shopper convenience.	
10	It is estimated that 35,350 (85% of the total) Jersey households are purchasing products and services online, with the total online spend in 2013 amounting to £258 million.	
11	The average annual online household spend in Jersey in 2013 was just over £7,000.	
12	Research demonstrates that mobile tablets and, particularly, smart phone devices have become increasingly important as a means of purchasing products and services online. The	

	Findings	Comments (ED unless otherwise specified)
	trend in '24/7' purchasing culture is expected to continue to develop as mobile technology increasingly facilitates anytime-anywhere shopping.	
13	82% of respondents to a shopping habits survey said they would welcome the opportunity to spend more money with local retailers if only they had suitable ecommerce websites. In general, however, the online sales platform and marketing/social media presence of local retailers has not adequately developed to meet the challenge of off-Island online retailers, although some creditable and co-ordinated platforms have begun to emerge.	
14	Jersey's high street retailers can continue to aspire to a positive future, but to help achieve this must harness the opportunities provided by ever improving technology.	
15	The Minister for Economic Development is broadly supportive of the general concept of the Jersey Chamber of Commerce's 'Jamazon' initiative, but is not convinced that it represents the best value or most suitable option to deliver the desired outcome for the Island's retailers.	
16	Retailers in Jersey will need to continue to develop 'multi-channel' retailing models combining bricks and mortar, online sales/booking, click and collect and/or home delivery.	
17	Jersey's many small retailers may require significant co-ordination and some government assistance to overcome the challenges of scale and cost in developing 'multi-channel' retailing models.	
18	Face to face customer service is widely regarded as one of the opportunities for 'high street' retailers to gain advantage over online competition. However, the quality of customer service in Jersey has been found to be highly variable. Retail owners and managers are ultimately responsible for improving this situation, but can be assisted by government.	

	Findings	Comments (ED unless otherwise specified)
19	In general, Jersey retailers have not fully reacted to changing customer habits and are potentially restricting shopping opportunities through outdated '9 to 5' opening hours. Later closing times on a more regular basis have been identified as being attractive to shoppers.	
20	Sunday trading remains a contentious matter. Opinion on the Minister for Economic Development's Sunday trading trial has been split, with 54% of respondents to the associated White Paper not in favour of the trial.	
21	It is not clear whether current Sunday trading restrictions are a significant barrier to retail in Jersey. Very few retailers are currently restricted from opening on Sundays.	
22	Relaxation of Sunday trading restrictions appears to be of more obvious potential economic benefit to certain out-of-town retailers, such as garden centres, than retailers in town.	
23	Amending current weekday/Saturday trading hours would appear to be a greater priority than changes to Sunday trading. It could provide greater positive consequences for a larger number of retailers and consumers than a Sunday trading trial with significantly less contention.	
24	At the end of Minister for Economic Development's proposed 'liberalisation' trial of Sunday trading legislation, although the legislative position would revert to the current situation restricting those with a sales area of more than 700m², there is concern that it would be difficult culturally to 'turn the clock back'.	
25	Certain negative impacts that might result from the proposed Sunday trading trial, such as small business closures due to increased competition from larger retailers, could be irreversible.	
26	Local retailers are effectively forced to compete on an uneven playing field with off-Island/online retailers, due to the application	ED and T&R

	Findings	Comments (ED unless otherwise specified)
	of 5% GST on the price of locally sold goods and the existence of the £240 <i>de minimis</i> level under which imported goods attract no GST.	
27	Potential GST revenue is being missed out on by the Treasury, and increasingly so, with the growing trend in off-Island, online shopping.	T&R
28	Reducing or removing the <i>de minimis</i> level would not be straightforward. For instance, although it is estimated that its removal would achieve an increase in GST collection of approximately £800,000, at Jersey Post alone it would necessitate at least an extra 241,000 consignments (averaging 660 per day) requiring customs clearance per year. This would represent an increase in workload of approximately 28%, which would require funding.	T&R
29	Amending the <i>de minimis</i> rules with a view to the States forming agreements with off-Island online retailers to collect GST on its behalf for sales to Jersey-based customers, has been raised as an idea to help 'level the playing field'. Nevertheless, such a solution holds challenges and potentially significant, if unintended, negative consequences.	ED and T&R
30	It is widely agreed that the Retail sector would benefit from the attention provided and generated by an appropriate 'Retail Champion'. To carry the required authority and ability to influence on retail related matters within the States, it was identified that the 'Retail Champion' should be a sitting politician.	
31	The 'Retail Champion' should be supported with suitable executive support on a day to day basis. This role would include much of the retail related work currently undertaken within the Economic Development Department, and additional work emerging from initiatives such as the proposed activity and co-ordination around an events calendar (see also 7.8.2). Regular liaison through a comprehensive stakeholder group, such as the current Town Team, remains important.	

	Findings	Comments (ED unless otherwise specified)
32	Within the draft Retail Development Plan, the Minister for Economic Development Department is considering the establishment of a 'Jersey Retail' brand within Jersey Business, through which support to the retail sector could be delivered. The merits of such a structure are not apparent to the Panel.	
33	Building on current practice, there is wide support for increased retail activity to be undertaken linking directly into a range of current and potentially new events and/or themed days. It has been widely agreed that this should be actively co-ordinated, with necessary scheduling and focus provided by a dedicated events calendar for retailers.	
34	It is not unusual for event organisers to be required to complete significant processes in order to obtain permissions to hold events. The requirements do not always appear to be in proportion to the size or nature of the event.	
35	There can be restricted access for events during the year in some of the more suitable and attractive sites.	
36	Although visually attractive and creating an often improved atmosphere, it is difficult to strike the right balance between pedestrianisation and the needs of retailers to service premises. Pedestrian priority initiatives, already seen in some parts of the Island, appear to provide an appropriate compromise.	ED/P&E/TTS TTS – Island Plan proposal 23 supports the concept of Halkett Place, Library Place, Dumaresq Street and Hue street as potential pedestrian priority areas. TTS also supports this concept and the Sustainable Transport Policy (STP) (Recommendations 5.10) proposes that Halkett Place (south of Waterloo Street) should be subject to a pedestrianisation scheme. However resources to develop and implement these schemes are currently unallocated.
37	Maximising the physical attraction and the ease of moving through town were identified as important means of encouraging people to choose to shop in town. However, inadequate pavements and clumsily placed bollards and street furniture were cited as examples of existing physical barriers that negatively impact on the ability of people to enjoy the experience of shopping in town.	ED/TTS TTS is supportive of the removal of street clutter and the provision of improved pavements, particularly in the town area. Works are ongoing, though subject to resource constraints.
38	The covered markets should be a 'jewel in	ED/T&R

	Findings	Comments (ED unless otherwise specified)
	the crown' of Jersey's retail sector, acting to stimulate footfall in town and attracting shoppers to a vibrant retail core. Presently however, whilst architecturally attractive, the markets fail to live up to such expectations and radical change has been widely called for to improve on the tired atmosphere and generally underwhelming offering.	
39	Although there have been recent moves towards the creation of a trader's association, there has been a lack of cohesion and collaboration amongst the covered market traders that has been a barrier to progress in the markets	T&R
40	Issues regarding parking featured in almost all submissions received by the Panel during the Review. Parking matters present a very real challenge to retailers, but there are workable initiatives that could help improve the situation.	ED/TTS TTS is working to deliver the parking provisions as identified in the St. Helier Parking Needs Study. Further to this TTS is actively pursuing opportunities for flexible payment and charging systems.
41	Overall capacity amongst town's car parks is adequate to accommodate demand from commuters and shoppers, but the geographic distribution of spaces is not. The north of town is under-served by the current car parking provision, and Pier Road car park is too frequently under-capacity.	TTS The St. Helier Parking Needs Study identified that long-stay commuter car parks reach approximately 82% of capacity, short-stay 60% and on street 79%. The spare capacity in off street car parks is however almost entirely in the south of St. Helier and TTS is working to deliver key recommendations of the study, principally 200 short stay spaces at Ann Court and at least 200 spaces at a long-stay site (to be identified) in the north town.
42	Minden Place is a vital shopper car park, but, as with others, it is outdated and requires significant refurbishment, modernisation, or complete replacement.	TTS Agreed, St. Helier Parking Needs Study refers.
43	There continues to be significant frustration with the scratch-card system, whilst the automatic number plate recognition system in Sand Street has been widely welcomed.	TTS Agreed, TTS is actively pursuing opportunities for flexible payment and charging systems.
44	There is wide acknowledgement and support for more bus services to be provided to help people access town at points other than Liberation Station, along with a service that would link urban areas whilst penetrating towards the town centre. The latter could	TTS TTS agree that there is potential for improved town bus services, though with short trip distances and potentially high proportions of bus users of pensionable age, it is inevitable that a high subsidy cost will arise. A proposition for a town

	Findings	Comments (ED unless otherwise specified)
	encourage more shoppers to visit town and other retail areas such as Les Quennevais Parade.	bus service was approved by the States in 2011 and accordingly TTS has developed a notional town network for implementation should funding become available.
45	There is some confusion over the status and continued relevance of existing planning strategies for town, notably the North of St. Helier Master Plan.	P&E
46	The current withdrawal of proposals for development around Bath Street by Le Masurier's has been a significant setback for retail regeneration opportunities in that area.	P&E
47	The town footprint and retail core is shifting south-westerly with the influence of the developing waterfront area. Additionally, there are indications that the town retail core could contract due to the challenging trading conditions, to be increasingly anchored by King Street and Queen Street.	P&E
48	Despite certain improvements in Planning application processes, retailers continue to face challenges relating to change of use policies. The challenges can disproportionately affect small businesses and retailers with small premises. The time taken to gain relevant permissions and compliance with bye-laws such as those relating to the provision of toilet facilities were identified as being particularly challenging, Due to the impact of the shifting town footprint in increasing the number change of use applications, such occurrences may become more frequent.	P&E
49	King Street and Queen Street have retained almost un-paralled full occupancy levels over recent years despite the challenging retail environment.	
50	Rents have not been identified as currently being a leading challenge to retailing in Jersey. It appears that a number of landlords recognise the challenging retail environment, generally leading to rents being established at levels that have not deterred tenancies being taken.	

	Findings	Comments (ED unless otherwise specified)
51	Whilst King Street and Queen Street have retained robust occupancy levels, there have been instances of short and, more significantly, long-term unoccupied shops outside of the retail core. There is currently no States policy designed to help address such detrimental occurrences.	
52	Retail, tourist, traffic and general information signage is too often underwhelming, inconsistent and outdated. This is a matter that requires the co-operation and co-ordination of a number of stakeholder groups to improve, including retailers themselves and authorities such as Jersey Tourism (ED), other relevant States Departments and the Parish of St. Helier.	ED/P&E/TTS TTS agree that signage is outdated as limited investment has been put into it in recent decades. A significant resource would be needed to design and implement a comprehensive update. The Parish of St. Helier are currently progressing a new town centre pedestrian information signage scheme.
53	Increased use of flags and banners has been identified as a relatively quick and inexpensive means of refreshing and animating retail areas, although concerns were raised about the possible nature of the associated planning process including by the Minister for Planning and Environment.	P&E
54	Despite related reviews, there are no clear signs that the challenges of avoidable government bureaucracy is easing. This challenge to retailers is amplified by the fact that the majority of retailers are small businesses, often owner run and often with a workforce of below 5.	
55	The continued presence of undue government bureaucracy can in no small part be attributed to a lack of co-ordinated cross-departmental working within the States. Whilst reform has been slow, there are some positive signs emerging in the form of initiatives such as 'tell us once' and 'unique user id's' that are intended to reduce such avoidable over-bureaucracy.	

RECOMMENDATIONS

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
1	The Minister for Economic Development must not underestimate the challenges faced by the retail sector and should, as a priority, continue to engage with retailers in a structured manner.	ED			
2	Working with the stakeholders, the Minister for Economic Development should progress initiatives and plans to help address the challenges associated with the on-Island retail sector, and develop a new, more relevant and comprehensive overarching Retail Strategy.	ED			
3	The Minister for Economic Development should work with retail representatives to identify the most appropriate way to assist the retail sector to embrace technology. Support might include the funding of a feasibility study into an appropriate, coordinated online sales platform, and the provision of appropriate training opportunities and shared practice workshops.	ED			
4	The Minister for Economic Development should work with relevant Ministerial colleagues, and potential private sector providers, to put in place and promote suitable learning and training opportunities for retailers in areas such as high quality customer service.	ED (SS/ ESC)			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
5	The Minister for Economic Development should extend the one-off 2013 Mystery Shopper customer experience audit into an annual piece of research. This will help inform the need for and nature of relevant future training initiatives.	ED			
6	The Minister for Economic Development should seek to co-ordinate an agreement amongst retailers to be more flexible in their approach to opening hours where benefit can be accrued. Particular attention might focus on later closing times on a more regular basis, and, in a more targeted fashion, achieving more flexibility in opening hours during peak summer tourist season and events.	ED			
7	If the States approve the proposed 18 month trial of liberalised Sunday trading, the Minister for Economic Development must ensure a robust process for monitoring and recording of all associated aspects (including economic, employees' welfare, social and cultural impacts).	ED			
8	Specific attention should be paid by the Minister for Economic Development to mitigate the potential loss of small businesses due to increased competition from larger retailers during any trial period of Sunday trading.	ED			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
9	In order to inform possible strategies to alleviate undue negative impacts of the uneven playing field associated with the <i>de minimis</i> level, the Minister for Treasury and Resources is recommended to undertake the following studies –	T&R			
	• an immediate (and subsequently on an ongoing basis) review of the <i>de minimis</i> provision, to ensure that it is set at the lowest appropriate rate;				
	 a feasibility study of entering agreements with off-Island online retailers for the collection of GST relating to sales to Jersey- based customers. 				
10	To provide suitable focus to the role 'Retail Champion', the Minister for Economic Development should either more actively assume responsibility for promoting economic development within the retail sector, or formally delegate the role to an Assistant Minister. If delegating, this should be clearly reflected within the title of the Assistant Minister.	ED			
11	The executive support for the 'Retail Champion' should be provided by the Economic Development Department, with industry input continuing to be sought through a comprehensive stakeholder group, such as the current	ED			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/completion
	Town Team, or an equivalent body.				
12	The Economic Development Department should undertake the active co- ordination and promotion of an event calendar linked to retail initiatives in conjunction with all the necessary stakeholders.	ED			
13	The Minister for Economic Development (or delegated 'Retail Champion'), should examine the current processes related to event permissions and identify any work that might be undertaken or support that can provided to reduce avoidable barriers to such initiatives. Similarly, any restrictions to the use of event-friendly sites, such as the Royal Square, should be identified and addressed where appropriate.	ED			
14	Pedestrian priority initiatives should continue to be implemented, and a feasibility study of such a scheme in Halkett Place from Amyson Corner along the length of the Central Market should be coordinated as a priority by the Minister for Transport and Technical Services, with input from the Town Team or equivalent comprehensive stakeholder organisation.	TTS	Reject	Although both the Island Plan and STP propose that a pedestrian improvement scheme should be developed for Halkett Place, resources to develop and implement a scheme are currently unallocated and it is not accepted that this can been given priority over other current planned STP infrastructure schemes. However TTS supports the principle and will look to develop proposals when resources permit.	
15	Through the Town Team or equivalent body, the Minister for Economic Development should coordinate a plan to identify and implement relevant	ED (with TTS)			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/completion
	improvements to the physical town environment, including removal of 'physical barriers' that negatively impact on the ability of people to circulate easily through town.				
16	A clear strategy should be developed by the Minister for Treasury and Resources (the Landlord) regarding the covered Markets. This should be informed by consultation with all relevant stakeholders on the wide range of initiatives and views held, and include assessment of a fundamental overhaul of the interior layouts and retail offering. Changes must also be considered to outdated opening hours.	T&R			
17	The Minister for Treasury and Resources (the Landlord) should explore the immediate revision of outdated opening hours within the markets to better reflect customer expectations relating to the both the overall and individual retail offerings. Thursday afternoon closing should be removed as a priority.	T&R			
18	The Minister for Transport and Technical Services should undertake the necessary work with colleagues and other stakeholders to achieve the following: • A clear decision on the future provision of north of town car parking.	TTS (with P&E/ T&R)	Accept	The St. Helier Parking Needs Study has been accepted by the Ministers for TTS and P & E and identifies a clear decision on the future of north town public parking, though implementation will be dependent on affordability through the car park trading fund. TTS is developing a pay by phone system and will be phasing out	Parking at Ann Court dependent on housing development timescales. Payphone system to be put out to tender Nov.

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
	 The roll-out of automatic number plate recognition systems (or similar) in all covered car parks to end the predominance of scratch-cards. A fully developed strategy for the phased modernisation and refurbishment of all car parks. A review of all initiatives, including charging structures, that might encourage a more appropriate distribution of commuter and shopper parking. 			scratch-cards, firstly in multi- storey car parks and eventually at other off-street as well as on street. Pay by phone systems will enable a smarter charging system which will allow more flexible distribution of parking. A programme of modernisation/refurbishment is being developed. 1st project is underway at Pier Road. Charging structure will be reviewed as more flexible charging and payment systems become available.	2014 for implementati on in 2015 Refurbishme nt at Pier road underway (Sept. 2014) Further programme ongoing.
19	The Minister for Transport and Technical Services should work with Liberty Bus to develop proposals for more buses to access town at points other than Liberation Station and a service that would link a range of urban areas whilst also penetrating towards the town centre.	TTS	Accept (in part)	It is unrealistic to significantly divert or extend established trunk bus routes further into town – but, given adequate funding, TTS would support a separate town network and will work with Liberty Bus to facilitate interchange between services through refined ticketing arrangements and well-designed connections at the bus station.	Town service currently unfunded. Discussions with Liberty Bus 4th qtr. 2014
20	The Minister for Transport and Technical Services should work with Liberty Bus to develop a service that would link a range of remote areas to bus routes that access urban shopping districts.	TTS	Accept	Liberty Bus is developing a trial community service and anticipates commencement 4th qtr. 2014. Possibilities to reshape services to better connect urban areas will be discussed with Liberty Bus, with an associated streamlining of core routes from those parishes to St. Helier to enhance their attractiveness.	Discussions with Liberty Bus 4th qtr. 2014
21	The Minister for Planning and Environment should assess the merits of revising and/or clarifying the current strategies relating to development in town, notably with regard to their	P&E			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
	relevance to retail. This will be essential in providing a structure to the south- westerly shifting town footprint and potentially contracting retail core.				
22	The Minister for Economic Development should work with the Town Team or equivalent body, and the Constable of St. Helier, to develop plans that could help address and discourage long-term empty shop occurrences.	ED			
23	The Minister for Economic Development should work with the Town Team or equivalent body, and notably the representative from the Environment Department, to ensure that change of use processes and laws are as appropriate and efficient as possible.	ED			
24	The Minister for Economic Development should address the issues of underwhelming, inconsistent and outdated signage with the Town Team (or equivalent) to help improve the town experience for all users.	ED			
25	The Minister for Planning and Environment should examine the planning process and legislation associated with flags and banners to ensure that they are as appropriate and efficient as possible.	P&E			

	Recommendations	То	Accept/ Reject	Comments	Target date of action/ completion
26	In his lead role in the States' Modernisation Programme, the Minister for Economic Development should demonstrably tackle the issue of a lack of coordinated cross-departmental working within the States. Furthermore, he should ensure that initiatives such as 'tell us once' and 'unique user IDs' significantly assist in reducing the bureaucratic burden placed particularly, although not exclusively, on small businesses, including many of the Island's retail sector.	ED			

MINISTER'S CONCLUSIONS

The Sustainable Transport Policy vision is to provide travel choices for Jersey that reduce reliance on the private car, provide access for all and protect and improve our quality of life. The findings of this report are generally consistent with that vision. A balance needs to be struck between private car use and other modes of travel. TTS recognises that ensuring the vibrancy of our town centre is essential. TTS is working to deliver improved bus services, better pedestrian spaces and an appropriate parking provision, combining an adequate shopper parking supply in town with convenient payment methods. Progress is however dependent on funding, particularly with regard to proposals such as a town bus network which is currently unfunded.