



Southwark Planning

Objection to Planning Application Elephant and Castle Town Centre and LCC Campus at the EC (ref: 16/AP/4458)

Prepared by Dr. Patria Roman-Velazquez
On behalf of Latin Elephant, CIO

Southwark Planning

Latin Elephant is writing to object to the planning application for the redevelopment of the shopping centre and LCC campus at the Elephant & Castle (ref:16/AP/4458).

We seek further changes to the proposal in order to accommodate the needs and aspirations of micro and small businesses to remain trading in the Elephant and Castle core commercial area, in particular traders of BAME background.

ABOUT LATIN ELEPHANT

Latin Elephant is a charity that promotes participation, engagement and inclusion of migrant and ethnic groups, and in particular Latin Americans, in processes of urban change in London. This is achieved by:

- Responding to urban policy frameworks supporting migrant and ethnic economies in London.
- Supporting existing migrant and ethnic businesses in the context of broader processes of regeneration.
- Increasing inclusion, engagement and participation of migrant and ethnic groups in processes of urban change in the areas where they live and work.

We promote the contribution that migrant and ethnic communities make to London's diverse economies and cultures. Latin Elephant is currently working to support retention and growth of existing small migrant and ethnic businesses in Elephant and Castle, taking into account conditions for relocation, affordability and future sustainability.

SUMMARY COMMENTS ON THE APPLICATION

1. We are worried that the existing proposal for the Elephant and Castle Town Centre:
 - 1.1. Does not provide any affordable commercial units
 - 1.2. Does not set a clear relocation strategy for retailers directly affected by the development.
 - 1.3. Does not make any concessions to the diverse character of the area as a migrant and ethnic business centre.
 - 1.4. Does not assess wider implications on the local economy
2. We are also concerned that no Equalities Impact Assessment has been made to assess impact of the development for existing BAME traders in the EC commercial area.
3. Concerns over the development of the railway arches
4. We are also concerned about the timing and consultation process for the application



The proposal ignores and thus not fulfils recommendations set in the following documents:

- Elephant & Castle SPD/OAPF (2012) – in particular SPD1.
- London Plan 2015 - Policy 4.8 g.viii
- Elephant and Castle Traders Charter (2007)
- Consultations with retailers and community groups carried out by Latin Elephant

It is imperative for the Applicant to address policies and recommendations made in the above documents.

In addition, and to sum up, we ask for the following points to be taken into account when addressing our objection:

1. For an Equalities Impact Assessment **specifically on the impact of these proposals** to be carried out. To assess impact of the development for traders of BAME background – protected characteristics as stated in the Equalities Act 2010 – the local population and adjacent shopping parades.
2. For affordable units to be incorporated in the plans and prioritised return for existing traders.
3. For the viability and appropriateness of the scheme to consider impact of development for existing arterial shopping parades.
4. For the Applicant to provide 10% of affordable unit spaces to minimise impact of development for micro-enterprises whose owners are from a BAME background. This will also minimise impact of the development for the local population who depend on their services and goods.
5. For a timely relocation strategy to be incorporated in the planning application, not after permission has been granted.
6. To minimise impact of development for BAME traders we ask for measures to maximise retention of existing businesses.
7. To assess long term implications of the proposed development over the local economy. In particular, over-reliance on retail jobs, loss of specialist services that cater to local populations' needs and the loss of local supply chains.
8. Clarity regarding consultation and arrangements made with property owners, lease holders and traders in the railway arches.
9. Greater compliance of statutory requirements in consultation process. E.g. Availability of documents in languages other than English and accessibility concerns **and additional time in the consultation process to allow those who first language is not English time to digest proposals and formulate a response.**
10. To retain character and continuity of the area as a diverse and multi-ethnic retail centre.
11. For the Applicant to take into account the development proposals and the recommendations of the report '[The case for London's Latin Quarter: Retention, Growth, Sustainability](#)'.
12. For the Applicant to take into account recommendations put forward in the report '[Relocation Alternatives for EC Traders](#)' (when drafting a relocation strategy for existing traders).
13. For the Applicant to consider the following consultation when assessing impact of



development on the local community:

- London's Latin Quarter: <https://www.youtube.com/watch?v=DRC2cyhpzAM>
- My Latin Elephant Photography Dossier - <http://latinelephant.org/my-latin-elephant-exhibition-dossier/>
- Being Latin in Elephant Video: <https://www.youtube.com/watch?v=VtC-IFIZKjM>
- My Latin Elephant Behind the Scenes Video: <https://www.youtube.com/watch?v=Ps5JSGidKY0>

EXTENDED COMMENTS

1. Existing Proposal

1.1 Affordable shops

SPD 1 (Shopping) clearly indicates the need for mixed retail uses, range of unit sizes and affordability of units to become available to existing SME traders. The policy also indicates the need for affordable shops to be made available to existing businesses who have been displaced as a result of the development. We ask for affordable units to be incorporated in the plans and prioritised return for existing traders.

Policy SPD1 (Shopping) states that 'at least 10% of new floor space is made available as affordable space to provide suitable premises for small and medium sized enterprises in the opportunity area who have been displaced as a result of development, new business start-ups or independent retailers'.

SPD1 (Shopping) also states that your 'preference is for affordable units to be made available in the first instance to existing businesses in the opportunity area who have been displaced as a result of the development'. It also states that these should be provided on-site. It goes on to explain that 'rents should be discounted by not less than a total reduction of 40% below market rate averaged over a five-year period'.

The Retail Assessment produced by DP9 Ltd submitted with this application states that: 4.63 (p21) – "The Proposals do not include 10% affordable retail for the reasons outlined later. This would be unviable and inappropriate given the intention to create a strong retail/leisure anchor at the heart of the town centre....".

Viability and appropriateness of the scheme should include consideration of an impact assessment for existing arterial shopping parades. The cumulative impact of the development for existing shopping parades at Elephant Road, Eagles Yard, Newington Butts, New Kent Road, Walworth Road, Harper Road, East Street should be measured before judgment is made over the viability and appropriateness of the proposal.

In quoting Policy 4.8 of the London Plan (2015), the Retail Assessment (point 4.17, page 14) fails to acknowledge the 'potential to realise the economic benefits of London's diversity' (Policy 4.8, g, viii).

In response to our call for greater recognition of the role of micro migrant and ethnic economies in promoting social and community cohesion Policy 4.8 g viii acknowledges the 'potential to realise the economic benefits of London's diversity' by making reference to paragraph 3.3 in *Chapter 3: London's People* which highlights the Mayor's commitment to ensuring that London 'provides equal life chances for all its people, enabling them to realise their potential and aspirations, make a full



contribution to the economic success of their city – and share in its benefits – while tackling problems of deprivation, exclusion and discrimination that impede them’.

By not providing affordable commercial units in the proposed development the applicant fails to address this regional planning policy and the impact of development for traders of BAME background – protected characteristics as stated in the Equalities Act 2010.

Latin Elephant has repeatedly stated the need for affordable unit spaces and a prioritised return to the site for existing businesses in response to ongoing consultation for the New Southwark Plan and through public engagement with the Applicant. The Applicant must provide 10% of affordable unit spaces to minimise impact of development for micro-enterprises whose owners are from a BAME background. This will also minimise impact of the development for the local population who depend on their services and goods.

Traders participated of a workshop facilitated by Latin Elephant in which they expressed aspirations for the area. The results and further research were published in the report [‘The case for London’s Latin Quarter: Retention, Growth, Sustainability’](#). We ask for the development proposals and the recommendations of the report to be taken into account by the Applicant in a revised planning application.

1.2 Relocation Strategy

The Applicant has not submitted a relocation strategy with this application. We ask for a relocation strategy to be incorporated in the application. This should be comprehensive and consider retailers’ wishes and needs, whether this be in the form of business advice, compensation, temporary or more stable relocation and prioritised return for existing traders. To minimise impact of development for BAME traders we ask for measures to guarantee the retention of existing businesses.

We had numerous meetings with the Applicant and since January 2016 we asked the Applicant to share a directory of vacant premises in the EC wider area (which it promised to us at the meeting held on 22 January 2016), and for a timely relocation strategy to be put in place so that traders could plan accordingly. Recent experiences from other retailers who have relocated demonstrate that relocating their businesses can take between 12 and 24 months if taking into account bidding process, contract, financial considerations, regulation compliance and shop fittings. We ask for a timely relocation strategy to be submitted as part of the planning application, not after planning permission has been granted.

Latin Elephant organised and hosted a relocation strategies workshop with EC traders (in partnership with UCL Bartlett School of Planning, March 2016) – The report [‘Relocation Alternatives for EC Traders’](#) summarises the traders concerns temporary relocation needs and future aspirations. We ask for the recommendations of this report to be taken into consideration when drafting a relocation strategy.

1.3 Diversity and character area:

Provision of affordable spaces in new developments is also crucial to retain character of the area and continuity of diverse and multi-ethnic retail offer in EC. The main strength of Elephant and Castle is the concentration of Latin American businesses and this is highly valued by local residents and costumers.

The character and strength of EC is at risk if there are no affordable units in the proposed town



centre. That worries us greatly as our community will **lose** a significant community space. The shopping centre is an integral part of the local population and are an important meeting point for many BAME groups in London who are set to be the ones to **lose** out the most from the development as stated in the Equalities Statement submitted for this application. The importance of the shopping centre and of EC for local communities has been captured in our wider consultation in Elephant and Castle. Relevant outputs are available:

- **London's Latin Quarter:** <https://www.youtube.com/watch?v=DRC2cyhpzAM>
- **My Latin Elephant Photography Dossier -** <http://latinelephant.org/my-latin-elephant-exhibition-dossier/>
- **Being Latin in Elephant Video:** <https://www.youtube.com/watch?v=VtC-IFIZKjM>
- **My Latin Elephant Behind the Scenes Video:** <https://www.youtube.com/watch?v=Ps5JSGidKY0>

To minimise impact of development on the local population, we ask for the character of the area as a multi-ethnic retail centre to be enhanced and steps to materialise this to be included in the existing plans for EC Town Centre proposal.

The EC-OAPF (2012) states that SPD 1 (Shopping) is consistent with protecting character areas and recognises that 'the main strength of the centre is the particular concentration of Latin American businesses, which reflects the growth of the Latin American community in Southwark'. The policy is aimed at ensuring that 'the centre continues to reflect the character and diversity of the local population'.

The EC-OAPF (2012) acknowledges that a high proportion of retail space in the shopping centre is occupied by small independent businesses, many of which are of a BAME background; and that 'SMEs make up over 99% of the total number of businesses in Southwark and play a vital role in providing goods and services to the major business hubs' (page 34).

1.4. Implications for local economy

By implication, the proposed development will:

- Foster a local economy that is over-reliant on retail jobs (one employment sector).
- Result in the loss of specialist services that cater to local population's needs (E.g. Charities house in Hannibal House: Sickle Cell and Young Stroke Survivors)
- Result in the loss of local supply chains

The prospect for migrant and ethnic micro-entrepreneurs is likely to reverse if secure affordable retail spaces for migrant and ethnic entrepreneurship is not guaranteed. This could result in a shift from economic independence and sense of financial autonomy through micro-enterprise to low paid and insecure jobs that many migrant and ethnic entrepreneurs left behind.

The costs and consequences of these changes to the local economy needs to be properly assessed.

More clarity is needed over employment opportunities for local people and the radius of the economic benefit area. How many of these jobs are staying local? What is local?

For example, the application will see a loss of non-residential floor space in use classes A1,2,3,4+B1 (offices). Even though the net non-residential floor space reflects a gain of 4,509 sqm, it is clear from the application summary that extra gains are in D1 (Education), D2 (Assembly and Leisure) and other (which is categorised as flexible uses A1,2,3,4, B1). Potentially, there could be a total loss of office



space (currently at 10,669sqm) and at best (if all flexible space identified as 'other' is granted to office space) a loss of 7,809sqm.

2. Equalities Impact Assessment

The Equalities Statement submitted as part of this application assesses the EqIA carried out by Southwark in relation to the SPD in 2012 and evaluates a survey conducted by AECOM on behalf of Southwark Council in 2015-16. However, it is clear that no EqIA has been carried out for the proposed development.

The Equalities Statement submitted by the Applicant concludes that there will be negative impact for BAME business owners and SME's due to displacement of existing businesses. This is heightened when considering that a proportion of traders are over 55 years of age. However, no Equalities impact assessment has been carried out by Southwark to assess how impact of the development can be mitigated and thus comply with Public Sector Equality Duty. We ask for a full Equalities Impact Assessment of the development.

What support are business owners getting to relocate? E.g. have barriers to relocation due to the costs and criteria for business loans being assessed for older business owners?

3. Railway Arches:

We are worried about the opening up of Arches 6 & 7 in Elephant Road (according to the plans submitted). The applicant does not have a contractual agreement with these leaseholders. These arches are currently occupied by Distriandina and Elephant Mall. What provisions have been made to minimise impact of development to the nearly 16 commercial operators / units that operate within these arches? Has any agreement taken place with Network Rail? If so, what is the nature of such agreement? We ask for clarity regarding consultation and arrangements made with property owners, lease holders and traders in these arches.

4. Timing and Consultation

It is imperative that the planning application documents are made available in Spanish. This must be done if the many Latin American traders, centre users and residents are to be able to both understand the plans and then to make meaningful comment. By the same token, Southwark should also receive any comments that are made in Spanish and give them consideration equal to comments received in English.

The formal consultation period should also be recommenced from the date that translated documents are made available. Without such arrangements the Latin American community will be put at a significant disadvantage in this planning consultation.

Government organisations are bound by the requirements of the Equalities Act 2010 and so may need to produce certain publications in languages other than English and ensure that these are accessible to disabled people. Notices to this effect are missing in the website and in the letters sent out to those consulted.

We would like to query the timing and availability of application. The documents were published at a time when many of the BAME traders and in particular traders of Latin American background were



abroad (visiting families and relatives for the festive period), some were getting ready for the holidays or for what is a busy time of the year for other traders. We also request for these documents to be made available in the shopping centre, where it is easily accessible to affected traders.

Further Clarification:

We would like to clarify that Latin Elephant's representative (Nicola Hill and Patria Roman) did not attend the Applicant's workshops organized on 2nd and 3rd November 2015 from 6.30pm to 8.30pm as indicated in the Statement of Community Engagement. A separate meeting was arranged for 3 December 2015, in which we asked for a specific meeting with Latin American retailers which took place on 22 January 2016.

Please note that we will be submitting at a later stage specific comments and queries on the separate documents that form part of this application.

Please register my objection and keep me informed about any changes or amendments to the planning application.

Yours sincerely,

Patria Roman-Velazquez
Latin Elephant