

## **Matter 5 – Economy and Employment (Policies 14, 15, 17 and 21)**

### **Policy 14 – Supporting Economic Growth**

#### **Q.1 What is the evidence in relation to future jobs growth and the need for employment floorspace and does the policy reflect this?**

We considers that the “measurement of success” or objective of Policy 14 to be ambiguous. The policy text refers to the plan’s target to deliver 63,000 jobs – this target is supported by other policies such as Policy 1, and ultimately this aspiration for more jobs, rather than just delivering more floorspace which appears to be the main driver.

The ambiguity stems from paragraph 14.2, which details the estimated amount of office accommodation required to support this growth. The estimates have a huge variation of between 179,000sqm and 710,000sqm, with the target set rather crudely in-between at 445,000 sqm. Understandably the policy text details that the world of work is changing particularly with more people working from home and the move away from hot desking due to social distancing – whereas it was assumed more jobs may very well be delivered with less floorspace, this could change. Given the draft City Plan has given itself such flexibility in its estimate of the amount of office floorspace required, it is unclear why the policy text has adopted such inflexibility over the protection of office floor space.

There is also the very pertinent question over what the office market will look like in a post COVID-19 market, and the policy does not have the inherent flexibility it needs to be able to react to such moving trends.

#### **Q.4 Is the approach to the loss of floorspace set out in Parts D and E of the policy justified and effective?**

The WERLSPA identifies 124,000 jobs over the plan period, which while shared with the London Borough of Camden, does mostly fall in within Westminster. While not all of these jobs would be office based, as per the 63,000 job target, it is clear the plan is relatively successful in identifying employment opportunities in the City. Therefore the City Plan does not therefore need to be quite as protective over office use as proposed, particularly in consideration that delivering housing is a prime objective of the plan.

Under the existing City Plan, we have often had difficulty with planning applications that propose the change of use of small office units, (generally 30-100 sqm) to other uses that would optimise that particular property. This in turn ensures that the building remains fully occupied either in an alternative commercial use or as residential units.

Part D.3 of the policy is not fully justified. Why after completing an extensive 18 month vacancy exercise, should only educational, community or hotel uses be permitted as alternative uses? Surely after such marketing all alternatives should be considered to facilitate the efficient use of the building. Subject to other policy considerations it would make sense to include other commercial uses and residential as viable options.

Notwithstanding the above It is considered that the 18 month marketing period (in this, and other policies) to be excessive. 12 months is the applied marketing period recognised by many other London boroughs, and the draft London Plan (in Policy E1 Offices at paragraph 6.1.7) reinforces this by seeking only a minimum of 12 months.

## **Policy 15 - Town centres, high streets and the CAZ**

### **Q.6 What is the evidence in relation to the need for additional retail floorspace?**

Will this evidence soon become obsolete in the wake of the COVID-19 pandemic and does the plan have sufficient flexibility which would allow the policy to adapt to market trends over the course of the plan period should the need for additional retail floorspace plateau or reduce?

### **Q.10 Is the approach to the protection of A1 uses and the introduction of other uses justified and sufficiently flexible?**

The requirement for marketing for a period of at least 18 months to demonstrate no reasonable prospect of a units' continued use for A1-retail purposes should be reconsidered in relation to the CAZ Retail Clusters, particularly in the light of the rapidly evolving retail market and given that the impact of the current pandemic on the retail industry is unknown.

Whilst there is the opportunity of permitted development rights to enable units to operate for alternative uses for 2 years, this is often an insufficient period of time for an occupier to obtain funding and/or invest fitting out a unit for a temporary period. Given the unknown longer term impact on the high street from the pandemic, having the ability to allow longer temporary permission of 5 years or greater flexibility on uses following a shortened marketing period would be welcomed.

## **Policy 17 - Food, drink and entertainment**

### **Q.17 Is the approach to food and drink and entertainment uses justified? How will it be implemented in practice in respect of the issue of over-concentration and how will this be defined?**

There is no clear guidance on what constitutes *over-concentration*, the policy leaves it open to interpretation by the Council for each new entertainment use, which can lead to inconsistency of decision making or influence.

Therefore the policy should focus on the need for sound management of the use and premises and reducing the impact of such uses on the residential community in the West End which has an equal party to play in its character and evolution.

The policy should require details on location and size of the new units and why it is appropriate in regards to impact on residential amenity or the highway, i.e. servicing, patron an staff management etc.

Overall the wording of the policy is overtly negative, and doesn't address the significant economic and cultural contribution that the role of restaurant and other entertainment uses bring to Westminster. The retail market is recognised to be struggling and yet it remains the council's aim to prioritise the active ground floor uses throughout the CAZ and WERLSPA via retail, this alone will not maintain nor increase the level of footfall on Westminster's streets.

It should therefore be clearly recognised that entertainment uses play an even more vital role in maintaining the vibrancy and offer of the West End.

It should also be noted that within the Mayor's adopted Culture and Night-time Economy SPG 'London has lost 103 nightclubs and live music venues since 2007, a decline of almost a third... [and] figures show that 1,220 pubs and bars shut between 2001 and 2016 – an average of 76 a year.' In support of this, the document states that borough's should encourage the provision for night-time activities in order to expand their cultural offer.

**Q.18 Is the approach to the protection of public houses justified and sufficiently flexible?**

The request for 18 months marketing is considered excessive and a vacant unit for this length of time in the centre of WCC is harmful to the character of the area. The policy does not differentiate between active public house use and ancillary upper floor space. BMO REP have successfully converted upper floors of public houses to alternative uses, whilst retaining a lock up public house at ground and basement floors.

BMO REP view is that the policy pursues a “zero sum” approach of either retaining the public house in its entirety or losing it in its entirety after marketing evidence. This policy may therefore have the unintended consequence of causing more public houses to be lost rather than saved. Often the upper floors of pubs can be underutilised and surplus to the operator’s requirements, yet they continue to pay rent and business rates on the floorspace, undermining the premises viability. The notion of publicans residing in the upper floors of pubs is less common.

BMO REP strongly supports the retention of pubs, indeed we have reinstated and opened new establishments in our portfolio, but we consider the policy should make allowances for the replacement of upper floors of the public house to other uses such as residential or commercial floorspace.

BMO REP proposes an additional clause is added to the policy as follows:

*‘Replacement of ancillary spaces to public houses, such as function rooms or accommodation, may be acceptable where it can be satisfactorily demonstrated that loss of this floorspace will not compromise the viability or function of the public house.’*

The Council will be aware that Class A4 of the Land Uses Order does not distinguish between public houses and other drinking establishments such as bars – they are simply all encompassed under the term ‘drinking establishments’. Given the position of the Land Uses Order, clarification should be provided in the policy text as to how this policy applies to other drinking establishments, such as bars.

**Q.19 What is the basis for the approach towards hot food takeaways and deliveries and is it justified? Specifically, what is the basis for the restriction on hot food takeaways within 200m walking distance of schools?**

The basis for hot food take-away and deliveries is understood however it should be on the applicant to justify why take-away and deliveries are acceptable from their premises.

It must also be recognised that existing A3 uses may seek to expand its takeaway operations beyond those of an ancillary measure, as the ability to diversify and widen your consumer audience may become more essential in light of the Covid impact on the food and beverage economy.

**Q.20 - Is the approach to the use of premises and outdoor areas for shisha smoking justified?**

BMO REP fully supports this policy and welcomes further restrictions to limit shisha smoking. A large proportion of central WCC has residential uses above commercial uses. If permitted, it is considered that a management plan should be prepared to control hours of use and control the location outside the shisha premises to ensure they do not harm residential uses above or neighbouring properties..

**Q.21 - Are any modifications necessary for soundness?**

Recommend the removal of 17.C (proximity to schools).