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Birmingham Development Plan 2031 Examination.

Hearing Statement made on behalf of the Police
& Crime Commissioner for West Midlands
(PCCWM).

Matter K: Centres, retail, and tourism (BDP
section 7, policies TP20-24)

Our Ref: 8976. Matter K.
Date: 10th October 2014



tylerparkes drawing on experience. planning for approval.

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1. Introduction

Scope of this statement

- 1.1. This hearing/written statement is to be read in conjunction with the representation made on behalf of the Police and Crime Commissioner for West Midlands (PCCWM). This was made by letter to Birmingham City Council (BCC) in relation to the Birmingham Development Plan Pre-submission Consultation document (our ref: 8976 CL1 HRW). Examination refs reference: 195695.
- 1.2. Our further representations and comments are made in respect of the 'Inspector's issues and questions for discussion' set out in the document issued by the Examination Programme Officer in August 2014.
- 1.3. This document covers responses to the Inspector's questions relevant to the Police and Crime Commissioner for West Midlands (PCCWM) previous representations and concerns.
- 1.4. We also refer to any new and relevant matters that have arisen since our original representations submitted in March 2014.

2. Matter K: Centres, retail, and tourism (BDP section 7, policies TP20-24)

Main issues: Are the Plan's policies towards town, district and local centres positively-prepared, justified and effective? Does the Plan make appropriate provision for retail, leisure, tourism and related uses?

Question: 10) Should the Plan include a policy about the leisure and evening economy?

Response.

- 2.1 Planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. Thus in a plan-led system it is important to ensure the development plan policies are suitably worded such that they include aspects of national policy and guidance, and having regard to local circumstances and evidence. Indeed, without such considerations a development plan would be unsound.

2.2 Our representations sought the inclusion of an additional policy in respect of the evening economy for the city to ensure a safe, accessible and inclusive environment where any antisocial behaviour is discouraged.

Reasons.

2.3 It is accepted that the proposed Development Plan will need to be read as a whole. It is noted Proposed Policy PG3 'Place making' states new development should 'create safe environments that design out crime...that promote positive social interaction and natural surveillance'.

2.4 Proposed Main Modification (MM67) will add reference to the leisure, and evening economy and its support in suitable centres by way of additional wording at paragraph 7.27. PCCWM does not feel this is sufficient, where as an additional policy would give greater weight and clarity for decision makers when considering proposals that would create or impact upon the evening economy and activities.

Aims of policy

2.5 It is considered the nature of the evening economy requires special attention through the provision of a specific policy. There will be evening-specific issues for any decision maker to have regard to and a policy will provide clarity. The general objectives of such a policy should surely include;

- Ensuring a thriving, vibrant economy where people wish to socialise and enjoy the attractions and facilities.
- Where people can feel safe, with reduced crime and a reduction in the fear of crime.

2.6 The problems can include:

- If crime, or the fear of crime increases, people will not feel safe, are unlikely to use the entertainment/night-time facilities, with the potential of an economic spiral of decline.
- Bars, restaurants and shops will close and be boarded-up, resulting in less-people being attracted to the area, leading to the closure of more premises and companies going out of business.

Evening economy issues

2.7 Issues for a policy to consider will include for example:

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- Access to and from the facilities (e.g., nearby public transport network, access to taxis and private-hire vehicles).
 - Safe and reasonably-priced parking facilities (well-lit, accessible car parks where people feel safe, with CCTV and good access control) meeting the standards set in the ACPO Park Mark accreditation scheme.
 - Well-run premises, with qualified/licensed door-staff, who are able to deal with the conflict and problems associated with such premises, as well as presenting a welcoming 'customer-service' approach to people visiting the City and the premises concerned.
 - CCTV facilities within bars, clubs and restaurants.
 - Licensed premises and 'change of use' planning applications. There have been numerous applications recently in the city centre and student-rich areas like Selly Oak.
 - Hot food takeaways/late-night refreshment houses are often the flashpoint for violence after the pubs and clubs close.
 - Late opening off- licences and small retail stores (that sell alcohol) tend to be 'honey pots', i.e. areas where people linger for longer than they would normally do so and attract increased levels of anti-social behaviour.
 - Position of ATM ('hole in the wall' and 'stand-alone'). These are often situated in night time economy areas. These become 'crime-generators' (drunk/intoxicated people using cash machines are vulnerable to becoming victim).
 - ATMs and ATM replenishments. Currently the West Midlands' Police area (seven local authorities) is the country's hot spot, accounting for 31% of all 'cash in transit' robberies (where cash vans are attacked, either entering or leaving a bank with cashbags, or replenishing ATMs). Across the UK (and Midlands) there have been an increased number of physical attacks on ATMs, including the use of gas.
 - Sheesha (Shisha/Hookah) Lounges and the potential impact on surrounding communities. There have been between 20-30 Sheesha Lounges appearing across Birmingham in the last two years (predominantly in the city centre and surrounding suburbs). Many of these lounges have outside areas where people can smoke together. These are often unsafe, crowded shelters or internal areas which may not comply with smoking regulations. The police have to use powers afforded to other agencies (e.g., Fire and Environmental Services) to restrict inappropriate developments which could be dangerous to the service-users or cause conflict within the local community.

3. Conclusion /Proposed changes to include in BDP at Section 7.

- 3.1 PCCWM consider it prudent to include a specific evening economy policy within the proposed BDP at Section 7 as specific issues are not necessarily covered elsewhere in the plan. In doing so, the aim is to reduce crime, the fear of crime, anti-social behavior and potential disturbance to existing business and people. Such a policy is intended to deliver economic, social and environmental sustainability.
- 3.2 Appendix 1 below provides an extract and example of planning policy in operation. This is from Wakefield Metropolitan Bough Council (WMBC). This is an Area Action Plan (AAP). It develops the spatial vision, objectives and overall strategy set out in the Core Strategy.

4. Appendix 1: Extract from Central Wakefield Area Action Plan

Extract from Central Wakefield Area Action Plan: (2009) The Evening Economy (pages 59-60). This is available at:

<http://www.wakefield.gov.uk/Documents/planning/planning-policy/local-plan/central-wakefield-area-action-plan/central-wakefield-area-action-plan.pdf>

The Evening Economy

Policy CW 17

The Evening Economy

Proposals for new/refurbished nightclubs, public houses, restaurants, cafes, bars and music venues must be accompanied by a statement detailing measures to establish and maintain a safe and secure environment in and around such premises.

Policy Justification

5.77 The intention is to raise standards and design-out the potential for crime. Such an approach will need to be accompanied by good management practices at the various venues and the co-ordination of services/action delivered by public agencies.

5.78 The policy aims to ensure that new/refurbished nightclubs, public houses, restaurants, cafes, bars and music venues do not, either individually or cumulatively, have a detrimental impact on the amenity, safety and security of the city centre.

Delivery and Implementation

5.79 To achieve this, the design and layout of all new development within central Wakefield should follow the police guide 'Secured by Design'.

5.80 Proposals for new pubs, clubs and night clubs will be considered through the determination of planning and licensed premises applications. This will involve consulting with key stakeholders and agencies, such as the police, city centre management and members of the public.

5.81 In assessing effects of these proposals, we will have regard to (among other factors):

- public safety;
- proximity to taxi ranks;
- availability of car parking;
- the potential for saturation of pubs and clubs in one area;
- potential for anti social behaviour and crime; and
- future management issues