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**ELEPHANT AND CASTLE TOWN CENTRE APPLICATION (16/AP/4458)**  
**Southwark Council Planning Committee – 16 January 2018**

**LATIN ELEPHANT, CIO (Charity No. 1158554)**  
**Dr. Patria Roman-Velazquez, Chair of Trustees**  
**&**  
**Mr. Santiago Peluffo**  
**Migrant and Ethnic Business Readiness Project Officer**  
**&**  
**Ms. Natalia Pérez**  
**Migrant and Ethnic Business Readiness Project Officer**

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We shall be calling for the Committee NOT to grant planning permission to Delancey's application in its current form on the following grounds:

**EQUALITIES GROUND**

1. The proposed development will have a particular impact on local businesses in and around the shopping centre, their employees and customers, many of whom are from BAME groups and/or of an older demographic.
2. The officers' report state that there will be adverse equality impacts in relation to age and race, both of which are protected characteristics under Equalities Act 2010. This is the case in particular for the Bingo Hall users. The summary tables in paragraph 228 outlines equality impacts and measures taken to mitigate negative impact. Despite this the officers' report is mindful of the adverse impact it has on these groups on a temporary and long term basis (refer to paragraphs 156, 157, 214, 226, and 745).
3. The Equalities Impact Assessment does not assess the social benefit of the indoor space for groups of protected characteristics. The proposed development will result in the loss of a cultural space for BAME groups. The indoor circulation space has a social and cultural value in that it provides sense of community cohesion, belongingness and safety. Little consideration has been given to the loss of indoor circulation space in the shopping centre and the social and cultural benefits that such space provides to users of BAME background and older people. Over the years this space has been the centre of various community gatherings and activities (e.g. People's Bureau and Migrants Contribute). No survey to assess equality impact on the use of the current indoor circulation and convivial space has been done. Thus the equality impact assessment falls

short of addressing wider impact of the loss of indoor space for the local community and users of the shopping centre.

4. Sex: The equalities addendum (July 2017, p.9 paragraph 3.8) highlights that there is a large proportion of women using the bingo hall, however, there is no assurances of mitigation measures taken to address loss of leisure facilities for women (most of which could be unemployed or retired, according to the survey cited in the addendum).
5. The current proposal does not comply with London Plan Policy 4.8, particularly definition on diversity. An equalities impact assessment for the Latin American Community in specific has not been done. EC is the largest LA business cluster in London and Southwark is home to one of the largest concentration of Latin Americans in London. The shopping centre is a social and cultural space as much as it is a commercial centre. We therefore demand that an impact assessment on this particular group is carried out.
6. Mitigation Strategies is not detailed enough and does not consider impact on secondary economies and supply chains.
7. No concession to multi-ethnic character of the business cluster and in particular as the largest Latin American business cluster in London. The officers' report is mindful that there will be a substantial loss of shops whose owners are from a BAME background and the negative impact this has on services and goods provided to the local community. This includes 13 Latin American Shops in the shopping centre and 13 businesses operators in Elephant Road Arches 6 & 7. This represents a quarter of the totality of the Latin American Business Cluster.
8. According to Southwark Council's study the relocation fund to mitigate impact on equalities ground is to include 130 businesses within the red line zone of the development. This is a significant proportion of micro-businesses that will be lost and or displaced as a result of this development. Has a wider impact assessment been done to include all the 130 businesses directly affected by this development?
9. The officers' report states that the Equalities Survey conducted by the council 'included a number railway arches which do not fall within the red line' (paragraph 155). Were arches 6 and 7 included in the survey? Has an Equalities and Community Impact Assessment for these sites been carried out to assess the impact that the loss of these two sites will have for the Latin American business cluster and the Latin American community?

## RELOCATION STRATEGY

10. The right to return of existing traders is supported by NSP SPD 2 (paragraphs 69, 88, 89), but no provision (in the form of a re-relocation fund) has been made by the applicant for their return to the site once completed. This is important for the retention of the character of the area as a multi-ethnic commercial centre and to support growth and sustainability of qualifying businesses. We recommend that if the planning application is approved a condition is set to allocate an additional fund for the return of qualifying shops to the new site.
11. Although the applicant has agreed to comply with Southwark policy of at least 10% provision of affordable retail space in the new Town Centre, the latest report from the Director of Planning states that "with the exception of LCC, it is likely that the majority of existing businesses on the site would relocate elsewhere". The Council and the Developer need to reassure independent traders the right to return to make fair use of that 10% affordable retail space in the new site.
12. Lack of transparency over negotiations taking place with Network Rail concerning Arches 6 & 7 of the railway viaduct. These arches provide additional retail and cultural space for Latin American and other BAME groups. There are at least 13 businesses operating at these two arches. Paragraph 18 of the officers' report states that arches 6 and 7 would be knocked through to connect the new town centre with the Elephant Park development. Who is liable and responsible for the relocation and compensation fund to these businesses? Is this application going to be approved based on speculation that network rail will approve the takeover of these sites to the developer? We need reassurances that these businesses will be re-located in the nearby vicinity or arches.
13. Trader's preferred option to remain clustered throughout the relocation period has not been taken into consideration. According to a letter sent to all traders (signed by Cllr Mark Williams) "independent businesses currently occupy around 4,000sqm of retail space on the shopping centre site". The proposed relocation strategy aims to deliver between 1,400 and 1,800 sqm of affordable retail space split into -at least- 5 different sites by 2019. This will result in fragmentation of the business cluster.
14. Discrepancies over current allocation of floor space per unit and those made available in the proposed relocation sites (no like for like provision would be made available). Many traders with units of over 60 sqm each would be displaced into units that are about half the current size (in some cases, they will have to move from a 130 sqm unit into a 25 sqm unit...). Proposed Perronet garages can only accommodate 11 traders and units are designed for 25 sqm each - and still has to go into further consultation, after residents raised concerns over noise, smell, and leaks inside the garages.



15. Another proposed relocation site is Arch Street, which hasn't been done in consultation with traders, its secluded, will need considerable public realm improvements, and traders fear it will lead to significant footfall loss.
16. Discrepancies over relocation fund (total of £634,700), which has not been done in consultation with traders, who calculated all displacement-associated costs at £100k-per trader.

## **HUMAN RIGHTS GROUND**

17. Migrant and ethnic business clusters are not just centres of economic activity, but are also acknowledged for the extended social and cultural value these bring to diverse communities across London. Access and availability of migrant and ethnic business clusters are a human right issue due to the extended social and cultural value of such sites. The hearing to contest Haringey's Council Compulsory Purchase Orders issued to Seven Sisters Market traders in Tottenham (July 2017) and an expert study by the United Nations revealed the Human Rights consequences of regeneration and gentrification and the negative impact this would have on the dynamic and diverse cultural life of the area. In this particular instance the UN report highlights that "The regeneration project would force their activities to stop or relocate. This has a disproportionate impact on people belonging to minorities and their right to equal participation in economic, social and cultural rights"  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21911&LangID=E>

It is not development that traders oppose – but this development in its current form for its lack of consideration to the character of the area as a BAME commercial centre and for the absence of additional funding that secures their right to return.