

21 April 2005

Neil Hall
Westminster City Council
P.O. Box 240
City Hall
64 Victoria Street
London SW1E 6QP

Dear Mr Hall

Draft Supplementary Planning Guidance booklet “Guidelines for the Placing of Tables and Chairs in Covent Garden Piazza”

The Westminster Licensees Association (WLA) welcomes the opportunity to submit comments on the above document. This supplements our earlier comments on this matter as part of earlier consultations, engagement with the Covent Garden Action Plan and discussions and representations made by individual members of our association directly affected by the proposals. Last year, we also submitted comments on more general proposals for an SPG for tables and chairs in all locations.

As the trade body representing the interests of pub, bar, restaurant and club operators within the Borough, a number of our members have tables and chairs in and around Covent Garden. A far greater proportion will have licensed tables and chairs in other parts of the Borough and see this draft SPG as indicative of the Council’s wider thinking. Our members are therefore directly affected by the proposals.

Overview

By way of background, the WLA was established in March 2001 to provide an authoritative and collective voice for licensed businesses in Westminster. It is the only trade body dedicated to representing the specific views of Westminster-based businesses in local partnership and forum discussions. It sits on the Westminster Entertainment Forum, has regular quarterly meetings with Council officers and is represented in discussions with local magistrates, the police and other key stakeholders. We also work closely with other trade and business bodies, both national and local.

The WLA is made up entirely of local business people – predominantly bar, club and restaurant owners based in the West End – and in particular those not well represented by other national trade bodies. The WLA currently represents over a third of licensed premises within the Borough. Our members include national chains such as Mitchells & Butler, S&N Retail, established London operators such as Urbium and Regent Inns and a number of individual independent small businesses operating under their own fascia.

As has been noted in the earlier consultations, the popularity of alfresco dining amongst customers has soared over recent years, and experiments in Leicester Square and other locations have demonstrated the positive effect such provision – particularly that of full-

service dining – can have on levels of crime and disorder and the overall atmosphere of a location.

We welcome the Council's initial recognition in the document of the beneficial role tables and chairs can play in making the street environment more attractive, more welcoming and safer. The report appears to acknowledge that a more flexible approach is needed in order to encourage better quality provision of al fresco dining within the Piazza in order to cater for the clear demand and needs of consumers. We understand that these objectives are shared by the Council.

However, it is clear that these objectives are secondary to the architectural and historical considerations and the proposed application of the location controls and criteria will frustrate their attainment to the detriment of existing responsible operators within the area. We are therefore strongly opposed to the proposed locational controls set out in the draft SPG.

Aims and Objectives

The introduction to the document states that it aims to “identify appropriate and acceptable locations for tables and chairs”, however it provides just one single plan to indicate locations where al fresco dining would be considered to be “acceptable”. In many cases these locations do not enjoy permissions or facilities to deliver the service and no indication is given as to whether these locations would be able to address the highlighted shortfall. In contrast, there are 28 sketches and photographs to demonstrate unacceptable locations, including many occupied by existing providers.

The document is clearly weighted towards the architectural and historical considerations rather than those of businesses currently operating in the area and those of visitors to Covent Garden. Whilst our members acknowledge the importance of preserving and maintaining the environment, this should not be pursued as an absolute and as an end in itself if it would compromise the broader policy objectives outlined above. At the very least, the document should acknowledge that al fresco dining can be introduced with sensitivity towards even the most important buildings and that many existing operators in the area have worked with CGAT to ensure just that.

Cost/Benefit Analysis

Little reference is made to the current and future needs of the area or the legitimate business interests likely to be affected by the proposals. In particular, there is no assessment of the need for the provision of high quality al fresco dining facilities, the need for a thriving local economy to maintain the current attraction of the Piazza as a tourist destination in its own right, the inter-relationship between restaurant and refreshment facilities and other business sectors.

If the proposals were implemented as outlined, then the current businesses providing full service al fresco dining facilities – which the report acknowledges do not meet current levels of demand – would effectively be prevented from maintaining their current operations. No cost/benefit analysis or regulatory impact assessment is provided to take account of this adverse effect on long-standing businesses in the area. We estimated that the proposals would account for the loss of up to 100 jobs from those three businesses currently trading on the Piazza.

The consultation document also fails to take account of the positive benefits of well managed, full service al fresco dining opportunities. There is also no recognition of the impact on the area as a whole where retail units remain unoccupied or external space is under utilised.

The picture below was taken recently in Covent Garden at a site where previously there had been a restaurant with al fresco dining. If this were a managed space, then this level of vagrancy, street drinking and potential nuisance would not be allowed to occur.



Police reports following the introduction of a more pragmatic and relaxed approach to tables and chairs in Leicester Square suggest that a more flexible approach to the location of tables and chairs may have a beneficial effect on levels of crime and disorder. We are disappointed that the draft SPG does not reflect this. In October 2003, the Metropolitan Police and Leicester Square Association recorded a reduction in street crime of 46%, in burglary of 50% and in all crime of 29% compared to the previous year. Moreover, this decline is sequential, since the previous year had seen a reduction of 70% in street crime, a 48% reduction in burglary and a 51% reduction in all crime.

In support of a recent application for tables and chairs, the local police made the following comments in support of positive contribution properly regulated tables and chairs can make to crime and public order.

“I support the notion of having tables and chairs properly supervised and regulated by WCC.....Removal would also lead to some element of increased vagrancy.....I would anticipate that many areas vacated by tables and chairs would be quickly filled with homeless and other itinerants.....Crime within the alfresco dining facilities is low due to the very strict access controls to such areas and opportunities for thieves to wander in from the street and steal from customers is very much reduced.....”

This must be reflected in the final document.

Quality Criteria

Our members are nevertheless aware that the impact of tables and chairs in such a sensitive location needs to be carefully managed. We therefore support the establishment of clear quality criteria. New conditions relating to furniture style, umbrellas, lighting and heating (as agreed in principle with the Covent Garden Restaurateurs Association) should be imposed on all applications and enforced rigorously.

WLA Recommendations

We support the submissions made by The Rock Garden and Covent Garden Restaurateurs Association for an alternative approach to be adopted in respect of existing al fresco dining provision.

Recently released figures indicate that there 506 al fresco covers (chairs) currently available on Covent Garden Piazza. If the proposals were adopted as drafted at present, only 58 of these would remain available to satisfy the demand for full service dining on the Piazza, the others which would remain would only offer snacks. There are few locations that can bolster the number of al fresco dining covers to satisfy this shortfall in the absence of long-term changes to the permitted land use in the area. The consultation does not adequately explain how this is to be achieved and demand met in the interim without damaging the overall economy of Covent Garden.

If al fresco dining is to be encouraged and given that most of the locations currently suggested are inappropriate, reconsideration must be given to suitable areas where al fresco dining as distinct from snacking should be located.

Finally, we would note that street trading licences and permission for tables and chairs are temporary permissions and only granted for a very limited period. They are therefore subject to constant review, enabling the council and local community to maintain a high level of scrutiny of the operation and exercise a considerable degree of control. Insensitive operations can therefore be picked up and challenged at an early opportunity without long-term damage to the environment.

A compromise to the competing demands of business and the built environment would be to restrict permissions to those seasons where Permissions should be restricted to those seasons where their use will be beneficial to the area and avoid times of the year (winter) during which vacant al fresco areas serve no purpose, thus providing a 6-month period over which buildings are more visible.

We should be happy to expand on these comments in more detail.

Yours sincerely

Kate Nicholls
Secretary WLA