

# THE CHELSEA SOCIETY



## RESPONSE TO PROPOSAL FOR A KING'S ROAD BUSINESS IMPROVEMENT DISTRICT (B.I.D.)

The Chelsea Society has existed for more than ninety years to preserve and improve the amenities of Chelsea for the public benefit. The Chairman of the Society, together with the Chairman of the Planning Committee and two members of the Committee have met with the Proposers and heard an outline of what is proposed.

The Society is in principle very much in favour of improving the King's Road, but we would need to see a detailed B.I.D. Proposal before deciding whether to support it. If we did support it, the Society would wish to have a representative on the Board of the company managing the B.I.D. The key issue for us is whether such a scheme would be welcome to, and supported by, the small businesses who currently operate in the King's Road, and we would be unlikely to support a scheme driven solely by property landlords.

In the 1960's the rather bohemian character of Chelsea attracted entrepreneurs and designers like Mary Quant and Vivienne Westwood to the King's Road, and it became – together with Carnaby Street in the West End, the focus of the pop-culture, attracting young people from all over the world. However, like all fashions, this one has passed into history but the King's Road still has a reputation which attracts people from all over the world to its shops and coffee-bars.

The King's Road is not like Oxford Street, and we do not want it to be. It has traditionally been a place for small shops (except for Peter Jones, which we do not want to lose) offering specialist goods and services, but land values are so high that in recent years only the international fashion houses, and chain stores, can afford the rents. They do make a contribution to life on the King's Road, and some of their shops are very attractive, but they are changing the character of the road.

We value the efforts which Cadogan have made to improve Duke of York Square, the Cadogan Hotel, and soon the Curzon cinema, but without the vibrant independent boutiques and other distinctive enterprises (eg those which Cadogan have attracted to Pavilion Road) stretching westwards from Sloane Square to World's End, the King's Road is mainly characterised by the usual chain stores or coffee bars which you would find on any High Street.

The Society is conscious that Business Rates are already too high for many businesses, and that they face increasing staff and insurance costs, and competition from online retailers such as Amazon. A B.I.D. Proposal would therefore need to show real benefits for the businesses of the King's Road to justify increasing their costs with a B.I.D. levy. These benefits must be in addition to services from the Local Authority for which businesses have already paid through their Business Rates, and should not in principle be used to finance services which the Local Authority ought to be providing.

Although the current proposals are for the King's Road, The Chelsea Society would consider supporting an extension to the B.I.D. to include the employment and cultural centre in the Lots Road area.

## THE LEGISLATION

Business Improvement Districts were created by sections 41-59 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004/2443 (as amended by 2013/2265; 2014/3204; and 2015/582). They are business-led partnerships which are created through a ballot process to deliver services to local businesses additional to those provided by the Local Authority.

A Business Improvement District is a defined area in which a levy is charged on all business-rate payers in addition to their business-rates bill. The levy is used to finance projects for the benefit of those who live, work or carry on any activity in the District. Landlords of business premises in the B.I.D. can also contribute, and we would seek clarity about the level of their intended contribution to a King's Road B.I.D.

BIDS are now directly involved in regeneration, place-making, air quality and employment initiatives. They offer a five-year revenue stream, flexibility, government support, and lobbying muscle, local expertise and a focus on results. This gives them the ability to innovate and make tangible improvements at a time when local government is struggling to deliver services. There is no limit on what projects or services can be financed through a B.I.D. They may include, for example extra safety/security, cleansing, lighting, and environmental measures.

The B.I.D proposer is required to develop a Proposal and submit it to the local authority, along with a Business Plan. The proposal must specify the geographical boundary of the B.I.D. and the services to be provided. It must also specify who would be liable for the levy, the amount to be collected, and how it is calculated. The Business Plan must show the estimated cash flow and predicted revenue to be generated, together with the financial management arrangements for the Business Improvement District body.

A B.I.D. is managed by a Business Improvement District body, which is usually a private not-for-profit company but can be a partnership with the local authority. The body is responsible for developing and implementing the Proposal which sets out how the Business Improvement District will operate.

Usually Business Improvement Districts charge a levy of between 1% and 4% of rateable value, but the Proposal must give details of any relief from the levy that may apply. The amount and type of relief is dependent on local circumstances but could typically include charity relief. We would wish to see an exemption, or a lower rate of contribution, for businesses which operate uniquely in the King's Road. What is affordable for a chain store may not be affordable for a small business.

At least 84 days before submitting proposals, the Proposer must notify the local authority and the Secretary of State of their intention to put the proposal to ballot. At least 42 days before the ballot the Proposer must publish a notice stating the date of the ballot, and send a copy to the Secretary of State.

The local authority will manage the ballot process, but if they consider that the Proposal is likely to conflict to a significant extent with an existing policy, or place an unreasonable financial burden on Council-Tax payers, or that the burden of the levy would be unjust, they can veto the Proposal.

A successful ballot is one that has a simple majority in favour of the Proposal, both in votes cast and in rateable value of votes cast. Each business entitled to vote is allowed one vote in respect of each property occupied or owned within the boundary of the Business Improvement District. Although

the legislation provides for a simple majority, we would wish to see it supported by at least 60% of all the businesses in the King's Road, not just a majority of those who vote or respond to a questionnaire.

If the ballot is successful, the levy would be charged on all businesses within the boundary (regardless of whether or how that business voted in the ballot). The maximum period that a levy can be charged is 5 years, and it will then automatically cease. If the B.I.D. company wants to continue its activities it must hold a new ballot, so it has an incentive to perform well.

The Local Authority would manage the billing and collection of the levy and would hold the money in ring-fenced revenue accounts on behalf of each Business Improvement District body in the Borough.

Before April 2013 all business-rate income collected by councils formed a single, national pot, which was then distributed by government in the form of formula grant. Through the Local Government Finance Act 2012 and regulations that followed, the Government gave local authorities the power to keep up to half of business-rate income, with the remainder being transferred to central government. The central share is then distributed to councils in the form of Revenue Support Grant. The part kept by local authorities is then subjected to tariff, levy, top up and safety payments depending on the financial position of the council.

According to the government the change gives financial incentives to councils to grow their local economies and increase their income from business rates. There is a scheme for small-business rate relief.

Business-rates are the third largest expense for most small businesses, after rent and wages, and it is the only tax not related to ability to pay. The March 2017 Budget allocated to London Councils £124m to provide such businesses with business-rates relief but it is not yet clear what the newly elected Government intends to do about this.

The future health of the King's Road will of course depend to a large extent on the behaviour of the three main landowners, as well as the Council. The landowners have to make profits, but some of them do offer special terms for the kind of small businesses which have traditionally traded on the King's Road. However we still hear of small businesses being forced out by increasing rents, and there is a case for some subsidies funded by a B.I.D., which would need to be specifically targeted and monitored, to avoid abuse.

We are all aware of the serious downturn in the retail sector, and there is perhaps over-provision of retail services in the UK. This in itself present a challenge to retailers to provide diversity, quality, and value-for-money on the King's Road.

#### THE BUSINESS IMPROVEMENT DISTRICT

Maintaining the cleanliness and appearance of the Kings Road is important, as are the ways in which traffic is managed because it very much affects levels of congestion and so pollution, but the physical character of the street with up to 50 side-roads cannot now be radically altered.

The underlying issue must be to tackle the economic considerations at work in Chelsea if the King's Road is ever again to generate more business growth appropriate to Chelsea. Although the King's Road must continue to appeal to national and international visitors, a B.I.D. should encourage some shops of use more to local people than to visitors eg an ironmonger's shop in the eastern half, and a Post Office in the middle -preferably in the old post office building opposite the Old Town Hall. We would also welcome a good Chinese restaurant on the King's Road to replace Choys which closed some years ago, and a good Indian restaurant comparable to the Cinnamon Club in Westminster.

In our view, the entire length of the King's Road needs to be presented as a high-end business hub capable of accommodating quality jobs and services in addition to providing food and consumer goods for a densely populated borough and beyond. The King's Road is not just a Town Shopping area providing shops for local residents - it is still a mecca for much more than local shopping. We need to think of Business Improvement in the wider King's Road area as generating better paid jobs which add value, not just by shops but through studios and offices above the shops.

The Workday Population of the Wards in Chelsea is far higher than the usual residential population according to the last census, when the latter was under 39,000 as against a Workday Population of over 65,000. So the potential footfall in the King's Road is an important resource.

There is scope in the Lots Road area for additional workspace to enable the existing Creative Design Hub to continue to grow and generate jobs, particularly for graduates of London's University of The Arts. The Design Centre in Chelsea Harbour, just in Fulham, is now home to 120 showrooms covering over 600 international brands. It has a bespoke service to support busy design professionals (e.g. in the fitting out of entire hotels) and has been promoted as the World's Premier Design Centre. There are similar businesses in Lots Road leading up to the King's Road, and then in the final stretch of the King's Road going into Fulham which has permanent banners on lamp-posts branding this stretch as CHELSEA DESIGN QUARTER—London Design Destination.

The Chelsea Society offers the following initial suggestions:

- A regeneration scheme to form a second King's Road magnet at the Western end eg a complex, and / or market, of independent small enterprises (no multiples) between the Old Town Hall and World's End.
- A Chelsea Information Centre and café somewhere near the Old Town Hall – information about Chelsea's amazing history and local societies and interest groups , what's on, when and where , where to eat , entertainment , places of interest nearby , blue plaques , future cultural and commercial ventures and opportunities (even job opportunities), base for local guided walking tours, takeaway map etc . Chelsea Society members might wish to provide volunteer support.
- Encouraging high-quality design from new shop and other frontages, to street furniture and signage of all kinds : going some way to identifying Kings Road as an extraordinary (rather than ordinary) place , a destination ! This might include such mundane services as more seating, bus shelters all with electronic bus indicators, public conveniences, litter bins etc.
- An annual Kings Road Festival? - a parade from both ends meeting at the Old Town Hall, music and party. Input from the Saatchi Gallery/ Cadogan Hall / Royal Court Theatre/ National Army Museum, Royal Hospital, and Chelsea Physic Garden
- An annual cricket match open to the public on Burton Court or Duke of York Square. The Chelsea Society has participated in two cricket matches in recent years.
- Screening of Wimbledon finals, and perhaps other important events.
- Dealing promptly with fly-posting, and opposing the proliferation of telephone kiosks which are really advertising hoardings.

## POLICING

Within the last 12 months, almost on a daily basis either a shop or a house has been broken into in the King's Road, or someone has been robbed in the street. In the western part of the King's road alone about 10-12 shops have been broken in to within the last 3 months, and some of the shops have been broken into twice within a month or two.

The Chelsea Society is in contact with the Metropolitan Police Inspector responsible for Chelsea, and with RBKC, and wishes to see more CCTV to deter criminals and to assist in their arrest and prosecution. This is something which a B.I.D. needs to consider.

Local people and local businesses have paid for policing through their taxes and Business Rates. They expect police resources to be employed to the best effect, but for the foreseeable future there seems to be no alternative but to supplement their efforts locally. A B.I.D. for the Kings Road should therefore consider employing a company such as "My Local Bobby" not only to arrest criminals on the Kings Road but also to prosecute them if the CPS is unwilling to do so.

Whilst most rough-sleepers, beggars and unauthorised buskers and "chuggers" are not criminals, companies such as "My Local Bobby" should also be tasked to deal with them on the Kings Road. Some are in need of help, which needs to be given more effectively than it currently is, but others are part of criminal gangs begging for profit, to whom it needs to be made absolutely clear by practical measures, that their activities will not be tolerated.

## TRAFFIC

This is mainly an issue for RBKC and the police, but there may be some scope for a B.I.D. to help.

The King's Road is a major route which carries a significant proportion of London's traffic between east and west. It must carry the traffic more efficiently, but at the same time it must be convenient for local people and visitors to enjoy the ambience of Chelsea and benefit from what local businesses have to offer.

Most of the traffic on the King's Road comprises buses, taxis (including Uber) and delivery vehicles, and to a lesser extent private cars, motorcycles, and bicycles. London is an attractive venue for people from all over the world who are coming in increasing numbers, and congestion is not a purely local issue for Chelsea.

The King's Road is one of the most congested and worst polluted streets in London. At times there is complete gridlock, particularly in the section between Sloane Square and Sydney Street. A principal cause of the congestion is the large number of vans and lorries which use King's Road and which, in many cases, stop there to deliver goods. The road is narrow, and a single parked lorry can cause problems for buses (there are five bus routes along King's Road), and when two vehicles are parked opposite each other there is chaos.

The current regulations for parking and loading are not fit for purpose and are not properly enforced. Specifically:

- Although most of the King's Road has double yellow lines, there are many sections where at certain times of day loading is allowed on both sides of the street. This is the case, between 10.00 and 16.00, for most of the area between Sydney Street and Blacklands Terrace.

- Enforcement of the parking/loading rules on the King's Road is virtually non-existent. Traffic wardens are very active in the residential streets, but a traffic warden on the King's Road is a rare sight. On the few occasions when they are found, their answer, when challenged as to why they are not ticketing an illegally parked vehicle, is that they cannot wait to see whether the 20 minute

loading time has been exceeded. Also, many of them have a poor command of English so it is difficult to communicate. They should be required to attend basic English lessons relevant to their job, as part of their training.

A secondary cause of congestion is the number of pedestrian crossings which are not controlled - Pedestrian crossings are often heavily used, to the point where traffic has to stop for extended periods before there is a clear space. Only two such crossing (near the junction with Flood Street and near Sloane Square) are timed. The crossings at Cadogan Gardens, and between Cheltenham Terrace and Walpole Street, and at Royal Avenue, at Smith Street and at Waterstones are not. With five uncontrolled crossings in half a mile it is not surprising that the road is congested.

In addition there are uncontrolled pedestrian crossings in side streets where they adjoin the King's Road, making it difficult for vehicles to exit the King's Road and obstructing the traffic behind them. The crossing in Anderson Street causes particular problems as it obstructs traffic turning into Anderson Street from the Kings Road, and also obstructs traffic crossing the King's Road from Walpole Street.

- The turning from King's Road into Cadogan Gardens is another bottleneck. Cadogan Gardens is too narrow for two-way traffic and it is sometimes impossible for vehicles to enter and leave at the same time, particularly if a bus is involved. This is exacerbated by the uncontrolled crossings west of the turning and across the turning. We have asked RBKC to arrange a video survey to establish how traffic moves through this junction, and to identify the frequency and duration of blockages.

- There is no restriction on the size of lorries allowed to use the King's Road, and huge articulated vehicles are often present. This is less of a problem in the case of Marks and Spencer as they deliver off-road, but in other cases they block whole sections of the street. Adequate access for delivery-vehicles must be provided in the redevelopment of the Waitrose store.

A new regime is needed which reduces traffic congestion.

This should drastically limit the ability of vans and lorries to load and unload on double yellow lines, and should mitigate the situation at other bottlenecks. This means

- loading and unloading for cars and light vans for a maximum of 10 minutes should take place between 10.00 and 16.00 in certain designated sections of the road only; and where this is allowed there should be no loading or unloading on the other side of the road. Signage should indicate clearly where the loading restrictions apply.
- Longer loading/unloading operations should be prohibited anywhere on King's Road between Sloane Square and World's End from 07.00 to 19.00 on Monday to Saturday. All businesses on this section of the Kings Road should receive a letter from the Council advising them of the intention to impose these restrictions and asking them to inform their suppliers when they place orders for goods.
- All pedestrian crossings on the King's Road between Sloane Square and World's End should be timed, but they should not emit loud peeping noises which would annoy local residents and businesses.
- Traffic wardens should be instructed to patrol the King's Road more regularly and to enforce the loading restrictions.

We do think RBKC's lack of active traffic management is steadily undermining the future of the King's Road as a competitive high street and an attractive destination for all kinds of diverse local activities which define Chelsea's appeal.

To solve the congestion/pollution problems will require a clearly identifiable team of dedicated King's Road wardens to get the message across that commercial vehicles as well as limos/black cabs/hire cars and others will be dealt with promptly if they continue to obstruct the highway.

Traffic congestion is a problem in itself, as more and more time is wasted as people try to move around London, but congested traffic is also the cause of massive air pollution and waste of fossil-fuels, as thousands of engines are running with the vehicles going nowhere. The Mayor of London is addressing both of these problems, and The Chelsea Society wrote to him on the subject of pollution on 7th January 2017 <http://chelseasociety.org.uk/air-pollution/>

Excessive noise is caused by motorcycles and supercars. Noise-activated cameras are now available, which should be used to control this menace and to enforce the Public Space Protection Order which has been made.

The Chelsea Society has explained in its opposition to Crossrail in Chelsea at <http://chelseasociety.org.uk/crossrail-2/> why, far from improving traffic flow and reducing pollution on the King's Road, a station on the Kings Road would make matters worse. However, it is unlikely that this would be built in the foreseeable future, if at all.

Many local people own cars but often do not use them to drive around London, as congestion is so bad and parking so difficult, preferring instead to use the excellent public transport system. There are many customers of King's Road businesses who walk or use public transport, but there are others who need their car to transport goods. Local businesses also need to make and receive deliveries. The "school run" is also a significant generator of traffic.

The King's Road is narrow for a major thoroughfare, and the pavements in some locations are too narrow to carry the volume of pedestrians and baby-buggies at busy times. The pavements in some locations need to be re-laid, but there is no scope for widening them. It is particularly important therefore that the road and the pavements should not be obstructed.

Traffic is also seriously obstructed by road works, and these need to be coordinated so that the same piece of road is not excavated several times by different utilities. All too often we see the road obstructed by excavations on sites where nobody is working. On the King's Road there is a case for saying that work must be carried on continuously around the clock until completion (with the exception of noisy work at night), and if parts are needed they should be sent by special courier. Sometimes of course inevitable delay will occur while cement or concrete is drying. RBKC should adopt lane-rental powers, to provide a stronger incentive for contractors to carry out their works as quickly as possible.

#### APPEARANCE AND CLEANLINESS

Litter, cigarette-ends and chewing gum are a major problem on the King's Road. If more litter bins were provided, and emptied on a regular basis, perhaps people would be less likely to drop things on to the pavements. Chewing gum is a particular problem, as it is so difficult to remove from the pavements. Cadogan try to keep Duke of York Square clean, and we see their high-pressure cleaning machines operating, but it is rather like painting the Forth Bridge, and is not likely to be practicable on the narrow pavements of the King's Road, which would have to be closed if the machines were working during the day. If the government can put a tax on plastic bags, perhaps they should also put a tax on chewing gum, or ban it altogether from sale in the UK.

Another problem is the large quantities of refuse in plastic sacks or cardboard boxes which retailers put on to the pavement outside their shops. Most of these shops do not have vehicular access at the rear, so they have to dispose of their refuse via the King's Road. They are entitled to have their refuse collected, but RBKC needs to confirm (as seems to be the case) that they have made arrangements with the retailers so that the refuse is collected very quickly after they have closed for the day. If left overnight the sacks will often be torn by foxes.

It would not be practicable to collect this refuse from the shops during trading hours, because the refuse-collection vehicles would cause unacceptable obstruction to traffic during those hours. However, retailers should be encouraged to make agreements for their plastic and cardboard refuse to be removed by the same vehicles as are making deliveries to them, and this would reduce the number of vehicle-movements.

RBKC also needs to reduce clutter on pavements by removing as many bollards, railings and other street furniture as possible, consistent with safety considerations, including the need to protect pedestrians from terrorists using a motor vehicle as a weapon.

MICHAEL STEPHEN  
Planning Committee Chairman  
14<sup>th</sup> January 2020