

	Cabinet 17 January 2022
	Report from the Strategic Director of Regeneration & Environment
Draft Affordable Workspace Supplementary Planning Document	
Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two Appendix 1: Draft Affordable Workspace SPD Appendix 2: Draft Equalities Analysis
Background Papers:	Draft Brent Local Plan Affordable Workspace Strategy and Action Plan
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Alice Lester, Operational Director Regeneration Tel: 020 8937 6441 Alice.Lester@brent.gov.uk Jonathan Kay, Head of Regeneration Tel: 020 8937 2348 Jonathan.Kay@brent.gov.uk Honey Nounou, Principal Regeneration Officer Tel: 020 8937 2304 Honey.Nounou@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To present to Cabinet the draft Affordable Workspace Supplementary Planning Document for approval for publication and statutory consultation, and delegate authority for its subsequent adoption as part of the Local Plan.

2.0 Recommendation(s)

- 2.1 To approve the draft Affordable Workspace Supplementary Planning Document for publication and statutory consultation.
- 2.2 To delegate authority to the Lead Member for Regeneration, Property & Planning, in consultation with the Strategic Director for Regeneration & Environment, to consider representations made during consultation and adopt the Supplementary Planning Document as part of the Council's suite of Local Plan related documents.

3.0 Detail

Background

- 3.1 Affordable Workspace provides opportunities to grow and retain local businesses and jobs, attract new sectors, incubate start-ups, and is therefore vital to Brent's economic strength and diversity. Whilst demand for Affordable Workspace has significantly increased, supply has failed to keep up; with the number of small businesses in the borough substantially increased since 2010¹ but the supply of suitable premises for its use diminishing.²
- 3.2 In September 2020 Cabinet approved the [Affordable Workspace Strategy and Action Plan](#) (AWS) which includes new routes and initiatives to increase affordable workspace across the borough. One action is to develop an Affordable Workspace Supplementary Planning Document (SPD) to provide clarity and detailed guidance to planning applicants and developers on the implementation of Local Plan policies to secure and deliver affordable workspace in new development.
- 3.3 Affordable Workspace is defined in the [London Plan](#) as workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural and or employment development purpose. Brent's Local Plan³ specifies further that it is workspace leased to an [approved workspace operator](#) at no more than 50% of market value or rents, for the lifetime of a development.

Affordable Workspace SPD

- 3.4 Officers have developed the draft Affordable Workspace SPD (see Appendix 1) cross departmentally, and in consultation with a range of Affordable Workspace operators.
- 3.5 The draft Affordable Workspace SPD provides detailed guidance to optimise Affordable Workspace in new developments, inform the assessment of planning applications, and will be a material consideration for future planning decisions. Furthermore, the SPD provides guidance on:
- Affordable Workspace policy and context;
 - affordability, discounts to market rents and service charges;
 - delivery outcomes and minimum sizes;
 - Affordable Workspace operators;
 - leasing and disposal arrangements to operators;
 - calculation and circumstances for commuted sums;
 - location and specification recommendations; and
 - Affordable Workspace Management Plan requirements (including priority for Brent residents and sustainability criteria) and monitoring obligations.

Standardised s106 obligation templates and appendices are included to provide further clarity. To ensure the SPD remains relevant over the Local Plan period, the Council will be expected to review the document every 5 years.

¹ [Brent Affordable Workspace Strategy and Action Plan \(2020\)](#)

² Ibid

³ DMP14 from the 2016 Local Plan and draft Local Plan supporting text 6.4.12

- 3.6 To advance the draft Affordable Workspace SPD towards adoption, statutory public consultation of not less than 4 weeks is required. Consistent with the approach taken with other SPDs, it is recommended that the draft Affordable Workspace SPD is made available for public consultation for a period of 6 weeks. It is recommended the draft Affordable Workspace SPD be presented to Members for approval to that end. Subject to consideration of all consultation representations and any amendments, the final Affordable Workspace SPD would then be presented to Members for adoption and publication.

4.0 Financial Implications

- 4.1 Costs to produce the draft Affordable Workspace SPD are being met from existing Regeneration budgets.

5.0 Legal Implications

- 5.1 Town and Country Planning (Local Planning) (England) Regulations 2012 provide for Local Planning Authorities to adopt Supplementary Planning Documents. These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications. Supplementary Planning Documents cannot introduce new policy or allocate sites for development.

6.0 Equality Implications

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

- 6.2 Draft Equalities Analysis (see Appendix 2) will be completed prior to publication and statutory consultation on the draft Affordable Workspace SPD.

7.0 Consultation with Members and Stakeholders

- 7.1 The Lead Member for Regeneration, Property and Planning has been regularly briefed on the draft Affordable Workspace SPD.

- 7.2 Following Council Management Team review, the draft Affordable Workspace SPD operator and management plan environmental sustainability criteria were strengthened, and targets for Brent residents and businesses to access new affordable workspace increased. The Assistant Chief Executive continues to input into the draft SPD on local workspace priorities, including the Black Business Network and the aims of the Black Community Action Plan.

7.3 Statutory public consultation, to start as soon as practical subject to Cabinet approval, for a period of 6 weeks, will provide further opportunities to engage with partners, stakeholders, local residents, businesses and communities. During public consultation officers will also explore ways to expand and diversify the affordable workspace operator list, plus the feasibility of the Council itself becoming an affordable workspace operator.

8.0 Human Resources/Property Implications (if appropriate)

8.1 Regeneration has developed the draft Affordable Workspace SPD in-house.

Report sign off:

Alan Lunt

Strategic Director of Regeneration &
Environment