

Shop Keepers Guide to Securing Their Premises SPD

Statement of Consultation

December 2012

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1.0 INTRODUCTION

1.1 The Shop Keepers Guide to Securing Their Premises SPD was subject to an eight week public consultation, from 24th September 2012 – 11th November 2012. This is compliant with the Town and Country Plan (Local Planning) (England) Regulation 2012, which require an SPD to undergo a minimum of a six week consultation period. The public consultation undertaken is considered compliant with the Regulations and provisions set out in the Statement of Community Involvement.

1.2 During the consultation period the draft Shop Keepers Guide SPD, draft Sustainability Appraisal Report and draft Equalities Impact Assessment have been advertised in the local press and placed on the Council's website. Copies of the documents have also been placed on deposit in Bradford, Bingley, Keighley Shipley and Ilkley libraries and in Planning Receptions/One Stop Shops at Bradford, Shipley, Keighley and Ilkley. In addition, the following groups have been directly notified of the consultation:

- All Members of the Council
- All local Parish Councils and adjoining Parish Councils
- Adjoining Local Authorities
- Interested bodies and organisations, including community groups
- Local architectural and planning practices/ agents
- Interested individuals who have asked to be informed of LDF updates
- West Yorkshire Police

The event was also advertised within the Chamber of Trade newsletter, but unfortunately no shop keepers were able to attend.

- 1.3 As part of the public consultation exercise and a need to engage with the development industry, an agents and developers workshop was organized to target a need for feedback from the professionals who will be using the document on a day to day basis as part of their work in the development industry. The workshop was run on 19th October 2012 and attended by approximately 15 planning agents and developers. The workshop proved effective, with numerous debates on the content and a number of comments made on how the SPD could be improved. Full details of the event and comments raised can be found within the Section 2.0 of this report.
- 1.4 Section 2.0 of this report will also demonstrate the Council's response to comments raised during the consultation period, and the amendments made to the SPD where appropriate and necessary.

2.0 SUMMARY OF REPRESENTATIONS TO DRAFT HOUSEHOLDER SUPPLEMENTARY PLANNING DOCUMENT

Consultee (Name/Organisation)	Representation(s) to Draft Householder SPD		Bradford MDC Response	Outcome
1. Ilkley Civic Society	1.1	A relatively short document with approximately 25 typing/ grammar/ spelling errors should not have been released for public consultation.	<i>The document has been subject to another thorough proof read, and a number of typing / grammar / spelling correction corrected.</i>	Corrections Made
	1.2	The document lacks definitions of terms – in particular ‘Brick Bond’. This document is being addressed at shopkeepers who may not know what a brick bond grill looks like. Good photos of all types of grill should be used to define .	<i>Agree with the comment. The document should clarify this example with further and clearer examples.</i>	New example photo inserted.
	1.3	The term ‘imperative’ is used twice in this document, which has the status of a ‘Guide’ , a more appropriate term should be found.	<i>Although the document is named as a ‘Guide’ in it’s title, it is still a Supplementary Planning Document and thus carries sufficient weight. Therefore the use of the word ‘imperative’ is considered appropriate.</i>	No change
	1.4	Contents and layout should reinforce that different rules apply to Conservation Areas and Listed Buildings above those in all other retail areas.	<i>Agree with comment. Amendments to the contents page shall reinforce this point.</i>	Change to contents page made.
	1.5	The introduction refers in a number of places to ‘ high streets’ inferring that retail premises not on the high street are exempt. The term shopping area would be better.	<i>Agree with comment. Wording shall be amended to ensure all retail / shop premises are included for the avoidance of doubt.</i>	Change to wording made.
	1.6	1.3 refers to ‘both’ but only quotes one document being replaced.	<i>Agree with comment. Typo amended to reflect singular not plural.</i>	Correction to wording made.
	1.7	1.6 and 1.8 refers to Listed Building Consent possibly being required but omits Conservation Area Consent. We believe the regulations merging this into Planning Permission have not yet been brought in?	<i>Conservation Area Consent is not required for the purposes of installing shop front security, and thus would not be applicable for this form of development.</i>	No Change

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	1.8	1.6 fails to mention Conservation Areas in the last sentence. This paragraph also infers that CCTV, stall riser demolition, and rebuilding with reinforcement do not require permission. Is this correct as both can have considerable visual effect on a building?	<i>Conservation Area consent is not required for the purposes of installing CCTV and 'demolition' of stall riser with reinforced stall riser, and thus would not be applicable for this form of development.</i>	No Change
	1.9	1.6 and 1.7 refer to CBMC officers and the West Yorkshire Police Architectural Liaison Officer but no contact details are provided . Should these be in an appendix?	<i>Agree with comment. These shall be provided in the front of the adopted document.</i>	Contact details for Development Services inserted
	1.10	'What the Police Say'- we support this quote being made but to strengthen it , should not its source be given ? Is this a national quote from ACPO, Secured by Design or is it a West Yorkshire Police quote?	<i>Partially agree with comment. The document references the Police Architectural Liaison Officer, but fails to mention the West Yorkshire Police. Reference to be awarded to 'West Yorkshire Police Constabulary' only.</i>	Change to reference source made.
	1.11	Page 8 sketch drawing is a very poor quality example. 'Bradford Bakes' should not require security shutters to its shopfront, and no goods are shown in the space between the glazing and the shutter. Should not the term 'Re-enforced' be reinforced?	<i>Partially agree with comment. This was a mistake in the deposit location version of the document, which included a previous version of the sketch. The document available on the website throughout the consultation included a higher quality version and shall be carried forward into the adopted document.</i>	New higher quality diagram inserted.
	1.12	Stall riser is referred to in a caption but nowhere else in the document when this is an important security feature.	<i>Partially agree with comment. Reinforced stall riser referenced in the diagram and para 1.6, but will be emphasized in other sections of the document.</i>	Further text relating to reinforced stall riser insert in supporting wording to Design Principle 1.
	1.13	Design Principle 1 is a positive principle but should show examples of each type of shutter.	<i>The document now includes an example of the shutter grill, which was missing from the draft document.</i>	Image of shutter grill added.

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	1.14	Design Principle 2 is a negative and should be part of Design Principle 1? It also refers to the 'principal elevation' without definition, but should include any elevations clearly visible from a public space, which in many cases can be on more than one elevation.	<i>Agree with comment. A clear definition of principal elevation shall be given in the adopted document.</i>	Definition of Principal Elevation inserted.
	1.15	Page 9. The Police quote is almost a duplicate of that which appears on P6. Is this really necessary?	<i>For ease of reference and to be 'user friendly' elements of the police advice are subdivided and applied to each relevant section.</i>	No Change
	1.16	2.1 Makes no reference to the dangers of using solid roller shutters that allow burglars who have entered from the rear of property free unhindered, and unobserved, time to damage and steal property.	<i>Agree with comment. 'Doorways' section shall be amended to include the need to secure secondary doorways to prevent entry by criminals.</i>	Wording insert into Doorways section.
	1.17	2.2 States that Laminated Glass is the 'first solution to be considered, particularly for historic shop fronts still having original glass'. This statement contradicts best practice in conservation and makes no sense when the aim is to create 'quality neighbourhoods' as much historic glass in shopfronts is original coloured glass or curved glass ; the very things the document aims to protect to add to the character and safety of shopping areas.	<i>Vandalism of curved glass (usually on doorways) is commonly protected by well designed shop doorway gates, which are permitted under the guidance put forward in the SPD. If damage to curved glass is a sufficient security risk to the shop keeper, curved laminated security glass is available and internal security measures are permitted to all properties (subject to Listed Building Consent) to further add to security needs of the shop front.</i>	No Change
	1.18	Page 10 & 11– Again duplicate quotes from the Police appear.	<i>For ease of reference and to be 'user friendly' elements of the police advice are subdivided and applied to each relevant section.</i>	No Change
	1.19	Page 12 – we hope this photo is being included as a bad example, but there is no reference to the reason it appears.	<i>The example shown is to display how goods can be displayed at night after trading hours, but still protecting the premises and the shop window. Research into the district's shop fronts to discover a more aesthetically pleasing design shall be undertaken.</i>	Change made, new example inserted.

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	1.20	Design Principle 4 - The need for a separate section on the treatment of high heritage value areas and buildings is supported, but this is not well written. No reference is made to Article 4 directions which may specifically refer to shopfronts.	<i>The Council shall investigate whether the language used in Design Principle 4 can be improved and made clearer.</i> <i>At time of writing, the Council does not intend to implement an Article 4 relating to shop front security. This may be a measure the Council can investigate in the future.</i>	No Change
	1.21	Previously mentioned is the lack of definitions of some terms	<i>As previously stated, definition of terms shall be clarified in the adopted document where necessary.</i>	
	1.22	No list of contact details is given for the Council departments referred to in the document	<i>As previously stated, contact details shall be provided at the front of the document.</i>	Contact details inserted.
	1.23	The visual damage to shopfronts is frequently the result of poor advice from Insurance companies and security companies and without this issue being raised, and these organisations consulted, however good the SPD guidance is it will never be a success in improving the retail economy of the district.	<i>The SPD has no control over the advice distributed by insurance companies.</i>	No Change

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2. Bradford Chamber of Trade	2.1	<p>Members have always requested that the Council adopt a flexible approach when assessing what are "acceptable " security measures, similarly they have also always stated all businesses would only install any form of shutters when they had exhausted all other methods of crime prevention and or deterrent.</p> <p>(Businesses highlight this view as they are certain that their shop windows will not afford them any opportunity to promote their business when the shop is shut and the shutters are down, as this is completely alien to their instincts which would always be that their window display is their "showcase" and therefore any lost opportunities equal lost sales, - therefore lost profits. Hence a solid roller shutter would be considered as a necessity - not a "whim" purchase)</p>	<p><i>Agree with comment. The Council believes it has produced a flexible approach to shop front security, by providing a wide range of potential measures available to shop keepers in the priority based approach.</i></p> <p><i>The priority based approach emphasises the importance of "showcasing" window display goods after trading hours in combination with best levels of security for the premises, whilst also protecting the appearance of the shop front and streetscene.</i></p>	No Change
	2.2	<p>Members have also stated that the level of security is always dictated to them by their insurance providers, - and any level of cover is always subject to their insurers assessing the "risk factor " relative to type of goods available for sale and / or the area in which they are trading.</p> <p>(We should also note that many businesses have chosen to remove automatic policy cover for "windows " - as it is the business owners way of reducing the policy price if some of the risk is eliminated)</p> <p>The downside of this decision is that the shop windows would need to be protected by a more secure method. (hence some form of shutter or grill is seen as a way of achieving this)</p>	<p><i>Agree with comment.</i></p> <p><i>The SPD has no control over the advice distributed by insurance companies. However, the Council will go to lengths to provide details of the adopted document to insurance companies to ensure they are aware of security measures which are currently acceptable.</i></p> <p><i>External shop front security measures are acceptable within Design Principle 3, if it can be demonstrated they are necessary.</i></p>	No Change

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	<p>2.3 In the current economic climate (which has been the same for at least the last three years) businesses are experiencing extreme difficulties in "making ends meet" and as such if they suddenly find they have to install security measures (following a break in or burglary - which results in their insurers insisting on greater security being in place or insurance cover would be suspended or withdrawn) it is sometimes impossible to satisfy a local authorities "guidance / policy" AND THE DEMANDS OF THEIR INSURER. This could then result in the business installing the most basic shutter (which unfortunately nearly always would be a solid roller variety) - which in most cases would infringe the councils determined policy.</p> <p>In response to this scenario - members always say that the basic shutter is all they can afford to do in the "instant " circumstances they find themselves in - especially as they cannot risk failing to comply with their insurers and thus be faced with the instant withdrawal of insurance their cover (<u>Noting also that</u> their cover would always includes a legal obligation to have a "public liability " portion - which they would be very foolish to trade without)</p> <p>So the business is then faced being between the proverbial "rock and hard place ". To find a solution to this we feel that local authorities should always have in place a grant scheme which would effectively enable the business to pay their contribution for the basic shutter element of the cost and the "grant" would provide enough money for them to upgrade to an aesthetically pleasing shutter which would satisfy the council's "acceptable " standard. However - I can just hear your response - i.e. the council hasn't got any money for any grants. - No surprise there then !! - but why when the council say they have no money is it taken as OK - do they then expect similarly hard up businesses to come up with money that they don't have either? This is a prime example of where our members feel the council should be flexible when stipulating what their aspirations are when updating and / or changing any policy.</p>	<p><i>As stated in the previous comment response, the SPD has no control over the advice distributed by insurance companies, but will make efforts to ensure insurance companies are aware of the new guidance.</i></p> <p><i>The issue of grants for the suggested solution will be passed on the appropriate departments and teams who are best placed to provide information and assistance on this. However, it is the Council's opinion that more "aesthetically pleasing" solid roller shutter doors will still add the deadening effect on the streetscene and shop keepers are still unable to display (and advertise) their goods after trading hours. This may be a short term solution for existing roller shutter doors (with planning permission / consent), but the Council still advise existing solid external roller shutter are replaced in line with the guidance put forward in the SPD.</i></p>	<p>No Change</p>

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	2.4	<p>Ways of improving the visual appearance of a solid roller shutter. We fully agree that no "bare" shutter can claim to look aesthetically pleasing - hence we would always state they can be improved by a powder coating, - and we have also been made aware that some areas (e.g. Thetford Town Council in Norfolk) have allowed the shutters on a local shopping precinct to have a "mural" painted on each of them - which has achieved the required level of aesthetical appearance. We believe this idea should be pursued to see if "appropriate scenes" could be painted on a solid roller shutter (i.e. a cafe /sandwich shop could have a cup of coffee - a shop selling dancing apparel could have a ballerina or ballet shoes /tutu - a greengrocers could have fruit - a ladies dress shop could have a ballgown - etc etc etc) or to avoid the turmoil of what someone would see as "nice" might be totally abhorrent to someone else, - there could be a few stipulated scenic views - perhaps linked to the heritage of Bradford and surrounding areas - and each applicant would have to choose one of them. Either way the council could be sure that the local areas would be visually improved even when the shutter is down. (I have forwarded details of Thetford's scheme separately for information - hopefully some aspects can be assessed / pursued in Bradford and/or District)</p>	See response to comment 2.3	No Change

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	<p>2.5 Grilles Only - Members have always pointed out their difficulties when considering using a Grill or Grilles on the outside of their premises. (i) obviously dependent on the size of the window - but in most cases a women working on her own - with the responsibility for taking the grill off each day, - would experience difficulties in lifting the grill. Also - (ii) under the good old response to "health and safety" most businesses do not have facilities to store the grill inside their premises when they take it down in a way that would not compromise customer and/or staff safety. and (iii) any grills placed on the inside of a window (even if they can be opened to the side of the window) would not save the window from being broken via any criminal activity, - and then we are back to the scenario of the business not being covered via their insurance - and probably not even being able to repair the broken window straight away. (this would also create a non aesthetically please impact if the window had to stay boarded up till the owner could afford to replace it) N.B this happened in Shipley town centre a couple of years ago when a shop in a prominent place was broken into and the window completely smashed - The owner said he had no money to replace it and it wasn't covered by insurance as he had opted to remove the windows from his policy in order to reduce the insurance premium. The boards were in place for nearly twelve months - until the shop owner had enough money to pay for a new window. Not pretty - and not nice for the business owner - or the adjacent retail properties.</p>	<p><i>Partially Agree with Comment.</i></p> <p><i>Due to an unsuitable example of an external shutter, the comments submitted are related to detachable grills only. Although these may be acceptable under Design Principle 3, there are other measures available under this principle which address the issue raised under point (i) and (ii). Brink-bond Grills acceptable under Design Principle 3 are able to be installed externally into a shop front. The shutter box is able to be installed behind the signage panel and the runners within the frame. These grills are able to be pulled up and down easily, and no storage space is required within the premises.</i></p> <p><i>In response to point (iii), under Design Principal 3, shutter grills are able to be installed externally is proven necessary. These grills are able to protect the shop front glazing, and it is advised they are installed in combination with laminated security glass. If the property is within a conservation area or listed, external security measures will likely be unacceptable.</i></p>	<p>Change of example photo for external grills.</p>

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	2.6	External Roller Shutter Boxes - We are aware that the council are totally opposed to the installation of the external roller shutter boxes. However in mitigation - once the business has decided (either themselves and /or their insurance company) that a shutter has to be installed (and as stated previously a solid shutter is the only once within their "instant price range") it has to be installed in whatever space is available. This being the case it is unlikely that the business owner could afford to re-design the structure of the premises to accommodate a shutter box on the inside of the window (even if there was a space) Similarly they could not afford to re-design the shop front to accommodate it either. Hence the business usually has no choice but to install an outside box	<i>Shutter boxes are capable of being installed behind the signage panel even when the signage is not being replaced. Signage panels are often capable of being removed and reinstalled after the installation of a shutter box. Installing the shutter box behind the signage panel also provides the added benefits of not impacting upon the shop front and the streetscene, but also aids in preventing any tampering with during criminal break-ins to the premises.</i>	No Change

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	<p>2.7 Home Office - Bradford Council Crime Prevention Budget - We have to note details that Bradford's crime prevention budget has been reduced from the £764,000 received in 2010/2011 to the £308,360 allocation for 2012/2013 (i.e. a budget cut of 59.6% reduction)</p> <p>We also note Councillor Green's response to the reduced budget which states that "the figures showed big cuts to funding from prevention projects, - which can include street lighting, youth activities, gang intervention programmes, police officers in schools, CCTV and community projects" In response our comment would be that whilst we acknowledge that this budget is primarily to provide crime prevention initiatives to protect " residents" from burglary, and other crimes , - we cannot ignore the fact that that these cuts will similarly impact on the business community as well.</p> <p>The fact that there would be no improvements to street lighting, no increases to CCTV provision and no youth and/or gang intervention programmes will impact on business areas more - as in some cases a shop might be in an area on its own - and therefore without the protection of neighbouring properties who by their presence would assist self policing in crime prevention terms.</p> <p>These announced cuts make it more and more imperative that the business community and retail premises in particular are able to implement security measures that are commensurate with the assessed "risk factor " - <u>and within the personal finances of those persons who have to pay for what is necessary.</u></p>		No Change

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3. Lloyd Arundale Roller Shutter Designs Ltd	3.1	<p>I would like to propose a solution that in many circumstances would solve the current problem of grey shutters blighting the high street, without resistance from small shop keepers and traders. I am at present in talks with company working on costing for a affective commercial proposal-</p> <p>To provide spray painted shutters with proprietors company logo web site facebook logo twitter etc Part of of this could be funded by a mix of funding to contribute to the overall cost of the scheme.</p> <p>If shopkeepers have had insurance claims for broken windows they might have a strong case to resist what they might feel is a prohibitive expense given the current trading conditions.</p> <p>I believe that this could be a compromise solution given the right outside lightning is suitable. (Energy efficient lighting)</p> <p>The added befit would be to create employment and training for young people to be provided by intermediaries.</p>	<i>Please see response 2.3.</i>	No Change

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4. Richard Summerscales	4.1	<p>I am not in favour of the current proposals as they fail to protect the glass windows of premises from attack.</p> <p>My shop has been attacked 3 times in the last 2 years, this is despite clearly visible internal shutters on all the windows.</p> <p>This is a small sandwich shop on the outskirts of the city centre, and with no reason to store valuables or money on the premises whilst closed.</p> <p>Each time my window has been broken it has cost me over £500 to repair the window not to mention the disruption to the business caused by police investigators and broken glass fragments.</p> <p>My premises is insured, but the excess is £250 for all glass claims in the Bradford district (according to my insurance company), therefore making a claim uneconomical.</p> <p>The last two times the intruder was caught, but paid no compensation as each one couldn't afford it.</p> <p>I cant afford it, but my only alternative was trade with a broken window or pay for the damage. At an average price of £2 for a sandwich that is a lot of butties to repair what could have been prevented.</p> <p>The shop next door has also been attacked 3 times in one month last year (despite internal shutters), her insurer paid out on these claims as they were for much higher amounts, but she cant get cover for this year due to her claims history</p> <p>The only way to protect the glass from being broken is using an external shutter covering it up to prevent smashing. Laminated glass is too expensive for general installation if the shopkeeper has to pay for it and can still be damaged and need replacement when struck with hard objects.</p> <p>I appreciate that external shutters may look unsightly, but closed shops with broken boarded up</p>	<p><i>Under Design Principal 3, shutter grills are able to be installed externally is proven necessary. These grills are able to protect the shop front glazing, and it is advised they are installed in combination with laminated security glass. This provide a viable alternative to solid roller shutter doors, when it is demonstrated they are necessary. If the application property is listed or in a conservation area, external security measures will likely be unacceptable.</i></p>	No Change

Consultee (Name/Organisation)	Representation(s) to Draft Householder SPD		Bradford MDC Response	Outcome
5. Environment Agency	5.1	In areas at risk to flooding, shopkeepers should incorporate flood resilience measures into the security design of their premises where appropriate. The following document ' prepare your property for flooding: a guide for householders and small businesses ' includes flood resilience techniques which can be incorporated into the design of the building to protect and provide resilience against flooding.	<i>Agree with comment.</i>	Inserted text: In areas at risk to flooding, shopkeepers should incorporate flood resilience measures into the security design of their premises where appropriate.