

'The Effect of Planning Policies and
Practices on the Growth and Development
of Black Businesses: A Case Study of Leicester'

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ABSTRACT

The purpose of this project was to establish whether or not the development of black owned businesses has been impeded by policies and practices in environmental planning. This question was explored in a series of operational hypotheses using data collected in Leicester for the period 1971-81. The main sources of data were a large sample of planning applications records and an extensive survey of businesses who had applied for planning permission since 1984.

It was found that Asian businesses had grown in number during the period and had shown increasing spatial dispersal and sectoral diversification. Some of this growth was the result of the displacement of white businesses. There was also evidence that the formation of new Asian firms contributed to increased activity in the local economy. The increase in economic activity generated demands for additional commercial space. This demand was often frustrated by the refusal of planning permission which occurred twice as often for Asian businesses as for white businesses.

The high levels of refusal of planning permission were consistent with the restrictive nature of planning policies in respect of commercial land uses. There was no evidence that black businesses were discriminated against directly. The hypothesis that there was indirect racial discrimination arising out of differing policy impacts on different racial groups was found to be untestable.

The apparent disadvantage of black businesses in planning terms was related to their inner city location and their relative lack of influence on local politics. The latter attribute was characterised as a perception-gap that exists between planners and entrepreneurs. These problems could be addressed by placing increased emphasis on personal contacts between planners and applicants and in the creative use of existing inner city policy instruments.

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CHAPTER 1

INTRODUCTION

1.1 Background

This project originated from the work done at the Institute of Planning Studies (Nottingham University) in promoting awareness of race issues through planning education - both in the teaching of undergraduates and in continuing professional education. Dr Oc drafted the proposal for the project after supervising a research project on planning and black businesses in the London Borough of Newham, undertaken by students on his 'Planning and Ethnic Minorities Course'.

The present study was undertaken in collaboration with Leicester City Council Planning Department and was drafted in direct response to their identification of possible racial discrimination in the delivery of planning services. Three departmental studies of development control records had alerted Leicester's planners to the fact that planning applications from Asians were twice as likely to be refused planning permission as those made by others. Applications made for commercial premises appeared to be the most commonly refused, but the studies could neither develop a precise model of planning application outcomes nor explain why refusal rates diverged for apparently similar proposals.

The decision to focus a research effort on the spatial and locational needs of black business in the context of planning policy formulation and implementation coincided with two distinct trends. First there was a growing awareness of race issues in planning. Second there was a growing body of scholarship on the development of ethnic minority enterprise and the constraints on its development.

Leicester City Council Planning Department had been active in the promotion of race awareness amongst the planning profession. The major event of the early 1980's in this field was the publication of a report by a joint Royal Town Planning Institute/Commission for Racial Equality working party on Planning for a Multi-Racial Britain. The working party included two planning officers from Leicester City Council. The findings and effect of this report are discussed further in Chapter 2.

At the time when this project was first drafted Leicester City Council had just commissioned, in conjunction with Leicestershire County Council, research on ethnic minority business development in the county (LCC/62*). This project was in train with other research projects on Hackney, Lambeth, Brent, Cardiff and the West Midlands as well as longitudinal studies of Asian businesses in Bradford, Ealing and Leicester. These researches found that black entrepreneurs faced additional problems to those normally faced by small businesses, but many had overcome considerable obstacles to develop flourishing enterprises. A myth of Asian business success grew up during the early 1980s and, in line with current government thinking, it was hoped (and sometimes believed) that black enterprise could be the motor of inner city regeneration. The government had chosen to pay attention to small businesses and considerable thought and emphasis was placed on the simplification and removal of the many regulatory burdens that consumed the time

* The form of reference LCC/62 refers to the primary documents consulted at Leicester City Council. The citation number corresponds to the numbered entry in the Reference section 1 (below, p.255).

of small business managers (see Department of Trade and Industry, 1985).

This study aims to discover whether or not black businesses in Leicester are subject to some form or forms of racial discrimination. By studying a comprehensive sample of planning application records the fortunes of black applicants will be compared with those of white applicants. The information can be used in addition to chart the spatial and sectoral development of black businesses over a long period. A cross-sectional survey of businesses is used to discover the perceptions of location and planning held by entrepreneurs, and to establish how they would wish planning and related services to be delivered.

Whilst it has been suggested that a combination of local and national factors contributed to the desire for this research, it is also worth pointing out that Leicester forms an interesting case study. According to the Survey of Leicester around 25% of Leicester's population of 286,000 are from ethnic minorities, the majority of whom are Asians. About half the Asian population were born, or descended from those born, in East Africa. The East African emigres are mainly refugees from the troubles of the early 1970s and many have allegedly brought capital and considerable business expertise with them (Aldrich, Jones and McEvoy, 1984: 201-202). The local economy of Leicester is characterised by a larger than average proportion of employment being located in small firms. The industrial structure is dominated by textiles, hosiery, clothing, footwear and engineering industries. Entry barriers, in terms of capital requirements and access to premises are relatively small in the first three sectors. Thus the economy of Leicester is fertile ground for small business formation and development. The main disadvantage for a case study of black businesses is the relatively small Afro-Caribbean population - about 1.8% of the total. However, given the limitations of the techniques of data collection which make it very difficult to identify Afro-Caribbean planning applicants (see below, section 3.5), the concentration on Asian businesses improves the reliability of the findings. The

following section gives a brief description of the aim and content of succeeding chapters.

1.2 Organisation of the Thesis

The above section suggested that this project was established in the context of a number of differing academic and policy interests in the fortunes of black business. Accordingly in the literature review, Chapter 2, there is an examination of diverse strands of literature in race, planning, inner cities, small businesses and black business development. An attempt is made to integrate the various approaches in order to assess how far environmental planning in Britain can hinder or assist black business development. An organising concept of ethnic pluralism is borrowed from policy studies literature to suggest how planners should proceed, but a warning is sounded that over-emphasis on black business development may be counter-productive in that (i) it could deflect attention away from issues of equality in the labour market and (ii) the proliferation of new small businesses could damage the viability of existing firms and lead to increased environmental stress in the inner city.

Chapter 3 describes the selection of the sample frame which is based on seven operational hypotheses suggested by other research and previous studies of planning applications made in Leicester. The hypotheses are tested by an analysis of 3715 planning applications records from the period 1971-87 and a sub-sample used for a survey of 191 businesses. The methods are based around very straight forward techniques of bivariate analysis and the chapter includes an assessment of the limitations of these techniques and the problems encountered in data collection.

The context for the analysis is established in Chapter 4 the planning policies of Leicester City Council are described. An evaluation of these policies is attempted in terms of their likely

impact on black businesses. The study of local plans documentation reveals how far black businesses and racial minorities generally become involved in the statutory local plan consultation process. Finally the planning policies are assessed in the light of the evolving economic policies and the ethnic minority business development strategy of the City Council. The evidence suggests that in stated policy goals the Planning Committee remains wedded to very narrow physical land use and design objectives.

There is clearly scope within the statutory planning system to achieve wider economic and social objectives through using the inbuilt flexibility of the development control system. That system is subjected to intense scrutiny in Chapter 5. The results from the analysis of planning applications records are used to (i) chart the spatial dispersal of black businesses over time, (ii) to develop an impression of sectoral diversification in black business development and (iii) to assess whether there has been any change in operational decision-making (i.e. in the determination of planning applications) through time in response to the evolving economic policies of the City Council. A detailed comparison of the planning fortunes (i.e. approvals or refusals of planning applications) of Asian and white businesses is offered in order to test whether or not direct racial discrimination occurs in the development control process.

In Chapter 6 the emphasis is shifted towards the views of businesses. The analysis of the survey of businesses provides much more detailed data on the characteristics of the business in relation to the planning outcome. The survey also provides an assessment of the relative negotiating strength of black and white businesses, and their views on the burden (if any) imposed by planning and on the effectiveness of existing services.

In Chapter 7 an attempt is made to integrate the results presented in the previous two chapters to assess the extent of racial discrimination in planning and how this affects business development. A comprehensive model of the spatial development of black businesses is not offered on the assumption that such

development is not substantively different from that of other businesses. The findings suggest that the majority of black businesses are now conditioned by the planning system into locating within the predetermined hierarchies and zones of land uses. Trends in business development that do not accord with the planners' preconceptions are explored in a case study of Leicester's Narborough Road shopping area. The case study centres on a planning appeal submitted by a group of mainly Asian clothing wholesalers who had agglomerated in this area. The case study is used to explore the concept and ramifications of indirect racial discrimination in planning policies and practice.

A recapitulation of the main findings and conclusions of the study is presented in Chapter 8. The findings from the research have suggested a number of courses of positive action. A list of specific recommendations to Leicester City Council are to be published in a forthcoming report and a summary list appears in Appendix 2. The most significant recommendations are presented in Chapter 8 and there is a discussion of their feasibility in the light of the reaction of the planning authorities in Leicester. Finally, the limitations of the data are assessed along with potential further analysis of existing data. Gaps in the present study are identified to offer scope for further research.

Appendix 1 contains copies of the instruments employed during the survey of businesses. The thesis is completed by a full list of primary and secondary sources consulted during the research.

CHAPTER 2

PLANNING AND BLACK BUSINESS: AN OVERVIEW

2.1 Introduction

Research on the relationship between environmental planning and ethnic minority communities could be fairly described as being in its infancy. This chapter aims to place the project in the wider context of recent scholarship by discussing the themes which emerge from diverse bodies of literature and attempting to integrate them.

First there is a discussion of general literature on race and ethnic minorities and on environmental planning which aims to demonstrate that research into racial minority communities in Britain raises a number of questions for environmental planning that are not generally addressed in literature on planning theory and planning processes. An examination of literature on inner cities and particularly on the role of businesses in the inner cities is intended to describe the policy environment within which the majority of black people in this country live.

The specific context for the project is established by examining recent developments in the field of race and planning; black business research; and planning and businesses.

2.2 Concepts of Race, Ethnicity and Discrimination.

Literature in the field of ethnic and racial studies can be usefully classified into two groups. First there is literature which examines concepts of race and the nature of ethnicity (e.g. Banton, 1987; Glazer and Moynihan, 1975). Second, a large amount of research effort in social sciences has been directed towards understanding of discrimination practised against distinct racial groups by other groups - typically, in Britain, this has meant the examination of disadvantage experienced by minority groups (e.g. Runnymede Trust, 1980, Brown, 1984).

It is the second strand of literature that is of most use in informing the present research, but Banton argues that "any policies to reduce racial inequality must be based on some understanding . . . of a theoretical character" (Banton, 1987: 169). His own, stimulating history of ideas about race (ibid.) shows how difficult it is to achieve that understanding since terms and definitions are confused and analytical concepts are mixed up with empirical and folk concepts (ibid.: xi-xiii). Glazer and Moynihan have suggested that a new term 'ethnicity' is increasingly the preoccupation of abstract theorising thus shifting studies away from the examination of minorities or sub-groups towards "all the groups of a society characterized by a distinct sense of difference owing to culture and descent" (Glazer and Moynihan, 1975: 4).

It is not proposed to assess these debates, nor yet to critically contribute to them. Rather, the development of concepts of race and the study of racial and ethnic relations has demonstrated that members of certain ethnic or racial groups may be discriminated against by members of other groups. The fundamental aim of the research, presented in succeeding chapters, to test a hypothesis that such discrimination can take place in the conduct of environmental planning.

Banton (ibid.: 121-135) has developed a credible rational choice theory of racial relations which accounts for the nature and (sometimes) apparent inconsistencies in inter-group relations. Rational choice is rooted in an economic conception of social action as the allocation of scarce means to competing ends. Individuals act to maximise their net advantage in the context of limited choices. Individuals align themselves to a particular (ethnic) group and may forego immediate, selfish gratification as the group produces norms (i.e. rationalisation) of behaviour. The forms such social action take are determined by the need to compete for resources. This process provides the rationale for racial discrimination. The theory does not imply that such behaviour is a rational choice in any moral sense nor even that such behaviour is for the long term good of society as a whole (in the economic sense).

Banton claims that his rational choice theory accommodates observed changes in the behaviour of groups and individuals and reconciles the alleged inconsistencies of such behaviour. For example in the American Deep South in the 1930s, in macro terms Negroes, had a lower status than whites in society. This did not prevent some Negroes, at micro-level, from attaining middle class status and ownership of capital, (i.e. higher status than many whites). Whites were prepared to interact equitably with middle-class Negroes in economic transactions but they maintained their own white (ethnic) group boundary (and as corollary, the racial category of 'Negro') by the ultimate taboo of mixed marriage. Conversely Negroes placed priority on resisting economic discrimination and were less concerned about the sexual taboos oppressing them (ibid.: 108-109). The middle-class solidarity shown by whites to their Negro counterparts developed in parallel to the continuing sub-ordination of Negroes. The apparently inconsistent behaviour of whites towards Negroes was thus demonstrably in their short term economic interest.

According to Banton theories of discrimination are by far the most developed area of the rational choice theory of race relations. Several types of discrimination are distinguished by

the theories: discrimination arising from social custom; statistical discrimination (arising from beliefs about those assigned by social processes to a particular category); discrimination arising from monopoly (one buyer and many sellers in a particular market); and discrimination resulting from inequalities in bargaining power (ibid.: 132).

It is possible that an empirical study of environmental planning processes will generate evidence of one or more of these forms of discrimination. For example development control officers could treat black applicants for planning permission less favourably as the basis of their beliefs (such as a belief that Asians develop poor quality buildings or that Asian entrepreneurs should be excluded from white neighbourhoods). A more likely source of discrimination may arise from a concept developed in British law of indirect discrimination. This is held to occur where a policy which cannot be justified on non-racial grounds unintentionally discriminates against a particular group or set of groups. For example, a policy restricting retail development in areas of high ethnic minority population may prevent ethnic minority entrepreneurs from servicing their communities with specialist goods to the detriment of those communities. Banton discusses the use of discrimination theories in the analysis of racial discrimination in housing markets but concludes that the "concept of [indirect] discrimination is of limited use for policy purposes" (Banton, 1979: 426).

The profusion of terms and concepts in the study of race and ethnicity is apparent. Thus far racial categories have been characterised as those to which people are assigned by social processes. This assignment takes place using phenotyping (i.e. using physical characteristics to assign individuals) or language or some obvious sign. Ethnic groups are formed by the free choice of individuals based on shared characteristics or beliefs. Membership of an ethnic group may also be denoted by some outward sign, for instance the male Jewish skull cap, but that sign is explicitly chosen.

A further dimension is added by the introduction of the term racism. 'Racism' is often used interchangeably with 'discrimination'. Anti-racist activists such as Katz (1977) have described discrimination practised by individuals as personal racism and indirect discrimination as institutional racism. Katz defines racism as something that is practised, perpetuated and can only be resolved by whites. Whites do not see their own whiteness:

The racial prejudice of white people coupled with the economic, political and social power to enforce discriminatory practices on every level of life - cultural, institutional, and individual - is the gestalt of white racism. . . .

In psychological terms racism has deluded whites into a false sense of superiority that has been left in a pathological and schizophrenic state. In intellectual terms racism has resulted in mis-education about the realities of history . . .
(Katz, 1978: 10, 15)

This theoretical position is explicitly rejected in the present study. Racism as defined above is not a testable proposition. At best it is an operational definition of one particular aspect of racial relations, at worst it is an extremist article of faith.

In the following pages the term 'racism' is used only when discussing the work of other authors. For technical reasons (see below, Ch.3), the analysis of data employs two racial categories: 'Afro-Caribbean' and 'Asian' groups in Britain. These two racial minority groups are referred to by the blanket-term black. Accordingly the theoretical perspective is rooted in the orthodox sociological theories demonstrated by Banton (1987). Some attention is paid to concepts of ethnicity in discussing the significance of black businesses. The term discrimination is used to describe actions or policies that are disadvantageous to black people. Policies or actions designed to benefit black people are described as positive action rather than 'reverse discrimination' or 'positive discrimination', terms used by some authors.

2.3 Britain's Black Population

Accurate estimates of Britain's black population are difficult to obtain owing to limitations of official data (OPCS, 1980; Runnymede Trust, 1980: 123-126). The most reliable estimate is around 2.2 millions - (or 4% of the total U.K. population (Commission for Racial Equality, 1985a: 2). Approximately 60% of the black population was born outside the U.K. (ibid.) The strict control of immigration to the U.K. (Runnymede Trust, 1980: 35-39) means that the black population is only likely to increase through indigenous reproduction. The higher birth rate and youthful profile of the black population (factors largely determined by the pattern of immigration) compared with the U.K. average means that the black population will increase (the white population, in contrast remains fairly static). Estimates of the likely magnitude of increase predict a black population of around 3.5 millions (6% of total U.K. population) by the year 2,000 (ibid: 9, 27).

The black population is concentrated into the former Metropolitan County areas of Britain. Over 75% of blacks live in these industrial conurbations compared with 40% of the total. Over 50% of the Afro-Caribbean population lives in Greater London, whilst the Asian population is more dispersed with large concentrations in the West Midlands and Greater Manchester (in common with Afro-Caribbeans) and in West Yorkshire and cities such as Leicester and Peterborough - the latter two accommodating many of the East African Asians, refugees of the early 1970s (Peach, 1984: 32-33; Runnymede Trust 1980, 5-9).

The analysis of small area statistics reveals that the black population is densely concentrated within the regions identified. For example, around 70% of Afro-Caribbeans in London were located in the Inner Boroughs in 1977, mainly around the principal railway termini where they originally arrived from their ports of entry. The Afro-Caribbean population has shown some dispersal, mainly through the public housing sector (Peach, 1984: 35-37). The larger, more recently arrived Asian population has displayed more

complex settlement patterns from the outset; however, there has been very little movement by Asians to disperse from inner city areas. The majority of Asians remain in ethnically homogeneous communities (i.e. related by ties of language, religion and place of origin) for reasons of enforced segregation and their desire to preserve a separate identity (Philips, 1982: 118; Runnymede Trust, 1980: Ch. 4; Peach, Robinson and Smith, 1981).

The phenomenon of immigration to Britain obviously extends back to the first human settlers of the islands (Holmes, 1984: 1). In recent centuries the arrival of immigrants, such as black slaves in early seventeenth century London, has aroused public hostility (Walvin, 1971: 64-65). The migration of East European Jews, fleeing pogroms and endemic poverty, created a ghetto in London's East End and resulted in repressive legislation (Aliens Act 1905) and ultimately the rise of Fascism in Britain.

The black population of Britain originated mainly from the New Commonwealth countries and Pakistan (NCWP). It remains the most visible minority and has had the most difficulty in securing an equitable position in British society. The history of NCWP immigration and the subsequent fate of the settlers has been well documented (e.g. Fryer, 1984; Harrison, 1985; Ch. 19; Holmes, 1984; Peach, 1984; Runnymede Trust, 1980). It is apparent that black people have encountered discrimination and hostility at all levels in society. On the broad level of racial relations it can be argued that the continuing problems faced by blacks arise from the ease with which they can be identified (phenotyped) by others.

The visibility of black people in the streets is not mirrored by their visibility in official statistics. Research into discrimination and disadvantage is hampered by the non-availability of census data in particular. The Runnymede Trust argue that monitoring of 'ethnic origin' and the volume of official statistics that already exist on black people may have no "positive consequences" for them. Such data may compromise the privacy of black people; it could be used to create differential, and possibly inferior, levels of welfare response; it could be used by political

activists to pursue discrimination; and finally, such data has been used largely for immigration control. The Trust also points out that the crude measures used like country of birth, or blanket terms like 'Asian' do not reflect true ethnicity which is based around religion, language and region or place of origin (ibid.: 121-129). Conversely Brown (1984) argues that we need "information on the total impact of racial disadvantage" and the use of blanket terms like 'Asian' is unavoidable (ibid.: 2). Whilst Rose, a tireless promoter of equitable race relations, has suggested that studying the "newcomer" may "show up [overall] weakness in the structure of the societal community . . . the Condition of England question for this generation" (Rose, 1969: 33).

There is a wealth of empirical research to suggest that the "Condition of England" is far from healthy. The Runnymede Trust (1980) assembled much evidence to show racial disadvantage at all levels and in all sectors of society. It is evident that black people have worse housing (e.g. Commission for Racial Equality, 1984b and 1985b), lower educational attainment, higher unemployment (e.g. Buck and Gordon, 1987), higher infant mortality and lower real income than white people. The Policy Studies Institute provide the best single source of information with a longitudinal series of studies based on national samples (Brown, 1984).

Government responses to the black population can be classified in two types. First there has been great concern to control immigration motivated by fears of white hostility to blacks and to governments that allowed them to settle. With the retrenchment from Empire after the Second World War the British Nationality Act 1948 guaranteed the parity of New Commonwealth citizens (e.g. India, Pakistan) with old Commonwealth countries (e.g. New Zealand, Canada). People from these countries enjoyed full access to U.K. citizenship. These rights were successively removed by Immigration Acts in 1962, 1968 and 1971 (Runnymede Trust, 1980: 30-39).

The second type of legislation is that aimed at combatting racial disadvantage and racial discrimination. The Race Relations Acts of 1965, 1968 and 1976 represent a radical departure in

British constitutional law in that they confer legal rights by Act of Parliament upon individuals (ibid.: 39). Successive Acts represent a tightening of the law and the widening of powers to combat racial discrimination. The 1976 Act also seeks to combat racial disadvantage by (i) establishing a legal definition of indirect discrimination (see above p. 10); (ii) allowing limited forms of positive action; and (iii) by defining specific responsibilities for those charged with formulating and delivery of public policy (notably local government under the Race Relations Act 1976, S.71).

The other main impetus for combatting racial disadvantage comes from legislation aimed at those local authorities responsible for inner city areas. The first piece of legislation was the Local Government Act 1966. Section 11 of the act contained provision for funding of special posts to help combat racial disadvantage. This led to little constructive policy formulation and was mainly absorbed into local authority main education budgets, ostensibly to pay for extra staff to undertake specialised language teaching (Young, 1983: 294). In 1968 the Labour Government hastily put together an inner cities initiative in response to the popular unrest reflected in Enoch Powell's 'Rivers of Blood' speech (ibid.: 289). To avoid fuelling this unrest, policy was further directed at inner cities where resources could reach racial minorities living in deprived areas without the potentially unpopular consequences of targeting such groups directly. Local authorities were given greater scope by the Local Government (Social Need) Grants Act 1969 and further financial powers under S.137 of the Local Government Act 1972.

The origins of what came to be known as the Urban Programme lay in government responses to immigration and perceived threats to public order. Consequently the co-ordination of the programme lay with the Home Office. The urban programme was reformed subsequently: environmental planning now has a significant role in the management of urban change and renewal (these developments are discussed below, sec. 2.5). However, reforms have not resulted in any clear, overall objective to direct policy towards combatting

racial disadvantage. This phenomenon has been dubbed 'ethnic inexplicitness'. It has been argued that ambiguity is built into policies because of the highly charged political atmosphere that surrounds racial issues in Britain. Young considers that 'ethnic inexplicitness' has injured the potential of the Race Relations Act 1976 and he speculates that underneath the immediate political crises lurks "a reluctance to shed established notions of ethnic assimilation" (Young, 1983: 288-291, 296-298).

Ethnic assimilation is the concept that sub-groups in society will ultimately be absorbed into the majority group (i.e. that immigrant groups would adopt the culture, language, dress and mores of the host society). Glazer and Moynihan believe that this traditional liberal doctrine is wrong and they suggest that diverse ethnic groups

may be forms of social life that are capable of renewing and transforming themselves. As such, perhaps, the hope of doing without ethnicity in a society as its subgroups assimilate to the majority group may be as utopian and as questionable an enterprise as the hope of doing without social classes in a society.

(Glazer and Moynihan, 1975: 4-5; their italics)

Young advocates the use of "ethnic pluralism as an organising concept." It goes beyond the simple identification of groups into debates about public policy and the allocation of resources. Pluralism explicitly rejects the unfortunate language of existing scholarship which refers to 'disadvantage' (reinforcing the notion of blacks as victims) and 'minorities' (sustaining the pre-eminence and claims of the majority) (Young, 1983: 297). Ethnic groups can then be seen as interest groups who advance their claims on public resources and have a legitimate share in the formulation of public policy (cf. Glazer and Moynihan, 1975: 7-9). The present research employs the concept of pluralism as the test of the effectiveness of existing environmental planning policies and also for establishing the credibility of alternatives.

2.4 Some Concepts in Environmental Planning

The presence of racial minorities in Britain confronts environmental planners with a number of challenges in policy formulation and environmental management. The most significant characteristic of the black population for planners is its demographic structure. It was noted above that the black population is increasing in contrast to the relatively static white population. Also for a mixture of positive and negative reasons the black population remains concentrated in a few inner city districts in the large urban conurbations in Britain. Thus planners must accommodate a growing population within an area that is physically bounded and incapable of growing, except vertically (a solution which is widely discredited). As well as space for housing, there is and will continue to be demand for improved and increased social infrastructure (e.g. schools, places of worship, open space). The high levels of unemployment found amongst blacks and the relatively fast growth of the black population make the search for urban economic renaissance even more imperative.

There is scope within the current planning system for identifying and satisfying physical demands for land and development. The presence of black communities, however, may intensify the challenge for planning. Planners must at least face the possibility that diverse ethnic groups will not accept current consensus (or assumed consensus) views about the allocation of land and the management of the environment. The organising concept of ethnic pluralism demands that established institutions negotiate with new interest groups to achieve a new consensus and deliver a service that is relevant to those groups. This section examines how far current theories and techniques of planning can assist in responding to the challenges identified. The discussion is based in the statutory context of British Town and Country Planning.

The following assessment of planning literature is based on a classification into three generic types. First there is a discussion of theories about planning as an activity; this

literature centres around attempts to establish a positive scientific theory of planning and the challenges to the assumptions of positivist theories of science. Second there is literature which assesses the actual forms and operation of the planning system and aims to construct theories that explain the observed processes. Third there is literature which aims to describe, explain and prescribe the substantive content of environmental planning (this is dealt with in later sections). This classification is adopted for convenience and clarity and does not suggest a rank order of merit or significance, rather it suggests a common theoretical progression from generalised abstract ideas to the specific and concrete. Indeed, the first type of theory is practically meaningless unless tested against the evidence from the second and third types of study.

2.4.1 Theories of Environmental Planning

Theories of planning have developed tangentially to theories of environmental planning per se. Faludi's anthology (1973) assembles much of the significant work that attempts to establish a positive theory of planning. The earliest systematic theorising about planning emerged from the Chicago School which established an ideal type of planning - rational comprehensive. Various authors asserted that planning should be a rigorous set of methods for optimising decisions (ibid.; Faludi, 1987: Ch.2). Rational comprehensive planning is realised when the optimum course of action is achieved after the systematic evaluation of all relevant data.

The rational-comprehensive planning model is the product of a particular period in the evolution of social sciences. The model itself and the assumptions which underpin positivist theories have been subjected to many challenges. Altshuler (1973) made a significant critique of the aspiration to comprehensiveness in planning and drew particular attention to the problems of

conflicting goals in planning which in effect undermined the pretension to objectivity demanded by the rational model.

Cooke (1983) has attacked the separation of planning theory from theories of spatial development, and the misconception of the functionalist view of planning which separates the activity from social processes (ibid.: 261-262). In Cooke's view the inadequacies of planning theorizing result from the erroneous assumption of objectivity in positive science (i.e. that knowledge can be value free) and the "atomizing influence of bourgeois social science" into different subject areas (ibid.: 87). Cooke is concerned to reintegrate theories of planning and spatial development using the unifying mechanism of the division of labour, which is central to the organisation of production in a capitalist society and has direct spatial consequences. Planners, then, should recognise the centrality of the division of labour and produce strategies to accommodate the changes in spatial organisation that benefit the class interests they serve (ibid.: 264-275)

Cooke is in a minority of planning writers in that he does deal with race and ethnicity. He describes racial minorities as 'local labour classes' (ibid.: 208-209) in order to integrate what are diverse social groups into his theoretical scheme which is broadly Marxist. Banton (1987: Ch.5) deals with some of the problems of Marxist interpretations of race but these need not detain us. In the current research racial minorities are assumed to be at least partially heterogeneous groupings in economic terms. This assumption rules out the kind of scheme suggested by Cooke because the individual members of any racial group could alternatively belong to labour, capital or land owning classes (as the particular study of black businesses implies). Cooke's ascription of racial minorities to one class is too limited and too simplistic.

An important addition to theories of planning was made in the 1960s by Davidoff and Reiner (1973) who attempted to establish a procedural model of planning which built on rational decision

theory based methodology but also incorporated the specific identification of values. One of the purposes of planning they suggest is to widen choice for clients (ibid.: 16-17). Davidoff went on to suggest a role model for planners in which they became advocates for particular interest groups. He envisaged that planners would work for specific clients and this would produce what was in effect a market place for competing plans. Such a scheme would empower groups and result in the widening of choices for society as a whole (Davidoff, 1973; cf. Faludi, 1987: Ch.3). An avowedly pluralist system of planning would appear to offer hope of a constructive response to the challenge of pluralism set. However, a competitive process for the adoption of plans might result in the interests of racial minorities being edged out by the majority view.

Faludi (1987), has recently attempted to draw together the threads of rational planning models and answer the critics of positive theories. He argues for a very limited but precise view of planning. Drawing on the work of the Chicago school and more recently from contemporary studies of planning practice and the theoretical advances in decision theory made by operations researchers, he suggests that planning should be construed as a secondary activity of analysing a 'decision situation' and suggesting the optimum solution according to the democratically determined political priorities established for the management of the 'public estate'. The concept of the public estate is used to convey the sense of the environment as an entity which all members of society have a legitimate right to enjoy and safeguard (ibid.: 165). In Faludi's scheme an institutional view of the environment is adopted. Planners are concerned with 'land decision units' which equate with sites. The analysis of the 'decision situation' thus takes account of man-made and natural resources, infrastructural channels (communications between units), the land regime (the legal rights of the property owner and the legal scope for the state to intervene) and the land title (the owner or title holder is the principal decision-maker on a particular site) (ibid.: 146-150). The analysis of the decision situation thus improves the chances that primary or operational decisions (e.g.

whether to allow a particular development or the decision to undertake public investment in infrastructure) will result in an optimum outcome. In Western countries the content of environmental planning (largely the allocation of land and the management of environmental change) would have a significant role in scheming for the co-ordination of diverse public programmes or responding to what Faludi calls "externalities, inequities and opportunities of the second order" (ibid.: 171-174). For example, if a railway company wished to dispose of surplus land and a highway authority wished to improve the road network, planners would try to determine if the two objectives could be combined.

The above scheme is attractively and meticulously presented but is not grounded in planning practice: the current organisation of planning in Britain demands operational decisions from planners as well as secondary co-ordination activities. Contemporary studies of planning practice suggest, in any case, that even the co-ordination envisaged is very hard, if not impossible, to achieve (see below). Perhaps Faludi is counselling perfection, though he freely acknowledges that it is an imperfect world and that he has a polemical purpose (ibid.: 1-5). Therefore, it seems that any search for the essential ingredients of pluralism in policy formulation and service delivery in planning must refer to contemporary practice rather than be based in prescriptive theory.

2.4.2 Planning Practice in Britain

Most environmental planning, especially in Britain, is concerned with the allocation of land and the control of development. The statutory context of British planning is comprehensively described by Cullingworth (1988), whilst the specific legal context is cogently presented by Garner (1981). The descriptions of these authors present a narrow view of planning that tends to reinforce the image of rational objectivity in planning promoted by positivist theorists. Studies of planning

undermine this picture by pointing to the problems of planning practice and by highlighting underlying processes.

Bruton and Nicholson (1987: 55-56) draw on the work of Rittel and Webber in characterising the problems tackled by planning as "wicked". Every "wicked problem" is unique: it has no definitive formulation; formulation is synonymous with solution, solutions are not definitive and require constant monitoring, there is no way of telling if a problem is being dealt with correctly since there is no identifiable root cause. Thus planning problems are characterised by interconnectivity, complexity and uncertainty. The resolution of planning problems (i.e. the implementation of plans) is accordingly characterised by ambiguity. Differing definitions of the problem and expectations of the solution create conflict which is anticipated and mediated by societal constraints that also impinge on the scope of planning (ibid.: 55-56). Planners aim to manage environmental change and as "managers . . . should be concerned to apply the basic managerial processes of planning, organizing, controlling and leading". However, Bruton and Nicholson conclude that implementation of policy ultimately depends on the recognition of the "socio-political context, where issues of power and influence and the ability to bargain can have a significant effect on the outcome" (ibid.: 72-73).

Bruton and Nicholson's study of Local Plans in Britain is mainly concerned to suggest strategies for improving the content, co-ordination and implementation of plans (ibid.: Ch.9). Other studies have used the empirical evidence of the centrality of bargaining and negotiation to explain the effects of planning intervention in terms of political economy and a hidden land policy agenda (Underwood, 1981; Healey, 1983, Healey and Barrett, 1985; Barras, 1985; and Loughlin, 1985).

The British planning system is essentially equipped with two tools for the allocation of land and the management of environmental change: the ability to produce development plans which have statutory status and powers to control the development of individual sites. The 1968 reform of the British planning

system produced a system of structure plans (which are mandatory) and local plans which have a lesser legal status than structure plans (Garner, 1981: 85-89). Together, they are intended to provide a comprehensive guide for development, but the progress of development planning techniques has been hampered by inconsistency and uncertainty in planning legislation (Cullingworth, 1988: 96-98).

Healey's study (1983) of local plans has demonstrated that it is not credible to assess local plans in terms of detailed implementation or 'failure' of implementation. Rather, local plans provide a "baseline for negotiations in the relationship between planning authorities and development interests" (ibid.: 234). Faludi, in his attempt to reconstruct rational planning theory, has commended the idea of flexibility inherent in the negotiation process in Britain - where final decisions are made at the development moment, rather than predetermined by zoning as in the United States and Australia (Faludi, 1987: 187-193). Healey considers that this flexibility may allow planners to drift away from agreed public policy goals and it results in the general public from having to rely on the discretion of politicians and officials to interpret and implement policies that are originally established with full public participation (Healey, 1983: 243). To conclude, the evidence suggests that particular interest groups, such as ethnic minority communities, have the ability to influence policy formulation but virtually no control over policy implementation.

Healey and Barrett (1985) consider that land policy needs to be studied specifically, rather than approached through diverse fields of enquiry such as housing policy and regional policy. By implication planning (which has a major role in the allocation of land and the control of land uses) cannot be studied in isolation from the wider field of land policy. The basis for such an approach lies in the nature of land as a resource needed for all activities. Healey attempted such an exercise in theoretical integration in her study of local plans (1983) and suggests that four broad types of interest in land can be used as analytical

categories: those interested in sufficient, low cost supply of land to support production; those interested in land as a commodity which can be developed for profit; those interested in the cultural/heritage value of land (which may include property developers, because heritage characteristics can add value; and those interested in space for community needs (ibid.: 250-251). Healey argues that the general trend in land policy has been favourable to developers of land. In land use planning, specifically, the effect of development plans is to guarantee the long term value of land since restricted supply will result in value added from planning permission. Given that operational decisions are largely the outcome of hidden negotiation processes the planning system tends to favour property production interests to an even greater extent because development firms can acquire the expertise in bargaining and exploiting the administrative discretion of the system (ibid.: 261, *passim*). Other production interests and consumption interests have less influence on the planning system. Planning authorities are really only obliged to invite participation at the consultation stage of development plan preparation (Garner, 1981: ch.12). At that stage these interests are represented by groups such as the Confederation of British Industry, local trade associations, residents' associations and civic societies.

This analysis is supported by a consideration of the nature of government policy towards particular land problems such as inner city blight. For example, in London Docklands the creation of a Development Corporation to provide infrastructure and attract property producers was adopted as the model for regeneration, rather than providing public infrastructure for other production interests (particularly industrial accommodation) or to bring the windfall benefits to consumption interests (which might have been realised by the extensive provision of low cost housing, for instance). Loughlin (1985) demonstrates that there is no clear policy on the apportionment of the costs of publicly provided infrastructure, though he shows that the stance of the Department of the Environment (DoE) is profoundly influenced by the property development sector (ibid.: 247). In contrast, Barras argues that in

London planning policies have tended to reinforce booms and slumps (rather than preserve the stability of land values) in the largely speculative activity of office development (Barras, 1985: 97-100). He does acknowledge, however, that planning controls tend to inflate profits from property development and that planning authorities would need new powers to redistribute some of the profit from land speculation towards other production and consumption interests (ibid.: 104).

There are few studies of development control - the part of the planning system where the all important negotiation takes place - that attempt theoretical interpretations of the issues identified. Underwood (1981) concurs with the fundamental finding of the centrality of bargaining and the dangers this imposes in terms of ad hoc policies being developed. This trend has caused a crisis of legitimation in planning (ibid.: 212-213). Underwood points to the preponderance of research into delay in processing planning applications - a speedier process is a political priority (DoE, 1985a: 10) and it is arguable that this will further benefit property interests by reducing the period that land lies "fallow" (in marketing terms) pending the outcome of a planning application. Recent publications suggest that there is still a preoccupation with the speed of development control (e.g. National Development Control Forum, 1988).

The arguably gloomy assessment of British planning practice provided by Bruton and Nicholson (above p.22) seems justified. Although development plans contain scope for positive action of the kind suggested above (p.17) they are of limited significance. First, the statutory construction of the planning system constrains the role of planning authorities to dealing with the allocation and development of land. These policy boundaries leave such authorities ill-equipped to cope with "wicked" problems. Second, local plans are not implemented in the way that their design would imply. The centrality of negotiation means that outcomes cannot be anticipated - the planning system tends to reinforce uncertainty rather than ameliorate it.

Public participation in planning could mitigate these effects by establishing a consensus view of desirable environmental change. Such participation might also include representations from ethnic interest groups - though Healey has suggested that such consensus as exists originates in "the culture and landscape of lowland England" (Healey, 1983: 242). It is also worth pointing out that public participation appears to operate mainly at the stage of development plan preparation. The ineffectiveness of development plans places limits on the importance of participation. In summary, public participation in planning is unlikely to be an engine for general reform and even less a source of vigorous pluralism in policy formulation and implementation.

On the plus side, the flexibility inherent in the British planning system does allow the possibility that racial minorities can influence planning outcomes through negotiation over development on specific sites. The apparent drift of land policy towards favouring property production interests need not worry us here. In this study racial minorities are characterised as economically diverse groups which can embody a property production interest. Whilst Healey clearly dichotomises the property production interest (which is concerned solely with profit of the site) from other interests it could be argued that other production and consumption spheres (including public authorities) are actively engaged in development. Given the wide spread of land ownership it is feasible to suggest that there is a general property interest; the majority of firms and individuals must have at least a strong secondary interest in land values. Brown shows that Asian householders (especially) are predominantly freeholders (Brown, 1984: Table 31, p.98). The same is true of Asian businesses (below, table 12). A recent survey of the property needs and aspirations of industrial firms showed that more than half of the firms surveyed preferred freehold, whilst over 40% had applied for planning permission to change the use of sites at some time (Edward Erdman Research, 1987: 4-5). It is fair to point out that Healey is theorizing particularly about the release of new land for development - black businesses or groups may equally well be involved in this aspect of the development process.

To conclude, it is contended that the planning practice in Britain offers very little hope of systematic reform in the pursuit of pluralist policies. The central question to be addressed is how far racial minorities can influence the management of their environment by negotiating with planning authorities at the development moment? In the following section specific attention is given to inner city issues and policies, since these relate to the particular location of racial minorities and the policy remedies incorporate specific objectives, guidance, powers and resources in contrast to the rather nebulous tools of the general planning system.

2.5 Inner Cities: Issues and Policies

The discussion on racial minorities in Britain has already highlighted the potential significance of urban policy instruments for racial minorities in Britain (above, pp. 14-15). This section focuses on the Urban Programme which contains policy tools relevant to planning in the fields of urban renewal, housing and economic development (for an overview of the planning content of urban policy see Cullingworth, 1988: ch.8). It is important to stress that the Urban Programme is not designed to spearhead pluralism in public policy formulation (DoE, 1977: para.19). Partnership with black interest groups represents "only one small element in the range of policies and programmes relating to race and the inner city" (Stewart and Whitting, 1983: 62) and it is weakened by the general ambiguity of racial targeting (ibid.; Young, 1983). Urban policy should be viewed as a series of piecemeal attempts to tackle the complex issues of economic decline, physical blight (commonly measured by multiple deprivation studies (see Begg and Eversley, 1986); these problems add an extra dimension to the well documented facts of racial disadvantage.

The area of urban studies has seen intense scholarly activity in recent years. One of the most interesting developments has been

multi-disciplinary research effort which has led, among other things, to attempts to integrate analysis of planning issues with theories of development processes. The contribution of Marxist scholars, such as Harvey (1975), has opened up debates on the 'Urban Question'. Badcock (1984) provides a comprehensive review of the literature on urban studies. The main conclusion which emerges is that economic rather than spatial processes underlie the structure cities (see also Harvey, 1973: 310, *passim*; Lawless, 1981: 250). This contrasts, in parts, with earlier approaches in sociology and geography which tended to treat cities as natural systems with an internal logic in much the same way that neo-classical economics treat markets as natural and inevitable (Badcock, 1984: 17-27). Whether or not the Marxist interpretation of market failures necessitating intervention in inner cities is accepted, it is significant, and perhaps ironic, that the Conservative Government, at the time of writing, have specifically developed forms of direct intervention to encourage commercial and industrial capital investment (e.g. DoE, 1982: 18) - the creation of Urban Development Corporations representing a particularly extreme form of intervention (Cullingworth, 1988: 295). Planners may dispute the interpretation of the comparative insignificance of spatial mediation for inner city policy, but they do not dispute the need to recognise the particular economic and social context of inner city problems and many welcome the partnership with other public agencies that an holistic approach to problem solving demands (see Planning, 749, 18 December 1987, p.8; such an approach is being adopted in Birmingham according to Bruton and Nicholson, 1987: 418).

There is an enormous volume of literature dealing with specific inner city locations and problems. The Economic and Social Research Council Inner Cities Research Programme has provided a comprehensive and coherent treatment of these complex or "wicked" problems. In particular two collections edited by Hausner (1986 and 1987) provide a multi-disciplinary analysis of the economic problems of inner cities. The studies reinforce the primary importance of economic processes for urban development despite the presence of a unique matrix of inner city problems

which have social and spatial patterns as well. Hausner summarises these problems as physical dereliction, unemployment, fiscal stress and concentrated deprivation. The decline of inner cities has been continuous over the previous thirty years, but there are regional variations in the pattern (cities in South Eastern England having a much stronger economic base). There is little evidence that the pattern of manufacturing industry has a significant effect on urban economic decline or renewal - though more rapid growth is shown by those areas with "advanced manufacturing" (ibid.). These market failures are exacerbated by the complete lack of co-ordinated policies on regional development, employment and urban renewal.

Mills and Young (1987: 140-142) conclude that local authorities could make significant contributions to economic development but they lack resources, adequate skills and experience and appropriate organisational forms to develop a strategy, formulate specific policies and deliver them efficiently and effectively. Bruton and Nicholson (1987) recommend the use of the Law of Requisite Variety as an organising principle in planning. In essence problem solving systems have to be as complex as the problems they solve (ibid.: 59-61). Other evidence suggests that even if the public sector commands resources and has well established forms of mediation it does little to further regeneration. For instance Moor (1985) suggests that the public sector (including government departments, local authorities, statutory undertakers and nationalised industries) is the majority land owner in inner cities but has a "scandalously bad land management record" over attempts to find beneficial uses for surplus land and the take-up of grants to rehabilitate derelict land (ibid.: 55, 61-62).

It is apparent, then, that the main spending departments of central and local government have not incorporated a specific inner city dimension into their programmes. The resources channelled into the Urban Programme and other ad hoc initiatives are minute in the context of main public programmes. There has also been a substantial shift in the emphasis of urban policy towards a

diminution of the role of local authorities and increasing emphasis on attracting private sector investment. Policies designed to empower local residents have been replaced with "traditional" policies to clear and assemble development land and renew redundant building stock (Stewart, 1987: 141-144). Stewart vividly asserts that the constant redistribution of power in the policy-making process has resulted in the privatisation of urban policy and left it in a vacuum. This leaves us unable "to judge either the most appropriate future direction of urban policy or the agencies or institutions or levels of government most appropriate to take on the task" (ibid.).

Leaving aside the politics and theoretical shortcomings of urban policy, there are still a number of tools available that are relevant to planners and that might be intrinsically effective in the sense that their use results in the realisation of the policy objectives they serve. The empirical studies, reviewed here, into the operation of these policies all point to the need for strategic co-ordination of policy instruments (Stewart and Whitting, 1983; DoE, 1986a, 1986b and 1986c). The DoE studies cited provide an extremely useful overview of the operation of the specific instruments available under the Urban Programme. All three studies cast doubt on the efficacy of area based initiatives (ibid.; see also Cullingworth, 1988: 303) except in the case of 'enveloped' environmental projects (DoE, 1986: 46). Projects to improve individual buildings or sites have the least environmental impact and prove expensive in terms of job creation, whilst advice services (particularly for start-up firms) cost the least per job created. The renewal of industrial building stock costs less per job created than refurbishment. In all cases individual project or area based initiatives would be enhanced if integrated with general planning policies: for example, the assembly and improvement of sites should be related to policies for the release of industrial land; the construction of units must be related to the demand for such accommodation. Finally, the consultants stress the need for long term (ten years) programming and funding of projects, especially complex ones such as the clearance, assembly and preparation of derelict sites.

The review of inner city policies suggests that whilst little ground has been gained in developing sophisticated strategies for solving complex problems, some useful environmental planning tools have emerged in the Urban programme. As with the review of general policy instruments in British planning practice (above p.26), the question remains as to how far racial minorities can influence, participate in and benefit from Urban Programme projects? Stewart records the official view (in 1986) that approximately 12% of Urban Programme spend was for the direct benefit of ethnic minorities (Stewart, 1987: 134-135). There is also some evidence of a managerial trend away from ethnic inexplicitness: following the 1985 Urban Programme Management Initiative, local authority bids for Urban Programme funds must include an assessment of how far the project will benefit ethnic minorities - if at all (for an example see LCC/25: Annex 1).

2.6 Planning and Ethnic Minorities in Britain

The single most important contribution to this field was the publication, in 1983, of Planning for A Multi-Racial Britain by a joint working party of the Royal Town Planning Institute (RTPI) and the Commission for Racial Equality (CRE). The working party had formed in 1978 at a time when "race was low on the political agenda". Its formation was described as a "radical step" in view of the "traditional concern with physical matters rather than social issues" (ibid.: vii) - though Healey has suggested that planners were increasingly exposed to issues of content and forced to recognise particular client groups throughout the 1970s (Healey, 1985: 500).

It is not exactly clear why the Working Party took five years to produce a report of less than one hundred pages but they certainly encountered opposition at the stage of data collection and consultation with local authorities as the following comment from a Chief Planning Officer conveys:

"I have been requested to convey to you in the strongest possible terms the view (of my colleagues) . . . that the Working Party should discontinue any further work forthwith. The major issues outlined in this document do not in fact exist at all, and the racial groups referred to would indeed be damaged if the Working Party continues its deliberations. The needs of ethnic minorities are already sensitively and sympathetically considered by planning authorities."

(RTPI/CRE, 1983: 13)

More commonly the Working Party encountered indifference. Planners tended to view planning as a neutral process which ensured racial equality by dispensing equality treatment. Planners working in areas with small black populations did not see the relevance of the Working Party. These two arguments can be characterised as the 'colour blind' and 'limited numbers' approaches:

"We treat everybody the same, regardless of race, thus avoiding the possibility of any discrimination. . . .

"It is our policy not to discriminate on racial grounds and therefore none of our planning measures discriminate against black people. . . .

"There is no need to take any special steps since there are hardly any black people."

(ibid.: 15-16)

The Working Party was not unduly discouraged and went on to develop a lucid definition of the "racial dimension in planning":

The racial dimension is as much an attitude of mind as a separate discipline within planning. It means a basic sensitivity to racial differences and an awareness of the relevant legislation. Beyond this, three elements are involved:

- (a) reviewing the impact of current policies, practices and procedures upon different racial groups, with a view to ascertaining actual or potential racial discrimination;
- (b) building racial distinctions into surveys, analyses and monitoring with a view to identifying the special needs of different racial groups; allowing the impact of policies to be assessed, and providing a basis for any appropriate positive action;
- (c) positive action in planning policies, procedures, standards and decision making, partly by directing positive non-racial policies and actions towards groups containing high proportions of black people and partly by taking special steps to ensure that black people have equal access to the benefits offered by town planning.

(ibid.: 18)

Thirty six recommendations were made for the attainment of the racial dimension. Most of the recommendations are general in nature and there has been some response from the planning profession. For example, the RTPI's Professional Code of Conduct demands that its members "shall seek to eliminate discrimination on the grounds of race, sex, creed and religion and in particular shall seek to promote equality of opportunity between people of different racial groups and good race relations." It is notable that the CRE and local Community Relations Councils appear to have done little to promote awareness of race issues in planning and continuing education at the local level (ibid.: 83). The Government has not introduced a racial dimension into planning policies (e.g. through the use of Guidance Notes and Circulars) in common with the 'ethnic inexplicitness' of other policies. It is apparent that the syllabuses of RTPI recognised planning courses are being reformed and may now incorporate a racial dimension, following in the footsteps of the pioneering course established at Nottingham University, Institute of Planning Studies.

There is apparently little academic research as yet that informs planners about the challenge of multi-racial Britain. Sibley (1978) points the way in a study of the effects of planning on the gypsy community in Hull. He finds that the cultural identity and autonomy of the travellers results in economic activity that needs "Multiple use of land and materials . . . [which] is officially viewed as a form of deviance and the provision of sites can be interpreted as an attempt to correct such deviance" (ibid.: 319). Sibley suggests that the attempt to achieve 'consensus' in planning involves coding and classifying people and things. Firm social control demands a "strong classification of spaces, whereby boundaries are strongly defined . . . and uses other than the assigned use within that space would constitute pollution" (ibid.: 320). The travellers' lifestyle militates against majority society in a number of ways; planners reinforce discriminatory tendencies by trying to assign travellers to permanent, segregated sites and by pre-empting the possible use of sites through regimented site-layouts (ibid.: 325-326). Bahadur's research (1985) into 'unauthorised' land uses in the

local shopping area of Leicester's Narborough Road might suggest a similar interpretation to that of Sibley: planning policies becoming invalidated by the economic restructuring concomitant with black business growth (his project is badly written, however, and the findings should be treated with caution; see below, p.192). O'Sullivan (1985) charts the fate of 530 planning applications made in Wandsworth in 1984. His analysis shows that Asians are refused planning permission more frequently than other groups and he isolates applications in the retail sector (particularly hot food take-aways) as ones attracting higher refusal rates, mainly on the grounds of 'over-development' and 'bad neighbour' status. Strangely, in a report which enthusiastically echoes the recommendations of Planning for a Multi-Racial Britain, O'Sullivan accepts the status quo of conventional planning wisdom, when he assesses the validity of these decisions.

Planning authorities remain the most significant vehicle for operationally defining the racial dimension in planning.. There is evidence of growing awareness of this dimension. In 1986 the Greater London Council produced a radical set of Race and Planning Guidelines based on examples of current planning practice drawn mainly from the London Boroughs. The Association of Metropolitan Authorities and the Association of District Councils (ADC) are, at the time of writing, independently working on race and planning guidelines of their own. However the response to the ADC Working Party on Race and Planning is not encouraging (*). A circular questionnaire (ADC 1988/51) issued to the 333 member authorities resulted in only 158 replies: 23 were null returns - describing the initiative as "divisive" or "facile"; 121 authorities did not see any relevance - echoing the 'colour-blind' and 'limited numbers' arguments; the remaining fourteen replied with descriptions of positive action currently undertaken (ADC, 1988: 1-2).

* The researcher is indebted to Mr Owen of the ADC who provided information on the preliminary findings of the Working Party well in advance of any publication.

The preliminary findings of the ADC questionnaire show to what extent the lessons in Planning for a Multi-Racial Britain are being learned and applied. A specific racial dimension was incorporated into the local plans of Brighton, Derby, Leicester, Nottingham, Preston, Southampton and Wycombe. The policies included related to things such as special needs in housing, places of worship and other community facilities. Specific development projects were either included in plans or were channelled through other departments or special powers (such as the Urban Programme). Middlesborough, Blackburn and Milton Keynes along with some of the authorities mentioned already had specific policies on consultation, including translation services where needed. General training on race awareness was provided by Leicester, Middlesborough and Milton Keynes. However, only Leicester undertook ethnic monitoring of all planning decisions and used existing powers to recruit black planners (ibid.). The policies and practices of Leicester City Council are discussed in Chapter 4.

The Greater London Council provided plentiful examples of positive action by Metropolitan Authorities (Greater London Council, 1986). The experience of the London Borough of Lambeth is instructive. Lambeth was one of the first authorities to assess the delivery of its services in the context of an overall race relations strategy (RTPI/CRE, 1983: 46). The authority undertook research to isolate planning issues that affected black communities (e.g. London Borough of Lambeth, 1982). In conjunction with policies designed to improve staff awareness and public participation generally, specific initiatives were developed (Brooks, 1983: 51). Lambeth gradually increased the range and boldness of positive action policies: refusals of planning permissions were followed up and black applicants given a register of suitable sites; black planners were recruited under S.5.2(d) of the Race Relations Act 1976; a more flexible attitude on minicab office location was adopted on the grounds that minicabbing is a significant employment opportunity for black people; in the "retail only" core of Brixton town centre non-retail uses were permitted for black businesses who had difficulty in finding suitable

premises - by using temporary personal planning permissions (RTPI, 1986: 10-12).

The planning press and individual planners have been generally supportive of the RTPI/CRE Working Party and their report (e.g. Biswas and Simmons, 1984; Brown, 1980 and 1981; Gillon, 1981; MacDonald, 1984; and Russell et al., 1983). Race issues, such as the controversies over ethnic minority places of worship, began to be reported as well (e.g. Planning, 500, 7 January 1983, p.6). However, it is clear from the responses to the ADC initiative that there has been little shift in opinion, at least amongst senior ranks of the profession, since the publication of the RTPI/CRE report.

The 'limited numbers' argument may have some relevance for District Authorities because around 75% of Britain's black population lives in Metropolitan Areas (above, p.12). Part of the explanation must lie in the political control of planning authorities. Radical pluralist policies are generally associated with Labour controlled councils. The corporate strategy for positive action in Lambeth dates to the election of a new administration in 1980 (RTPI, 1986:10). It is worth remembering that positive action strategies may result in the recruitment of specialist - often black - staff (e.g. under S.11 of the 1966 Local Government (Special Needs) Act) who could be seen as marginal to the main work of a planning department. Planners have also had a large share of the management of the Urban Programme but again these duties probably fall to a few staff within any one planning department. For all these reasons, those planners likely to have substantial experience of working with black people are few in number and occupied in 'marginal' tasks when compared with the whole of the planning profession.

It could be argued that whilst many planners only have limited opportunities to acquire substantial practical experience of the racial dimension in planning, their education should sensitise them to race issues. Healey's assessment of the planning profession suggests that the education and the guild mentality of the RTPI

membership has effectively isolated planning from the "knowledge base [of] built environment and social science disciplines which should feed it" (Healey, 1985: 502). Despite the incorporation of a social science core in approved planning courses since 1980, the planning profession has obstinately stuck to the misleading model of the "generalist planner" which in fact emphasises skills of "town design and management" (ibid.: 4991). Contemporary comment from planning practitioners sustains this analysis: there is a clear demand for design and management skills, with the implication that new recruits only become useful by learning 'on the job' from senior planners (Collins, 1985). Thus the potential impact of recently trained planners will be minimised by their acculturation in a largely conservative profession.

Scope exists for the reform of the planning profession through continuing education. Some local authorities have provided training on race issues, often using variants of the Racism Awareness Training Model (see Katz, 1978). Opinions about the validity of this approach are divided and some commentators consider that local authorities have squandered an important opportunity (Jervis, 1986; Pumfrey, 1985). Early experiments in a Continuing Professional Development (CPD) scheme for planners (Crouch, 1984) have been formalised into a mandatory scheme (RTPI, 1987) but the RTPI does not impose or even identify priority areas for skill updating, despite the concern of planning educators to make CPD more than "a professional grope" (Gibson, 1984).

The 1980s have been a period of rapid policy development in planning in terms of the recognition of race issues. Many planning authorities now address race issues specifically through development plans, consultation and research. Examples of positive action, in terms of redistributing resources directly to black people, are harder to find, despite attempts to publicise research and new policy instruments. The major stumbling block to the achievement of widespread pluralism in policy formulation and service delivery appears to be the inherent conservatism of a planning profession that feels constantly under siege and therefore ill-equipped to undertake internal reform.

2.7 Black Businesses in Britain

During the 1980s there has been a steady growth of interest in black businesses (see especially the collections edited by Ward: Ward, 1983; Ward, 1986; and Ward and Jenkins, 1984). Academic researchers have asked two important questions. First, is there a correlation between ethnicity and entrepreneurship. Second, do black businesses face unique problems. The answers produced so far, especially from the grounded studies that address the second question, have attracted the attention of many policy makers. Their interest in black business was motivated by a growing awareness that Britain's black population was economically dispossessed (e.g. Kazuka, 1980: 9). In his inquiry into the Brixton disorders in 1981, Scarman wrote:

The encouragement of black people to secure a real stake in their own community, through business and the professions, is of great importance if future stability is to be secured.
(Scarman, 1981: 132, italics added)

As more information came to light on black businesses, a model of Asian business success (e.g. New Society, 16 August 1979, pp. 339-341) began to evolve. Black business issues began to attract attention in media (e.g. Barber, 1982; Smith and Mughal, 1982; Batchelor, 1985; Harris, 1985; and Woodcock, 1986) and it became possible to conceive that black businesses would be a major motive force in inner city regeneration (see Harris, 1985). Black entrepreneurs were courted by Government. In 1982, Heseltine, the (then) Environment Secretary, urged the high street banks to appoint black business development officers - capitalisation was seen as the biggest problem facing black businesses (Financial Times, 22 March 1982, p.38). In 1985 the government sponsored a trial scheme of Business Advice Centres targeted at black communities; comprehensive consultancy and staff secondment was part of the plan (Financial Times, 27 September 1985, p.11).

The political optimism for black business development is in sharp contrast to the tenor of much academic writing. There are

several empirical studies to draw on in assessing the problems of black businesses and their potential contribution to local and national economies (see Mullins, 1979; Ward and Reeves, 1980; London Borough of Lambeth, 1982; Wilson, 1983a; Aldrich, Jones and McEvoy, 1984; Ethnic Business Research Unit, 1987). These studies show that black businesses face adverse problems (when compared, overall, with other businesses) in obtaining adequate capital (both start-up and development), access to good quality, prime location premises, access to markets, access to sources of commercial advice and skilled labour.

The disadvantages of black business can be interpreted in a number of ways. The most obvious explanation would appear to be the discrimination facing black entrepreneurs both in factor and product markets. The Lambeth study found that 74% of the Afro-Caribbean respondents who sought a bank loan were refused (London Borough of Lambeth, 1982: para. 6.18) though Brooks (1983: 52) does not unequivocally endorse the claims of racist treatment by bank managers. Kazuka, reporting on the Hackney survey, states that

it is very difficult to prove such discrimination . . . [but] it is difficult to find a satisfactory explanation for the unusually high collateral requirements asked for by some clearing banks from ethnic minority businesses . . .

(Kazuka, 1980: 8)

Wilson (1983b: 72) argues that "there is little evidence of discrimination by banks on racial grounds." He complains that the Lambeth study did not relate the findings to the age of the firm, its activities and the managerial qualifications and experience of the owners. He does, confusingly, acknowledge that "unfavourable stereotyping" of black business might lead to sub-optimal lending (ibid.). Most of the evidence, when carefully sifted, leads to similarly weighted conclusions (Ethnic Business Research Unit, 1987: 159-160; Blaschke and Ersoz, 1986: 40). On the question of access to premises, Cater's study of Bradford (1984: 227) found Asians paying the most for premises which were sold through Asian estate agents, whilst overall in the inner city the lowest prices for comparable property were obtained by Asian entrepreneurs from white estate agents.

In product markets it is more difficult to test for direct racial discrimination. The Lambeth study included a number of quotations from black business owners claiming racial discrimination by consumers (London Borough of Lambeth, 1982: para. 6.68) and showed that Afro-Caribbean businesses, in particular, were dependent on their own racial group for custom (ibid.: para. 6.11). Wilson's report on Brent has a similar finding (Wilson, 1983a: 45-48) and asserts that Afro-Caribbean businesses sometimes depend on an ethnic market even when the products offered are not specific to that group. Wilson suggests that there is insufficient evidence to prove racial discrimination by consumers from different racial groups.

It should be borne in mind that black businesses may have limited opportunities for attracting white custom owing to their inner city location in areas of concentrated black population. This concept can be turned around to suggest that black businesses may benefit from a niche or protected market. Auster and Aldrich develop this theme with the idea of an ethnic enclave:

Ethnic enclaves provide some stability and security from the forces increasing the vulnerability of small businesses in advanced industrial societies. Ethnic firms which rely on the ethnic community for loans, business sites, supplies and other services as well as customers are at a distinct advantage.

(Auster and Aldrich, 1984: 52)

They define the enclave as "a network of communal solidarity" that does not necessarily have a definite spatial boundary and that extends beyond the loyalty of same-group customers. It comprises factor advantages and intangibles such as transfers of businesses and premises taking place mainly within the group, rotating credit associations such as the Korean Kyes, and a climate of mutual trust and self-regulation of competition (ibid.: 49-50).

Auster and Aldrich, drawing on one longitudinal study, suggest that favourable survival rates for ethnic businesses form a kind of litmus test for the efficacy of an enclave (ibid.). More recent findings from the same source would support that contention (McEvoy and Aldrich, 1986: 35). There is some qualitative evidence of such

enclaves developing to a smaller or lesser degree: for example trust and 'joking relations' amongst Pakistanis offer a significant opportunity structure for aspiring entrepreneurs in the Manchester finished garment trade (see Mars and Ward, 1984: 4). Previous business experience and kinship ties played a significant role in the development Asian textile manufacturing and engineering firms in Leicester (Clark and Rughani, 1983: 29-30). Similar group solidarity was found amongst the Surinamese of Amsterdam (Boissevain and Grotenbreg, 1986). However, Cater's study of Bradford revealed a very competitive property market where Asians paid the highest prices for property when purchasing from other Asians (undermining the idea of mutual regulation and support). Well documented systems of mutual support, such as the Jamaican Partner System, have not found their way to Britain (Wilson, 1983b: 71). Blaschke and Ersoz's study Turkish business in West Berlin (1986) found that business enclaves were bounded along economic lines rather than ethnic ones.

Another influential theory of comparative ethnic advantage is the 'middleman minority' developed by Bonacich. The 'middleman' idea is normally associated with pre-capitalist economies where a minority group could offer particular skills in the context of limited division of labour; for instance Jews in Europe often achieved considerable wealth through finance and jewellery specialisations (Waldinger, Ward and Aldrich, 1985: 589). Bonacich examined the business activity of minority groups and found that whilst ethnic advantage may no longer result from occupational specialisation, the characteristics of the minority were such that competitive advantages were derived. In particular, the minority members see themselves as sojourners, either through discrimination or choice they remain aloof from mainstream society and they are prepared to make sacrifices and work hard to achieve enough money to return home rich. Their exclusion from society strengthens their resolve and fosters the climate of mutual support, which includes the significant advantage of access to a pool of unpaid family labour and business advice (Aldrich, Jones and McEvoy, 1984: 192-194). It has also been mooted that the isolation of the minority allows them to adopt competitive practices and

organisational forms (e.g. sweated trades) that would be closed, by peer pressure, to entrepreneurs from majority society (Waldinger, Ward and Aldrich, 1985: 589; c.f. Boissevain and Grotenbreg, 1986).

The 'middleman minority' model acknowledges that business development may be a displacement activity resulting from the lack of opportunities extended in the discriminatory mainstream society, but it emphasises positive attributes that drive the entrepreneur to success. Similar cultural approaches to ethnic business go further in suggesting that particular groups have attributes which promote business success. For example, a study of Protestant Koreans in New York found that their religion had left them isolated and marginalised in both feudal and contemporary Korea. The immigrants were thus attuned to marginal status and fiercely individualistic. The values of self-denial, self-control and work (common to both Protestantism and Confucianism) equipped the Korean immigrants with small business drive (Waldinger, Ward and Aldrich, 1985: 288). Studies of small business formation have emphasised the importance of character as a determinant of entrepreneurial motivation. Personal values such as anti-bureaucratic views and character traits such as independence are crucial and often shown by those who do not fit in to society in some way (Scott, 1980: 31-32; Bannock, 1981: 38; Binks and Coyne, 1983: 14-16).

In Britain, studies which compare different racial groups in business find that group boundaries have little predictive value in measuring business success (Aldrich, Jones and McEvoy, 1984: 206; McEvoy and Aldrich, 1986: 36; Ethnic Business Research Unit, 1987: 147). Most authors agree that racial disadvantage holds the key to explaining black business activity. Limited employment opportunities for black people is the main push factor into business (Brooks, 1983; Ward, 1983; Ladbury, 1984; Mars and Ward, 1984). The ethnic niche may assist start-up firms, but dependence on ethnic markets is a major barrier to business growth (Brooks, 1983; Wilson, 1983a; Aldrich, Jones and McEvoy, 1984; Wilson and Stanworth, 1986). The ethnic market is limited by the actual number in the minority group and, even more seriously, by their limited spending power. Sills, Tarpey and Golding (1983) give a

graphic account of poverty and unemployment amongst Leicester's Asians and conclude that the "poverty of the market served by these businesses acts as a ceiling on [their] profitability" (ibid.: 37). Jones concludes that the spatial organisation determined by ethnic segregation means that black business development does not result in wealth creation but in a "transfer of real wealth from the most disadvantaged to the less disadvantaged" (Jones, 1983: 18).

The poverty of inner cities is compounded by other factors such as the poor environment which forces black businesses to operate in outmoded premises (London Borough of Lambeth, 1982: para. 6.34; Wilson, 1983: 51) which are hard to finance. The environment and high crime rate (see Danter, 1988) also make it difficult for black businesses to insure their premises and stock (Patel and Hammett, 1987). Wilson and Stanworth have produced an elegant synthesis of the determinants of black business disadvantage:

	BLACK OWNER/ MANAGEMENT	INNER-CITY LOCATION	SMALL FIRM
FACTOR MARKET			
entrepreneur	lack experience and track record	high risk, low rewards, culture of poverty	enterprise culture
finance	limited personal funds, credibility with banks, lack intermediaries, attitude of banks	high risk	track record collateral
premises	credibility with landlords, attitude of landlords	poor quality and location	shortage of small units
PRODUCT MARKET			
products	ethnic, narrow appeal	local need, basic	narrow range
markets	ethnic, disloyal consumers, poor	local and poor	local

(Wilson and Stanworth, 1984: 4)

This two dimensional matrix avoids the over simplistic and unfounded explanation that correlates black business 'failure' directly with discrimination. The location of most black firms within particular economic and geographic sectors means that they are constrained by a number of structural factors that operate on all similar businesses (see Falk, 1980; and Kirby, 1980). Racial disadvantage adds another dimension which further constrains the development of black firms (see also Jenkins, 1984: 233). Some authors would interpret the location of black firms in these sectors as evidence of the universality of racial discrimination:

. . . the development of the [Asian] business sector has been conditioned by the dominant racial class forces of British capitalism in the context of the wider development of the global capitalist system. It is an integral part of the British social formation - integrated in a structural position of disadvantage.

(Nowikowski, 1984: 165)

Wilson and Stanworth (1988) argue that black businesses can only transcend their marginal existence if resources are invested in business plans and market strategies that will allow the transition of black business from restricted to mainstream markets (see also Reeves and Ward, 1984: 133). There are very few examples of this transition being accomplished, though it can happen in cases where cultural products, such as the Afro-Comb, become fashionable (Barber, 1982). In the clothing industry Asian entrepreneurs have made considerable progress in mainstream markets. The industry is dominated by the oligopoly buying power of the major fashion retailers. There is limited vertical integration, low capital requirements and intense competition in the industry which has minimal entry barriers for minority entrepreneurs (Ward, Randall and Krcmar, 1986). Given, the low profit margins of the clothing manufacturing industry, it is debatable to what extent the structure of the industry as a whole is advantageous to black entrepreneurs or to fashion retailers.

There may be some optimism for the future of black businesses in the current political climate that is supportive towards small

businesses generally (see Gibb and Webb, 1980; Barnock, 1981; Boissevain, 1984; Department of Trade and Industry, 1985). The Conservative Government has offered a number of incentives, such as the loan guarantee scheme and tax breaks for investors (Binks and Jennings, 1983: 63), though these initiatives have had little impact on black businesses. A recent study by Wilson found that none of the black businesses surveyed had used the Loan Guarantee Scheme (see Wilson and Stanworth, 1988: 11), whilst many of the tax incentives are not applicable to the majority of black firms because they are unincorporated (in a survey of businesses in Leicester only 25% of black firms were limited companies; Ethnic Business Research Unit, 1987: table 3/1, p.55).

Local government has been better placed to encourage black business development, through closely targeted initiatives (Commission for Racial Equality, 1984a). The Greater London Council (GLC) placed considerable emphasis on researching and publicising the needs of black businesses (e.g. GLC, 1984 and 1985) and through its Enterprise Board developed specific initiatives such as consultancy, seedbed funding and the provision of specialist accommodation (Greater London Enterprise Board, 1984). Particular emphasis has been placed on start-up finance for Afro-Caribbean businesses. The London Boroughs of Hackney and Haringey studied the feasibility of establishing an Afro-Caribbean bank (Commission for Racial Equality, 1984a: v) whilst the charitable Paul Bogle Foundation established a venture capital fund for innovative business ventures (Woodcock, 1986). These initiatives can be interpreted as piecemeal attempts to address the problems encountered specifically by black businesses. In most local authority areas they arose in response to surveys of black firms which identified areas where local government could mediate. There has been no central government initiative of the kind demanded by Sawyerr (1983: 61) who advocates an American style "total resources approach" to fostering black business development.

To conclude, there is an enormous volume of evidence that is damaging to politicians' hopes of black business. First, it is apparent that black businesses are often started because of lack of

job opportunities owing to high unemployment and racial discrimination in the labour market (Brooks, 1983: 44-45; but c.f. Ethnic Business Research Unit, 1987: 147). Structural conditions in particular sectors of the economy and the reinforcement sometimes provided by an ethnic enclave can create favourable conditions for business start-up but this may lead to a proliferation of similar businesses, lack of rewards and consequent disincentives to innovate (Aldrich, Jones and McEvoy, 1984: 206). This problem is accentuated in the case of businesses dependent on narrow markets in already depressed inner cities (Sills, Tarpey and Golding, 1983). The competitive market for premises (Cater, 1984) places a premium on business start-up and increases the risk of consequent failure; this phenomenon, coupled with the proliferation of businesses and the lack of surplus for re-investment, paints a bleak picture for the goal of inner city regeneration and may lead to worse environmental stress (Cordy, 1985).

There is evidence from empirical studies undertaken that black firms do create employment (e.g. Ethnic Business Research Unit, 1987: 32) and that these jobs are often taken up by black people (Wilson, 1983a: 61). Binks and Jennings (1983) cast doubt on the ability of small firms to spearhead economic regeneration, whilst other studies have shown that small firms, overall, create less than 10% of all new jobs (Webb and Gibb, 1980: 45). It is worth speculating that black firm formation creates jobs for black people mainly through transfers of jobs, some of which were previously taken by white people.

It is unrealistic to expect black businesses to accomplish the momentous economic, social and environmental transformation of inner cities and change the structure of race relations in Britain. Aldrich, Jones and McEvoy (1984) provide a fair assessment of the significance of Asian business activity in Britain:

While we willingly accept that Asian businessmen have demonstrated great personal initiative in pioneering new ventures in the midst of decay, with great resilience in multiplying in the face of adversity, we are nonetheless of the view that Asian business activity represents a truce with racial inequality rather than a victory over it. . . . going

into business does little to change the status of group members in relation to majority society, it simply allows a small minority to exchange the role of marginal worker for that of marginal proprietor.

(ibid.: 209)

Reeves and Ward (1984) warn that the politicians' rhetoric, whilst doubtless encouraging to aspiring Afro-Caribbean entrepreneurs, may draw attention away from the fundamental questions of racial disadvantage. Drawing a parallel with Booker T. Washington's Atlanta address of 1895, they warn that

. . . to emphasise the importance of black economic advancement through new capitalist initiatives . . . at the expense of demands for social justice and equality denied at present, might be seen as political opportunism of the Atlanta variety.

(ibid.: 146)

2.8 Planning and Black Business

Literature on black businesses emphasises the particular motivations of black entrepreneurs and the economic outcome of the racial, spatial and structural disadvantages that they operate under. This understanding of black business has been achieved through comparative studies, but nowhere is it implied that black businesses are different from white businesses as forms of economic organisation. The response of planners to the needs of black business should therefore be informed by the recognition of the constraints on black businesses. The challenge of pluralism here is to ensure that black entrepreneurs have the same opportunities to participate in policy formulation and implementation as other groups. In other areas of planning activity there may be a need to radically alter current thinking; for example, the anticipated population growth of Asians and the frequent incidence of extended families suggests that their claims on residential space and the housing stock will be different from those of Afro-Caribbean and white households.

This example can be used to illustrate the potential conflicts that confront planners. The needs of an expanding Asian population suggest that there will be great demand for residential space in already highly developed inner cities. Empirical work has shown that black entrepreneurs have difficulty in acquiring premises and pay a premium for them (Cater, 1984), indicating a restricted supply of suitable space. The organising concept of ethnic pluralism rightly demands that both interest groups are served (and indeed other racial groups and other land interests), but how? For planners, as public servants, the answer should not consist of a definitive formula for allocating land and controlling development. Such operational decisions should be made by elected representatives. The duty of planners is to identify clearly the interest groups involved and ensure that their views are fully articulated and represented at all levels in the planning system. More openness in planning is widely advocated to enable the public to monitor and evaluate the performance of elected decision-makers. However, under the current system of local government business interests do not have direct electoral representation. The remainder of this section considers what information is available about the planning interests of black businesses and what policy tools exist to serve that interest.

Empirical studies of black businesses have all shown that obtaining commercial premises is one of the key problems for black entrepreneurs, particularly for Afro-Caribbeans. It is also apparent that black entrepreneurs often occupy the poorest quality premises and in the case of retailing have difficulty in gaining prime sites. The worst problem of poor location is parking (for customers) and servicing (London Borough of Lambeth, 1982: para. 6.34 et seq.; Wilson, 1983a: 51-53; Abbot et al, 1985: 12-14; Ethnic Business Research Unit, 1987: 162). General studies of small firms in the inner cities suggest that these problems are widespread (Falk, 1980; Kirby, 1980; Davies, 1984: ch. 12). It can be argued that any attempt to solve such problems will be beneficial to black businesses.

On what basis and with what justification could planning policies aimed directly at black businesses be adopted? Two possible arguments for direct intervention can be suggested. First, theories of ethnic business such as the 'enclave' and 'middleman minority' models suggest that business activity has high cultural significance as well as economic importance for some groups. If this is the case, planners should anticipate and legislate for a higher level of business activity than usual in areas where such groups are concentrated. Open-minded consultation in such circumstances should reveal whether primacy ought to be accorded to commercial space or community space where a trade-off decision must be made, as in the example of above (p.48). The second argument for intervention is more abstract. Given that most black firms are located in the inner city it could be argued that they are constrained by unfair competition owing to the recency of their foundation. The basic spatial form of inner cities and the allocation of space to competing uses was established under conditions of competitive capitalism (see Badcock, 1984) in contrast to the tight controls in force now. Black firms, therefore, have not had the same opportunities as many, longer established white firms to compete freely for commercial space. The longer established firms (particularly those predating 1964 - see Garner, 1981: 189-190) may have the benefit of an established land use which would not be permitted now. Established use rights are transferable, but prospective purchasers would need to be aware of the relevant legislation and obtain proof of the use in the deeds of any property; they would also be restricted to that one use without obtaining planning permission.

The relaxation of planning controls is implied if the above arguments were employed. Any planning policies or interventions aimed directly at black businesses, such as those undertaken by the London Borough of Lambeth, must bear in mind the narrow markets that many black firms have to compete in. Any selective assistance, either to distinct groups or area-based, may create unfair competition for existing businesses both black and white. Encouraging black people into business without reference to the capacity of the local economy would result in the proliferation of

marginally viable small firms. Such a strategy would undermine other policies for inner city regeneration.

It is suggested that planning policies and interventions should be directed towards all businesses, but particular attention be paid to researching and consulting black businesses to ensure that they have equal opportunities for participation. Existing work on the planning problems of small businesses indicates what sort of policies and interventions may be required. Most commentators stress that planning controls can have a negative effect on business development and point to the need for closer dialogue between planners and entrepreneurs who have markedly different perceptions of the environment (Falk, 1980: 60; Association of District Councils, 1982: 5-6; Roger Tym and Partners, 1988: 26-28). According to some commentators, this gap in perceptions occurs because planners neglect the small firm and particularly the retail sector (Kirby, 1980: 62). Davies suggests that the complacent attitude of planners derives from an imperfect understanding of the effects of planning policies on small businesses and the concentration on higher order centres within the shopping hierarchy, and major redevelopment schemes (Davies, 1984: 156, 308). In particular, urban redevelopment schemes have substantially reduced the stock of commercial properties; the 'threat' of such schemes (e.g. slum clearance and road improvement lines) blights wide areas; traffic management schemes have inhibited the functioning of local shopping areas because planners have not anticipated the importance of the car to shoppers (ibid.; Falk, 1980: 59-60; Kirby, 1980: 69-71).

Beyond the need for wide research and consultation, particular strategies can be suggested. First, there is a clear need for the removal of uncertainty over the future use of land. The government have repeatedly stressed the need to put local plans into place quickly (e.g. Department of the Environment, 1985a: 15) and have advocated the adoption of Unitary Plans to demystify, simplify and quicken the development plan process (Planning, 757, 26 February 1988). Shortages of commercial property can be alleviated by the construction of new buildings and the refurbishment of existing

stock (see above p.30). With particular reference to the high proportion of black entrepreneurs engaged in small scale retailing there is a need for rethinking local shopping policies. Research has shown that there are distinctive patterns of ethnic minority retailing and shopping. A number of high order comparison goods shopping centres have emerged along major radial routes in some inner cities - for instance, Belgrave in Leicester and Saltley in Birmingham (Davies, 1984: 345; Ward, 1985: 54-55). Such areas should be able to operate in the same, fairly unrestricted policy environment as city centres (e.g. allowing 100% commercial development of sites and avoiding severe restrictions on advertising). The level of private investment along major radial routes may allow public sector resources, earmarked for environmental and infrastructure (parking and servicing) improvements, to be channelled into secondary shopping centres.

Positive action of the kind described above should be complemented with the relaxation of controls wherever possible. Many commentators stress that small firms will be greatly assisted by the relaxation and simplification of government controls in all areas of government intervention (Falk, 1980: 61; Binks and Coyne, 1983: 60; Davies, 1984: 321). Throughout the 1980s the Department of the Environment (DoE) have repeatedly encouraged this trend in the planning process by a number of circulars stressing the importance of only refusing planning permission for sound planning reasons, attaching few conditions to planning permissions and putting the needs of business at the centre of planning policies (DoE, 1980, 1985b and 1985c). The white paper Lifting the Burden is a comprehensive attempt to review the scope for deregulation and simplification across the whole range of government controls (DoE, 1985a).

The direction of government policy on environmental management and the existence of policy instruments for direct intervention in inner cities adds up to a favourable climate for black business in terms of their relationship with local authorities. The problems of inner city economies in general and the intense competition observed in the black business sector in particular suggest that

there should not be undue emphasis on the promotion of black businesses in favour of any other businesses. The extreme forms of planning intervention suggested by the former Greater London Council (Greater London Council, 1986: 13), such as giving personal planning permissions to black entrepreneurs and incorporating equal opportunities employment conditions into S.52 agreements, may ultimately be counter-productive and are possibly illegal.

CHAPTER 3

THE EVOLUTION OF A RESEARCH DESIGN

3.1 Introduction

This chapter describes the evolution of the methodology of the project. The term 'evolution' is used to denote the sense in which the methods were adapted as information came to light. Whilst the researcher endeavoured to be consistent and rigorous in testing the hypotheses framed, both the hypotheses and the uses to which data was put have changed considerably since the start of the empirical work. It is hoped the writing in the following pages has been accomplished without recourse to the wisdom of hindsight to conceal any imperfections.

The first two sections describe previous research in the field which was undertaken by or on behalf of Leicester City Council. A consideration of this work and the questions posed by the literature already discussed led to the framing of hypotheses for investigation.

The following sections discuss the construction of a sampling framework, three distinct phases of empirical work and finally a section on data analysis. A brief assessment of the validity and utility of the final design concludes the chapter.

3.2 Previous Studies

As noted above (Chapter 1) the project was initiated in direct response to the research undertaken at Leicester City Council Planning Department. Three separate studies of planning applications had shown that Asian applicants were almost twice as likely to be refused planning permission as white applicants. The data from these three studies were combined in an elaborate modelling exercise which attempted a multi-variate analysis of the data. This analysis proved inconclusive but it did point to planning applications with a proposed retail land use as ones likely to attract high refusal rates. Such applications formed a high proportion of those made by Asians - three times greater than the proportion for white applicants. (LCC/46)

The study suffered from three major problems. First, much of the data was categoric - for example, planning application outcomes are classified in six categories: permitted development, straight approval, conditional approval, limited period consent, refusal and withdrawn. Data of this nature cannot be subjected to linear modelling techniques, such as multiple regression, without violating the assumptions underpinning the modelling. Second, an attempt was made to explain the variance in refusal rates between different racial groups by calculating a 'refusability' score. The concept was that some applications are more likely to be refused than others, and the study found that "it is intrinsically more likely that applications submitted by Asians will be refused, because more of these applications comprise the sorts of proposals which the committee is likely to reject". The concept was in effect a tautology, because 'refusability' scores were calculated on the basis of factors shown to be present when applications are refused. It did possibly point to some inconsistency in decision making but the author of the report concluded that "this is clearly not a total explanation". The third problem with the report was the heterogeneous nature of the data set. The applications studied were drawn from city-wide data and attempted to compare applications made by all non-statutory undertakers. This generated

thirty variables (of which twenty-one were retained for analysis) and each variable comprised approximately four categories. Thus an average bivariate comparison would generate sixteen cells and one controlling variable would reduce the average expected cell frequency to seven. In other words that data set was too diverse to ensure accurate, well-founded statistical modelling and too fragmented to allow meaningful comparisons to be made.

The Planning Department then attempted to correct the deficiencies of their study by employing consultants to model their data set. Their work overcame the technical deficiencies of the statistical modelling, but reservations about the data set remained. The consultants identified the retail sector as one where the variance in the refusal rates of different racial groups was significant. Overall their analysis found that the variables of Improvement Area, (i.e. whether the application was located in an area with special status), type, (e.g. advertisement, householder, change of use etc.), Proposed Land Use, Amendment, (i.e. whether the application was altered after submission), and Tenure (of property) were significant factors. In addition the studies found some significance - though not complete agreement - in the variables of Presubmission Circumstances (i.e. the level of contact between the applicant and planning authority prior to the application being made), and Property Type, (Hart and Smith, 1986).

From these findings a reasonably comprehensive picture of the so called 'high-risk' applications can be derived. These were found to occur with a proposed retail land use, an existing residential land use in an inner city terraced property located in an improvement zone. Commonly applications of this nature were made on sites where there had been previous refusals and objections to the proposed development from neighbouring users. With the isolation of these factors the consultants were able to explain (statistically) 75% of the observed variance in refusal rates. This compared with a figure of 20% from the original study (ibid.: 7-8).

Thus these studies had done a useful job in highlighting Asian businesses as a source of apparently contentious land uses. They did not, however, explain why such applications were refused (in terms of adopted policies and the ability of Asian entrepreneurs to influence planning outcomes) nor, even in the case of a very narrowly defined type of planning application, did they manage to account for all the observed variance. This left two questions unanswered. First, was there direct racial discrimination in the operation of development control; second, was there indirect racial discrimination arising from the implementation of some planning policies?

3.3 Operational Hypotheses

High refusal rates for Asians were also observed in places such as Glasgow, Wandsworth, Newham, Hackney, Brent and Lambeth (Cordy, Russell and Richards, 1983; Greater London Council, 1986). In these monitoring exercises particular emphasis was given to black business. In support of such findings studies of black businesses have shown the difficulty encountered by entrepreneurs in obtaining premises. The high level of business activity amongst Asians should a priori result in a large number of planning applications as they seek to convert and extend existing buildings to gain commercial space.

To explore these phenomena more systematically a number of related operational hypotheses were framed, which address the research issues from the perspective of the planning system and of black businesses:

1. Black businesses have increased in number and diversified sectorally and spatially over time.
2. The growth and development of the black business sector has led to increased demand for commercial space.

3. Planning policies restrict the supply of commercial space.
4. Planning policies cause indirect racial discrimination by restricting the supply of commercial space.
5. Direct racial discrimination occurs in the development control process.
6. Black businesses have poorer access to policy formulation and implementation processes than other businesses.
7. Racial discrimination in planning impedes black business growth and development.

These hypotheses are designed for different purposes. 1, 2 and 3 attempt to isolate the root cause of the problem perceived in other studies. It is suggested that the growth stream of black enterprise creates additional environmental stress in the inner cities by demanding space which has the effect of precluding other land uses. Planning policies attempt to mediate between competing land users by restricting the supply of space devoted to any particular use. 4 and 5 consider the 'racial dimension' of this conflict over land use in the terms advocated by the RTPI/CRE Working Party (1983). The terms 'direct' and 'indirect' racial discrimination are technical descriptions (see above p.10). The exploration of these hypotheses may identify racial discrimination and describe its pattern but they cannot explain why it can occur. This explanation is attempted in hypothesis 6 and is framed with reference to empirical studies of planning practice (see above, Sec. 2.4.2.). Hypothesis 7 can be tested independently by direct enquiry from black entrepreneurs and in conjunction with the analysis of 4, 5 and 6 will suggest the policy implications for planning. It is important to remember that this study is grounded in planning practice and adopts an organising concept of ethnic pluralism in policy formulation and implementation as the goal for environmental planning.

3.4 The Sampling Frame

The criteria for choosing the sampling frame were as follows:-

- (1) Homogeneity of data
- (2) Focus on 'problem' areas
- (3) Expediency in data collection, management and analysis.

Previous studies had suffered from the diverse nature of the data set which resulted in the need to include a large number of variables to enable accurate comparisons by controlling (i.e. holding constant) as many factors as possible. Therefore a central part of the research design using planning records was to compare like with like as far as possible.

The general hypotheses require data to be in a time series in order to understand the patterns of black business development and growth. Indeed some authors believe that inter-relationships between variables can be modelled only with longitudinal data (Bracken, 1981: 145). It was therefore decided to compare planning applications from 1971 onwards. This would also serve the homogeneity requirement since the data would be derived from a period of relatively uniform planning legislation (principally the Town and Country Planning Act 1971).

For the whole of Leicester since 1971 there were approximately 25,000 planning applications up to 1987. This number was reduced by discounting planning applications made by a planning authority (Leicester City Council and Leicestershire County Council), statutory undertakers, (e.g. Leicester Area Health Authority, the Post Office etc.), and householders. Commercial users were identified by using the proposed land use. The categories chosen were Retailing, Manufacturing, Warehousing, Office and Transport. These categories were based on the way data was coded in the computer archives at Leicester City Council. Other commercial land users can be suggested - for example, hostels, hotels and dental

surgeries - but not easily separated from other land users and types of application.

To narrow the sample still further it was decided to concentrate on applications which involved the change of use of premises or the extension or alteration of premises. Applications for Listed Building work, Adverts and Tree Preservation Orders were excluded. The reason for this was to focus on applications which involved the expansion or intensification of commercial land uses. Listed Building consent could be required where no development of the above type was proposed. If such development was sought it would usually be necessary to apply for ordinary planning permission and Listed Building Consent. Tree preservation order applications were excluded because they did not apply for the whole period. A separate study of applications made under advertisement regulations was undertaken.

The final boundary of the sample frame was determined spatially. The focus of interest for the research is black business activity. Whilst it does not follow that black business activity is confined solely to areas of black business settlement previous studies of black businesses have shown their preponderance in areas of high black settlement. Therefore the sample area was chosen on the basis of areas of high Asian and Afro-Caribbean settlement and local shopping areas where existing work had shown concentrations of black business (Ethnic Business Research Unit, 1985 and 1987).

The identification of areas of high Asian and Afro-Caribbean settlement was facilitated by the Survey of Leicester (Leicester City Council and Leicestershire County Council, 1983). The population density maps from that survey are reproduced below as Figures 2 and 3. They show areas of high Asian population density (> 25%) in the West End, Highfields, Belgrave, Rushey Mead, St Peters, Northfields, Charnwood and Crown Hills area. The much smaller Afro-Caribbean (termed West Indian in Fig. 3) population is concentrated in the Highfields and St Peters areas (for an explanation of these areas and principal roads see below, Fig. 1).

Fig.1 Principal Roads and Areas of Leicester

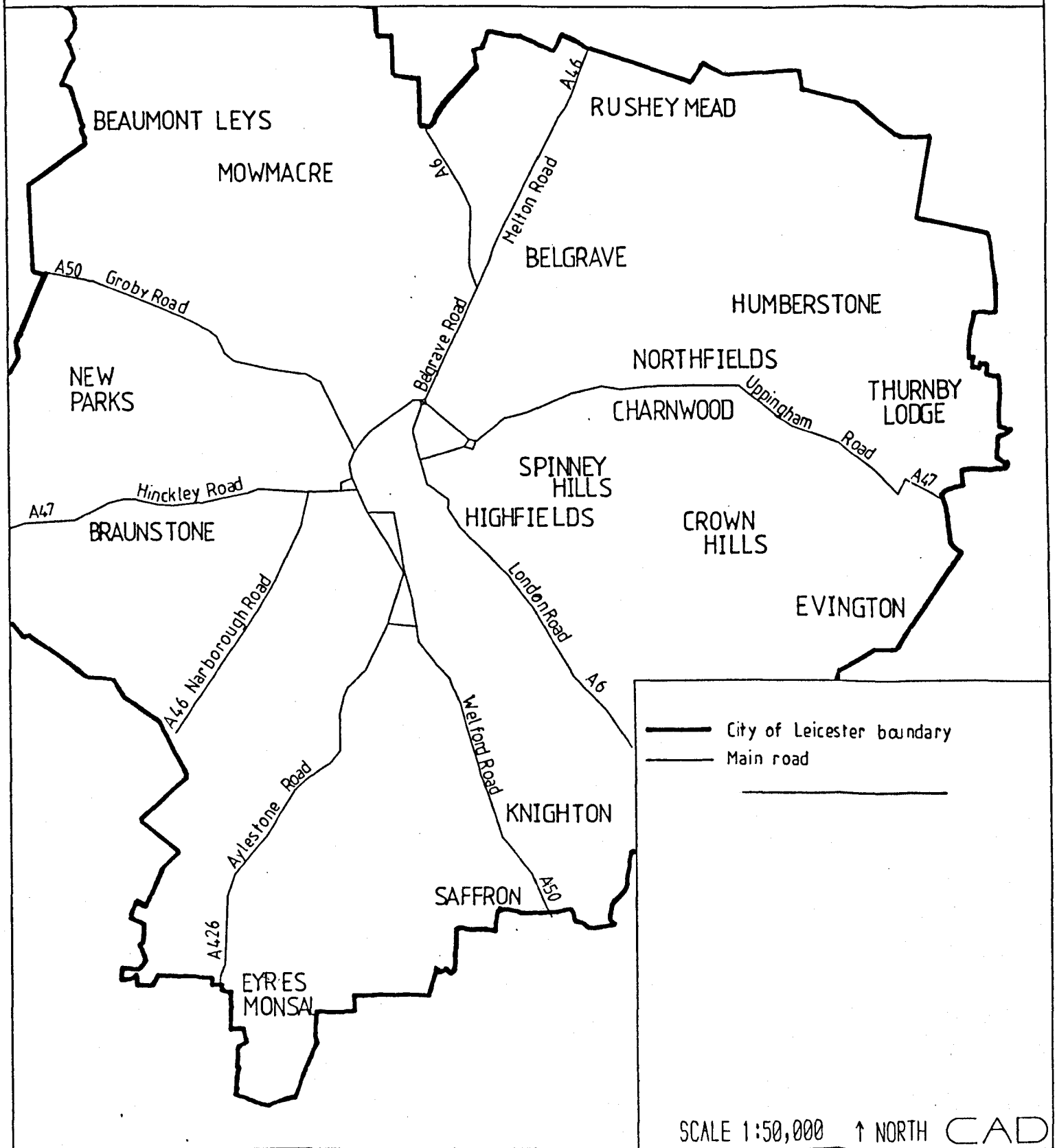
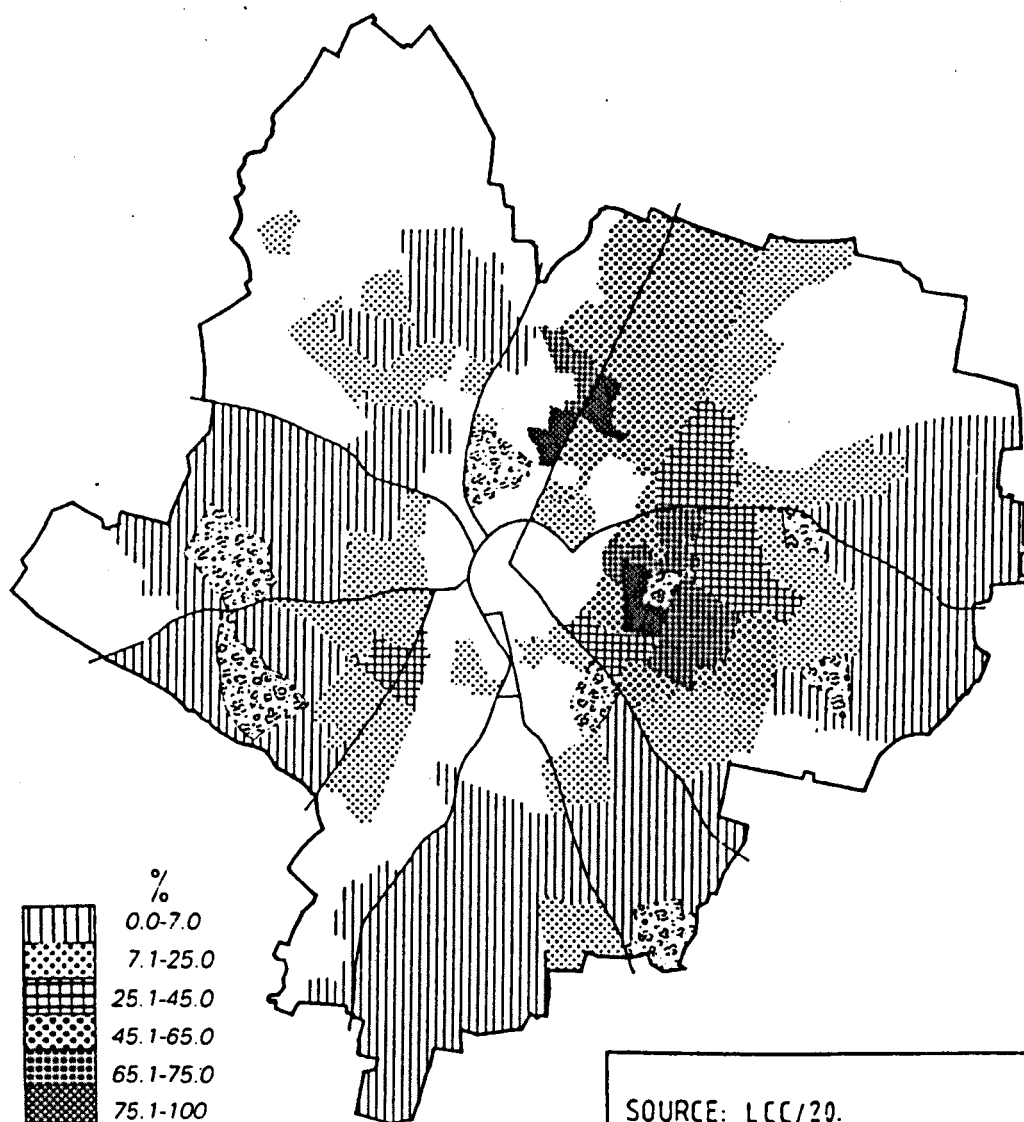


Fig. 2 The Asian Population of Leicester

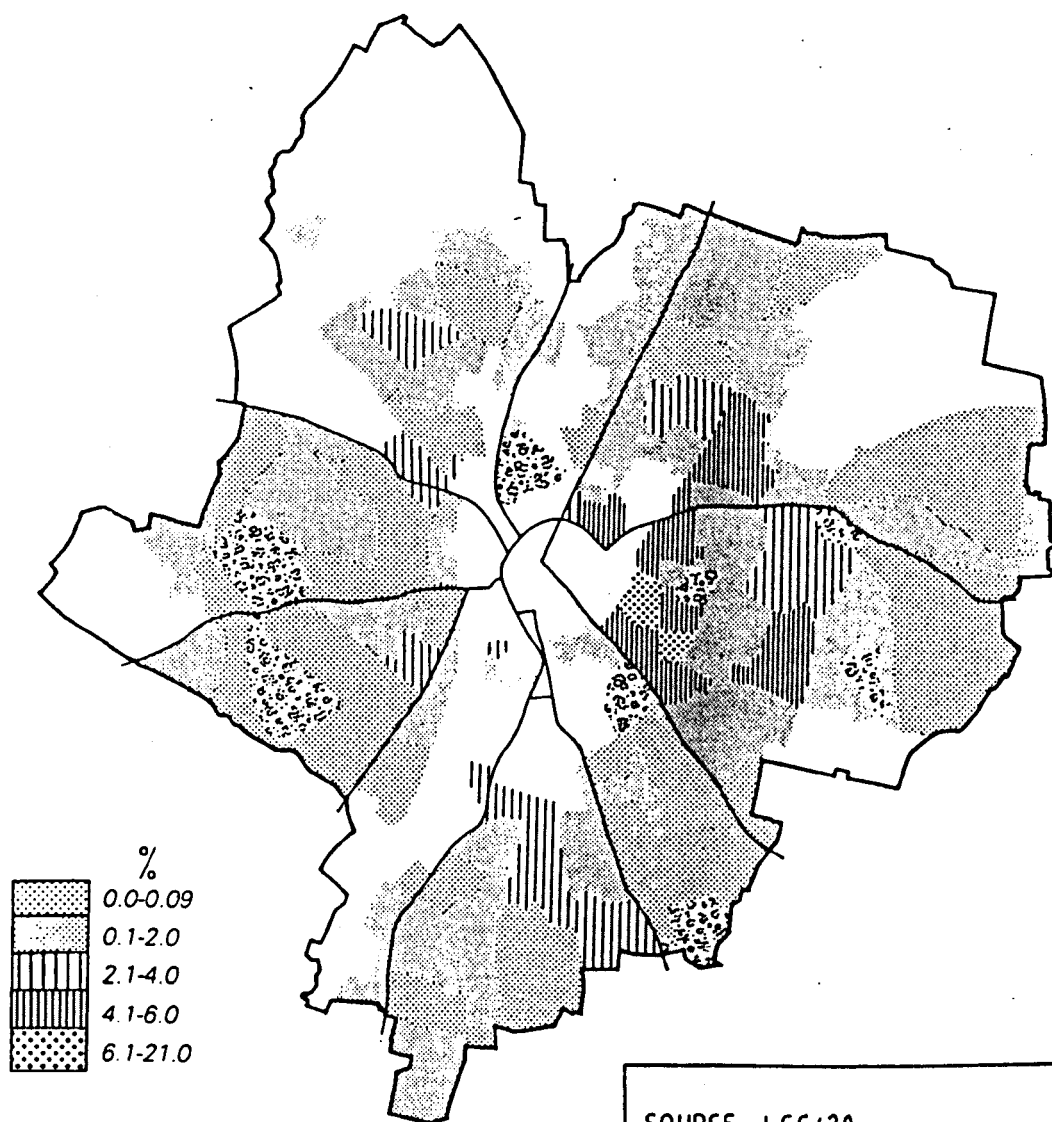


SOURCE: LCC/20.

REPRODUCED BY KIND PERMISSION
OF LEICESTER CITY COUNCIL

SCALE 1:81,500 NORTH ↑

Fig. 3 The Afro-Caribbean Population of Leicester



SOURCE: LCC/20.

REPRODUCED BY KIND PERMISSION
OF LEICESTER CITY COUNCIL

SCALE 1:81,500 NORTH ↑

The area chosen for sampling was based around these maps using the grid square designations of the City Council Planning Department's Unique Property Reference number (UPRN) system. The initial sample area (see below Fig. 4) reflected the distribution of Leicester's black population, other areas along principal roads such as the Welford Road and Uppingham Road and a number of grid squares generated by random numbers (e.g. at Eyres Monsal). The city centre was excluded largely for reason of expediency owing to the high number of planning applications made there. It is also worth pointing out that the City centre is governed under a planning regime that is noticeably different when compared with other local plan areas (c.f. LCC/06 and LCC/13, below Chapter 4).

A data retrieval programme was written to trawl planning records from the computer archive based on location, year of application, type of application and proposed land use. This revealed that certain grid squares did not apparently contain any commercial activity (notably those generated at random) and were discarded from the subsequent analysis. Figure 5 (below) shows the final sample area and the inset used in subsequent maps.

The use of 'intelligent' pre-selection criteria in constructing a sample frame has possibly compromised the assumption of randomness made in subsequent statistical analysis. However the trawl of planning applications revealed approximately 3,500 relevant records. The initial analysis of planning applications used all of these records and thus there is no **sampling error** in this analysis - though **systematic errors** did occur in data coding and are described later on. Thus the data base of planning application records could be described as a census, with a specific focus and a relatively homogeneous data set.

Fig.4 Intial Sample Area

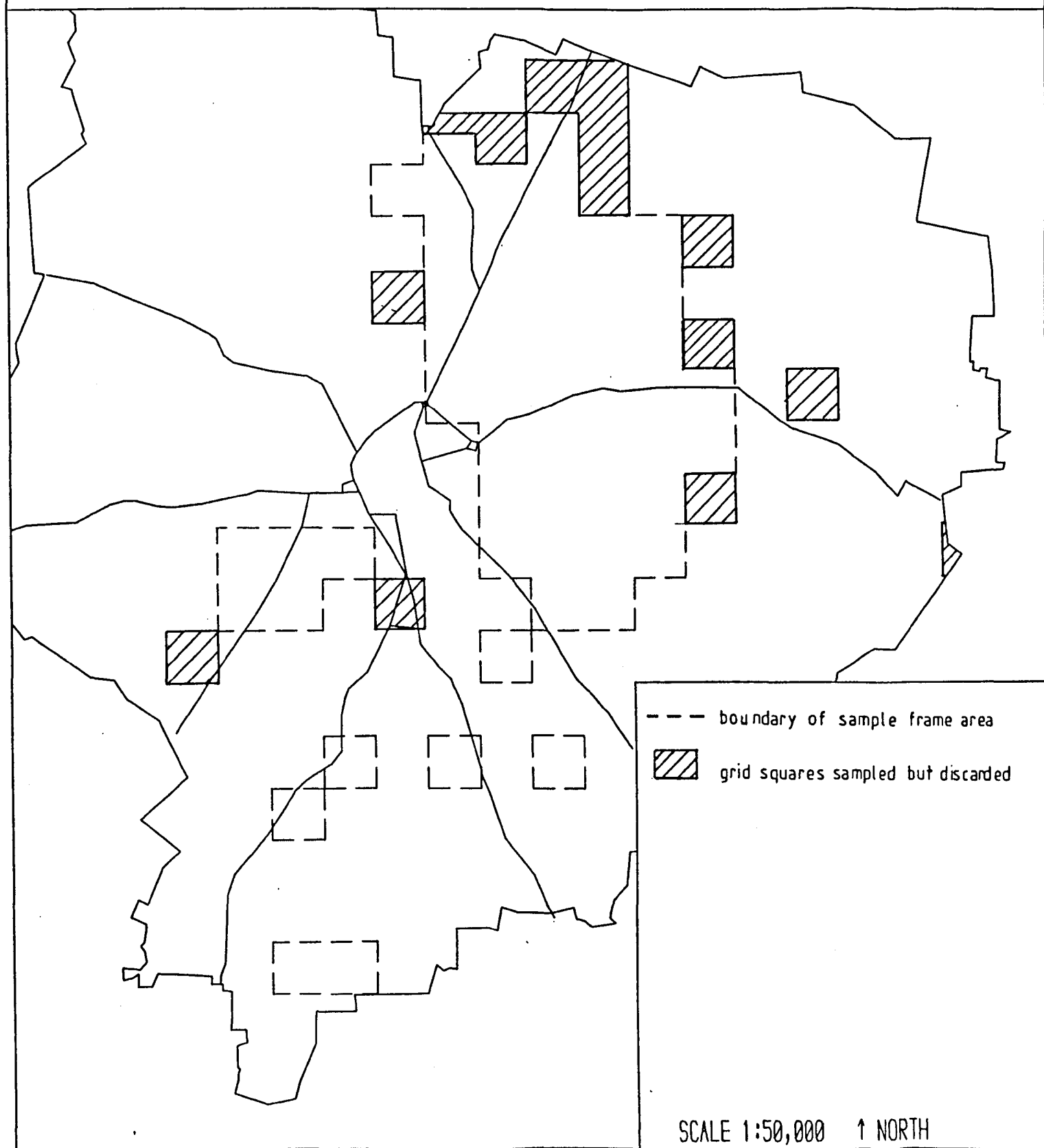
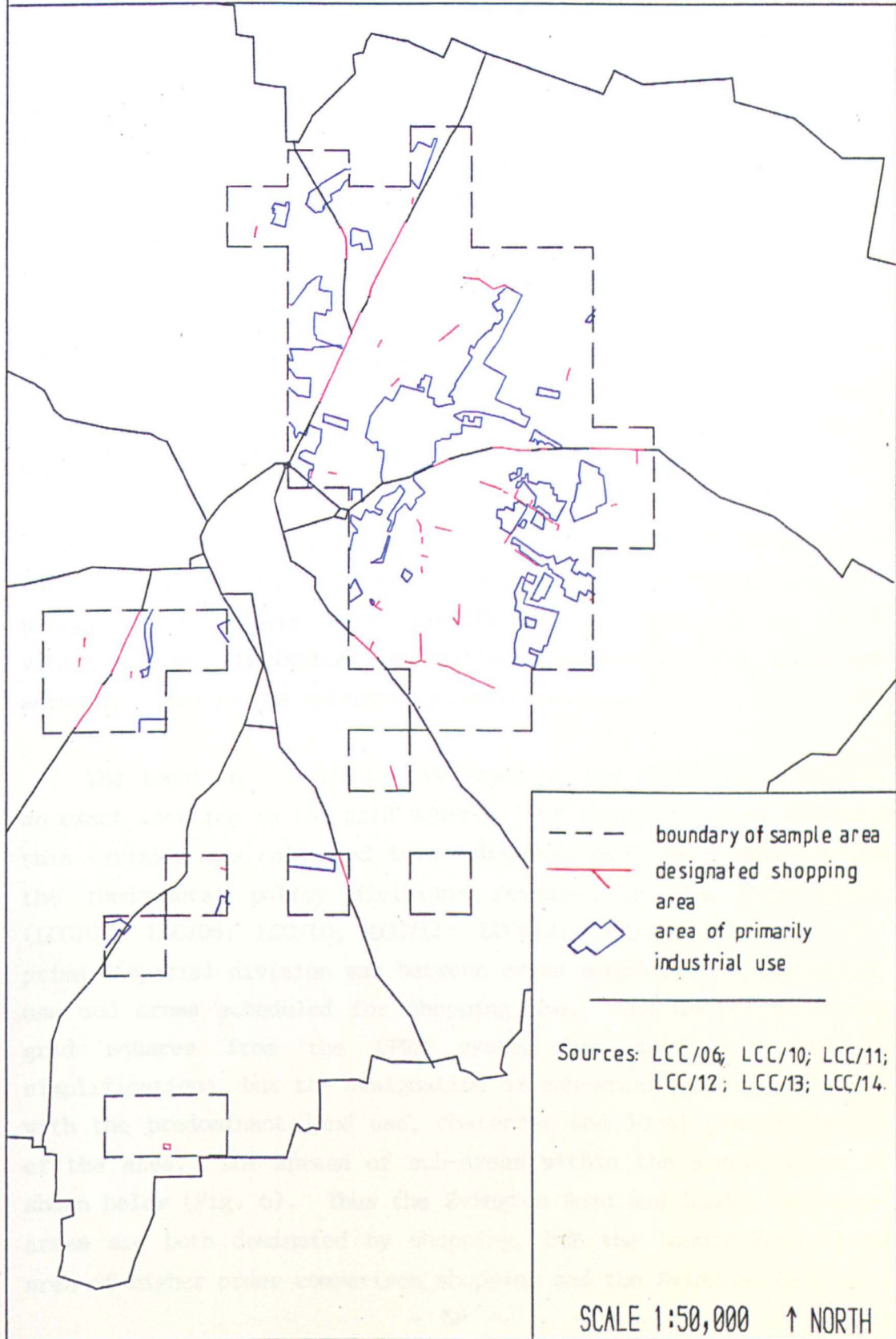


Fig.5 Final Sample Area and Local Plan Policies



3.5 The Analysis of Data on Planning Applications

The work on the data base of planning records was designed to provide tests of hypotheses 1, 2 and 5 (see above, p.56). The data base drawn from the computer archive contained information on the date of an application, its location, the decision made, the existing land use at the site, the proposed land use, and (sporadically) a description of the type of development sought and any amendments made to the application. Each record was then matched with the formal decision notice issued by the planning authority and the following information was added: the racial origin of the applicant; whether or not an agent was used; and the number of conditions attached to a planning permission or the number of reasons given for a refusal of permission. Checking each record against the decision notice also enabled the verification of the data and the completion of any missing items.

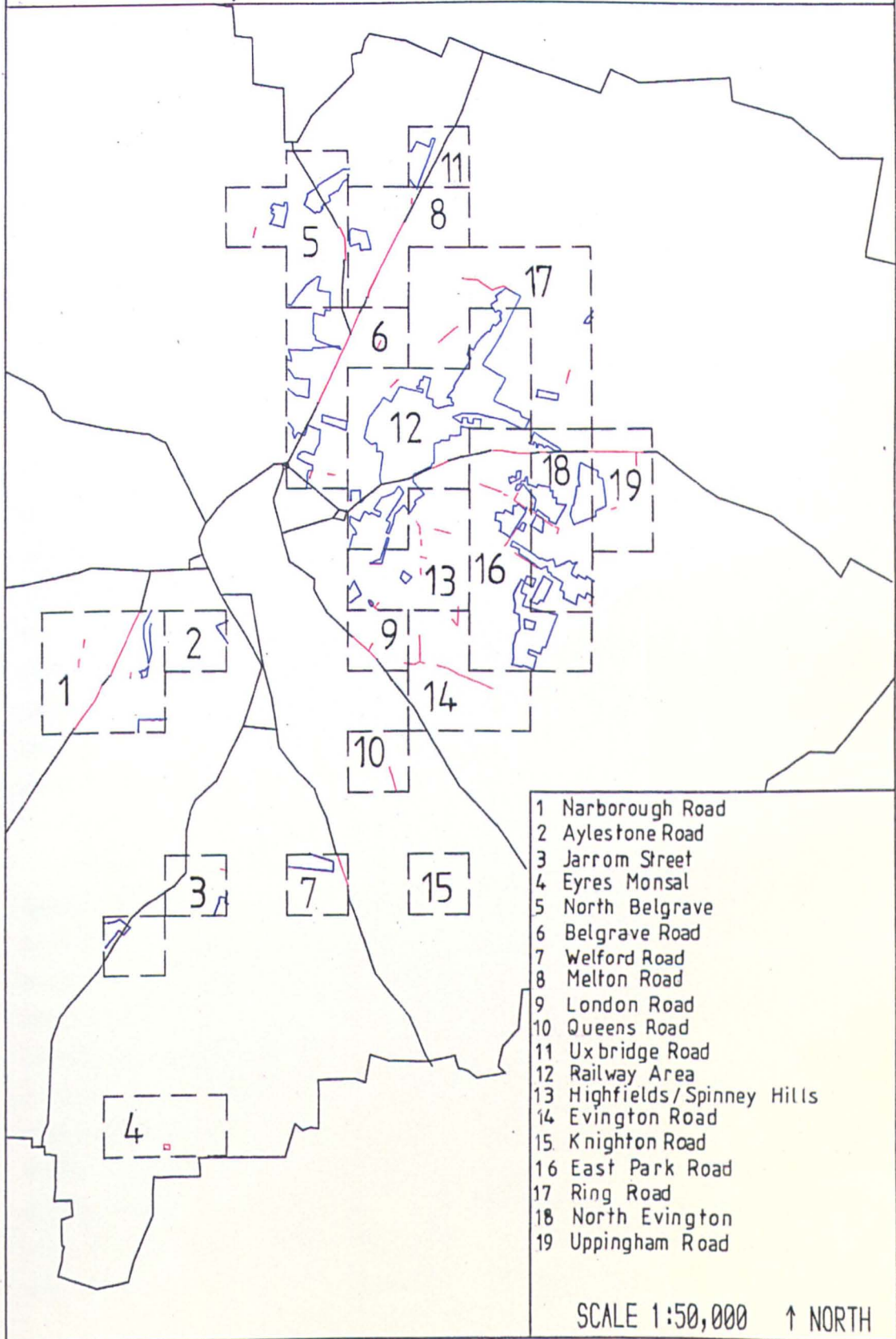
A complete description of the coding system used is given in Table 1 (below). The hierarchic groups shown were used in the main analysis where there were insufficient observations to avoid violating the statistical assumptions employed. The data was actually coded in the sub-group classifications.

The location variable was based on the UPRN which defines an exact location in the grid square. For the purposes of analysis this variable was collapsed into sub-areas which were based around the fundamental policy divisions revealed in the local plans (LCC/02; LCC/06; LCC/10; LCC/11; LCC/12; LCC/13; LCC/14). The primary spatial division was between areas scheduled for industrial use and areas scheduled for shopping use. The use of kilometre grid squares from the UPRN system has inevitably led to simplifications, but the designation of sub-areas generally accords with the predominant land use, character and local plan divisions of the area. The spread of sub-areas within the sample frame is shown below (Fig. 6). Thus the Evington Road and London Road sub-areas are both dominated by shopping, but the London Road is an area of higher order comparison shopping and the Evington Road is a

TABLE 1
CODING SCHEME USED IN THE ANALYSIS
OF PLANNING APPLICATIONS DATA

VARIABLE	HIERARCHIC GROUP	SUB-GROUPS
LOCATION	Sub-Area	grid square/map co-ordinate
YEAR		
DEVELOPMENT TYPE	Change of Use	whole building; groundfloor; other floors.
	Building Alterations	minor; major.
	Built Extension	single storey; multi storey.
	Ancilliary Structures	
	New Site	
	Fascia Alterations	shopfront; roller shutters/ canopies.
	Temporary Development	erect temporary structures; renew temporary permission.
	Extended Working Hours	
EXISTING LAND USE/PROPOSED LAND USE	Residential	
	Retail	general; hot food; motor; laundry.
	Office	general; quasi-retail (e.g. banking); taxi.
	Manufacturing	
	Wholesale	general; retail warehouse/ cash & carry.
	Storage	
	Leisure	
	Transport/Other	
AMENDMENTS	Yes/No	
DECISION PERIOD	Months	weeks
AGENT USED	Yes/No	specific agent (1984-7 only)
DECISION	Approved/Refused	permitted development; straight approval; conditional approval; limited period consent; refusal; withdrawn.
APPEAL	Yes/No	allowed; dismissed; withdraw.
REASONS/ CONDITIONS	Number	
RACIAL ORIGIN	Asian/White	Asian; white; other; unknown

Fig. 6 Location of Sub-Areas Within the Sample Grid



local shopping centre dominated by convenience and lower order comparison goods shops. The East Park Road and North Evington sub-areas are both dominated by industrial users but both include shops. The important distinction between them is that the former sub-area approximates to the East Park Road Industrial Improvement Area (see LCC/21).

The development type variable proved difficult to code. The broad divisions of types of application used in earlier studies did little to fulfil the objective of comparing like with like. For example, there is a substantive difference - in such terms as scale of development, nuisance to neighbours, creation of precedents - between an application for a new shop front for a shop in an established parade and one to build a glue factory on undeveloped land, yet both would be classified as 'development' in earlier studies. The current coding scheme for development types attempts to reflect the nuances of various kinds of proposals without creating a plethora of categories. The scheme is designed to isolate the kinds of development described as "intrinsically more refusable" (LCC/46) without prejudging the issue. For example, a new site development involves the erection of permanent structures that may transform the space completely and have a conclusive impact on the environment. A temporary development also entails the erection of structures but the implication is that they can and will be removed without permanently transforming the environment.

The difficulties of coding the development type of an application are compounded when an application is submitted which involves several of the substantive types identified. A typical example is an application to convert a house to a shop (change of use, ground floor), with an extension to retain a viable unit of living accommodation and the installation of a shop front. In such a case the following hierarchy of types is adopted: changes of use; development which increases the built area of a site; development which involves the intensification of the existing use (i.e. alterations or extension of working hours); and development which alters the appearance of the existing built portion of a site. The argument is that in most cases this hierarchy reflects the relative

environmental impact of each particular aspect of a proposal. Thus in the example above the change of use is the most fundamental transformation sought; if that is refused then the extension and shop front become superfluous.

The coding of land uses is based on the categories employed by Leicester City Council Planning Department. The hierarchic groups represent the telescoping of particular land uses for global analytic purposes. In general the sub-groups are retained in order to isolate the characteristics of an application that appear to make it more refusable to planners. For example, a hot-food take-away or restaurant has a greater environmental impact than a general shop; the former may be open later at night and create cooking smells that disturb near neighbours. The fundamental weakness of the land use categories adopted is the failure to distinguish between types of manufacturing industry. This arises because of the non-specificity of planning records, particularly since 1981 when the need to obtain Industrial Development Certificates was abolished (see Cullingworth, 1988: 41).

The amendments variable is straightforward. It is included as a possible measure of the negotiations taking place between the planning authority and the applicant - though applicants may amend a proposal of their own volition if their requirements change whilst the application is pending. Amendments also act as a check on the decision period variable. This variable is used as a linear measure of the complexity of an application. The argument being the more complex an application the longer it will take to determine. Complexity can result from the nature of a proposal, objections from neighbours, or the simple need to refuse a proposal. In all these circumstances a committee decision is required. Where an application was amended the decision period variable was discounted. The decision period is also a useful measure of the performance of a planning department and can be compared with applicants' perceptions of delay, revealed in the survey of businesses.

The use of an agent is included despite the conclusions from earlier studies that it was not a significant variable. The argument here is that using an agent (commonly an architect or planning consultant) should improve the chances of an application being approved owing to the quality of presentation of written answers and any drawings and the presumed experience of an agent in negotiating with the planning authority. For the period 1984-7 data on individual agents was collected in an attempt to see if the performance of agents varied significantly.

The decision variable is divided into the categories used by the planning authority. For most analytical purposes the variable is collapsed into approved/refused categories, with the withdrawn category being excluded. It is possible to interpret straight approvals as either a measure of the non-complexity or 'non-refusability' of an application. Alternatively a straight approval might denote that an application was submitted with a degree of sophistication that anticipated the planning authorities demands and any possible objections (i.e. indicative of a high level of planning knowledge). The interpretation of other categories is straightforward, though a limited period of consent may be given for a temporary structure (which is expected) or as a trial of a possibly contentious land use in order to assess its environmental impact when in operation.

The appeal variable is straightforward, but the number of cases sent to appeal was so small that the analysis was ultimately confined to case-study approaches. The fact of making an appeal shows that the applicant is determined to influence the planning outcome and indicates some knowledge of the planning system (probably obtained via agents).

As with the decision period variable, the number of reasons (for refusal) or conditions (for approval) was recorded in an attempt to derive a linear measure of an application's complexity. The argument being that the more contentious an application the more conditions that will be imposed on approvals or the more reasons that can be given for refusals. This would seem to be a

purely speculative measure. Any study of development control is complicated by the problem of each case being assessed on its merits and the difficulty of pinpointing what considerations planners and local councillors take into account, and which conditions or reasons they attach most importance to (see Underwood, 1981: 229). A more fruitful approach would be to compare the reasons given for conditions or refusals with the characteristics of an application. However, reasons are very hard to pinpoint given the frequent use of standardized wording and the impossibility of assessing (except, perhaps, by interviewing the operational decision-maker) which reasons are uppermost in planners' minds. A recent study of planning refusals identified six groups of decision values with forty-six categories of reasons (Roger Tym and Partners, 1988: Appendix IV). This would result in a very unwieldy analysis and enormous problems in coding, if a multi-variate analysis were attempted.

The final variable, racial origin, is central to the whole data set. It was determined by surname evidence from the register of Decision Notices. Surname evidence is notoriously difficult to handle: Asian and English surnames may overlap (e.g. Gill); in the case of many Asian companies the planning application is made under a trading name which is not obviously Asian; and it is very difficult to pinpoint other racial groups by surname, especially Afro-Caribbeans. However, there was no alternative in longitudinal data set stretching back to 1971.

The subsequent survey of businesses, based on a sample of planning applications made since 1984, allowed some verification of the data by the self-classification of the respondent. There were 181 interviews which covered 316 planning applications. Overall there was a 10% error in the coding of racial origin. The error was systematic and one-directional, in that Asians were not detected, leading to a consistent under-estimate of the growth and spread of Asian business activity. There is less certainty about the impact of this error on the analysis of planning outcomes. It is possible that wrongly classified applicants were refused planning permission in the same proportion as the correctly

identified Asian applicants. On the other hand, it is possible that the error resulted where anglicised trading names were used, indicating established businesses which, as the analysis shows, attract lower refusal rates than those applicants attempting to start a business. The verification exercise also proved the complete inability of this method of data collection to correctly classify other racial groups. Therefore the other category was dropped from the main analysis. In the case of Afro-Caribbeans this fault is not serious. It has already been shown that Afro-Caribbeans are under-represented in business when compared with other racial groups. Also Leicester's Afro-Caribbean population is under 2% of the total (Leicester City Council/Leicestershire County Council, 1983: Table 1), suggesting that the group would be too small to include in an elaborated bivariate analysis (see below, Section 3.7.).

3.6 The Survey of Businesses

The survey of businesses was established to test hypotheses 2, 6 and 7. In particular, the survey was designed to generate information on the nature of negotiations in planning from the entrepreneurs point of view; data on the spatial context of the business and the spatial implications of future commercial aspirations; an assessment of the impact of inner area initiatives; and a qualitative assessment of the impact of environmental planning on business growth and development. This data was collected in conjunction with 'factual' information on the structure and size of the business.

The original research specification demanded a random sample of 500 businesses selected either from planning records or from another sampling frame such as the study of Ethnic Minority Businesses in Leicestershire (Ethnic Business Research Unit, 1985 and 1987). The early report on the latter study showed that with high death rates amongst small businesses it would scarcely be

practicable to interview 500 entrepreneurs. The amount of information required from the survey suggested that such a large sample would prove too time consuming in the overall context of the project. A random sample would result in poor information arising from (i) the diminished ability of respondents to recall distant events (if chosen from planning records during the period 1971-1987) or (ii) from interviewing firms with no relevant experience of planning (if chosen from the ethnic minority business data base).

The sampling strategy was therefore devised to enable the researcher to complete and code the interviews personally and to focus on interviewing respondents with recent, relevant planning experience. The list of potential respondents was drawn from the planning records from January 1984 to March 1987. The use of the original sample frame enhanced the analytical coherence of the project and retained the advantage of the focus on particular planning issues. 1,046 planning applications were identified and it was decided to sample 1:2 applications (523 in total) to allow for multiple applications from the same firm, refusal to take part and so forth.

A target sample size of 200 was chosen on the basis of the likely number of categories that could occur in bivariate comparisons arising from the coding scheme of the draft questionnaire. The rule in contingency table analysis being to keep the expected frequency count of any cell of an average of five or over (see below, section 3.7; c.f. Department of Trade and Industry, 1985: 55).

In order to focus the sample further it was decided to discount applications made by companies outside the Leicester area. These were mainly national or multi-national companies whose size and structure were not comparable in any meaningful way to the average small black business. It would also have entailed conducting telephone interviews contrary to the face-to-face interviewing strategy that was adopted.

The strategy for conducting the survey was to contact potential respondents by letter (see below, Appendix 1, part A) to follow up with a visit and either arrange an appointment or conduct the interview on the spot. Each interview was conducted with an identical questionnaire (see below, Appendix 1, part B). In the event of being unable to contact the potential respondent (if they were absent or the premises were vacant, for example) one follow-up initiative was attempted. At the pilot stage a letter was sent (see below Appendix 1, part C) with an invitation slip and pre-paid reply envelope. This was abandoned owing to a very low response rate during the pilot survey. In the main survey follow-up initiatives were conducted by telephone and limited to one per potential respondent.

The sampling strategy preserved the principle of random selection within the sampling frame. The final returns are shown below (Table 2). 'Multiple applications' refer to cases where two or more planning applications were made by the same firm on one or more sites. The 'respondents out of area' are those firms with national or multi-national distribution of production whose headquarters were not located in Leicester. These two categories were omitted from the final 'valid' returns which showed a 'success' rate of just under 50%. This experience equates with similar surveys of businesses undertaken by professional consultants. The main difficulty is contacting the respondents, rather than persuading them to take part (see Wilson, 1983a: 100; Ethnic Business Research Unit, 1985: Section 5; Roger Tym and Partners, 1988: 2).

These returns do indicate the possibility of systematic errors occurring in the final data set. Contact was easier to achieve with very small businesses where the owner worked and possibly lived on the premises. The survey data set does show a 5% increase in the representation of retail businesses and a 5% decrease in the representation of manufacturing businesses when compared with their distribution in the data base of planning applications. Other sectors of activity such as wholesaling are represented at the same level as their distribution in the latter data base. The problem

of contacting owners where premises were vacant is perhaps more worrying. The vacancy of premises may reflect the volatile nature of small firms generally, but it is at least possible that problems in obtaining planning permission may have caused the owner to relocate, contributed to the failure to start a business or caused the failure of an existing business. There is also a possibility that systematic error will be introduced because entrepreneurs whose plans have been altered or rejected by the planning authority may be more highly motivated to take part (c.f. Roger Tym and Partners, 1988: 3). These two kinds of error would be self cancelling.

TABLE 2
OVERALL RETURNS FROM THE SURVEY OF BUSINESSES

Response Category	Number of Respondents	Percentage of Initial Sample	Valid Percentage
Interviewed	191	36.5	48.2
Refused to Take Part	56	10.7	14.1
Premises Vacant	89	17.0	22.5
Contact Abandoned	60	11.5	15.2
Multiple Applications	76	14.5	-
Respondent Out of Area	45	8.6	-
Missing Value	6	1.2	-
TOTALS	523	100	100

The questionnaire was designed with a mixture of closed and open questions - closed questions were used in the early part of the survey (see Appendix 1, part E) to gain basic information on the economic and management structure of the firm and the locational choices made. There followed a series of open questions

on locational preferences before the main section on planning. Bracken considers that open and closed questions cannot be used in the same survey since the respondent may have difficulty in distinguishing between them (Bracken, 1982:158. The technique employed was to adopt a semi-open structure for most of the complicated questions - a number of show cards (see Appendix 1, part F) were used to prompt responses to specific questions and then comments were invited. Completely open questions were marshalled at the end of the survey.

The technique was susceptible to errors since as Bracken has pointed out "the investigator may interpret any ambivalent or uncertain responses in favour of either his own personal opinions or in favour of his research expectations" (ibid.: 155). Whilst the questionnaire was designed to be used by other interviewers, if necessary, all the interviews were conducted personally making this possibility real. However, this method of surveying does allow some uniformity in interpretation and coding. Given the caveat that respondents who have had problems with planning are more likely to participate, and given the implication in the revised introductory letter (see Appendix 1, part D) that the survey was aimed at identifying and remedying weaknesses in the planning system, it can be expected that there will be a bias towards a view of planning as particularly problematic for businesses. The findings in Chapter 6 were interpreted in that light.

The questionnaire was subjected to a pilot test of thirty potential respondents (with twelve actual returns). The question structures and wording were then simplified and written in more active language (see Appendix 1, part E). Otherwise few modifications seemed necessary after the pilot survey and its findings were used in conjunction with responses from the main survey. The written questionnaire was followed verbatim in each interview. The effectiveness of the questions was tested when three questionnaires were sent by post and self-administered. The responses achieved were comparable with those from the face-to-face interviews.

Where interviews were completed additional information was collected on the planning application that originally identified the respondent. The information was gathered from working site files held at Leicester City Council Planning Department. The purpose was to gain data on how the planning decision was made and perceived by the planning authority. The data was also designed to reveal the existence of negotiations between the planning authority and the applicant and any influences on those negotiations. The variables established were: whether or not there was a known previous history on the site; the identity of the officer dealing with the application; whether or not neighbours were notified; whether or not neighbours, or others, objected; whether or not statutory consultees (e.g. Water Authority, City Housing Department) objected; whether or not support was received for the application; any record of discussions with the applicant or agent prior to the formal determination of the application; and the recommendation of the case officer.

3.7 Methods of Analysis and Statistical Assumptions

The methods of data analysis for the extensive sample of planning applications and for the survey of businesses are very similar. Most of the variables derived are distributed on nominal scales, consisting of two or more categories that are discrete and not directly comparable. For example, if the researcher seeks to establish whether or not an agent was used to submit a planning application the possible answers are 'yes', 'no' or 'don't know'. These responses can be coded as numbers (say 1, 2, 3) but they are dissimilar - it cannot be inferred that 3 is greater than 1, or that 1 represents the best outcome.

The nature of the data limits the range of statistical techniques that can be employed (Reynolds, 1977). The basic strategy was to describe the data, using frequency distributions, then undertake bivariate comparisons using contingency table

analysis. Where the initial analysis revealed the existence of relationships the bivariate analysis was elaborated with further controlling or intervening variables in an attempt to isolate significant factors. The multi-dimensional contingency tables that result are not true multivariate models, but a series of bivariate comparisons. Very few models are truly bivariate. For example, it might be found that the strongest support for a political party occurs, say, in industrial conurbations. This model is credible but if we add information about the occupation and socio-economic group of the voters we gain a much more complete understanding of why support for that political party is strong.

Techniques such as hierarchic log-linear modelling and logistic regression can be employed to build the multivariate models with categoric data, but these would have exceeded the researcher's statistical competence. The consultants' report on the handling of planning applications in Leicester employed logistic regression techniques but found that most results were similar to the simpler controlled bivariate analysis.

Contingency analysis produces a matrix of comparisons that provide much useful data. The basic test of statistical significance is the Chi Square test of independence. This looks at the cross-classification of two variables and measures the discrepancy between the expected outcome of a random distribution and the observed outcome:

$$\chi^2 = \sum \left[\frac{(f_o - f_e)^2}{f_o} \right]$$

(Minium, 1978: 248)

The test of independence shows only the degree of certainty that the observed pattern of comparisons could not occur randomly. It does not suggest how the variables are related or what is the strength of that relationship. In this study a 5% cut-off is used (i.e. a 'statistically significant' relationship is deemed to exist if it is 95% certain that the relationship between the variables

could not have occurred randomly). The cut-off is set at 4.5% when the ethnic origin variable is included in a comparison of planning data to account for the 10% incorrect classification of this variable.

The interpretative limitations of the Chi Square test can be overcome by the use of measures of association (Reynolds, 1977: Ch. 2). However, measures of association were not widely employed because it is also possible to partition the contingency tables and to examine residual values in order to see which categories of a variable cause significant patterns to emerge. Reynolds writes:

A thorough ransacking of the two-way table is desirable because social scientists frequently know ahead of time that a result will be significant. By relying solely on Chi Square tests, they gain little new information. At the same time, they might be missing important insights by not subjecting data to closer scrutiny.

(Reynolds, 1977: 11)

The main technical limitation of the Chi Square test and other measures of association is that a contingency table should generally not contain cells with an expected frequency of less than five. Thus for example, if a very low number of planning applications were for taxi-office uses, the construction of a multi-dimensional table with application type, land use and racial origin tested against decisions, would result in a large number of cells with small expected frequencies. The hierarchies of categorisation shown in Table 1 (above, p.67) were used to overcome this problem whilst retaining a logical coding scheme. Some statisticians suggest that data manipulations and transformations can compromise the validity of the analysis if the original categories were logical and accurately measured. Inevitably some data is 'lost' by the use of 'coarse filters' in the analysis, but if from the analysis or from theoretical insights it appears that a 'finer filter' is necessary, then a case study approach can be adopted.

The data analysis was performed using the commonplace SPSSx software (Statistical Package for Social Scientists - extended).

As well as the ability to perform data manipulations, contingency table analysis and a wide range of measures of association, the software has facilities for log linear modelling in the analysis of cataric data. The data is held in numeric code form at Nottingham University Cripps Computer Centre. The location of planning applications was recorded using the alpha numeric UPRN system but these were converted to Ordnance Survey compatible co-ordinates by use of a Fortran 77 programme. These co-ordinates were used to generate maps that were digitally plotted using a Fortran 77 programme incorporating sub-routines from the GINO-F library of programmes.

3.8 Qualitative Research Methods

The other major part of the work has been the study of Leicester City Council documents. Using Local Plans and Committee adopted policies it is possible to gain a theoretical understanding of the likely impact of planning controls and planning intervention on black businesses. This can be used directly to test hypotheses 3, 4 and 6. The study of documents also assists the interpretation and explanation of the statistical analyses.

A wider range of documents was consulted to assess the Leicester City Council's policies on black businesses and economic development generally. This background context is discussed in Chapter 4. Particular planning problems are explored through case studies, making extensive use of official documents and case notes, in Chapter 7. The strategy adopted for the documentary analysis was to consult all local plan statements and to undertake a thorough search of committee reports. The policies relating to businesses were then catalogued.

A further piece of work, designed to augment the survey of businesses by increasing the understanding of negotiation processes and to gain additional information for testing hypotheses 3 and 6,

was a series of interviews with planning agents. An introductory letter and draft question schedule was sent to fourteen agents who had frequently handled planning applications made by businesses in the period 1984-1987 (see Appendix 1, Part G). Two agents replied and one kindly agreed to the interview. No other responses were received.

3.9 Conclusions

The data collection and analysis comprises a variety of approaches and techniques. The planning applications data is longitudinal but has been sampled through a 'coarse filter'. One of the difficulties in studying development control is that planners may treat each case on its merits. Land use zones and other adopted policies are only one of a number of material considerations recognised by the courts should a decision be tested in law. Therefore it is virtually impossible to derive a coding scheme that could account for all eventualities and so far much research on development control (with the exception of analyses of administrative delay) has been based on case studies (Underwood, 1981). Therefore it is very difficult to model the consistency of development control decisions against standard criteria such as adopted local plan policies.

The 'coarsely filtered' data on planning applications cannot hope to replicate the full range of considerations employed by planners in determining such applications. However, the large number of cases and the homogeneity of the sample do permit a very accurate reconstruction of the broad pattern of decision-making as well as the opportunity to model the relationship between planning decisions and major variables such as location, land use and application type.

The survey of businesses and the related examination of planning case files constitute a much finer filtering of data. The

survey data is cross-sectional and it is accordingly difficult to model relationships between variables when a temporal dimension is theoretically anticipated (e.g. that operational decision-making behaviour will change as policies change). The other problem with the survey data is that 126 variables were identified leading to considerable logistical problems in the management and analysis of data. The collaboration with Leicester City Council has necessitated generating information which whilst interesting and useful is only marginally relevant to the operational hypotheses.

The use of planning application data also presents problems in general terms. The weakness of the racial origin data has already been discussed. In addition, the study of planning applications alone does not identify the impact of wider planning policies and environmental problems on those businesses who do not apply for planning permission. For example, where business premises are acquired under compulsory purchase for, say, a road widening scheme, the extant business may be forced to close. Also there is the possibility that some businesses operate without planning permission, either through established use rights or illegally. In the latter case the planning authority may take enforcement action which impacts on the business but does not result in a planning application being made. A study of enforcement records was not undertaken because (i) it was not deemed relevant by the supervisory panel and (ii) there was no computerised register or archive of such records.

The final problem with the planning applications data is that records for the period 1971-73 inclusive were not stored on computer at the time of data collection. The method of manual retrieval based on the surname of the applicant has led to (i) incomplete coverage and (ii) exclusion of applications from some white businesses. The findings from the 1971-73 period are therefore interpreted very cautiously.

CHAPTER 4

THE PLANNING POLICIES AND ECONOMIC DEVELOPMENT INITIATIVES OF LEICESTER CITY COUNCIL IN THE CONTEXT OF BLACK BUSINESS GROWTH

4.1 Introduction

This chapter establishes the policy context for the analysis of data in succeeding chapters. The material is based on published and unpublished documents produced by Leicester City Council. In addition to providing essential background to the project, the study of documents should also contribute directly to testing hypotheses 3 and 4. To reiterate, these hypotheses suggested that planning policies restrict commercial space and that such restriction may cause indirect racial discrimination (see above, pp. 56-57). The documentary study may also shed light on hypothesis 6 which suggested that black businesses have poorer access to consultation and negotiation opportunities in planning.

First there is a section appraising the response of Leicester City Council to local economic conditions and their stated goals for economic development. The following two sections discuss the evolution of planning policies that affect businesses; considering general policy formulation and statutory Local Plans in turn. Finally, two brief sections present the evidence of the Planning Committee's attempts to recognise and legislate for a racial

dimension in planning and a more wide-ranging consideration of the Council's black business development initiatives.

The chapter concludes with an assessment of the evidence for supporting or refuting the various operational hypotheses. The concluding remarks suggest a disjunction between the central goals for economic development and the detailed policies for land allocation and environmental management.

4.2 The Economic Aims of Leicester City Council

Leicester City Council have undertaken many initiatives aimed at improving the structure and performance of the Leicester economy. In the 1970s, faced with a recession and a growing problem of vacancy in industrial and commercial premises after the collapse of the property boom, the City Planning Department took an important initiative in sponsoring research which led to a series of reports under the general title of the Leicester Economic Study.

The early reports of the study found that assumptions about the basic prosperity of the Leicester economy were ill founded. The economy was dominated by manufacturing industries especially in textiles, clothing, footwear and related engineering industries (Harrison, Roper and Sills, 1976). These industries were faced with increasing competition and, owing to extensive horizontal and vertical linkages between different firms and sectors, poor corporate performance in one sector had repercussions throughout the whole local economy. Lack of diversity was demonstrated by relatively low employment in the service sector which at the time was (and still is) showing the most rapid growth and offering the most opportunities for new jobs in the national economy (Harrison and Roper, 1977).

The Planning Department's review of policies towards industry was supportive of the need to place as little restraint as possible

on existing industries in built-up areas, but it viewed the presence of industries as a phenomenon that generated conflict and often led to a poor environment. The review recommended policies to alleviate problems of access, servicing, car parking, noise, vibration and poor appearance by the use of restrictive planning approvals. Some supportive measures were offered in the form of the declaration of Industrial Improvement Areas and policies to assist relocation (LCC/18).

The consultants who carried out the Leicester Economic Study found that, whilst these planning policies were operated with "a spirit of co-operation and a willingness to assist firms" (Harrison and Cook, 1980: 13), planning controls could injure economic growth and contradict a Council strategy for the local economy (ibid.: 21). The consultants recommended the rapid formulation of an economic strategy to guide the work of its service departments. Such a strategy should have clear objectives and they suggested four possible but conflicting objectives from which to choose: encourage maximum employment; encourage maximum productivity; encourage maximum production and encourage stability (ibid.: 19). At that time (1980) the City Council's economic development policies were very limited in scope. Most planning controls had negative effects and very little site assembly work was undertaken. Loans and grants to industry totalled just over £100,000 per annum, the majority of funding coming from the Inner Area Programme. The major policy was the Leicester Promotion Campaign (in which the Planning Department played a significant role) but apart from the intangible benefits of improving the city's image, the campaign channelled its meagre resources mainly into attracting footloose industries which were few in number and not a source of many jobs, and even less a vehicle for economic restructuring (ibid.:).

The findings of the Leicester Economic Study were greatly amplified during the 1980s (Harrison et al., 1982). Overall, the consultants pointed to the limited influence that the local authorities had on the economy. The principal determinant of economic activity being the level of demand in the economy. In spatial terms a trend was noticed whereby the more active firms in

manufacturing and service industries were moving away from the central and inner areas of Leicester. This trend was a function of economic growth and the consultants pointed to a fundamental distinction, in policy terms, between economic growth and job generation. The most constructive policies would be those aimed at preserving and enhancing infrastructure, keeping firms "ticking-over" until demand revived (ibid.).

Individual studies explored these problems in depth. Harrison and Cook (1982) found that manufacturing industries commonly chose to relocate in the outer areas of Greater Leicester (i.e. Leicester and the surrounding urban areas as defined in the Leicestershire and Rutland Structure Plan). The obsolescence of building stock, rather than planning constraints, appeared to be the main reason for relocating. This obsolescence hampered the creation of new job opportunities in the inner area - under half of the buildings vacated were re-occupied by users who replaced the jobs lost. The interpretation of inner-area industry as generating environmental conflicts led to the promotion of new industrial sites and consequently encouraged the decentralisation process. A later study also found that obsolescence in buildings and the lack of car-parking in central and inner areas contributed to the poor perception of Leicester as a centre for office-based service industries. It was found that the majority of these service industries relied on local markets. The Planning Committee did not appear to have restricted the development of office accommodation since land prices in Leicester were very low and there was a 10% vacancy rate in existing stock. However it was suggested that new uses should be explored for these buildings and some easing of restrictions on new office development permitted as firms sought to occupy premises well adapted for new technology (Harrison, Hasluck and Holmes, 1984). |

A study of particular relevance to black business development was made on small firms in the manufacturing sector (Coyne and Lincoln, 1982). No specific racial dimension was explored however. The researchers found that small firms accounted for 50% of employment in Leicester and had a larger share of manufacturing

jobs when compared with the national average. They found that this sector did not contain the essential elements of future growth: a high rate of formation was complemented by a corresponding high failure rate. They suggested that it would be inappropriate to place too much emphasis on manufacturing but initiatives like the creation of a local enterprise board, and the promotion of community enterprise would be appropriate.

The City Council did not adopt an economic strategy in the early 1980s. Cook (1985), in a review of the City Council's economic policies and initiatives, found that the lack of a co-ordinated policy hampered the work of the recently formed Employment and Economic Development Unit. Most of the economic initiatives came under the Inner Area Programme and were sponsored by the main service departments and co-ordinated by another unit, the Inner Area Team. Cook also found that departments with a significant influence on the local economy could adopt policies that conflicted with key goals such as job generation. He pointed to the restrictive policies in planning, the emphasis on profit in the management of the corporate estates and the competitive process of bidding for Inner Area Programme funds as potential sources of conflict (ibid.: paras. 1.2, 1.3, 1.7). In general the initiatives were piecemeal and did not address the fundamental problems in the structure of the local economy and surprisingly little funding was channelled into initiatives aimed at ethnic minorities and the unemployed (about 3% of capital expenditure and 20% of revenue expenditure respectively).

From 1985 onwards the City Council has sought a more co-ordinated approach to economic development. The resourcing and remit of the Employment and Economic Development Unit was made secure and extended in 1985 (LCC/61). This unit then started work on a corporate strategy which was subsequently widely publicised. The following extract is taken from the City Council's Annual Report for 1985/86 and described the commitments as:

. . . to improve the structure and performance of local industry and to develop proposals for key sectors in the local

economy, including engineering, textiles, services and electronics;

to improve access to employment opportunities through good quality training for young people and adults;

to attack poverty and raise the income levels of local people through opposition to low pay and through improved access to welfare benefits;

to encourage the development of socially controlled enterprises through positive support for co-operatives, community enterprises and municipal enterprises;

to improve the relative economic position of members of ethnic minority groups, women, the disabled and the long term unemployed.

(LCC/26 : 16)

The adoption of clear goals was complemented by attempts at effective corporate management through inter-departmental co-operation. In 1986 the main service departments were asked to provide an assessment of the economic effects of their policies and practices - (see LCC/63; LCC/64; LCC/65; and LCC/66). This initial consultation exercise revealed that the various controlling committees had generally set their own goals and were cautious in the interpretation of their powers to implement the City Council's strategy. Most departments used special funding (principally Inner Area Programme monies) to pursue economic initiatives. Some departments, such as Housing, had recognised their major role as purchasers and employers in the local economy and were attempting to manage these 'levers' in the light of the economic strategy (LCC/69).

The response of the City Planning Officer to this consultation exercise is particularly relevant here. His report mentioned the role of the Planning Department in releasing development land; its flexibility over industrial applications (92% approved compared with an overall approval rate of 85%); the protection of existing shopping centres, and the role in Inner Area Programme works through the declaration of Industrial and Commercial Improvement Area. The report recommended more positive promotional policies and the possible release of more industrial land. No assessment of

the effect of planning controls on existing and expanding businesses was offered and the report concluded that "The Committee already deals with industrial applications as quickly and sympathetically as it can; further deregulation is not therefore necessary". This conclusion endorsed the general presumption in favour of residential amenities when exercising planning controls (LCC/53 : 7, passim).

It is too early to assess to what extent this round of consultations has been effective in developing a corporate approach to economic development. The stances of the Planning Committee (LCC/53) and Estates Committee (LCC/63) in particular, suggest that any reforms will be hard won. In the meantime there has been considerable ongoing research into the needs of local firms (see LCC/62; LCC/70; and Cook, 1986) and a more targeted approach is now being adopted (especially for the textile industry). The City Council has adopted a number of new initiatives such as publicising its services to industry and establishing the Leicester Enterprise Board (LCC/69). There have also been a number of initiatives aimed specifically at black businesses (see below, section 4.6).

4.3 Planning Policies and Businesses

The attitude of the Planning Committee to businesses and economic development has already been discussed (above, p.86). Their stance can be summarised as one supportive of industry and commerce generally, but entrenched in an essentially restrictive, physical interpretation of environmental conflicts and infrastructure requirements. The preoccupation with land use is a reflection of the statutory responsibilities of the planning authority. The basic shape of planning policies was determined by the City Development Plan of 1956 (LCC/01).

The plan adopted a very restrictive attitude towards industry. Whilst providing for the "continuous and reasonable expansion of

the existing industrial structure" it advocated "the discouragement of new entrants in the form of large industrial concerns". Where existing industry wished to expand, the plan sought to prevent "the close intermixture" of residential and industrial users in the interests of the amenities of the former (ibid.: 8). A similarly restrictive attitude towards shopping uses was adopted, the proposals map identifying existing shopping parades only and allowing very little room for growth. The only radical part of the proposals was the intention to undertake major redevelopment in the city centre (ibid.)

The review of industrial needs in 1979 (LCC/18) did little to alleviate the constraints on manufacturing industry. New features of the policy included the recognition of the need to attract new industries (ibid.: 11) and the use of new policy instruments, such as Industrial Improvement Areas, to solve environmental conflicts and improve the industrial infrastructure without placing the burden on individual firms (ibid.: 10).

Policies on retailing were evolved through the medium of area studies. Within the sample frame area three major shopping studies were carried out. The East Park Shopping Study of 1976 was undertaken in the light of "growing concern over the loss of housing accommodation within that area" through conversion to retail uses (LCC/15 :2). The study found a net loss in the number of trading retail units since 1968 and a corresponding rise in the number of vacant units. The suggested guidelines were to direct potential retailers towards existing shops and to generally restrict conversions of houses to shops. However, the study warned of the need for flexibility in the retailing policy owing to the "upsurge of interest in shopping from Asians" who had been frequently applying for house conversions. The study asserted "that shopping (sic) is very important to the Asian born person since it provides an ideal form of self employment" (ibid.: 13-14).

These themes were developed further in the Belgrave Shopping Study of 1977. Specific note was taken where a shop was managed by Asians and the study found that in the Belgrave Road area over half

of all shops were controlled by Asians. In 1966 only one shop had been Asian run. The study recognised the emergent role of Belgrave Road as a centre for Asian comparison goods shopping but noted that the high demand for retail space was circumscribed by refusals of planning permission (41% for Asians compared with 7% for English applicants). The study concluded that the hierarchy of existing centres should be maintained, the extension of existing centres through residential conversions should be resisted and the expansion of retail space in existing units should be refused where a proposal involved the loss of living accommodation (LCC/16: 14-17). Whilst the study did recognise the racial dimension in planning issues, the following quotation illustrates planning thought on the challenges posed by Asian entrepreneurship. The City Planning Officer comments on the large number of refusals of planning permission for the conversion of houses into shops:

Invariably these refusals emanated from applications relating to properties in residential areas and were probably the result of two factors: 1) the preference of Asians to concentrate on family businesses in or near their homes and 2) a lack of appreciation of the British planning code which in application usually discourages the development of commerce in residential areas. The problem of the appreciation by immigrants of the British planning code is a topic on which I hope to issue guidance in the near future.

(Ibid.: 15)

The final retail study considered is the Narborough Road Shopping Study of 1978. This study noted the increase in the number of retail units along the Narborough Road and a loss of trading units in other district centres and corner shops in the study area. The policy was aimed at maintaining the viability of the declining areas by allowing further conversion of residential units, but resisted the expansion of retail space on the Narborough Road itself, except for a slight expansion of the shopping area defined by the City Development Plan (LCC/17: 14-15). These policies were adopted with the full knowledge of trends in the development of the Asian business community. In 1966 there was one shop identified as being under Asian management, whilst the 1978 study identified thirty eight. Six units were trading as

warehouses without planning permission and the authority adopted an attitude of "general acceptance". The report forecast an increase in demand for retail units by Asian entrepreneurs but did not suggest how this increase was to be accommodated. It advocated a further study "into the functions and suitability of wholesale warehouses in retail areas" (LCC/17: 6, 13, 15). The changing attitude of the planning authority to Asian business development in the Narborough Road is discussed further below (Chapter 7).

The late 1970s and early 1980s saw further research activity in the area of planning and commercial development. The collapse of the property speculation boom in the mid 1970s resulted in a large amount of vacant accommodation for office-based service industries. A restrictive policy on new applications for such accommodation was adopted and significantly there was an attempt to confine such users to the city centre, with a presumption against conversion of residential accommodation to office uses (e.g. on the upper floors of a shop). The policy did not speculate on the usage (if any) of office accommodation made by Asians (LCC/30). It is arguable that this policy might have disadvantaged Asians who might seek offices in close proximity to their communities and business clients, rather than the central area.

Other policies relating to business growth were equally restrictive. In 1978 there was a detailed consideration of the location of social and entertainment facilities which were seen as disruptive of residential amenities. Hot food take-away shops and restaurants were and are significant business opportunities for Asians, but this dimension was not explored. The policy recommended that such facilities should only be located in fully commercial areas (e.g. district shopping centres) or in other areas where they "can be shown to meet a local need" (LCC/31). Hot-food shop developments were further circumscribed by a restriction on opening hours (to 11.00 pm) and a policy which attempted to intervene in the market by forbidding the concentration of shops in any one area (LCC/34). Other policies on retailing sought to limit the options for design and advertising on the grounds that many new shopfronts were "insensitive" and "out of sympathy" with the

"street scene" (LCC/32). There was a general presumption against illuminated signs, projecting box signs and plastic awnings (LCC/32; LCC/33). Of less immediate relevance to Asian businesses, but indicative of the restrictive tenor of planning policies, were studies on superstores and retail warehouses (of large size - 1000 sq. metres or over) that recommended restriction to the city centre and immediate hinterland - the basis of this policy was to preserve the hierarchy and viability of existing shopping centres (LCC/37; LCC/38).

The policies described above were designed to anticipate and legislate for development emanating from the private sector. The generally restrictive tenor of these policies was carried through into the local plans (see below, section 4.4.) and was reinforced by subsequent research, particularly in the area of retailing (see LCC/27; LCC/54; LCC/57). A more positive response to the needs of growing business and to general issues of economic development came through Urban Programme spending and some money from the general departmental budget.

The main strategy for assisting businesses has been area-based. To date two Industrial Improvement Areas have been declared: Frog Island (to the west of the city centre) and East Park in 1980 and 1983 respectively. In 1985 a Commercial Improvement Area was designated to the north and east of the city centre, known as '3 Gates' (Leicester City Council, 1987: 53). The work undertaken in improvement areas included hard and soft landscaping projects of general environmental benefit and projects with individual firms. The Planning Department and Estates Department jointly administered funds in order to fulfil the economic objectives established by the City Council. The projects with individual firms included brick cleaning, infrastructure improvements (e.g. car parking) and improvements to the internal structure of buildings (see LCC/21: 4-5; LCC/24: 3-4). Up to 1986 a total of £500,000 was spent on Improvement Areas (Leicester City Council, 1987)

The area-based strategies have been supplemented by the Operation Clean-up programme which entailed environmental improvements at street level and the cleaning of all types of buildings. Operation Clean-up has been particularly beneficial in enhancing shopping areas. The majority of the funds being spent (around £1 million in the period 1979-83) on the city centre and major radial corridors (LCC/22: 2; Table 1). Attention has been focussed on alleviating the environmental stress created by the presence of industry in areas of mixed land use and high residential concentration through the Grants to Industry in Residential Areas programme. The programme was set up as a constructive response on the part of the planning authorities to the problems they identified in Planning for Industry. The programme ran from 1979-86 and attracted a high proportion of private sector money. The majority of schemes were for visual improvements to the exteriors of industrial buildings and their immediate surrounds. By 1984 approximately £225,000 had been spent, with around 60% coming through the local authority from the Urban Programme (LCC/23: 6).

Whilst these initiatives have undoubtedly enhanced the appearance of industrial and commercial areas, they have done little to create new space. This need has been partially addressed by the Estates Department who have operated a pump-priming type of policy in the construction of low rent premises in the inner areas. In 1984-5 capital spending under the Inner Area Programme amounted to £1.8 million for relevant projects undertaken by the Estates Department, compared with £0.4 million by the Planning Department (Cook, 1985: Appendix A).

The spending on initiatives to assist industry form a substantial part of the Inner Area Programme, which had a total capital spend of around £2.8 million in 1984-5 (ibid.: Appendix C). However, the majority of capital spending occurred in housing and in 1985-6 the capital expenditure of the City Council as a whole was nearly £40 million (LCC/26: 46). It is not suggested that the City Council adopted the wrong priorities, rather it is the intention to demonstrate that the positive assistance offered to

industry to overcome environmental and structural problems is comparatively small in both absolute terms and relatively in the context of local authority spending.

4.4 Local Plans and Businesses

Local plans are prepared in accordance with the Town and Country Planning Act 1971 and subsequent orders and circulars. The main inputs to local plans in Leicester are the Leicestershire Structure Plan prepared by the County Council (since 1974) and previous policies and research such as the City Development Plan and the shopping studies described above. This section will demonstrate that Leicester local plans are an evolution of earlier thought and therefore their provisions are not described in detail. Policies that have particular relevance for black businesses are isolated, and an assessment is attempted of how far those business interests were represented at the mandatory consultation stages of plan preparation.

The Leicestershire Structure Plan contains a guiding philosophy of importance to Leicester's economy: that future development of housing and industry will concentrate upon the urban areas - particularly Leicester (Leicestershire County Council, 1985: 9). The plan further recognised the weakness of the economy in Leicester (dominated by a few declining sectors of manufacturing industry) and the north-west sub-area of Leicestershire (dominated by coal mining). Accordingly the major provision for the release of new land was in these two areas, though in the case of Leicester itself, available land was located mainly on the urban fringe of Beaumont Leys and Hamilton (ibid.: 27; Fig. 2). The structure plan policies were generally supportive of new industrial and commercial development where economic development objectives were served (ibid.: Policies L/EC2, L/EC3, L/EC5, L/EC7, L/EC8, pp. 28-30). The structure plan policies extended the emphasis on restricting retail warehouse and office developments (ibid.: Policies L/EC19,

L/EC20, p.33). The shopping policies of the plan are much less specific. In general terms they emphasise the importance of the hierarchy of shopping centres, but flexibility is allowed for the expansion of suburban and district centres in the light of population growth or deficiencies in provision (ibid.: policies L/SH1, L/SH3, L/SH5, p.30).

The County Council took particular interest in inner area problems in Leicester (and marginally in Loughborough, Coalville and Hinckley). In 1982 they issued a topic paper in anticipation of structure plan revisions (Leicestershire County Council, 1982). They suggested that a number of policies to promote regeneration including the active encouragement of light industry development, the redevelopment or refurbishment of existing industrial land and buildings, a relaxation of restrictions on office development, possibly bringing road schemes in the priority zones forward to reduce planning blight and attract investment and general emphasis on hard landscaping and environmental improvements (ibid.: 23-29).

The local plans are required to conform to the general provisions of the structure plan. Whilst the legal conformity of the local plans is acknowledged, the prevailing attitude towards industry and commerce in them is one of restraint on development and strict control of the built environment. This contrasts with the more open and growth conscious stance in the structure plan. There are eight local plan areas in Leicester, but detailed consideration is given only to three: the East Leicester Local Plan (LCC/11; LCC/12; and LCC/13). The larger part of the complete sample frame area (see above, Fig. 5) is contained within these local plan areas (see Leicester City Council, 1987: 30). Comparisons are made with the Central Leicester District Plan (LCC/06) which encompasses some parts of the sample area.

The plans under consideration share common aims. In particular they all seek to encourage the efficient use of land and buildings, reduce dependence on private motor transport, improve the visual quality of the environment, provide open space and

recreational facilities and to mediate between conflicting land uses. It is interesting to note that there are differing emphases on the role of industry and commerce and on the identification of ethnic minority needs. The earliest of the three, the West Leicester Local Plan does not identify a racial dimension in its introduction, but does state the aim of "enabling manufacturing industry to thrive" (LCC/11: 4, passim). The East Leicester Local Plan specifically mentions the needs of ethnic minorities in its aims, but in the context of an "almost wholly built-up area" concentrates on "reducing the nuisance caused to residents by encouraging the greater separation of industrial and residential uses" (LCC/12: 4, passim). The later North-East Leicester Local Plan does not place the needs of ethnic minorities in its stated aims, but does recognise the presence of a substantial Asian population and its contribution to the regeneration of areas like Belgrave Road. The plan aims to enable "both manufacturing and service industry to thrive and expand" and considers that "the Plan [is] sensitive to the land use needs arising from the new, different, and additional activities of ethnic minority groups" (LCC/13: 6-7). Significantly the North-East Plan introduces a new emphasis on design that increasingly features in Leicester's planning policies in the mid 1980s. The following quotation emphasises a growing pre-occupation with a form of revivalism in architectural design relating to older parts of the built environment;

. . . by introducing better design to ground floor elevations; making shop fronts less stridently 'commercial' and more in harmony with the remainder of the building; by such changes the appearance of the city could be greatly improved over the years.

(LCC/13: 8)

The specific policies in these plans are discussed below in turn.

In West Leicester the plan proposals adopted a restrictive attitude towards the expansion of industry and shopping outside the defined areas (see above, Fig. 5). Some provision was made for the release of new industrial land. The balance of environmental consideration was in favour of residential uses over industrial

uses that would generate noise, pollution, traffic or health hazards (LCC/11: paras. 3.3 - 3.8). The policies on retail and office uses reaffirmed the restriction of the former to defined shopping areas and the latter to the central areas. There was a presumption against the use of upper floors of such premises for any commercial use and a restrictive policy on hot food shops and restaurants similar to the guidelines previously discussed was adopted (ibid.: paras. 4.5 - 4.13). A requirement for car-parking provision was adopted varying from one parking place per 4 sq. metres of public area for restaurants to one place per 35 sq. metres of total space for office uses (ibid.: para. 7.13). On the built environment, the plan vaguely specified "a high standard of design. The scale, massing, detailing and use of materials should relate to the immediate area and enhance the appearance of the area generally" (ibid.: para. 8.2).

The East Leicester Plan adopted similar policies to those of West Leicester in terms of restricting new industrial, shopping and office development to identified zones, and restricting expansion in favour of residential amenity (LCC/12: chs. 3, 4). The Plan did, however, recognise the problem of back street industries located in small workshops in primarily residential areas, and where outbuildings existed that could not be converted for residential use, there was the possibility of light industrial use (ibid.: para. 3.17). On shopping policies a slight easing of the restrictions imposed by the East Park Shopping Study was allowed. Residential properties that substantially retained a shopfront and were located on corner sites were allowed to be converted back to retail use, largely on the grounds of shopping habits in the ethnic minority (particularly Muslim) communities. The plan also entertained the possibility of the expansion of existing shops beyond their original curtilage outside the shopping areas. Though such expansion, if allowed, would be "exceptional" and relocation was normally advocated (ibid.: paras. 4.10 - 4.11). With regard to Asian businesses and the needs of the Asian communities these modest policy changes were described in the City of Leicester Planning Handbook as "innovative". The plan contained identical

policies to those of West Leicester on car-parking and design (LCC/12: paras. 7.9, 8.3).

The North-East Leicester plan contained similar policies on industrial and warehousing development and car-parking to the two plans described previously (LCC/13: Chs. 2, 7). In the area of retailing it contained a number of interesting policies aside from the usual restrictions of shops and offices to defined areas. There was a general presumption in favour of factory shops subject to suitable servicing, access and car-parking arrangements. The policy was designed to limit such shops to selling the type of product made in the factory (not just the actual product) and no obvious retail appearance in the form of a shopfront was allowed (ibid.: para. 4.5). The plan further developed the policy of the East Leicester plan in permitting the reconversion of any property that was formerly a shop and substantially retained its facade (ibid.: para. 4.9). A policy of using the upper floors of retail units as a condition to any extension of the ground floor was encouraged. Unlike earlier plans, the North-East plan did not imply the restriction of upper floors to residential use, but specifically mentioned the suitability of office and storage uses as well (ibid.: para. 4.11).

The effect of these policies was to create a much more flexible attitude to zoning and would undoubtedly allow businesses more freedom over locational choice and more choice within the property market. The liberalisation of zoning was, however, accompanied by a much stricter attitude on design. In addition to the usual caveat that new developments should be "of a high standard of design", the plan specifically forbade the use of standardised design and low maintenance materials (e.g. anodised aluminium or UPVC) where they would be out of sympathy with the building and surrounding street scene. Projecting and illuminated advertising signs were generally forbidden (ibid.: 48). The attempt to fossilise shopfront design into a notion of Victorian and Edwardian design on older buildings was later adopted as a city-wide policy. A leaflet for retailers was issued to publicise the new policy (LCC/54).

The North-East Leicester plan had recognised the contribution made by Asians to the local economy and in particular to the regeneration of the Belgrave Road shopping area (LCC/13: 6, 20), but its policies did not contain much scope for expansion, rather it provided some flexibility in the use of existing commercial premises. Despite the 'Asian city centre' role of Belgrave Road, the local plan policies were in marked contrast to those of the Central Leicester District Plan, which did not forbid 100% development of retail and office sites (LCC/06: paras. 2.4, 3.5) and left a number of white areas on the proposals map (i.e. areas of mixed land use) where light industrial development would be allowed outside the primarily industrial areas (ibid.: para. 4.7). It is also worth pointing out that car-parking standards were considerably relaxed when compared with other areas: for instance outside the central core only one parking space for 250 square metres of floor space was required (ibid.: para. 9.14) compared with one space per 25 square metres in the North-East plan area (LCC/13: para. 7.19). These standards were considerably relaxed within the central core.

The land use proposals and development control policies of local plans are not drawn up in a bureaucratic vacuum. The Town and Country Planning Act 1971 (amended 1972) demands that plan proposals must be widely publicised and opportunities made for public consultation and representation. The results of these exercises must be reported to the Secretary of State before the plan can be adopted (Garner, 1981: 135-6). Leicester City Council have produced comprehensive Reports of Publicity which form the basis for an assessment of how far business interests were consulted and represented in the local plan process (see LCC/03; LCC/07; LCC08; LCC/09).

The consultation process undertaken by Leicester City Council always included at least two stages. The intention to prepare a plan and the survey results were publicised, then a draft plan was prepared. The forms of publicity included poster campaigns, mobile exhibitions at public libraries, public meetings and the circulation of draft documents to interested groups such as

residents associations, trade associations and environmental groups. The Report of Publicity for the East Leicester Plan includes a list of 400 organisations and statutory undertakers who were invited to participate (LCC/08: 65-70). Among the consultees were the East Midlands Tourist Board, Leicester and County Chamber of Commerce and Industry, Leicester Chamber of Trade, Leicester District Trades Council and specialist trade organisations in footwear, hosiery, hotel and catering, estate agency and architecture. At the first stage of consultation only four replies were received from the ten such bodies consulted and at the second stage no replies were received (ibid.). Particular efforts were made to consult with and represent the interests of ethnic minority groups, including the distribution of 1200 summary leaflets in four Asian languages and the availability of an Asian linguist planner at public exhibitions (ibid.: 4-6). Whilst exact figures were not available it was alleged that representations at exhibitions and public meetings were received from ethnic minority persons in proportion to the overall population. Very few written representations were received from these groups, but it is interesting to note that support for the relaxation of shopping policies (see above, p.99) came mainly from Asians, five of whom were identified as seeking to convert their properties back into shops (ibid.: 12, 56, 59). Overall 262 written representations were received, and the letters from Asians about retailing whilst small compared with the total, were over a third of the letters received from Asians altogether. In general the level of participation from commercial interests was low, with only five letters coming from local firms (ibid.: 6-7).

The consultation stage of the North-East plan had a similar outcome to that described above. Special measures were taken to publicise the plan in a Gujarati newspaper and an Asian linguist planner was available at public meetings and exhibitions (LCC/07:8). In addition local firms were consulted about the industrial policies in the plan but only two representations were received from commercial organisations, out of a total of 85. Meetings with local industrialists did reveal a concern over restrictions on noise output and hours of work (ibid.: 5). Concern

was expressed over the lack of car-parking around Belgrave Road (ibid.: Appendix 3.2) but despite a public meeting in the Belgrave Road area no representation at all was received from Asian retailers (ibid.: Map 2).

The Report of Publicity for the West Leicester Plan does not indicate that any special steps were taken to involve either the ethnic minority residents of the area nor commercial interests. The only major issue identified was a concern over the lack of shops in the Braunstone Firth/Links area which is outside the sample frame area (LCC/09).

4.5 The Racial Dimension in Planning

Leicester City Council has one of the strongest programmes of positive action in race issues amongst District Planning Authorities. In response to the Association of District Councils Race and Planning Questionnaire, Leicester was able to describe the racial dimension of local plans; policies for places of worship, cemeteries, hostels and community facilities that were specifically aimed at certain ethnic minority groups; consultation using Asian language material; race awareness training of planners; recruitment of black trainee planners; ethnic monitoring for planning applications and an ongoing programme of research (Association District Councils, 1988).

The first concrete recognition of the racial dimension in planning came in a series of research projects on development control dating from 1980. The final study of the City Planning Officer pointed to the possibility of direct racial discrimination in the development control service (LCC/46: para. 15; and see above, Sec. 3.2). The immediate outcome of these studies was to establish ethnic monitoring by self-classification of all planning applications (LCC/47; LCC/55; LCC/56). The in-house research did

not, however, investigate the possibility of indirect racial discrimination.

My discussion of local plans (above, Sec. 4.4) has described the steps taken to involve ethnic minority groups in public participation exercises. Another outcome of the research mentioned in the above paragraph was to issue two general guidance leaflets - "Care for Your House" and "Who Needs Planning Permission" - in English and five Asian languages (LCC/47). Some of the recent publicity material contains a summary in these languages and the invitation to use translation services (LCC/54). Surprisingly, some of the material which is intended to assist black businesses, for example the invitation to participate in the 3 Gates Commercial Improvement Area, does not contain any Asian language reference.

Particular attention has been paid to the religious and community facilities required by black groups. The local plan policies on such facilities were generally restrictive (in order to protect residential amenity) and required conditions such as car-parking that result in prohibitive land costs for new development or the conversion of existing buildings. Considerable research was undertaken of religious groups and a new policy on places of worship was adopted that included specific sections on the needs of Asians and Afro-Caribbeans (LCC/28). Detailed consultation with Muslims, for instance, resulted in the preparation of a Planning Brief for an Islamic Studies Centre at Beaumont Leys.

The Planning Committee's response to race issues in planning has generally been characterised by an intense research effort. In addition to the research described above and work on black businesses (described below, Sec. 4.6), planning officers spearheaded the major Survey of Leicester initiative which was established to provide accurate data on racial minorities in the absence of effective official statistics from the 1981 Census (Leicester City Council/Leicestershire County Council, 1983: 11). The needs of racial minorities in the inner city, the effectiveness of existing Council services and the Inner Area Programme were thoroughly scrutinised by Sills, Tarpey and Golding (1981 and

1982). The Planning Department has widely publicised the findings of all this research in a series of free leaflets (LCC/20). Finally, an important study of ethnic minority shopping patterns was commissioned by the Planning Committee (Ward, 1985); the results are discussed further below (Sec. 4.6; Chapter 7).

The growing awareness of the racial dimension in planning was concurrent with a general recognition of equal opportunities throughout the City Council. Committee reports now all contain a section on equal opportunities implications, and reports from any department can be vetted by the Policy and Resources (Equal Opportunities) Sub-Committee. Considerations now extend to the implications for gay and lesbian rights, for example (see LCC/50).

4.6 Black Business Initiatives

In addition to the general planning policies and Inner Area Programme initiatives aimed at fulfilling the City Council's economic strategy, there have been specific initiatives aimed at black business development.

The most significant project has been the establishment of a Business Development Unit with two full time and one part time advisors. The Business Development Unit provides broadly based consultancy to all forms of ethnic minority enterprise (see LCC/61). In the 1986-9 Inner Area Programme sixteen projects, including training and workshop facilities, were aimed at ethnic minorities (representing 20% of total funding sought - LCC/25: viii). Other projects, such as the Leicester Enterprise Board, have been given a specific remit to service ethnic minority businesses (LCC/69). Another method of targeting has been to assist particular sectors of industry where there are known to be high levels of black ownership. For instance, particular attention has been paid to the needs of textile and clothing manufacturers for premises and skilled staff (e.g. Cook, 1986; LCC/67). The

Council have sponsored an attempt to improve the representation of Asian businesses by grant aiding the nascent Leicester Asian Business Association (LCC/68).

Leicester City Council have commissioned or sponsored two major research projects on black businesses in order to understand the particular needs of, and problems faced, by black businesses and to formulate a strategy for black business development (see LCC/62). The earliest report was on ethnic minority shopping patterns, but included a section on the growth potential in ethnic minority retailing. The study found, in common with the longitudinally based findings of Aldrich et al (1984), that there was limited potential for growth in retailing based on the potential of ethnic markets (Ward, 1985: 53). Despite the rapid expansion of Asian retailing, the pattern of shopping showed that the retailers were integrated in a shopping hierarchy of city centre, district and suburban centres, because shoppers followed existing trends by buying convenience goods locally and higher order comparison goods at larger centres. Items like clothing and furniture were bought mainly from the City Centre. The role of Belgrave Road as an alternative city centre was confined to jewellery and specialised fabrics (ibid.: 43-50).

The most significant piece of research was commissioned in 1985 by the City and County Councils. In Leicestershire as a whole over 1,700 ethnic minority businesses were identified and 228 interviews conducted in a stratified sample (LCC/67). The study found that black entrepreneurs in the County had a strong orientation towards business (as opposed to a negative motivation such as lack of job prospects). Black businesses had shown faster growth than white businesses but there were limitations on the size of the ethnic market, particularly for Afro-Caribbean entrepreneurs. The study found some constraints (e.g. over premises and finance) operating on start-up and developing businesses and identified particular problems over space for wholesalers in the Narborough Road area, shortages of premises and skilled labour in North Evington and a generally lower level of usage and satisfaction with the various support services offered by

local and central government. In nearly all instances the problems of Afro-Caribbean businesses were more acute (Ethnic Business Research Unit, 1987: (Ch. 6). The findings of this research are discussed further below (Chapter 7).

The report recommended that the results should be publicised to inform local firms providing business services; an overall strategy for ethnic minority business development should be adopted; sector based initiatives, such as a textile resource centre, should be established; the local authority should promote and monitor its services, the delivery of premises, consultancy and management training (LCC/67: Appendix). Despite misgivings about the report, the City and County Councils prepared a strategy which, at the time of writing, is just beginning to emerge. An initial attempt to publicise the findings by circulating a committee report (LCC/67) and an 'Information for Industry' pack to over 300 firms, received a nil response. After publicising the report to the business services sector and consulting with other local authorities, the City Council decided to expand the Business Development Unit which would then draw up a strategy with emphasis on training, the improved delivery of business services and intervention in the mechanisms of capital formation, especially for growing businesses (LCC/71). The County Council were clearly disappointed at the nil response to their own aid plan but are attempting further consultations (see Vann, 1988).

4.7 Conclusions

In the light of the emergent ethnic minority business development strategy it is perhaps premature to evaluate the policies of the local authority towards black businesses. However, an assessment of the role of environmental planning policies in the context of the operational hypotheses can be attempted. To recapitulate, this chapter sought to assess (i) whether or not planning policies restricted the supply of commercial space, (ii)

whether or not a restriction of commercial space could result in indirect discrimination and (iii) whether or not black businesses had poorer access than other businesses to policy formulation and implementation processes.

From the 1956 Development Plan onwards, it is clear that Leicester City Council has adopted a rigid approach to zoning which is characterised overall by attempting to exclude or relocate 'non-conforming' land uses (e.g. manufacturing industry) from residential areas. New development in any sector of the economy is generally limited to predefined zones. Where new development or expansion of existing industrial/commercial uses is sought in areas outside the allotted zones, permission, if granted, attaches conditions which on balance favour residential amenity. Development control is also used to limit expansion of commercial space to preserve defined hierarchies in shopping centres.

Clearly, in an absolute sense the supply of commercial space is restricted by the finite nature of the land resource. Planning policies further restrict the supply by defining future need according to the amount and location of current space. The Planning Authority itself acknowledges that the restriction of commercial spaces raises land values, but it argues that strict zoning, for example in the central shopping area, discourages "the sterilisation of land by owners hanging on to it in the hope that it could be sold at a shopping use value rather than a cheaper residential use value" (Central Leicester District Plan; Report of Local Inquiry into Objections, March 1981: paras. 49, 67). There remains a need to assess how far the restriction of supply is relative to demand for commercial space. The following analysis of planning applications and outcomes (below, Chapter 5) will provide some basic data to address this question, but it is worth remembering that the number and nature of planning applications made may be preconditioned by knowledge of planning policies and likely outcomes and as such cannot be equated with a theoretical market demand.

It is more difficult, owing to the nature of the concept, to assess whether or not the restriction of commercial space could lead to indirect racial discrimination. Overall, if it is believed that planning policies are unfavourable to commercial interests then the impact is likely to be as great on white businesses as it is on black businesses. If local plans are assessed on their area based content, then it is possible to argue that restrictive policies, say in the Belgrave Road shopping area, have a greater impact on black business because the majority of the local population and traders are black. Technically this may be indirect racial discrimination (see above, p.10), but such policies also apply in areas where the majority of the population and traders are white (e.g. Aylestone Road). The impact of area based policies is discussed further below (Chapter 7).

The RTPI/CRE report (1983: 31, 39-42) stresses that planners should formulate and implement policies that are sensitive to the needs of ethnic minority groups. They point in particular to the lower levels of car ownership, differing perceptions of the built environment, differing family structures and differing cultural and religious needs as areas where discrimination may arise if 'universal' standards are imposed. In this context the car-parking requirements described above (Sec. 4.4) may be unnecessary in, for example, a new factory development where it is anticipated by the owner that most employees will be black and therefore a lower number will be car borne. Such considerations apply equally to the siting of religious and cultural facilities such as mosques. The evolving design policy of the Planning Committee might equally well be discriminatory in seeking to preserve the stylistic character of older buildings and therefore imposing aesthetic norms on people whose own architectural traditions are radically dissimilar. Again, this analysis of planning policies only shows the theoretical possibility of indirect racial discrimination occurring. It remains to be discovered (below, Chapter 5 and 6) if actual conflicts have arisen over policies which do not fairly anticipate and reflect the distinctive needs of black businesses.

The evidence from local plan consultations indicate that the Planning Department has made extensive efforts in some areas (East and North-East Leicester) to involve black people. Whilst the attendance of black people at exhibitions and public meetings was in proportion to their presence in the population as a whole, relatively few written representations were received. It is clear that in drawing attention to the poor written response from black people (e.g. LCC/13: 8) the Planning Authority attaches considerable importance to this form of representation. With the possible exception of the Central Leicester District Plan, the representation of business interests at the local plan consultation stage was meagre. The response from trade associations was invariably patchy. Specific attempts were made to contact local firms in the North-East Leicester consultation process (ibid.: 3) but other reports of publicity do not allude to such measures. It is questionable to what extent the methods of publicity - exhibitions in libraries, public meetings in residential areas and articles in free newspapers - will actually put the issues in front of local firms. The methods are clearly aimed at householders and the reports of publicity show that public opinion is formed mainly by residents' associations and informal groups of residents.

An experiment in a much more pro-active style of consultation was undertaken in the Tower Street/Walnut Street area as a detailed basis for formulating and implementing the local plan and the Inner Area Programme (LCC/04). The exercise involved detailed consultations with local residents' groups and a multi-disciplinary team of planners, housing officers, health workers, police etc. was assembled to tackle the problems of the area. The review did not apparently engage local firms in the discussions - though several issues relating to industry were raised. This style of exercise was not adopted on a more widespread basis or repeated for the original review area.

As with planning policies themselves, the consultation process by which they are formulated shows an apparent bias towards identifying and serving the needs of residents. This perhaps does not constitute a serious deficiency in the planners' attempts to

define the 'public interest', since other research has shown that commercial interests are usually well represented in operational decision-making at the development moment (see above, p.24). The ability to mitigate the costs imposed (through the development control process) by planning will be discussed further in succeeding chapters. Businesses in the inner cities can also recover additional costs through public sector grants such as those of the Inner Area Programme.

The documentation of the Inner Area programme (discussed above, Sec. 4.3) did not reveal any particular attempts to interest and involve black businesses in projects such as Industrial Improvement Areas, though there was a recognition of the racial dimension of the projects (e.g. LCC/21: para. 5). The amount of Urban Programme funding devoted to capital expenditure for industry (82.9% in 1981-82) contrasted with the minute amount of capital expenditure targeted directly at black people (see above, p.88) may show that black businesses are not benefiting from the Inner Area Programme to anything like the extent that white businesses are. The Survey of Ethnic Minority Businesses in Leicestershire found very low levels of awareness and usage of various business support schemes amongst Asian entrepreneurs, and much higher levels of awareness amongst whites and Afro-Caribbeans (Ethnic Business Research Unit, 1987: Tables 5/1, 5/2).

The findings of this section, taken altogether, offer considerable support for the hypothesis that black businesses have poorer access to policy formulation and implementation processes than other businesses. It is possible that some of the shortcomings in the planning service will be corrected by the growing awareness of the racial dimension in planning and the adoption of the ethnic minority business development strategy. However, whilst the Planning Committee has an impressive track record in commissioning and sponsoring research, there has been comparatively little policy response. The Leicester Economic Study generated an enormous volume of data and manifold insights on the working of the local economy. Despite the analysis revealing the primacy of the need to assist restructuring in the local economy

the planning service has done little to alter its stance of tight land use control and a growing pre-occupation with visual aspects of the environment. For example in 1981 a working party on vacant and underused land considered temporary soft landscaping treatments for the land rather than mechanisms for bringing it back into productive use (LCC/19).

The recognition of economic and racial dimensions in planning, the research into economic and racial issues and the adoption of theoretical stances are of little benefit to businesses and are unlikely to promote economic regeneration unless succeeded by positive action.

CHAPTER 5

COMMERCIAL ACTIVITY AND DEVELOPMENT CONTROL IN INNER LEICESTER 1971-1987

5.1 Introduction

This chapter uses the data collected from Leicester City Council planning records on 3,715 planning applications and 340 applications made under advertisement regulations. The study of these records will provide insights into the range and spread of commercial activity in the city and the role of planning in the processes identified.

The aim of the chapter is to provide the basic data needed to test the operational hypotheses 1, 2, 3, 5, and 7 described above (Sec. 3.3). Briefly these hypotheses asserted that black businesses had increased in number and diversified spatially and sectorally. This increase leads to increased demand for space, but planning policies (operationalised in the development control system) impede this growth. Additionally, hypothesis 5 asserted that black applicants for planning permission were subject to direct racial discrimination (i.e. their planning applications were refused because they were black).

The hypotheses are taken approximately in the order they occur in Chapter 3. The first section looks at the location and nature of business activity and the evidence for spatial dispersal and

sectoral diversification amongst black businesses.. There follows an extensive analysis of planning applications that have been refused. This analysis permits an initial evaluation of the effect of planning, and development control in particular, on business growth and development. Consideration is given to contextual factors (variables) such as existing and proposed land use, the nature of the application, whether an application is submitted using an agent and whether an application contains any amendment. For comparative purposes, an analysis of a smaller sampler of advert applications (which do not involve substantive changes in the type, scale or intensity of use of a building) is offered as supporting evidence.

The problems with the data have been discussed above (Chapter 3). These can be summarised as ones of comprehensiveness and accuracy. First, not all businesses make planning applications. The use of planning records alone forbids making statements about the absolute scale, location and nature of black businesses. Second, the data collection method resulted in a systematic underestimate of Asian business activity and the complete inability to correctly identify other racial minority groups. There were problems with the retrieval of 1971-73 planning applications data; and the data for 1987 includes only applications determined by 1 June 1987. For these reasons the comparisons in the following tables are limited to Asian and white business activity and data from 1971-73 and 1987 are occasionally omitted.

5.2 The Location and Nature of Business Activity in Inner Leicester

Table 3 (below) shows the breakdown of planning applications according to their area of origin. The sub-areas are defined and depicted in Fig.6 (above, p.68). A system of weights is employed in Table 3 to make the sub-areas of equivalent size. Thus in a small sub-area such as London Road the absolute level of business activity (in terms of overall space) would be much lower than in a

TABLE 3
PLANNING APPLICATIONS
BY WEIGHTED SUB-AREAS

	1971-1977		1978-1982		1983-1987	
	WHITE	ASIAN	WHITE	ASIAN	WHITE	ASIAN
Narborough Road	6.2	5.7	7.1	7.0	8.2	11.0
Aylestone Road	6.0	0.4	8.5	6.9	5.3	1.6
Jarrom Street	7.3	0.8	4.8	1.2	4.2	2.1
Eyres Monsal	0.3	0.0	0.0	0.0	1.1	0.3
North Belgrave	4.4	0.4	3.8	1.0	3.2	1.6
Belgrave Road	5.2	19.3	6.3	22.2	6.1	16.3
Welford Road	6.7	2.5	8.8	1.2	6.8	3.6
Melton Road	5.9	11.1	6.6	11.1	5.5	10.7
London Road	13.5	6.7	14.0	4.1	14.8	6.2
Queens Road	3.6	2.5	5.2	0.6	6.3	0.5
Uxbridge Road	3.6	0.4	2.6	1.7	0.8	1.0
Railway Area	7.5	1.4	5.8	1.1	6.0	2.4
Highfields/Spinney Hills	2.7	19.3	2.5	14.2	1.4	11.0
Evington Road	7.9	12.4	6.2	13.4	5.8	10.2
Knighton Road	0.0	0.0	0.4	1.2	1.7	0.0
East Park Road	6.4	14.1	5.8	11.9	6.9	12.8
Ring Road	1.9	0.8	2.6	2.2	3.0	2.7
North Evington	4.7	0.8	5.4	2.7	6.9	5.2
Uppingham Road	6.2	0.8	3.7	1.5	6.1	0.8

SOURCE: Planning Applications Data

NOTES: The sub-areas are weighted by dividing the number of planning applications recorded by the number of half-kilometre grid squares it comprises. Thus all areas shown in this table are the equivalent of one grid square.

The sub-areas are depicted above in Fig. 6 (p.68).

larger sub-area such as Melton Road. The table does, however, give an impression of relative levels of activity and changes over time. The increasing number of planning applications made through time means that an apparent decline in the importance of a sub-area is probably not matched by an absolute decline in the number of planning applications submitted in that area. The final point of interpretation is that the sub-areas are chosen (quite deliberately) for their differing characteristics and this has a bearing on the number of separate commercial units that could possibly be located in each area. For instance, the Railway Area sub-area is dominated by large factories in contrast to the Melton Road sub-area which is characterised by small shop units. Therefore it is to be expected that Melton Road would have a larger number of businesses and consequently a larger number of planning applications.

Asian business activity shown in Table 3 can be summarised in the following pattern:

- (i) Core areas of activity: Belgrave Road, Highfields, Spinney Hills, East Park Road, Melton Road and Evington Road. These areas all contain shopping thoroughfares on main roads, though East Park Road also has a large amount of general industry.
- (ii) The growth in activity throughout the period of Narborough Road and North Evington.
- (iii) Increases in activity in areas bordering the core areas such as Jarrom Street, North Belgrave and Uxbridge Road.
- (iv) Some marginal increases in areas away from Asian settlement including Aylestone Road, Ring Road, Welford Road and Eyres Monsal.

The increases in the outlying areas and the relatively rapid growth of activity in Narborough Road and North Evington have caused a relative decline (though certainly not absolute decline)

in the number of applications made in the core areas. The expansion of Asian business activity into the Jarrom Street sub-area is accompanied by a decline in white business activity. This sub-area comprises mixed land uses in a densely built twilight zone of the inner city. In contrast the rapid growth in Narborough Road and North Evington may have stimulated the economy in these areas, since white business also shows growth, but at a slower rate. The limited penetration of Asian business into established industrial areas like the Railway Area and Uxbridge Road may signal the relative stability of these estates and/or the small capitalisation of many Asian firms which precludes them from operating in large scale industry.

White business activity is more evenly spread over the whole sample frame area. The London Road sub-area stands out as a place of intensive planning activity and this is explained by the dynamic nature of the area. It forms an extension of the central business district and is dominated by office based service industry and comparison goods retailing. The suggestion that in sub-areas such as Narborough and North Evington white business may be following the influx of Asian capital has been made above. It is also apparent that white businesses can have an independent impact on areas such as Queens Road which has experienced a revival in retailing during the period. There are also examples of the withdrawal of white business activity from sub-areas such as Jarrom Street, North Belgrave, Highfields/Spinney Hills and Evington Road. The presence of Asian business in these areas reflects the growth of ethnic consumer markets - that white businesses are arguably less able to serve - and more competitive property markets.

Figures 7, 8 and 9 (below) demonstrate these trends in a more graphic fashion. The maps show planning applications made by white and Asian businesses at five-year intervals. In 1974 (below, Fig. 7) white business appears to be evenly spread throughout the area. Asian business activity is located mainly in East Leicester around Highfields and Charnwood (see above, Fig. 1 for a depiction of geographic areas in Leicester), with some stirrings of development along the Belgrave Road and Melton Road. The map, which depicts

Fig.7 Planning Applications Made in 1974

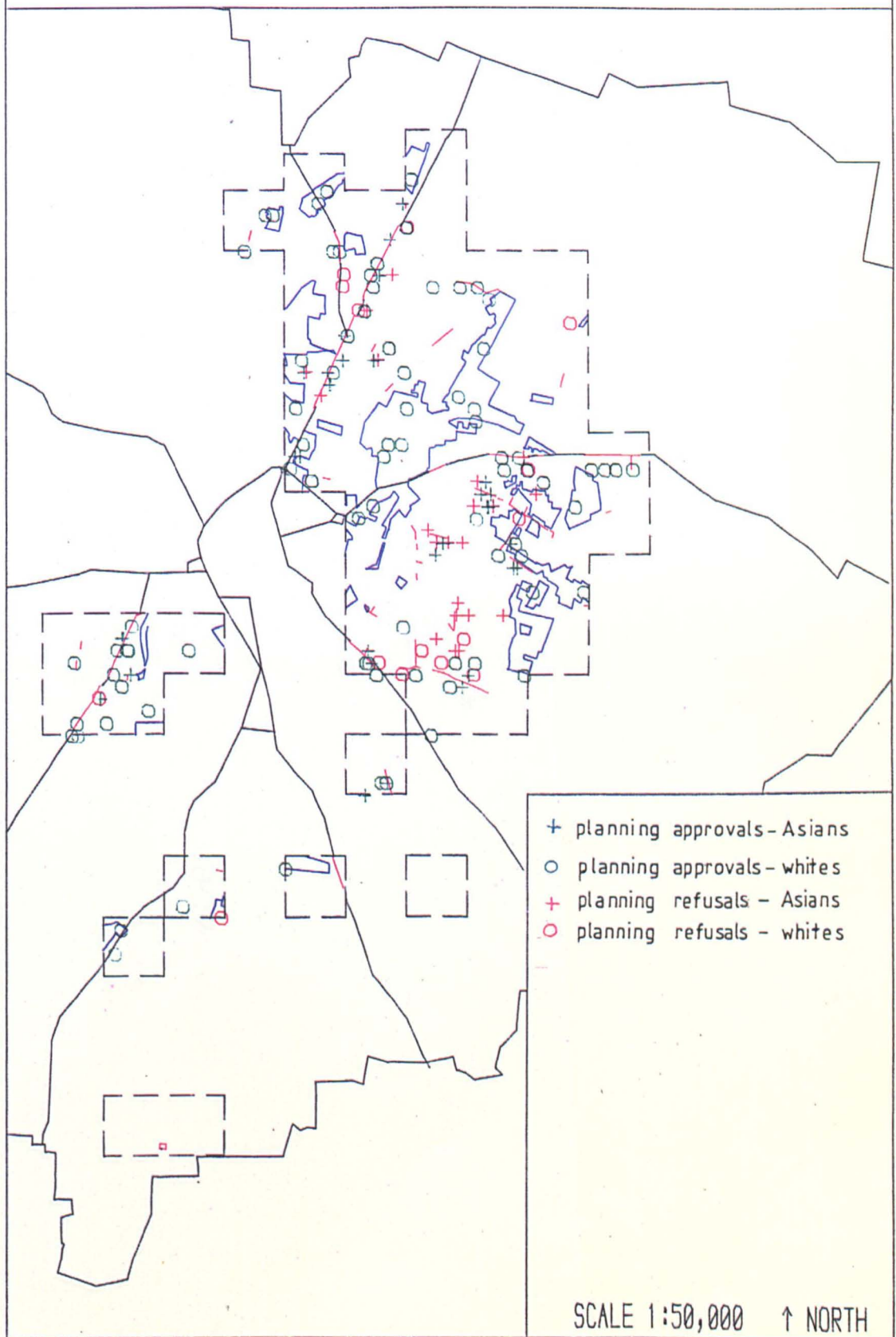


Fig. 8 Planning Applications Made in 1979

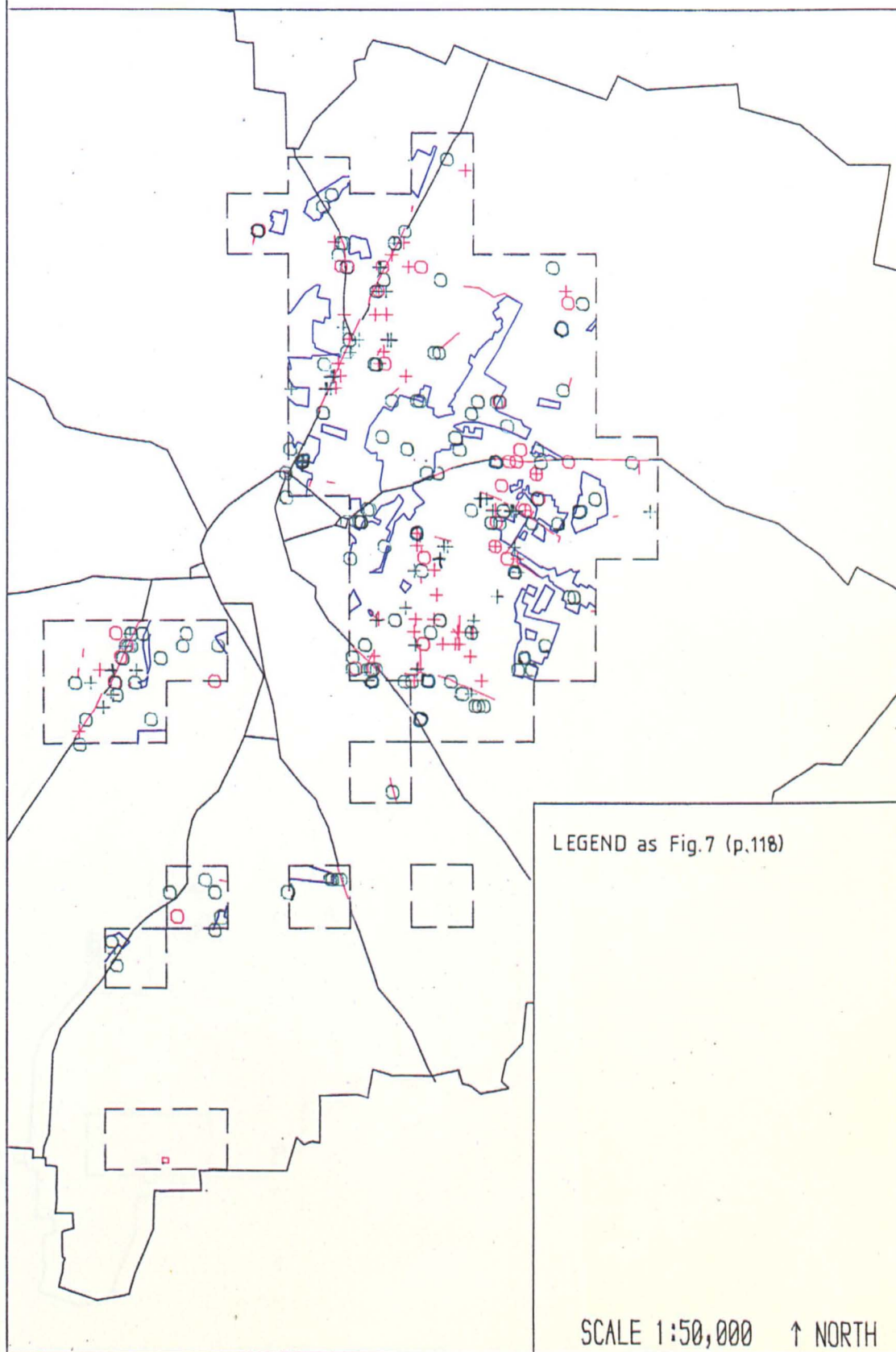
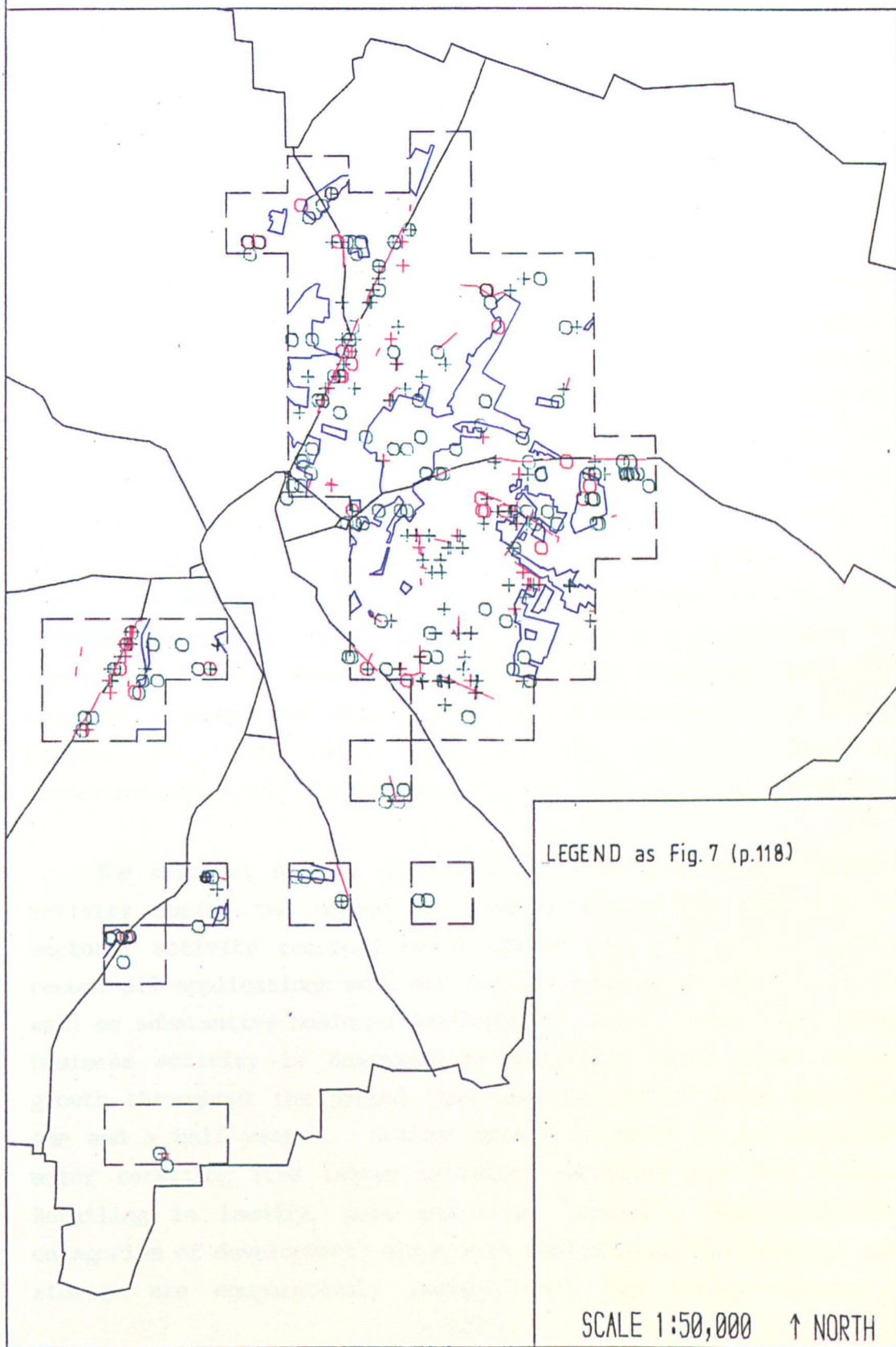


Fig.9 Planning Applications Made in 1984



refused applications by red symbols, demonstrates the need for caution. There are many refusals of planning permission for Asian businesses in East Leicester. Therefore conclusions about the levels of activity must be tempered with the knowledge of planning outcomes. The data in Table 3 represents the sum of commercial aspirations, many of which (for Asians) are not realised. Data on approved planning permissions is discussed further below (p.123).

The map for 1979 (Fig. 8) shows the continued high level of actual and desired Asian business activity in East Leicester and significant growth in business activity along the major radial corridors of the A46 (Belgrave Road, Melton Road and Narborough Road). White business activity remains evenly spread throughout the area and there is very little evidence of Asian business attempting to expand outside the core areas identified. In 1984 (Fig. 9) it is immediately apparent that Asian businesses have spread throughout the sample area and made successful planning applications in more outlying districts such as Eyres Monsal, Welford Road, North Belgrave and Ring Road (see above, Fig. 6, p.68). The map also gives the impression of a lower level of Asian refusals except on the Narborough Road where a high number of planning refusals were recorded when the Planning Committee rejected a number of unauthorised retail warehouses (see below, Chapter 7). The point data for the Narborough Road is unfortunately rather blurred owing to the small scale of the map.

The apparent spatial dispersal and growth of Asian business activity during the period is accompanied by the expansion of sectoral activity recorded below (Table 4). The figures again record all applications made and reflect commercial aspirations as well as substantive business development. Table 4 shows that Asian business activity is dominated by retailing which shows steady growth throughout the period (the data for 1986/7 being only for one and a half years). Similar growth is shown in hot-food and motor retailing (the latter including servicing and fuel sales). Retailing in laundry, pets and tripe (specific 'bad neighbour' categories of development) along with wholesaling, taxi-offices and storage are comparatively insignificant for Asian businesses.

TABLE 4

PLANNING APPLICATIONS MADE BY ASIANS
SHOWN ACCORDING TO PROPOSED LAND USE
AND YEAR OF APPLICATION

PROPOSED LAND USE	No. of Applications							TOTALS
	1974/5	1976/7	1978/9	1980/1	1982/3	1984/5	1986/7	
Retail	89	103	122	176	171	182	153	996
Retail/ Hot Food	12	19	20	35	37	30	17	170
Retail/Motor	1	-	7	7	11	16	8	50
Retail/Laundry	3	2	1	-	-	1	1	8
Office	4	5	4	10	9	8	12	52
Office/ Banking	6	3	13	10	5	19	10	66
Office/Taxi	-	-	2	-	-	-	-	2
Manufacturing	10	17	23	11	23	27	25	136
Wholesaling	1	1	2	1	3	2	-	10
Retail Warehouse	3	1	1	2	6	17	7	37
Storage	-	-	-	-	-	1	1	2
Totals	129	151	195	252	265	303	234	1529

Source: Planning Applications Data

Notes: Returns for 1986/7 include only applications approved up to 1987.
Retail Laundry includes dry cleaning, pets and tripe shops.
Office/Banking includes building societies, estate agents, travel agents and insurance brokers.

Office based industries, particularly those with a retail function (banking, insurance etc.) have shown steady growth; the drop in 1982/3 may be accounted for by the general economic recession. Manufacturing displays stable levels of activity from 1976 onwards. The apparently rapid growth in retail warehousing is accounted for by an enforcement policy of demanding planning applications from existing unauthorised warehouses along the Narborough Road.

Table 5 (below) gives a condensed impression of sectoral development (according to proposed land use) tabulated against sub-areas. By showing only planning approvals it gives an accurate indication of business activity, but some of the detail is lost through the telescoping of proposed land uses into overall categories and excluding storage uses. The table shows the central importance of retailing in the core areas of Belgrave Road, East Park Road, Evington Road and Melton Road throughout the period and the rapid development of retailing in the Narborough Road in the 1980s. Office based services (including those with a retail function) have also been located in these core areas. There appears to be a surge in office developments in the 1983-87 period, though there were a large number of applications for this type of use in the early 1978-82 period, with fewer being approved (see below, Table 7). This trend signals the diversification of Asian businesses into professional services and is indicative of increasing vertical integration within the Asian business community as a whole.

A similar trend occurs in manufacturing development. The surge occurs in the latter period, but there is a high level of potential activity in earlier periods that is frustrated by the failure to obtain planning permission (see below, Table 7). Table 5 shows that the East Park Road sub-area is the most important one for manufacturing (the sub-area equates approximately with an Industrial Improvement Area). There is also growth in this sector throughout the period in the Belgrave Road sub-area. The table also shows the rise of Asian manufacturing industry in the North Evington and Railway sub-areas during the 1980s. The infiltration of Asian businesses into established industrial areas is

TABLE 5

PLANNING APPROVALS FOR ASIAN BUSINESSES
SHOWN BY LOCATION, LAND USE AND PERIOD

Sub-Area	No. of Applications											
	1971-1977				1978-1982				1983-1987			
	R	O	M	W	R	O	M	W	R	O	M	W
Narborough Road	18	-	2	-	33	6	0	2	40	4	5	8
Aylestone Road	-	-	-	-	3	-	-	-	5	-	1	-
Jarrom Street	1	-	-	-	2	-	-	-	3	-	-	1
Eyes Monsal	-	-	-	-	-	-	-	-	1	-	-	-
North Belgrave	1	-	-	-	5	-	-	-	9	1	-	-
Belgrave Road	56	9	3	-	94	6	7	1	87	5	10	1
Welford Road	3	-	-	-	2	-	-	-	6	-	1	-
Melton Road	24	2	2	-	34	4	4	-	39	13	1	-
London Road	3	-	1	-	3	-	-	-	7	1	1	-
Queens Road	3	-	-	-	1	-	-	-	1	-	-	-
Uxbridge Road	1	-	-	-	1	-	-	-	1	-	-	-
Railway Area	4	-	1	1	7	-	1	1	19	1	8	1
Highfields	25	2	4	-	36	1	-	-	45	2	2	1
Evington Road	22	2	-	-	35	4	3	-	41	9	-	-
Knighton Road	-	-	-	-	1	-	-	-	-	-	-	-
East Park Road	42	4	1	-	60	5	6	3	66	5	18	1
Ring Road	5	-	-	-	7	1	-	-	23	4	-	-
North Evington	-	-	1	-	7	2	5	-	12	1	8	-
Uppingham Road	1	-	-	-	5	-	-	-	2	1	-	-
Totals	209	19	15	1	336	29	26	7	407	47	55	13

SOURCE: Planning Applications Data.

NOTES: R - Retail land use; O - Office; M - Manufacturing
W - Wholesale (including Retail Warehouse).

Sub-Areas as defined in Fig. 6 (above, p.68)

demonstrative in some cases of high levels of capital formation and increasing vertical integration in sectors like clothing manufacture and distribution.

This trend is not apparent in the planning records for wholesale uses. Narborough Road emerges as the only significant area, but it is worth pointing out that the number of retail warehouses in this area greatly exceeds the ten suggested by Table 5. In fact the Planning Committee had refused a large number of applications for such uses and these decisions were overturned on appeal. The possibility of appeals modifying the outcomes shown elsewhere can be discounted: only twenty-four appeals were upheld during the whole period. Thirteen appeal decisions were in favour of Asian businesses, mainly relating to the Narborough Road appeal inquiry (see below, Chapter 7).

5.3 The Refusal of Planning Permission: Patterns and Trends

The analysis of the location and nature of business activity (above, Sec. 5.2) has highlighted the difference between commercial aspirations and planning outcomes. This study was prompted by the desire to explain why black applicants for planning permission received refusals almost twice as often as white applicants (see above, Chapter 1 and Sec. 3.2).

Table 6 (below) shows the breakdown of decisions (according to the categories employed by Leicester City Council) against the presumed ethnic origin of the applicant. The problems in recording the ethnic origin of groups other than whites and Asians (see above, pp.72-73) mean that the data on this small category are virtually worthless and is therefore discounted in subsequent analysis. Amongst the decision categories, withdrawn applications are also discounted because it is difficult to assess, without studying each withdrawn application in detail, whether the withdrawal is prompted by a change of plan or circumstances, by the

TABLE 6

DISTRIBUTION OF DECISIONS ON PLANNING
APPLICATIONS SHOWN BY RACIAL ORIGIN

DECISION CATEGORY	White Applicants (col. %)	Asian Applicants (col. %)	Other Applicants (col. %)	Total Applicants (col. %)
Permitted Development	4 (0.2)	6 (0.4)	0 (0.0)	10 (0.3)
Straight Approval	410 (20.8)	174 (10.3)	11 (18.3)	595 (16.0)
Conditional Consent	1040 (52.8)	954 (56.7)	27 (45.0)	2021 (54.5)
Limited Period	144 (7.3)	35 (2.1)	0 (0.0)	179 (4.8)
Refusal	331 (16.8)	479 (28.5)	18 (30.0)	828 (22.3)
Withdrawn	39 (2.0)	35 (2.1)	4 (6.7)	78 (2.1)
TOTALS	1968	1683	60	3711

SOURCE: Planning Applications Data

realisation of the likelihood of refusal, or by some other factor. The consent categories are taken together as approvals. In the case of conditional and limited period consents it is possible to argue that the conditions imposed may place additional financial burdens on firms, but again it is impossible to tell without the detailed study of each application. Overall the main variation in the table is the difference in the refusal rates received by whites (16.8%) and Asians (28.5%) and the complementary divergence in straight approvals (i.e. planning consent without any conditions).

The overall refusal rate of 22.3% is much higher than average rates for the city. In 1983, for instance, the average refusal rate in the sample was 18.6%. The DOE returns for that year (LCC/29) show an overall refusal rate of 10.5% (after discounting applications made for statutory undertakers - e.g. Regulation 4 Development). There is apparently little difference between commercial applications and householder applications, since the refusal rate for the latter is 9.0%. The much higher figures for the research sample suggests that the sample framework has accurately targeted a matrix of location and land uses that generates policy objections in planning and poses problems for businesses in obtaining planning permission.

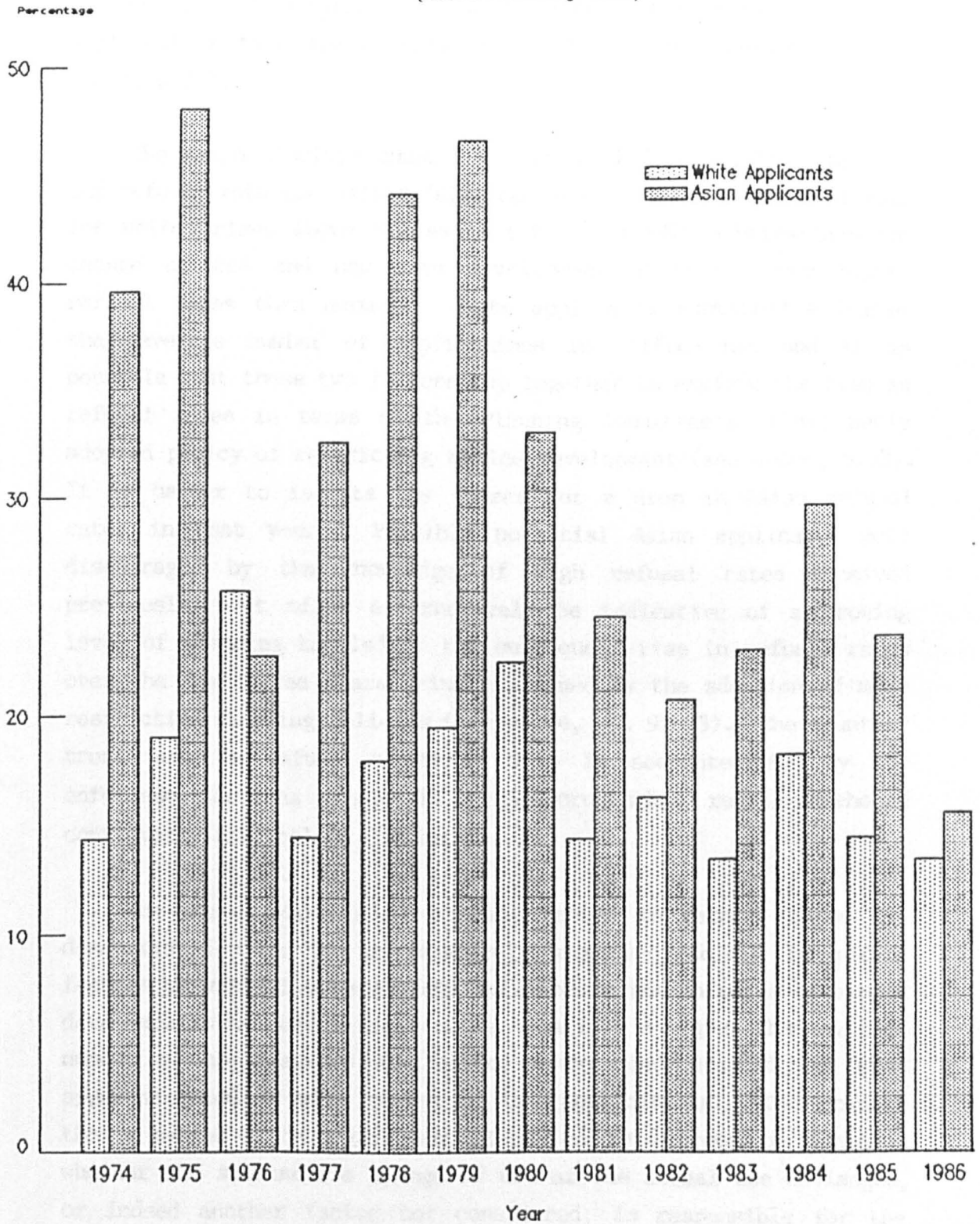
The level of refusals and the gap in refusal rates between white and Asian applicants shows considerable variation through time. Fig. 10 (below) compares the refusal rates received by white and Asian applicants for 1974-86 (the years for which complete figures are available). The graph shows five broad trends:

- (i) Refusal rates for white applicants are fairly consistent over time (around the 16% level).
- (ii) Refusal rates for Asian applicants are consistently higher than those for whites (excepting 1976).
- (iii) Refusal rates for Asian applicants are subject to much wider variations.
- (iv) Refusal rates for Asians show a declining trend from 1980 onwards.
- (v) The gap in refusal rates between whites and Asians has narrowed from 1980 onwards.

The decline in refusal rates generally, and particularly for Asians, could have a number of causes. First, it is possible that the efforts of the Planning Committee to adopt more racially sensitive policies and practices are coming to fruition (see above,

Fig.10 PLANNING REFUSALS 1974 - 1986

(Annual Percentage Rate)



Sec. 4.5). Second, the treatment of commercial applicants for planning permission may have been modified by the government's stance on development control and economic development (see above, p.51). Third, the Asian business community has become more aware of the planner's requirements and have been trammelled into making applications that are acceptable to the planning authority (c.f. above, p.92).

The graph displays unusual events in 1976 and 1984. In 1976 the refusal rate for Asians falls considerably and the refusal rate for whites rises above the Asian rate. In 1976 applications for change of use and new site development attracted much higher refusal rates than normal. White applicants submitted a higher than average number of applications for office use and it is possible that these two factors map together to explain the rise in refusal rates in terms of the Planning Committee's (then) newly adopted policy of restricting office development (see above, p.93). It is harder to isolate the causes for a drop in Asian refusal rates in that year. Possibly potential Asian applicants were discouraged by the knowledge of high refusal rates received previously. It might alternatively be indicative of a growing level of planning knowledge; the subsequent rise in refusal rates over the next three years being explained by the adoption of more restrictive shopping policies (see above, pp. 91-93). The counter-trend jump in refusal rates in 1984 is accounted for by the enforcement actions pursued in the Narborough Road retail warehouse controversy (see below, Chapter 7).

The above analysis of overall trends in refusal rates has demonstrated that it is relatively easy to isolate individual factors or variables to explain variance in the patterns of simple data such as average refusal rates. In 1976 a higher than average number of applications for office uses were detected and also apparent problems with change of use applications. The problem that a series of bivariate comparisons cannot overcome is deciding whether the substantive change of use or the actual use envisaged, or indeed another factor not considered, is responsible for the refusal of planning consent. Many of the attributes identified as

being commonly present when planning applications are refused will map systematically onto one another (i.e. they can be found in the same planning application). Multi-dimensional bivariate tables were computed and the results are described below. The presentation of tables, however, is confined to bivariate comparisons of the most important factors: proposed land use, existing land use and type of application.

The analysis of the location of business activity has already shown that Asian businesses are concentrated in core areas. Given the high level of refusal rates for Asians we would expect there to be correspondingly high levels of refusals in the core areas. When the planning decision (dichotomised into approved and refused categories) is cross-tabulated against sub-areas it appears that the variables are not independent (i.e. that location does affect planning outcome - at >99% confidence interval). The sub-areas with (statistically) significantly higher refusal rates are Highfields/Spinney Hills, East Park Road and Evington Road. These are three of the five core areas of Asian business activity. When this comparison is elaborated by cross-tabulating decision against racial origin (dichotomised into white and Asian categories) it emerges that there is no difference between the treatment of the two groups in the sub-areas with high refusal rates. However, there is a significant difference (at >95% confidence interval) between the two groups in the Railway Area, Ring Road and Belgrave Road sub-areas where Asians are refused planning permission more frequently than whites.

The sub-areas with generally high refusal rates are all located within the East Leicester Local Plan boundary. The plan was identified as being particularly restrictive towards commercial development within the context of an almost wholly built-up area (see above, p.98). Asian businesses are particularly at risk from refusal within the North-East Leicester Local Plan boundary. A consideration of the role and relevance of local plans in development control in Leicester (see above, Sec. 4.4) suggests that the existing and proposed land use will be a critical factor in the formulation of any decision. All local plans are divided

TABLE 7

PLANNING APPLICATIONS SHOWN BY RACIAL ORIGIN
DECISION, PERIOD AND PROPOSED LAND USE

PROPOSED LAND USE	1971 - 1977		1978 - 1982		1983 - 1987		TOTALS	
	WHITES No. Appns. (% Approved)	ASIANS No. Appns. (% Approved)	WHITES No. Appns. (% Approved)	ASIANS No. Appns. (% Approved)	WHITES No. Appns. (% Approved)	ASIANS No. Appns. (% Approved)	WHITES No. Appns. (% Approved)	ASIANS No. Appns. (% Approved)
Retail	148 (79.7)	270 (66.7)	223 (85.2)	384 (71.4)	165 (87.9)	420 (83.8)	536 (84.5)	1074 (75.0)
Retail-Hot Food	36 (58.3)	41 (53.7)	37 (64.9)	77 (64.9)	34 (76.5)	62 (56.5)	107 (66.4)	180 (59.4)
Retail-Motors	61 (75.4)	5 (0.0)	109 (76.1)	21 (52.4)	72 (88.9)	28 (64.3)	242 (79.8)	51 (56.9)
Retail-Laundry	1 (100)	7 (100)	6 (100)	1 (100)	2 (50.0)	2 (100)	9 (88.9)	10 (100)
Office	58 (70.7)	12 (50.0)	94 (78.7)	19 (52.6)	102 (80.4)	24 (79.2)	254 (77.6)	55 (63.6)
Office-Banking	30 (96.7)	16 (81.3)	24 (91.7)	26 (73.1)	39 (97.4)	31 (90.3)	93 (95.7)	73 (82.2)
Office-Taxi	1 (0.0)	- -	11 (36.4)	2 (0.0)	14 (64.3)	- -	26 (57.7)	2 (0.0)
Manufacturing	173 (89.6)	31 (48.4)	230 (84.8)	45 (57.8)	175 (90.3)	64 (85.9)	578 (87.9)	140 (68.6)
Wholesaling	21 (81.0)	2 (0.0)	8 (87.5)	6 (66.7)	17 (94.1)	2 (100)	46 (87.0)	10 (60.0)
Retail Warehousing	10 (80.0)	4 (25.0)	4 (50.0)	6 (50.0)	7 (42.9)	27 (40.7)	21 (61.9)	37 (40.5)
Storage	3 (66.7)	1 (100)	2 (100)	- -	9 (77.8)	2 (50.0)	14 (78.6)	3 (66.7)

Source: Planning Applications Data
NOTE: Labels as Table 4.

into zones of land uses that encourage like developments and discourage other types of land use. Table 7 (above) demonstrates that retail hot-food, taxi-office and retail warehouse applications attract significantly higher refusal rates than other uses overall. The first two of these uses are often categorised as 'bad neighbour' developments (owing to traffic generation, noise and smells etc) whilst retail warehouses in Leicester have been subject to enforcement action as already noted. The data in Table 7 also shows that Asians submit a much greater number of applications with a proposed land use of retail hot-food or retail warehouse. This in itself does not explain the total variance in refusal rates between the two groups.

The data from Table 7 was subjected to controlled bivariate analysis, by testing decision against racial origin with proposed land use as an intervening variable. There are statistically significant differences between the racial groups (at >95% confidence interval) with Asians being refused planning permission more often when the proposed used is retail, retail motor, office, office-banking and manufacturing. None of these proposed land uses is associated with significantly high refusal rates overall. Conversely, retail hot-food and retail warehousing do not display any variation in refusal rates when the decision is tested against racial origin.

Further clues for explaining the pattern of decision-making are revealed in Table 8 (below). In local plan terms any use other than that designated for a zone can be unacceptable. Thus the existing land use is of great significance in predicting the outcome of a planning application. In a residential terrace, for example, a proposal for a shop, office or factory may all be unacceptable, thus it is less important to consider what substantive change is sought when than what land use already exists. A cross-tabulating of decision against existing land use shows that residential and transport/other land uses attract significantly high refusal rates (at >99% confidence level). Existing retail and manufacturing uses attract disproportionately low refusal rates. This finding is not surprising. Planning

TABLE 8
PLANNING APPLICATIONS SHOWN BY RACIAL ORIGIN
AND EXISTING MAJOR LAND USE - 1971-87

EXISTING MAJOR LAND USE	ALL APPLICANTS		WHITE APPLICANTS		ASIAN APPLICANTS	
	No.Appns. (Col %)	No.Refused (Row %)	No.Appns. (Col %)	No.Refused (Row %)	No.Appns. (Col %)	No.Refused (Row %)
Residential	590 (16.5)	295 (50.0)	206 (10.7)	96 (46.6)	384 (23.3)	199 (51.8)
Retail	1422 (39.8)	269 (18.9)	526 (27.3)	75 (14.3)	896 (54.4)	194 (21.7)
Retail/ Hot Food	112 (3.1)	22 (19.6)	52 (2.7)	9 (17.3)	60 (3.6)	13 (21.7)
Retail/ Motor	218 (6.1)	32 (14.7)	185 (9.6)	24 (13.0)	33 (2.0)	8 (24.2)
Retail/ Laundry	18 (0.5)	2 (11.1)	7 (0.4)	1 (14.3)	11 (0.7)	1 (9.1)
Office	182 (5.1)	21 (11.5)	146 (7.6)	14 (9.6)	36 (2.2)	7 (19.4)
Office/ Banking	69 (1.9)	4 (5.8)	45 (2.3)	2 (4.4)	24 (1.5)	2 (8.3)
Office/ Taxi	4 (0.1)	1 (25.0)	4 (0.2)	1 (25.0)	-	-
Manufacturing	612 (17.1)	74 (12.1)	509 (26.4)	54 (10.6)	103 (6.3)	20 (19.4)
Wholesaling	60 (1.7)	6 (10.0)	49 (2.5)	6 (12.2)	11 (10.7)	0 (0.0)
Retail/ Warehouse	14 (0.4)	0 (0.0)	7 (0.4)	0 (0.0)	7 (0.4)	0 (0.0)
Storage	152 (4.2)	33 (21.7)	112 (5.8)	22 (19.6)	40 (2.4)	11 (27.5)
Leisure	27 (0.8)	3 (11.1)	16 (0.8)	2 (12.5)	11 (0.7)	1 (9.1)
Transport/ Other	97 (2.7)	48 (49.5)	65 (3.4)	25 (38.5)	32 (1.9)	23 (11.9)
TOTALS	3577 (100)	810 (22.6)	1929 (100)	331 (17.2)	1648 (100)	479 (29.1)

SOURCE: Planning Applications Data

NOTES: Land Use labels as for Table 4; Transport/Other includes land used as car-parks, garaging, vacant land with no designated use, ecclesiastical or community uses and doctors/dentists surgeries.

applications for sites which do not have the benefit of an existing commercial permission are more likely to be refused. Table 8 also shows very clearly the large number of planning applications made by Asians that relate to residential premises.

When the data from Table 8 is subjected to controlled bivariate analysis, statistically significant variations, with Asians being refused planning permission more often than whites, are found when the existing use is retail, manufacturing and transport/other. Whilst it is apparent that existing residential uses contribute to the high overall refusal rate for Asian applicants, there is no apparent variation between the treatment of the two racial groups in respect of this land use. The variation occurs with established commercial land uses and the pattern of Asian business growth probably provides the explanation.

It has already been noted that the majority of desired and actual Asian business activity is located in a few core areas, characterised by high density of built area and of population. Asians seeking to start a business, often with low capital, will seek either to adopt residential premises (possibly even their own homes) or use existing commercial premises. The refusal of the former type of application is clear cut. The refusal of the latter type is less so, but probably relates to the growth of businesses where Asians seek to expand on their existing site. In the densely built areas such expansion is not only physically difficult but is also contrary to the presumptions of local plans which unanimously seek to limit so-called non-conforming uses.

The maps of planning outcomes for 1974 and 1979 (above, Figs. 7 and 8) offer the impression that refusals of planning permission occur mainly outside the defined zones (of shopping and industry) shown on the map, particularly in the Highfields/Spinney Hills, East Park Road and Evington Road sub-areas.

Supporting evidence for this model of Asian business activity in relation to development control is given in Table 9 (below) which shows planning outcomes according to racial origin and

TABLE 9
PLANNING APPLICATIONS SHOWN BY RACIAL ORIGIN
AND TYPE OF APPLICATION - 1971-87

Type of Application	ALL APPLICANTS		WHITE APPLICANTS		ASIAN APPLICANTS	
	No. Apps. (Col. %)	No. Refused (Row %)	No. Apps. (Col. %)	No. Refused (Row %)	No. Apps. (Col. %)	No. Refused (Row %)
COU-Whole Building	568 (15.9)	182 (32.0)	384 (19.9)	104 (27.1)	184 (11.2)	78 (42.4)
COU-Ground Floor	935 (23.3)	337 (40.4)	297 (15.4)	94 (31.6)	538 (32.6)	243 (45.2)
COU-Other Floors	108 (3.0)	28 (25.9)	65 (3.4)	15 (23.1)	43 (2.6)	13 (30.2)
Minor Alterations	311 (8.7)	26 (8.4)	144 (7.5)	13 (9.0)	167 (10.1)	13 (7.8)
Major Alterations/ Sub Division	15 (1.3)	3 (6.7)	14 (0.7)	0 (0.0)	31 (1.9)	3 (9.7)
Extension/ Single Storey	589 (16.5)	95 (16.1)	281 (14.6)	26 (9.3)	308 (18.7)	69 (22.4)
Extension/ Multi-Storey	179 (5.0)	40 (22.3)	74 (3.8)	12 (16.2)	105 (6.4)	28 (26.7)
Ancillary Structures	310 (8.7)	28 (9.0)	260 (13.5)	20 (7.7)	50 (3.0)	8 (16.0)
New Building	168 (4.7)	39 (23.2)	152 (7.9)	34 (22.4)	16 (1.0)	5 (31.3)
Shop Front/ Fascia Works	331 (9.3)	12 (3.6)	155 (8.0)	3 (1.9)	176 (10.7)	9 (5.1)
Roller Shutters/ Canopies	20 (0.6)	5 (25.0)	7 (0.4)	1 (14.3)	13 (0.8)	4 (30.8)
Temporary Bldgs./ Continuation	53 (1.5)	3 (5.7)	52 (2.7)	2 (3.8)	1 (0.1)	1 (100.0)
Renew. Limited Period Consent	34 (1.0)	2 (5.9)	26 (1.3)	2 (7.7)	8 (0.5)	0 (0.0)
Extension of Working Hours	26 (0.7)	10 (38.5)	18 (0.9)	5 (27.8)	8 (0.5)	5 (62.5)
TOTALS (AVERAGE PERCENT)	3577	810 (22.6)	1929	331 (17.2)	1648	479 (29.1)

SOURCE: Planning Applications Data

NOTES: The application types are described
above (Sec. 3.5 and Table 1).

application type. The analysis of refusal rates for all applications show that change of use (whole building and ground floor) and the extension of working hours have significantly high refusal rates, whilst fascia works, alterations, ancillary structures, single storey extensions and temporary buildings/continuations have significantly low refusal rates.

Table 9 shows that nearly a third of all applications from Asians are for change of use (ground floor) and account for 50.7% of all refusals for that group. With the exception of applications for minor alterations, Asians are refused planning permission more often than whites for all types of development. The differences between the groups are statistically significant (at >99% confidence interval) for change of use (whole building and ground floor) and single storey extensions. This finding appears to corroborate the model of Asian business development and demonstrates the difficulty that Asians have in starting and developing businesses in cramped inner city locations. The findings on land uses and application types also provide an initial indication that operational decision-making in planning (i.e. the determination of planning applications) is consonant with adopted policies. The implications of these findings are discussed further below (sec. 5.5), after a consideration of the other factors included in the study of planning records.

The amendment of a planning application may indicate either the willingness of an applicant to negotiate with the planning authority, or an autonomous change of plan on the part of the applicant. Overall 13.5% of applications are amended and have a refusal rate of 9.1% compared with a refusal rate of 24.1% for non-amended applications. 17.2% of applications from Asians are amended compared with 10.4% of applications from whites. When decision is tested against racial origin controlling for amendments, Asians are refused planning permission more often than whites for non-amended applications (the statistical result of the higher number of refusals overall for Asians) and less often than whites for amended applications. In the latter case the difference between the two groups is not statistically significant. This

finding demonstrates the importance of negotiations between applicant and authority in the development control system. Alternatively the emphasis of interpretation could be placed on the 'unacceptability' of many Asian planning proposals which necessitates a higher number of amendments.

The earlier studies in Leicester discounted the use of an agent in making a planning application as a significant variable (see above, Sec. 3.2). The current study found that there was a significant difference (at >99% confidence interval) between refusal rates for applications submitted through an agent (20.4%) and those submitted directly by the applicant (25.8%). 69% of all applications were submitted through an agent and Asians used agents more frequently (70.9%) than whites (67.5%). The difference between the groups is statistically significant (>95% confidence interval) but whilst both groups experience fewer refusals when using an agent, the gap between them in terms of refusal rates remains large. This finding calls into question the level of service that planning agents provide to Asians. It might be expected that agents with experience of the planning system could direct their clients towards the type and location of development that is likely to be successful in planning terms.

The other variables included in the analysis were the length of time taken to make a planning decision and the number of reasons or conditions attached to a planning refusal or conditional consent. A cross-tabulation of decision period against ethnic origin showed that applications from Asians took longer to determine on average than those from whites. The difference is statistically significant (at >95% confidence interval) but is expected. In Leicester all refused applications are determined at committee stage whereas approved applications can be determined by officers if no objections are received. Given the higher number of refusals for Asians the above finding is anticipated and does not advance the understanding of the problem. The analysis of the number of reasons or conditions attached to a planning permission appears to be equally unfruitful. Around 90% of applications have less than four conditions and there is no obvious pattern to the

distribution of numbers except that white applicants more frequently have no conditions imposed on them, a fact that is already known from the higher number of straight approval decisions received by whites (see above, Table 6).

5.4 Applications for Advertisements

This section presents the results from a separate study of 340 applications made under advertisement control regulations. The results provide a useful comparison with the applications for development that involve substantive changes in the type, scale or intensity of the use of the land. Adverts primarily affect the visual environment and apart from aesthetic considerations, the only potential conflict they could normally generate would be traffic hazards, where signs are brightly illuminated.

The overall refusal rate for determined (i.e. non-withdrawn) advert applications is 19.0%. There is a statistically significant divergence between refusal rates for Asians (28.9%) and whites (15.9%). A breakdown of decision over time shows that refusal rates for Asians were increasing up to 1986 and the gap between whites and Asians widening. This is contrary to the trend observed for development applications (see below, Fig. 10). An analysis of part of the sample against selected application types is given below (Table 10). The table clearly shows Asians being refused planning permission more often than whites in every category.

When other data is added into the analysis of advert application outcomes, it emerges that there is a divergence in refusal rates (in favour of whites) in the Railway sub-area (see above, Fig. 6), but no other pattern emerges that can explain the variance in refusal rates. It is possible that Asians make advert applications in relation to properties in mainly residential areas where any obvious increase of commercialisation would be resisted

TABLE 10

SELECTED ADVERT APPLICATIONS SHOWN
BY DECISION, RACIAL ORIGIN AND TYPE

ADVERT TYPE	All Applicants		White Applicants		Asian Applicants	
	No.Appns (Col. %)	No.Ref (Row %)	No.Appns (Col. %)	No.Ref (Row %)	No.Appns (Col. %)	No.Ref (Row %)
Hoarding	42 (16.7)	18 (42.9)	38 (19.8)	14 (36.8)	4 (6.8)	4 (100)
Fascia Sign	110 (43.8)	11 (10.0)	86 (44.8)	7 (8.1)	24 (40.7)	4 (16.7)
Projecting Sign	99 (39.4)	22 (22.2)	68 (35.4)	12 (17.6)	31 (52.5)	10 (32.3)
Totals	251 (100)	51 (20.3)	192 (100)	33 (17.2)	59 (100)	18 (30.5)

SOURCE: Advert Applications Data

by the planning authority. The analysis of the North East Leicester Local Plan (above, p.100) suggested increasing emphasis on design and the proscription of "stridently 'commercial'" shopfronts (LCC/13: 8). The leaflet to advise shopkeepers was particularly critical of projecting signs (see LCC/54) which account for over half the applications from Asians shown in Table 10. The growing design emphasis in planning policies may explain the increasing refusal rates observed through time.

The influence of the amendments and agents variables on the data set is similar to that described above for planning applications data. 14.1% of all advert applications were amended and the fact of amendment led to lower refusal rates for both Asians and whites. A high proportion of Asian applicants used an agent (81.6%) compared with whites (73.7%) - though a number of white applications came from specialist advertising firms seeking

to erect their own hoardings. The use of an agent results in an overall refusal rate of 14.6% compared with a rate of 32.5% where agents are not used. However, the use of an agent does little to improve the prospects for success for Asian applicants (27.4% refused) compared with whites who experience a drop in refusal rates (10.3%) in relation to their average rate (15.9%).

5.5 Conclusions

This chapter set out to discover: (i) whether or not black business had shown locational and sectoral diversification during the study period; (ii) whether or not the trends in black business development observed had led to increased demand for commercial space; (iii) whether or not planning policies had restricted the supply of commercial space; (iv) whether or not the development control system had been generated in a directly discriminatory fashion; and (v) how far the sum of the observed processes had impeded black business growth and development.

The evidence of Section 5.2 (above) pointed to a gradual dispersal of Asian businesses particularly into established industrial areas such as North Evington and the Railway Area and radial corridor, such as the Narborough Road, away from the main areas of Asian settlement. The expansion into industrial areas was the result of increasing sectoral diversification in the later period (from 1983) onwards. Table 7 (above) shows an increasing number of applications for manufacturing use and a higher approval rate in the later period for Asians. Similar trends can be observed in the office, office-banking and retail warehouse sectors. It must be re-emphasised that these data do not indicate the total level of business activity and that planning applications cannot be directly equated with new business formation. However, the data from Tables 5 and 7 (above) does offer sufficient evidence for a cautious endorsement of the first hypothesis that Asian businesses have shown locational and sectoral diversification

through time. Retailing in the core areas of Belgrave Road, Highfields/Spinney Hills, Evington Road, Melton Road and East Park Road remains the most significant type of Asian business activity, dwarfing the number (if not size and employment) of other Asian businesses.

The trends in Asian business development have led to an increasing number of planning applications being made throughout the period as shown in above (Table 7 - remembering that the data 1987 is for a half year only). The table also shows more applications from whites throughout the period. The increasing number of applications overall may reflect a generally increased demand for commercial space or increasingly tight planning regulations which demand that more applications are made. In the 1983-87 period there is evidence of demand for space from white businesses slackening off with a corresponding increase in the number of applications submitted by Asians particularly in the retail, office and manufacturing sectors. During the same period there is a reduction in the number of change of use applications submitted by Asians. This may suggest that Asian businesses are replacing white businesses and now able (through capital and land availability) to take-up existing commercial premises. Over the whole period the balance shifts towards demand from Asian business: applications from this source accounted for 41.8% of all applications in 1971-77, 44.0% in 1978-82 and 48.8% in 1983-87.

For the whole period we can conclude that Asian business activity makes increasingly large demands for a relative share of commercial space. The high incidence of change of use applications in the period up to 1983 suggests that Asian commercial aspirations resulted in a demand for an absolute increase in commercial space as well. These results, subject to the limitations of the data discussed above (Sec. 3.9 and 5.1), confirm the second hypothesis that the growth and development of black businesses leads to an increased demand for commercial space.

That planning policies restrict the supply of commercial space in absolute sense by defining zones of commercial activity which

result in increased land values, has already been established (above, p.108). The high refusal rates for change of use applications (see above, Table 9) and the large number of such applications (16.5% of the total) made with an existing residential land use suggests that planning policies (operationalised through development control) do restrict the supply of commercial space relative to the demand from potential entrepreneurs, especially in the case of Asians.

The impact of such restriction is mitigated to an extent by the availability of existing commercial premises. Evidence culled from Leicester Planning Department's own research in the late 1970s gives the impression of vacancy rates of around 10% in local shopping areas and up to 20% for offices in the city centre (see LCC/15, LCC/16, LCC/30). To determine whether or not the restrictive policies on change of use applications encouraged the take up of vacant premises would require further research, but it is clear that the local plans adopted in the mid 1980s, were still concerned with tackling the vacancy problem (e.g. LCC/08: 19). It is likely that many Asian businesses would have lacked sufficient capital to pay the commercial use-value premium on such sites. Given the findings of various black business researchers (above, Sec. 2.7) it is debatable to what extent viable businesses would have resulted had the restrictive policies been relaxed. The recent tail-off in the number of applications made for change of use may indicate the emergence of a consolidated and generally strong Asian business sector. Although it is worth bearing in mind the alternative thesis that Asian applicants are now preconditioned by previous planning experience and no longer bother to submit certain kinds of application.

These findings suggest that the interpretation of hypotheses 3 and 7 - that planning policies restrict commercial space and that such restrictions impede black business development - needs very careful consideration. Planners, in defending shopping policies for example, frequently refer to the concept of a viable or a sustainable amount of commercial space. It can be confidently concluded that had all the changes of use sought been allowed, then

there would have been even higher failure rates amongst Asian businesses. This interpretation is, of course, hypothetical and can be countered with the suggestion that had Asian business development been less impeded in the early period, then a greater number of new businesses would have been formed, possibly discouraging later would-be applicants.

The concept of sustainable development does not address the issue of racial discrimination. Restrictive policies tend to favour existing users with the result that potential new users (immigrant entrepreneurs) are discouraged. The analysis of planning applications data suggested that Asians experienced significantly higher refusal rates overall. A number of variables such as location, type of application, existing land use, proposed land use, the amendment of an application and the use of an agent, offered explanations of varying power for the observed differences. Table 11 (below) offers a comparison of the various studies made of Leicester's planning records (see above, Sec. 3.2). The table shows complete agreement on the significance of all the major variables except the use of an agent. The tenure of property for an applicant could not be measured in the present study, but the other variables from the earlier studies do not appear to have much explanatory power.

The analysis of the effects of individual variables revealed disconcerting differences between white and Asian applicants in a number of categories - disconcerting in that Asians were invariably refused planning permission more often than whites when statistically significant differences were found. To summarise these differences, Asians were refused planning permission more frequently when their application had one or more of the following attributes: when the location was the Railway Area, Ring Road or Belgrave Road sub-areas; when the existing land use was retail, manufacturing or transport/other; when the proposed land use was retail, retail motor, office, office banking or manufacturing; when the application was change of use (whole building or ground floor) or single storey extension. Doubt was also cast on the role of agents in assisting their Asian clients to obtain planning

TABLE 11
COMPARISON OF STUDIES OF PLANNING APPLICATIONS
MADE IN LEICESTER

Variable Analysed	Study A	Study B	Study C	Study D
Ethnic Origin	+	+	+	+
Type of Application	+	+	+	+
Land Use	+	+	+	+
Amendments	+	+	+	+
Location	+	+	+	+
Use of Agent	x	x	x	+
Tenure of Applicant	+	+	+	-
Pre-submission discussion	+	+	x	-
Type of Property	+	+	(+)	-
Previous Applications	+	x	x	-
Area Planning Officer	x	x	+	-
Recommendations Made	x	x	+	-

- NOTES:
- Study A - City Planning Officer's Report (LCC/46)
 - Study B - Consultants' Report: logistic regression (GLIM) analysis (Hart and Smith, 1986: p.2)
 - Study C - Consultants' Report: bivariate analysis (Hart and Smith, 1986: p.21)
 - Study D - Planning Applications Data (see above, Chapter 5)
 - + denotes agreement that the variable is statistically significant
 - x denotes variable analysed but not statistically significant
 - denotes that the present study did not include a similar variable

permission. The analysis of the smaller sample of advert applications revealed a similar pattern of events.

This analysis might point to direct racial discrimination. To assess the evidence further, each variable category which had shown significant divergence in refusal rates between the two racial groups was subjected to a series of multi-dimensional bivariate comparisons using other variables as controlling or intervening factors. Thus, for example, a case study of applications made in the Belgrave Road sub-area was undertaken using cross-tabulations of decision against racial origin controlling for existing land use, proposed land use, period of application and type of application as intervening variables. The only limitation placed on this analysis occurred when expected cell frequencies become too small (see above, p.80).

This analysis revealed very little unexplained variance in refusal rates overall. In the Ring Road sub-area it was found that Asian applicants were refused planning permission more often than whites when the existing land use was retail. There was a similar finding for the Belgrave Road sub-area when the proposed land use was retail. This 'unexplained' variance related to four cases out of eighty three and eight cases out of 400 respectively. Similarly small variations were found when employing land use or application type as the major explanatory variable. There were significant differences in refusal rates between Asians and whites in change of use applications (whole building and ground floor) with a proposed manufacturing use and single storey extensions with a manufacturing or office use.

By controlling for as many factors as possible in order to compare applications with identical attributes, the analysis of planning applications data demands that hypothesis 5 is rejected - there appears to be no direct racial discrimination in the operation of the development control service in Leicester. Despite the limited number of variables in the data set, the measurements employed seem sufficiently sensitive to demonstrate that applications with similar profiles in terms of location, land use

and type, are accorded similar treatment, regardless of the racial origin of the applicant.

The discovery of consistency in operational decision-making suggests that attention should be focussed on planning policies which have obviously differing impacts on white and Asians respectively. The particular characteristics of planning applications that are associated with high refusal rates suggest that attention should be focussed on policies governing applications involving a change of use especially. In common with the sectoral spread of activities, the most important land uses (either existing or proposed) are retailing and manufacturing in terms of the number of applications refused. In spatial terms the East Leicester Local Plan area contains the most obvious evidence of conflict over the use of space. The relevance of planning policies for Asian businesses in the North-East Leicester Local Plan area also requires consideration. The concept of indirect racial discrimination is explored further below (Chapter 7).

CHAPTER 6

COMMERCIAL PERCEPTIONS OF LOCATION AND PLANNING

6.1 Introduction

This chapter uses data gained from a survey of 191 businesses. The basic aim of the chapter is to give a candid presentation of the views of businesses on planning. The data also provides considerable evidence for testing hypothesis 6 - that black businesses have poorer access to policy formulation and implementation processes than other businesses - and impressionistic evidence to assist the testing of hypothesis 7 - that racial discrimination in planning impedes black business growth and development.

The chapter begins with an assessment of the differences in the size, structure and function of black and white businesses. This information is briefly analysed in the context of planning outcomes. There then follows a section on business perceptions of locational benefits and disbenefits. The results in this Section offer additional evidence for explaining hypothesis 2 - that black business growth and development generates increased demand for commercial space.

Planning controls are mentioned as a major locational disadvantage and a section is devoted to further exploration of this problem. There follows a section on the knowledge of planning

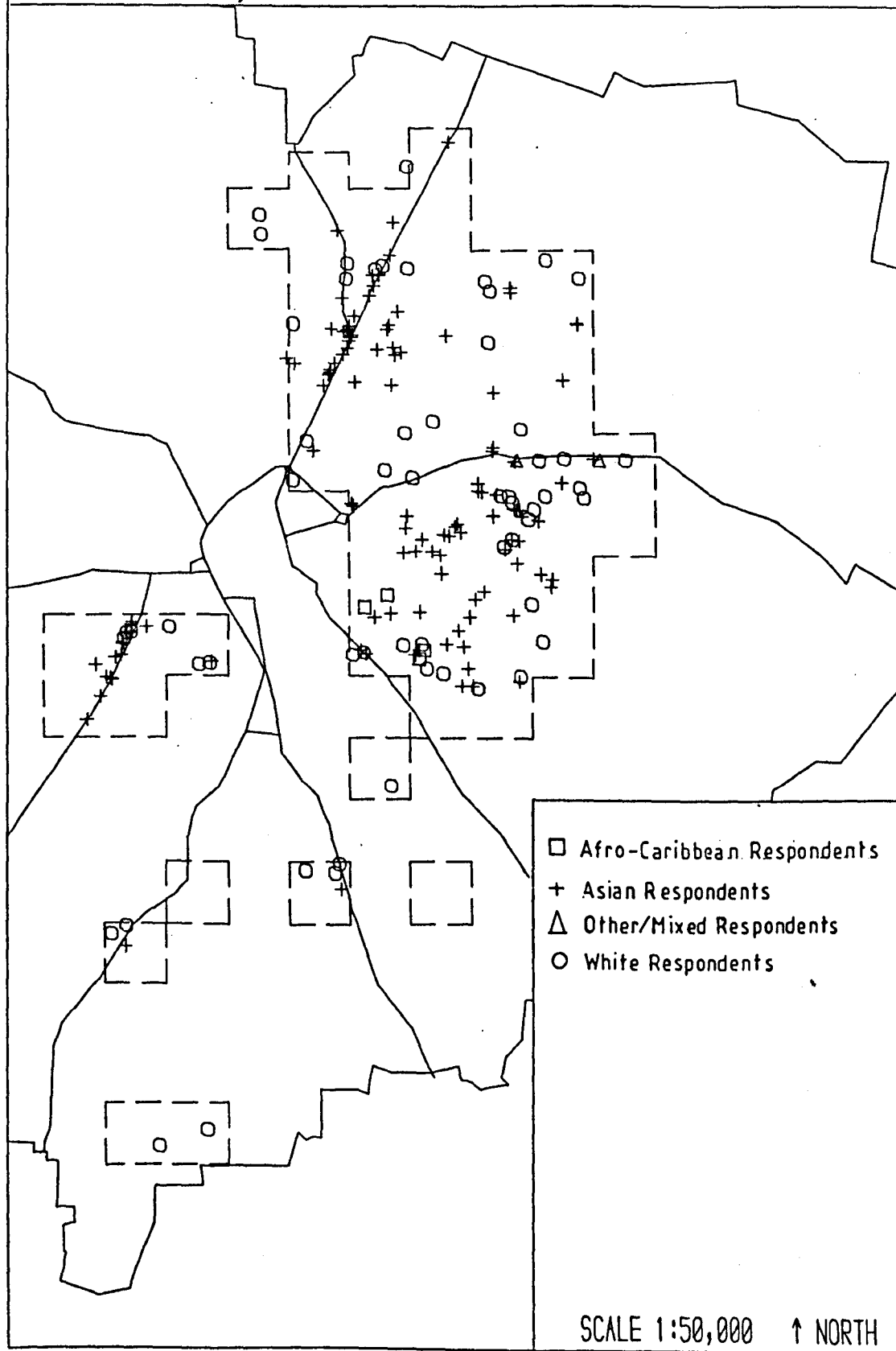
regulations and decision-making structures. High levels of knowledge ought, in theory, to improve an applicant's chances of successfully negotiating the complexities of planning control.

The assessment of the burden of planning controls and the accessibility of the planning system is followed by a section describing the levels of awareness of various local authority business aid schemes and suggestions made to improve service delivery in planning generally. The presentation of results from the survey of businesses is completed by a brief analysis of business views on local authority services in general.

The problems experienced in conducting the survey of businesses and the adequacy of the returns are discussed above (Sec. 3.6). Attention was drawn to the slight skewing of the data set towards retail sector applications (+5%) and against manufacturing sector applications (-5%) when compared with the distribution of the planning applications data. The data are near exactly representative of the distribution of decisions, with refused applications accounting for 19.9% of returns, approvals for 12.6% and conditional consents for 58.1% (c.f. Table 6, above p.126).

The data are less representative of the original balance in racial origin. In the original sample of 523 planning applications from which the survey respondents were drawn, 48.9% were classified according to surname records as being of white racial origin, 49.9% as of Asian origin and 1.2% as of 'Other' origin. The breakdown of racial origin from the 191 interviews is as follows: 2.1% African/Afro-Caribbean, 65.4% Asian, 30.9% White, 1.0% 'Other' and 0.57% 'Mixed'. During the following analyses African/Afro-Caribbean, Asian and 'Other' are classified as Black and 'Mixed' is classified with White. The original balance in the groups is apparently skewed owing to (i) the high number of white firms classified as 'out of area' (see above, p.75) and (ii) an 8% underestimate of the number of black businesses wrongly classified by surname evidence as white using surname evidence.

Fig.11 Location of Respondents to the Survey of Businesses



This breakdown of returns suggests that the survey of businesses is fully representative of local firms within the sample frame area. The spatial distribution of respondents (see above, Fig. 11) gives additional credence to this claim.

6.2 The Structure of Businesses and Planning Outcomes

The characteristics of the businesses surveyed are shown below in Table 12. The findings reassert the importance of retailing for black firms particularly in convenience goods - characterised by the archetypal Asian corner shop. It is interesting to note that the proportion of black sole traders is almost identical to the proportion of black firms in convenience goods retailing. The results show a correspondence between ownership structure and sectoral activity that is statistically significant (at >95% confidence interval). In all the variables depicted in Table 1, with the exception of tenure of property, there is a statistically significant difference between black and white firms.

When annual turnover is tested against the other attributes of a firm, the following patterns emerge. Manufacturing and wholesaling businesses commonly have turnovers in excess of £500,000 per annum. The majority of businesses in the convenience goods retailing sector have turnovers of under £50,000 per annum. The remainder of businesses are usually located in the intermediate categories of £50,000 - £500,000 per annum. Firms with a large turnover are more likely to be incorporated, longer established, employ more people, be owned by people with previous business experience and be located in specialised industrial/warehouse accommodation. Over half the white firms surveyed conform to this general pattern.

Black firms are more likely to have been started from scratch, be younger, employ fewer people, are most commonly unincorporated and have a lower turnover than white firms. The pattern holds even

TABLE 12
COMPARISON OF BUSINESS CHARACTERISTICS

BUSINESS CHARACTERISTIC	BLACK RESPONDENTS	WHITE RESPONDENTS	ALL RESPONDENTS
Sector of Activity (Col.%)			
Retailing-Convenience Goods	53.9	23.3	44.3
Retailing-Comparison Goods	10.2	11.7	10.6
Motor - Sales and Service	9.4	13.3	10.6
Manufacturing	12.4	23.3	15.9
Wholesaling	3.9	13.3	6.9
Services	10.2	15.1	11.7
Ownership Structure (Col.%)			
Sole Trader	53.4	31.7	46.6
Partnership	30.5	18.3	26.7
Incorporated	11.5	45.0	21.9
Other	4.6	5.0	4.8
Annual Turnover (Col.%)			
< £50,000	37.2	9.1	27.9
£50,000 - £100,000	17.7	18.2	17.9
£100,000 - £1 million	35.4	38.2	36.3
> £1 million	9.7	34.5	17.9
Tenure of Business Premises (Col.%)			
Freehold	83.2	79.6	82.1
Leasehold	8.4	13.6	10.0
Rented by Licence	8.4	6.8	7.9
AVERAGE AGE OF FIRM (YEARS)	7.3	28.8	14.0
AVERAGE NUMBER OF EMPLOYEES	6.4	77.3	28.7

SOURCE: Survey of Business Data

NOTE: Ownership Structure/Other denotes not trading at present,
charitable status or co-operative ownership.

when individual sectors such as manufacturing are examined. There is nothing surprising in these findings, which show great accord with the major contemporary study, Ethnic Minority Businesses in Leicestershire (Ethnic Business Research Unit, 1987: 22-37).

It is worth speculating that the older, larger white firms will experience less difficulty in planning. The larger proportion of incorporated firms is suggestive that many white businesses will be more often able to draw on internal professional management resources, or better able to afford consultancy in dealing with planning. However, when planning outcomes are tested against variables such as ownership, structure and turnover no statistically significant variations are found, with or without racial origin as an intervening variable.

Follow-up work to the survey of businesses included collecting more data on the planning decision (see above, p.78) The purpose of this exercise was to relate the planning outcome to data such as the case officer dealing with the application. Whether objections were received and whether there was evidence of predetermined negotiations. Testing of these variables directly against decision and with the intervening variables of racial origin and turnover, showed that they had no apparent explanatory power in predicting outcomes. The data which can be described as modelling the circumstances under which a decision was made also showed very little variation when cross-tabulated against racial origin or type of firm. This suggests that similar circumstances attend the determination of the majority of planning applications and adds further weight to the finding in Chapter 5 that there is no direct racial discrimination in the operation of the development control service of Leicester.

TABLE 13
LOCATIONAL ATTRIBUTES OF BUSINESSES

ATTRIBUTE TYPE	BLACK RESPONDENTS	WHITE RESPONDENTS	ALL RESPONDENTS
TYPE OF PROPERTY (Col.%)			
Shop Unit	22.8	20.0	22.0
Shop Unit + Living Accommodation	57.3	15.0	44.0
Industrial/Warehouse building	7.6	36.7	16.8
Converted building (any type)	9.2	16.7	11.5
Other	3.1	11.6	5.7
RELOCATION (Col.%)			
0 Moves	59.5	31.7	50.8
1 Move	27.5	55.0	36.1
2 Moves	6.1	3.3	5.2
3 Moves	6.9	10.0	7.9
MAIN REASON FOR LAST MOVE (Col.%)			
Expansion	54.7	52.5	53.8
Acquire Freehold Premises	15.1	17.5	16.1
Trading Position	11.3	5.0	8.6
Planning Regulations	0.0	5.0	2.2
Other	18.9	20.0	19.3

SOURCE: Survey of Businesses Data

NOTE: 'Other' categories are described in the text.

6.3 Commercial Perceptions of Location

The survey questionnaire sought to establish information on the types of property occupied by businesses, the tenure of property, previous business moves, views on locality and future intentions for expanding or relocating.

Table 13 (above) describes the locational attributes of the firms surveyed. The most striking feature is that the vast majority of black businesses are located in shop units (including office-type shops such as estate agents). 16.3% of black firms are manufacturing or wholesaling businesses (see above, Table 12) but only 7.6% are housed in accommodation built specifically for those purposes. The majority of white firms in these sectors appear to be housed in purpose-built accommodation. Other locations included own home (black businesses only) and purpose-built offices (white businesses only). The difference between racial groups is significant (at >99% confidence interval) but this is a reflection of the primacy of retailing as a black business activity.

The occupation of converted buildings or shop units with residential accommodation may be indicative of the problems black businesses experience in locating and financing adequate premises. Table 14 (below) shows that very few respondents (6.9% black, 5.0% white) felt that an attached residence was a major advantage. The implication that black businesses are, on the whole, less satisfied with their premises than white businesses is borne out by the findings of Table 14. The responses shown in Table 14 were from unprompted open questions. 43.3% of white respondents volunteered the information that their premises were well suited to the nature of their business compared with only 22.9% of black respondents. There was a similar divergence in the comments made on access for deliveries and despatches ('servicing'). These factors appear to be more critical in manufacturing and wholesaling businesses which explains why a higher percentage of whites identified 'premises' and 'servicing' as positive advantages or disadvantages. The differences between the two groups were statistically significant

TABLE 14
PERCEIVED LOCATIONAL BENEFITS/DISBENEFITS
SHOWN BY RACIAL ORIGIN

	BLACK RESPONDENTS			WHITE RESPONDENTS		
	No Response	Benefit	Disbenefit	No Response	Benefit	Disbenefit
Market	36.6	52.7	10.7	41.7	50.0	8.3
Ethnic Market	53.4	39.7	6.9	90.0	10.0	0.0
Labour	90.8	7.6	1.5	90.0	8.3	1.7
Suppliers	94.7	5.3	0.0	90.0	8.3	1.7
Car Parking	58.8	11.5	29.8	53.3	11.7	35.0
Premises	70.2	22.9	6.9	45.0	43.3	11.7
Servicing	88.8	3.8	7.6	55.0	20.0	25.0
Building Cost	83.2	13.7	3.1	80.0	16.7	3.3
Residence	93.1	6.9	0.0	95.0	5.0	0.0
Planning Control	81.7	0.8	17.6	73.3	11.7	15.0
Crime	90.8	0.8	8.4	85.0	0.0	15.0
Environs	89.3	0.8	9.9	81.7	5.0	13.3
Rates	94.7	2.3	3.1	93.3	1.7	5.0
Other	87.0	6.1	6.9	83.3	11.7	5.0

SOURCE: Survey of Businesses Data

NOTE: 'Other' categories are described in the text.

(at >95% confidence interval). The evidence from Cater's study of the commercial property market in Inner Bradford (Cater, 1984) that businesses paid relatively more for premises in the inner area does not appear to be repeated in Leicester, where very few respondents from either group mentioned the cost of premises as a disbenefit.

The data on relocation in Table 13 shows that just under half of all businesses had moved (either completely or by opening another branch or site) at some time prior to the survey. There was a statistically significant difference between black and white firms, but this is not surprising given that white firms are on average much longer established than black firms. There were no major statistical differences between the groups when considering why relocation took place. Just over half of all relocations are motivated by the need to accommodate increased commercial activity. Planning restrictions at a previous site do not appear to have motivated businesses into moving very often. Other reasons for relocating included the rationalisation of operations (6 respondents), a change of landlord (3 respondents) and a compulsory purchase order (1 respondent).

Those respondents who expressed an intention to relocate in the future, or who were considering the possibility, also gave similar reasons for wishing to move (see below, Table 15). There was apparently more frustration of commercial aspirations by planning requirements, because 7.2% of respondents thought they would relocate to overcome restrictions. Fewer respondents sought freehold premises (though 82.1% already own freeholds; see above, Table 12). In both previous moves and future aspirations for moving, a higher proportion of black businesses than white businesses expressed the desire to secure a better trading position. This is obviously a reflection of the larger number of black businesses engaged in retailing, but it is perhaps also indicative of the origins of many black businesses in corner-shop type convenience goods retailing - serving very local markets.

The unprompted responses to the question on locational benefits and disbenefits (see below, Appendix 1, part E)

TABLE 15
LOCATIONAL PREFERENCES OF BUSINESSES

PREFERENCES	BLACK RESPONDENTS	WHITE RESPONDENTS	ALL RESPONDENTS
IDEAL LOCATION FOR BUSINESS (Col.%)			
Present	71.4	62.7	68.8
Main Shopping Road	14.3	7.8	12.4
Greenfield Site	0.9	15.8	5.3
Other	13.4	13.7	13.5
INTENTION TO RELOCATE (Col.%)			
Yes	32.3	29.3	31.4
No	52.3	67.2	56.9
Don't Know	15.4	3.5	11.7
PREFERRED LOCATION IF MOVING (Col.%)			
Leicester	66.0	84.2	71.0
Elsewhere	26.0	15.8	23.2
Don't Know	8.0	0.0	5.8
MAIN REASON FOR INTENDED RELOCATION (Col.%)			
Expansion	60.0	73.7	63.8
Acquire Freehold Premises	6.0	0.0	4.3
Trading Position	14.0	5.3	11.6
Planning Regulations	8.0	5.3	7.2
Other	12.0	15.7	13.1

SOURCE: Survey of Businesses Data

NOTE: 'Other' categories are described in the text.

demonstrated that a slim majority of all respondents saw their access to markets as the major advantage of their location (above, Table 14). 39.7% of all black respondents specified that ethnic minority custom was important for them and a much smaller proportion of white businesses (commonly in furniture retailing) also sought to win ethnic minority customers. Predictably there was a statistically significant difference between the two groups in this case. It is interesting to note that 6.99% of black respondents thought that reliance on ethnic minority custom was a disadvantage, though other research on black businesses suggests that this is a more significant problem (above, pp. 42-44). Respondents views on markets are conditioned by a realistic assessment of the viability of their businesses. All businesses with turnovers of less than £25,000 per annum said that the market or ethnic market was a disadvantage for them. Businesses in the £100,000 - £500,000 turnover bracket were the most positive about their market. The majority of businesses with turnovers of above £500,000 are engaged in manufacturing or wholesaling where markets are regional and national and therefore little influenced by their exact location in the city.

The perceptions of actual premises have been discussed above (p.154). The other major feature of locality perceived by respondents was car-parking which emerged, on balance, as a disbenefit for both groups. Planning controls, when mentioned, were usually found to be a disbenefit, though 11.7% of white firms thought their present location offered them advantages in terms of avoiding conflicts over planning controls. The difference between black and white respondents was statistically significant, but it should be borne in mind that white businesses had relocated more often and it is possible that avoiding potential problems with planning entered into their calculations on previous moves, even though it was not a major factor (see above, Table 13). Other perceived benefits included the simple availability of suitable premises (5.7% of all respondents) and the benefits of agglomeration with firms providing similar services (3.1% of all respondents). Crime and poor environment seemed to concern a few respondents, but there were no other major disbenefits. One or two

respondents referred to problems of access for the wheelchair disabled, high insurance premiums and the volume of traffic on major radial roads.

Table 15 (above) shows that over two thirds of businesses are satisfied with their present location. The third who sought a change would prefer a main road or planned shopping centre (the main response in the 'Other' category). This was particularly true of black businesses (dominated by retailing). White firms, which are more dominant in manufacturing and wholesaling, more commonly sought a greenfield site, whereas only one black respondent thought such a location would be preferable. It is worth speculating that black manufacturing firms are fairly dependent on racial minority labour, but this did not emerge as a widely perceived benefit of their present location (see above, Table 14). Of those who sought to relocate 71.0% anticipated remaining in Leicester. The higher proportion of black respondents who sought a location outside Leicester does not necessarily reflect discontent with opportunities or constraints in the city. It was apparent from many such responses that they sought to expand by opening a branch of their present business.

6.4 The Burden of Planning Control

The analysis of perceptions on locality (above, Table 14) suggested that planning restrictions were a major disbenefit of any particular site, second only to car-parking problems. Only a minority of planning applications are refused (currently around 12%) and the majority of respondents (75.9%) were either satisfied with the outcome of their planning application or resigned to the constraints imposed by the Planning Authority. The other responses to problems with planning were to appeal (8.4%), to not comply with the planning requirements (6.8%), to submit a new application (5.8%) or to relocate the business (3.1%). There was no

statistically significant difference in the reactions of the two racial groups.

These responses suggest that planning is not a major burden on the majority of businesses in terms of severely inhibiting the ability of the business to function profitably. This is borne out by the comments of respondents on the effect of planning conditions imposed on their sites. 67.0% identified no major constraint. The curtailment of desired expansion of commercial spaces was the most commonly mentioned major constraint (19.4%), followed by the costs imposed by the delay in waiting for a decision (8.9%). Other major constraints mentioned were the cost of relocation; the cost of additional building works required to implement a decision and the devaluation of property. The most common minor constraint identified was the cost of submitting a planning application (20.9%) and the cost of making an appeal (7.3%). Other comments were made about the effect of limited period consents on investment decisions and the reduction of visual impact imposed by design requirements. Again there was no statistically significant difference between the remarks made by the two groups.

Whilst the majority of respondents were sanguine about the total impact of planning controls on their businesses, they were often vociferously critical of the quality of service provided by the Planning Department. At the conclusion of each interview respondents were asked about their overall impressions of the service provided, both by the Planning Department (see below and Table 16) and the Local Authority generally (see below, Sec. 6.7 and Table 21).

Respondents were specifically prompted to comment on the Service Characteristics PROCESS SPEED and OFFICER CONTACT; for the other Service Characteristics described, respondents were not prompted to comment. It can be seen from Table 16 that PROCESS SPEED and OFFICER CONTACT attracted the highest percentage of respondents expressing satisfaction (i.e. the 'good' or 'okay' response) with the existing services. Specific comments on other Service Characteristics were mostly complaints (i.e. 'bad'). It

TABLE 16
PERCEPTIONS OF SERVICE DELIVERY IN PLANNING

Service characteristic	Responses (Row percentages)				
	no resp.	good	okay	bad	total
PROCESS SPEED	15.2	7.3	28.8	48.7	100
OFFICER ADVICE	29.8	13.1	17.3	39.8	100
OFFICER CONTACT	34.0	15.2	22.5	28.3	100
COUNTER STAFF	77.0	4.2	13.6	5.2	100
ATTITUDE TO BUS	18.8	3.7	26.7	50.8	100
OTHER COUNCILS	91.1	2.6	2.6	3.7	100
OTHER	55.5	0.5	0.0	44.0	100

SOURCE: Survey of Businesses Data

NOTE: 'Service Characteristics' labels are explained in the text.

TABLE 17
PERCEIVED UTILITY OF BUSINESS SERVICES PROVIDERS

Type of Service	% of all respondents using service	% of users claiming helpful service	% of users claiming un-helpful service	% helpful - % un-helpful	Rank Order of Merit
Accountant	86.3	97.0	0.6	96.4	1
Architect	78.4	78.5	12.1	66.4	7
Clearing Bank	88.9	85.8	10.7	75.1	5
Building Society	20.5	84.6	0.0	84.6	3
Estate Agent	48.5	65.6	24.7	40.9	8
Financial Consultant	25.3	81.3	14.6	66.7	6
Insurance Broker	59.5	89.4	5.3	84.1	4
Solicitor	86.3	92.7	4.9	87.8	2

SOURCE: Survey of Businesses Data

should be borne in mind that this apparently gloomy review is partly a reflection of the problem-oriented nature of the questionnaire.

A majority of respondents answering the question on PROCESS SPEED (the speed with which planning applications are decided) felt that the service was too slow. They reported problems in delayed building work causing increased costs or forcing rescheduling of the work to a less convenient time (e.g. the Christmas period for shops). The most serious manifestation of this problem was reported by those respondents who had failed to complete contracts on the purchase of premises or leases where they would require planning permission in order to start their businesses. Obviously, any measure that could speed up the development control process would be welcomed, but only three respondents offered specific advice by suggesting giving planning officers increased executive power.

Views on the ease of contacting planning officers (OFFICER CONTACT) and the service at the public counter in the Planning Department (COUNTER STAFF) were more polarised. Very few complained about the counter service and there was warm praise from some. Contacting the officer dealing with their case obviously posed a problem for some respondents, though a greater number were satisfied than not satisfied with that aspect of the service.

Perceptions about the help offered to applicants for planning permission (OFFICER ADVICE) give some cause for concern. Remarks varied from, "Very helpful... their assistance was above and beyond the call of duty" to "a bunch of zombies". A careful analysis was undertaken to see if respondents who were critical of this aspect of the service had dealt with particular officers. There was no apparent difference between individual officers at all, each attracted the whole range of possible responses. A comparison of the response categories with the actual planning decision showed that those respondents who were refused permission were more likely to have found officers unhelpful and vice versa. The difference

between those receiving planning permission and those refused it was statistically significant (at >99% confidence interval). The latter group are more likely to feel aggrieved but even so, many did not feel that Refusal Notices contained adequate explanations and they often reported that planning officers made no attempt to suggest alternative sites for proposed uses or compromise development proposals.

This important finding can be related to the (unprompted) perceptions about the attitudes to businesses (ATTITUDE TO BUS.) shown in Tables 16 and 21. Respondents frequently said that planners and councillors did not understand the needs and problems of (in particular) small businesses. Delays could cost so much money as to threaten the viability of the business, landscaping schemes were seen as too expensive to implement and many complained of restraints placed on the physical expansion of their businesses. The problem in service delivery was often explained as a lack of 'commercial perspective' in the planning decisions made or more fundamentally a lack of business representation on Council Committees. Remedies suggested included the co-option of business people and closer consultation with representative bodies such as Chambers of Commerce and the Regional C.B.I. Some of those respondents were clearly unhappy with the structure of the planning system (i.e. not Leicester specific) describing it, for instance, as a "system run by amateurs [councillors] for personal gain". A number of respondents emphasised a need to engage in more negotiation but they were perhaps unaware that the use of an agent added a layer of communication that further distanced them from the final decision makers.

Few respondents were in a position to compare Leicester with other planning authorities (OTHER COUNCILS), but a majority of those responding felt that it was at least satisfactory.

The OTHER category of Table 16 encompassed many and varied comments. Remarks about business input into planning decisions have been discussed above. The other comment most frequently made (by 20.4% of all respondents) was that the distribution of grant

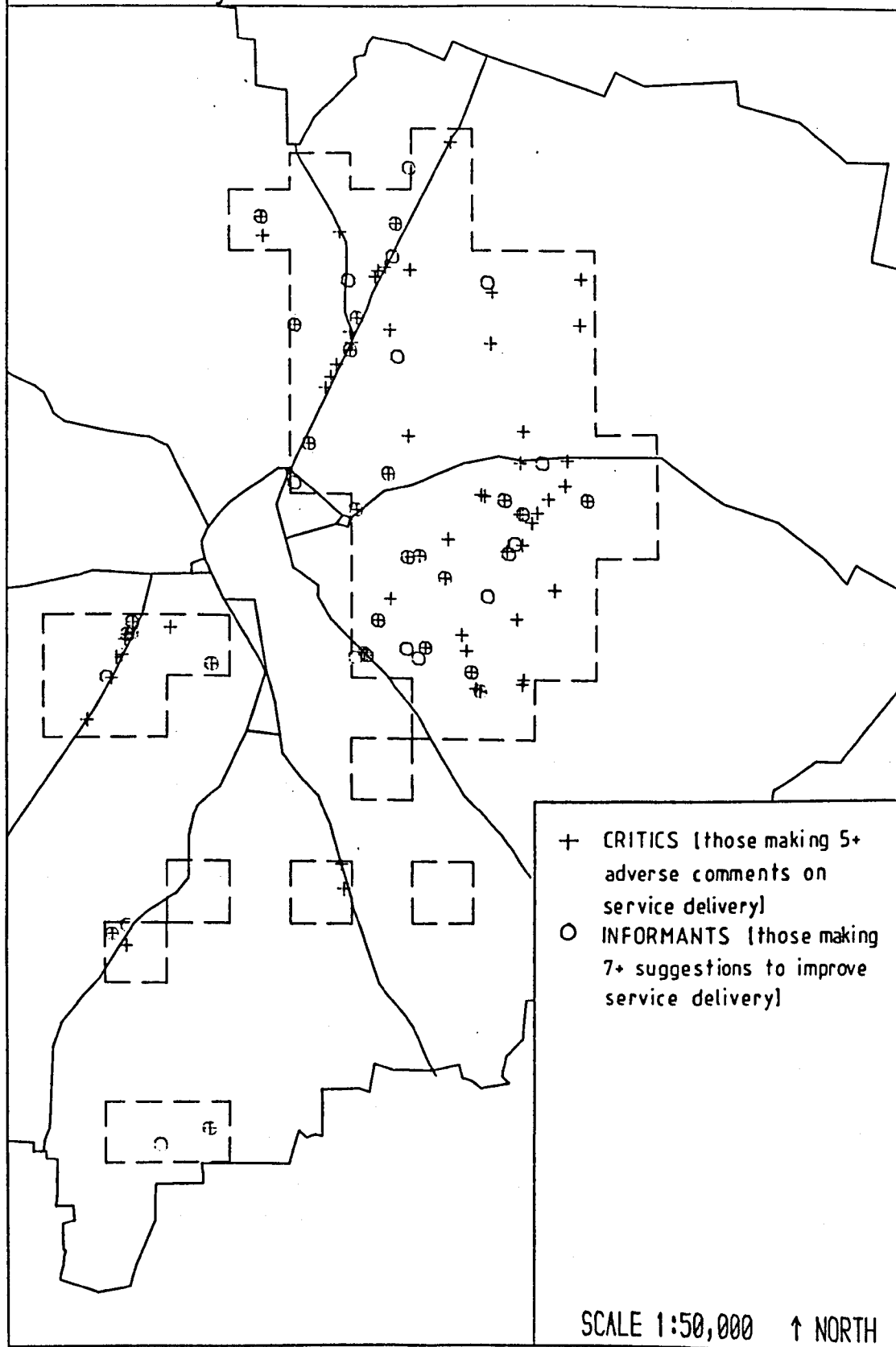
money (principally Urban Programme funds) did not reflect the needs of the retail sector and its contribution to the local economy.

There were few differences between black and white respondents when the various response categories shown in Table 16 were cross-tabulated against racial origin, with the 'no response' category discounted. However, there was a statistically significant difference overall in the level of response made by black and white interviewees with the latter group making a greater range of comments more frequently. The differing level of response was particularly marked in the OFFICER ADVICE and OFFICER CONTACT categories.

This phenomenon suggests that white businesses have a clearer perception of what they want from the planning service and the standard of service they expect. It is possible that black respondents were less willing to engage in this kind of debate when being interviewed by someone of a different racial origin - though fewer white businesses were prepared to divulge information on turnover, for instance. A more likely explanation is that white businesses are sectors with large firms that generate a considerable number of planning applications. As Section 6.5 demonstrates, white respondents consistently demonstrated more knowledge of city council structure and functions. Put simply, white respondents were better placed to make comments on the planning service, though this does not imply that the views of black respondents are less important.

The number of critical comments made can be used as indication of general levels of satisfaction with local authority services. Fig. 12 (below) maps the spatial incidence 'critics' - those making five or more negatively critical comments on service delivery (planning and general services). The map shows an even distribution when compared with the overall spatial distribution of respondents (above, Fig. 11). The 'informants' are those making seven or more suggestions to improve service delivery in planning (see below, Sec. 6.6). Whilst there is considerable overlap between 'critics' and 'informants', Fig. 12 demonstrates that some

Fig.12 'Critics' and 'Informants' in the Survey of Businesses



respondents were sufficiently motivated and interested to respond to constructive suggestions for improving planning without apparently having had a very bad experience of planning.

The analysis of the burden imposed by planning on businesses has suggested that business people are most frustrated by delay, administrative complexity and poor service. Table 17 (above) shows that business people believe they have a poorer service from those professionals most able to help them with planning and related matters (architects and estate agents) compared with the service from other professions. It is possible that the perception of commercially provided business services is influenced by the largely negative perceptions of planning procedures and outcomes - i.e. if planning permission is refused the respondent may blame the architect or agent as well as the planners. The study of planning applications showed the use of an agent significantly reduced the chances of an application being refused, but doubt was cast on the role of planning agents in assisting black businesses (see also above, p.137).

There are differences between the racial groups in the views on professional services. As before, white respondents were more critical of these services and value for money overall. There was little difference between black and white businesses in the usage of particular services, though black businesses made more frequent use of estate agents and financial consultants and had a more favourable perception of solicitors.

Table 18 (below) presents data on the perceived administrative burden of planning relative to the burden of other statutory regulations. Respondents were asked to consider the complexity of the regulations and the helpfulness of officials in aiding them to fulfil their statutory responsibilities. On the basis of the dichotomised responses, a rank order of the relative burden of various types of regulation was constructed. It is unsurprising, for in a questionnaire focussing on planning and planning problems, that planning emerged as the most significant burden. There was very little difference between the views of black and white

TABLE 18
COMPARISON OF REGULATORY BURDENS ON BUSINESS

TYPE OF REGULATION	% Claiming Regulations Burdensome	% Claiming Regulations Helpful	% Burden -% helpful	Rank Order of Rela- tive Burden	Govt. Study Rank Order of Burden
National Insurance Contributions	19.3	10.8	8.5	5	10
Personal Taxation	21.6	8.5	13.1	4	3
Value Added Tax	40.5	9.8	30.7	2	1
Statutory Sick Pay	37.2	10.5	26.7	3	4
Trading Standards	20.3	27.1	- 6.8	7	9
Health and Safety	9.2	41.5	- 32.3	10	5
Fire Regulations	11.6	27.1	- 15.5	8	8
Planning Regulations	44.0	10.7	33.3	1	2
Building Regulations	20.7	14.3	6.4	6	6
Environmental Health	22.2	38.9	- 16.7	9	7

SOURCES: Survey of Businesses Data; Department of Trade and Industry, 1985.

NOTES: The percentages of respondents claiming regulations as burdensome or helpful is a percentage of those that answered the question or to whom the regulations applied.
The rank order from the Government Study refers to comparable findings in Burdens on Business (Department of Trade and Industry, 1985: 31).

respondents, though white respondents displayed their critical tendencies, being marginally more critical of National Insurance Contributions, Value Added Tax, Statutory Sick Pay and Fire Regulations.

Table 18 also shows a comparison with the rank order of analogous burdens revealed in a government study (Department of Trade and Industry, 1985). Whilst the government study included variables on employment protection legislation and statistical returns, requirements which both ranked above planning in the number of times mentioned (*ibid.*: 31), the findings are broadly comparable - with the exception of National Insurance Contributions (linked with Inland Revenue requirements generally) and Health and Safety legislation (which was not seen as a serious problem in the government study). The consultants found that planners were viewed as bureaucratic, incompetent and dictatorial. The burden arose from "complicated inconsistent requirements, badly administered, affecting fundamental growth decisions". Business people sought a "lessening of the influence of councillors" and the use of "decisive administrators" with a commercial background (*ibid.*: 37). These findings show almost complete accord with those of the survey of businesses; both in terms of the relative perception of burdens on business and the specific remarks made about planning.

6.5 Knowledge of City Council Structure and Functions

It is apparent that white businesses have a more critical view of planning than other businesses. In the above section it was speculated that white businesses may be better informed about planning and it is possible that this knowledge could work to their advantage in the important negotiations that take place at the development moment (see above, pp. 23, 25). A number of questions were asked on the survey questionnaire that were designed to determine the accuracy of the respondents knowledge (if any) of

City Council services and particularly those of the Planning Department.

Respondents were asked if they were initially aware that planning permission was required for the developments they wished to undertake. 16.0% of black respondents and 11.7% of white respondents were not aware of that, but there was no statistically significant difference between the groups. A slightly higher, but not statistically significant, proportion of black respondents than white used an agent to submit their application. Apart from the levels of contact shown with the department (see below), the use of an agent apparently had no bearing on the levels of knowledge explored in subsequent questions.

Clearly, the level of contact applicants have with the Planning Department may affect their level of knowledge of it and views about it. Only 52.9% of respondents could definitely recall contact with the department and 75.2% of those had face to face contact with development control officers. There is a statistically significant difference (at >99% confidence interval) between those who had contact and those who did not, according to whether or not they employed an agent (use of an agent resulting in a lower number of contacts). 60% of white respondents and 49.6% of black respondents had contact with the department. There was no statistically significant difference between the groups, though white respondents did have markedly higher levels of face to face contact with officers.

Respondents were asked to identify which function, from a list of four, was the responsibility of the Planning Department. 74.7% of respondents were able to identify correctly the function and some of those were able to name departments responsible for the other functions listed (though the latter information was not retained for analysis). There was a clear difference between black and white respondents (66.0% and 89.3% correct identification respectively) which was statistically significant (at >99% confidence interval). There was no statistically significant

difference when knowledge of department was tested against contact with department.

Similarly, respondents were asked to identify who had responsibility for deciding the outcome of planning applications (i.e. to distinguish between the roles of the Committee and the officers). Only 48.2% of respondents had accurate knowledge of the committee process. Again, the difference between white and black respondents was clearly marked (63.3% and 41.2% correct answers respectively). The difference was statistically significant (at >99% confidence interval), whilst contact with the department increased awareness of the decision making structure (statistically significant at >95% confidence interval).

Respondents were asked if they could name the City Councillors for the wards where they had applied for planning permission. Only 27.2% of respondents could name one or both councillors correctly. 8.4% incorrectly named their M.P. or the leader of the City Council, and 64.4% said they did not know their local councillors (though a few of the latter group claimed to know of other councillors). There was a statistically significant difference (at >95% confidence interval), in the knowledge of councillors, displayed between those resident at their business premises (and therefore eligible to vote there) and those living elsewhere (31.0% compared with 18.8% knew the name of at least one councillor). Black respondents formed the majority of those resident at their business premises and also showed slightly higher levels of knowledge of councillors. However, there was no statistical significance in the difference between the two groups when comparing knowledge of councillors against ethnic origin and place of residence combined.

Respondents were also asked if they were aware of their right of appeal. 79.6% were aware and a few answered that planning officers had specifically informed them of that right. There was a (marginally non-significant) difference between black and white respondents (75.6% compared with 88.3% were aware, respectively).

Finally, respondents were asked if they had seen or read any of the literature held by the Planning Department to assist commercial applicants for planning permission. 20.4% of respondents had seen some literature and white respondents were marginally more familiar with it. Of those who had seen the leaflets, just over one half recognised "Who Needs Planning Permission" which is available in six languages. Despite the large number of retailers interviewed, only two respondents had seen the leaflet offering "Retailers Planning Advice".

In summary it appears that overall there are relatively high levels of knowledge in the structure of the development control system (shown by awareness of departmental function and right of appeal) but the inner workings of the system in terms of the decision making structure and accountability are not widely known. White respondents show significantly higher levels of knowledge and higher levels of contact with planning officers than black businesses do. The use of printed literature, whether translated or not, does little to bridge the evident gaps in knowledge. In terms of the relative planning chances of black and white businesses, it is perhaps significant that those with a higher level of personal contact were less likely to be refused planning permission (statistically significant at >95% confidence interval).

6.6 Perceived Opportunities in Planning

This section deals with the impact of positive planning (interventions aimed at assisting businesses) and with constructive suggestions made by respondents for improving the content of planning policies and the delivery of planning services.

TABLE 19
AWARENESS OF BUSINESS AID SCHEMES

Scheme	Black Respondents (Percentages)		White Respondents (Percentages)	
	Unaware	Aware	Unaware	Aware
Business Advice Centre	41.2	58.8	26.7	73.3
Business Development Unit	76.3	23.7	78.3	21.7
Commercial Imp. Areas	86.3	13.7	78.3	21.7
Industrial Imp. Areas	84.0	16.0	61.7	38.3
Operation Clean Up	56.5	43.5	36.7	63.3
Grants to Ind. in Res. Area	84.0	16.0	83.3	16.7
Shopfront Facelifts	43.5	56.5	66.7	33.3

SOURCE: Survey of Businesses Data

TABLE 20
PROMPTED RESPONSES TO SUGGESTIONS FOR
IMPROVING SERVICE DELIVERY IN PLANNING

Idea	Black Respondents (percentages)			White Respondents (percentages)		
	NR or DK	Good	Bad	NR or DK	Good	Bad
PARKING	28.2	66.4	5.4	13.6	62.7	23.7
DESIGN	25.2	68.7	6.1	8.5	59.3	32.2
ADVERTS	27.5	65.6	6.9	15.3	57.6	27.1
HOURS	29.0	58.8	12.2	16.9	54.2	28.8
PUBLICITY	31.3	58.8	9.9	23.7	50.8	25.4
LOCAL	57.3	28.2	14.5	49.2	15.3	35.6
OFFICERS	34.4	61.1	4.6	18.6	64.4	16.9
CAPITAL	17.6	71.8	10.7	10.2	66.1	23.7
ENVIRCNS	21.4	67.9	10.7	11.9	64.4	23.7
CAR PARKS	26.0	65.6	8.4	22.0	57.6	20.3
PROTECT	38.9	37.4	23.7	35.6	30.5	33.9
OTHERS	80.9	19.1	NA	76.3	23.7	NA

SOURCE: Survey of Businesses Data

NOTE: Explanation of the 'Idea' variable labels appear in text.

6.6.1 Awareness of Business Aid Schemes

Table 19 (above) shows the levels of awareness of some of the schemes offered to businesses by Leicester City and Leicestershire County Councils. The findings give further credence to the analysis of levels of knowledge about planning generally discussed above (Sec. 6.5). Around 15% of respondents had made use of the schemes shown in Table 19 and approximately half that number found the schemes useful and satisfactorily administered. Owing to the small numbers involved, detailed figures are not supplied.

Black businesses had made relatively more use of the Business Development Unit and the Shopfront Facelift Scheme than whites. The Shopfront Facelift Scheme was allied to Housing Action Areas which in the sample frame area were targeted at black people. The Business Development Unit was designed specifically for black businesses (see above, p.105). White businesses demonstrated higher awareness and usage of all the other schemes except for Commercial Improvement Areas which none of the businesses interviewed had used. The observed differences between the groups were statistically significant (at >95% confidence interval).

Specific comments on the schemes did not vary between the groups except in the case of the Business Development Unit which provoked some hostile criticism from Afro-Caribbean businesses and would-be Afro-Caribbean entrepreneurs. There was strong support for the Shopfront Facelift Scheme but in general the majority of respondents felt that the schemes did not offer much assistance to retailers (see above, p.163). There was some concern expressed that the grant aid available to some manufacturing industries could create unfair competition, especially S.6 grants administered under the Inner Urban Areas Act through Industrial Improvement Areas. Some small business owners criticised local enterprise and community business initiatives for creating non-market conditions of supply in the local service sector (for instance, printing and building trades).

Despite reservations about the impact of some of the schemes, there was a general recognition of the efforts of the local authority to assist businesses and a cautious endorsement of the initiatives already in operation. These attitudes are explored further below (and see above, Table 20).

6.6.2 Suggestions for Improving Service Delivery in Planning

All respondents to the survey were asked to examine a card which detailed a number of suggestions that might be implemented to improve the service provided by the Planning Department. In addition, respondents were asked for any other ideas which might help. The ideas shown in Table 20 are grouped under four headings:

- Relaxation of restrictions on development (PARKING, DESIGN, ADVERTS and HOURS)
- Improved information flow (PUBLICITY, LOCAL AND OFFICERS)
- Extension/development of grant programmes (CAPITAL, ENVIRONS and CAR PARK)
- Protection of existing businesses (PROTECT)

It is noticeable that white respondents answered questions more frequently than black respondents (i.e. fewer NR or DK - no response or don't know - responses). This result is statistically significant (at >95% confidence interval). White respondents more often thought that suggestions were 'bad' and during the survey it was apparent that black respondents tended to highlight those ideas they found 'good'. No statistical difference was found between the groups in the cases of CAR PARK, PROTECTION and OTHERS. An examination of the 'good' columns shows that, except in the case of LOCAL, response levels between the groups are very similar. For this reason a comprehensive analysis of differences between the groups is not offered below.

6.6.2.1 Relaxation of Restrictions on Development

On balance, these measures were very popular. White respondents showed a definite dislike of the measures more often than black respondents except where standards for the provision of parking spaces were concerned [PARKING]. Constraints on the external appearance of development [DESIGN] were severely criticised. Respondents from the manufacturing sector felt that many restrictions were inappropriate to the use of the buildings, while retailers argued that they would not damage the attractiveness of their property for fear of discouraging custom. Despite a high overall 'good' score the relaxation of advertisement regulations [ADVERTIS] was less enthusiastically received (note that 'good' responses are a composite score of the 'priority' and 'useful' categories used in the original coding scheme). The relaxation of restrictions on hours of working/opening [HOURS] received the least support and provoked the strongest negative reaction from black respondents for this group of ideas.

In line with the ideas discussed above (p.163) more negotiation and flexibility from planners were seen as crucial to improving development control rather than a blanket deregulation. Most respondents mentioned the need to protect the environment; they wanted regulatory approach that was more sensitive to their needs. Similarly, in the OTHERS category, the suggestion was made that planners should adopt more fluid land use zoning in the local plans.

6.6.2.2 Improved Information Flow

The ideas in this group were less well received than those for relaxing control. PUBLICITY suggested the production of more comprehensive guidance notes for developers or extract local plans and attracted lukewarm support from those responding in the affirmative. Respondents were also asked about the necessity/desirability of translating such literature. An equal proportion of black and white respondents agreed that translation

was desirable (about 50%). 35.1% of black respondents did not agree with the translation of literature aimed at businesses and 32.1% of white respondents did not agree with the translation of literature at all. The differences within the latter two viewpoints between the groups were statistically significant (at >99% confidence interval).

Many respondents attacked the cost of producing extra planning literature and that was the main criticism of establishing an area based planning (or planning advice) service in local offices [LOCAL]. Of the 24.1% of respondents who supported local offices only 1.6% suggested it was a 'priority'.

The idea of appointing special planning officers [OFFICERS] to deal with businesses attracted very enthusiastic support and attracted the least criticism of all the suggestions put forward. Suggestions varied from appointing planning advisers that were able to spend more time with and visit applicants at their premises to a separate, streamlined development control service for businesses. Most respondents thought it would be desirable to appoint planners with private sector experience or from a different background (e.g. planners with R.I.C.S.(PD) qualifications). Many felt that such special planners could answer their need for a greater involvement in the development control process and provide the commercial insight in decision-making that was currently lacking. In the OTHERS category some respondents laid stress on the need to inform applicants of administrative procedures.

6.6.6.3 Extension/Development of Grant Programmes

This group of ideas received the most consistent support but the majority who responded positively thought the ideas were 'useful' only as opposed to 'priorities'. There was a persistent worry that these programmes are too expensive and other reservations have already been discussed (see above, p.173). The support for firms undertaking new capital [CAPITAL] investment (e.g. Leicester Enterprise Board) and converting/extending

buildings (e.g. S.6 grants) was the most widely and enthusiastically supported.

Perhaps encouragingly for planners, environmental improvement schemes [ENVIRONS] were seen as a useful part of inner city regeneration. Measures to increase car parking space near older shopping streets [CAR PARKS] were less well received, but of little relevance to some respondents. Some retailers made a point relevant to inner city regeneration [OTHERS] that traffic management schemes (especially at Highfields) had a disastrous impact on passing trade. There was also a call for the more comprehensive treatment of less well defined shopping centres such as Hartington Road area in Highfields (see also above, p.163).

6.6.6.4 Protection of Existing Firms

Respondents were asked for their views on measures to protect existing areas of commerce and industry by resisting new developments [PROTECT]. This suggestion attracted the highest number of negative responses: many were strongly critical of the City Council's role in resisting market led development and some claimed that there was insufficient public consultation on such important issues. Those responding positively thought the idea only useful in the main. The question was particularly relevant in view of the (then) current controversy over a large out-of-town shopping centre proposal known as Centre 21 (see Leicester City Council, 1987: 26). It is fair to point out that the survey did not cover the central shopping area, which would have been the most affected by Centre 21.

Detailed analysis of the data in Table 20 (above) has demonstrated a fair degree of consensus between the two racial groups and different sectors of activity. Fig. 12 (above) shows an even distribution of those prepared to respond to constructive suggestions about planning (denoted as 'informants') and thus the findings can be taken as generally representative of business views on environmental planning.

6.7 Business Perceptions of Local Authority Services

Each interview was concluded by giving respondents the opportunity to make general comments on planning services (see above, Sec. 6.4) and the City Council in general. The responses to the latter question were grouped into the categories most commonly occurring and the results are presented below (Table 21). Fewer respondents overall made general remarks about the Council. This may be a reflection of the planning-problem orientation of the questionnaire. Attitudes to business [ATTITUDE TO BUS.], the most commonly perceived problem is discussed above (Sec. 6.4). The most frequently cited problem apart from that was the collection of trade refuse [RUBBISH COLL.]. Some respondents appeared to be unaware of changes in the legislation requiring these services to be fee paying. Most felt that the system was overpriced and that the "yellow bag" method was unsuited to most trade waste, such as cardboard boxes.

TABLE 21

PERCEPTIONS OF SERVICE DELIVERY OF CITY COUNCIL FUNCTIONS

SERVICE CHARACTERISTIC	Responses (Row Percentages)				Total
	No Response	Good	Okay	Bad	
Rubbish Coll.	66.5	1.6	3.7	28.3	100
Rates Value	73.8	0.5	0.5	25.1	100
Politics	69.1	2.6	0.5	27.7	100
Attitude to Bus.	53.4	1.0	7.9	37.7	100
Other	59.7	3.1	1.0	36.1	100

SOURCE: Survey of Businesses Data
NOTE: 'Service Characteristic' labels are explained in the text.

Perceptions of the high cost of such services led to complaints that the rates did not offer value for money [RATES VALUE] since few could see that businesses benefited from many of the services provided by the Council. There were a few complaints of "taxation without representation", whilst managers of some large manufacturing concerns made the telling point that the tax bears no relationship to the ability to pay (the income generating capacity of any plant being subject to huge variations dictated by market forces) and no help was offered to these large employers in the recession. There was a widespread view that initiatives to reduce the rates burden would help new businesses greatly and could assist the larger employers. Such measures would have the greatest impact on the local economy.

An interesting perspective on the activities of the Council is recorded as the characteristic POLITICS. Complaints varied from those of a general nature (e.g. Labour authorities as 'high-spenders') to a very specific complaint that the race relations policies pursued by the City Council are resulting in so-called 'reverse discrimination' (e.g. through the targeting of grant programmes) and contributing to a worsening climate for race relations. Apart from a concern for the future of the inner city communities, some respondents claimed that the Council's stance (e.g. the naming of Nelson Mandela Park) was driving business away when the opportunity to relocate occurred and discouraging footloose industries. Such comments were made by respondents from both ethnic groups though white respondents made the complaint more frequently (the difference was statistically significant at >99% confidence interval).

Further explanation of these views can be gained from an analysis of the responses to a question on perceived differences between the various ethnic groups in business. The majority of respondents thought that there were no differences. A few black respondents (7.9%) suggested racism was a problem. 56.0% of white respondents thought that 'reverse discrimination' existed or was a possibility. The majority did not suggest that official policies were in operation but that the administration of various

regulations was relaxed because the officials (from local and central government) were less able to enforce unpalatable regulations for fear of being dubbed 'racist'. Many respondents commenting on this area stressed that they had no specific evidence for their views.

In Table 21 the OTHER category contains a very wide range of opinions. 9.4% of respondents thought that street cleansing in shopping areas was inadequate. 7.9% complained that Renewal Strategy was hampering business development and some even felt persecuted by the Housing Department (especially in the Green Lane Road area). A related point was that the housing renewal programme distorted the market for building services causing price increases. Thirteen respondents made, often ironic, comments about Leicester City Council's "Working For You" campaign designed to promote the Council's image and services. There were complaints that non-illuminated advertisements had been refused on commercial premises in close proximity to buildings carrying the large circular "Working For You" logo. Others were worried that planners had failed to protect visual amenity by permitting [sic] these logos.

There were also complaints about other departments and the lack of inter-departmental co-ordination. Concern over the activities of the housing department has been expressed above. 5.2% of respondents criticised the lack of help given and flexibility shown by the Estates Department. Views on the work of the City Engineer's Department (building control) and Environmental Health Department (food and pollution control) have already been given, the majority finding them at least adequate (see above, table 18). Finally, 5.8% of respondents thought that many of the problems could be solved by either integrating some functions (e.g. development control and building control) or by developing a 'one-stop-shop' facility aimed at small businesses.

Apart from the specific problem of rubbish collection, this section has demonstrated that businesses have very similar views on local authority services in general to their views on planning (c.f. above, Sec. 6.4). These views can be characterised as

dislike of bureaucracy, suspicion of elected representatives and a feeling that local government is often incompetently administered. White respondents made comments more frequently than black respondents (excepting rubbish collection) but there was no statistically significant difference between those making favourable or adverse comments.

6.8 Conclusions

This chapter has attempted to portray the views of business on environmental planning and its relationship to their location and requirements for space. In particular an attempt has been made to provide further evidence for testing hypotheses 2, 6 and 7. Briefly, these hypotheses stated that black business development led to increased demands for commercial space, that black businesses have less access to the planning system and that racial discrimination in planning impedes black business development.

The findings on the types of business indicate that the general conclusions drawn from planning data are correct in terms of the sectoral balance between black and white businesses and they decisively demonstrate that black businesses have, on average, been established more recently. It is likely therefore that as a number of these younger businesses grow there will be demand for increased commercial space and since black businesses are from the majority of younger firms it follows that increased demand will largely occur amongst that group. This analysis is supported by the study of ethnic minority businesses in Leicester which found that black firms (especially Asian textile and clothing manufacturers) had a very rapid growth trajectory (Ethnic Business Research Unit, 1987, 29).

Data on previous business relocations and future locational aspirations showed that around half of all businesses had moved at least once and that for half of this group the main reason was to

gain space for expansion. Approximately one third of the businesses surveyed expressed the intention to move and two thirds of that group would do so in order to expand. Whilst there were no clear differences between black and white firms in reported locational behaviour, the fact that black firms are in a numerical majority within the sample frame area suggests (again) that the greatest demand for extra commercial space will come from them. Taken with the findings of Chapter 5 this confirms the assertion made by hypothesis 2.

The analysis of the perceived burden imposed by planning found that two thirds of respondents did not think that the planning outcome had seriously affected their businesses. For the remaining third the most serious problem was the limitations placed on the expansion of commercial space and the delay in receiving planning permission. This finding may contradict the conclusion reached above (p.142) which suggested that planning had seriously curtailed opportunities for black business formation, but questioned whether the level of development sought would have been commercially viable. The method of sampling for the survey of businesses allowed the possibility of detecting would-be entrepreneurs who had not been able to start a business owing to refusal of planning permission. Only six potential respondents were traced and interviewed who fitted this description, five of whom were black. Thus, the findings of the survey do not offer sufficient proof for accepting or refuting hypothesis 7. Certainly the perceptions of business people would suggest that the planning problem is similar for all businesses regardless of the racial origin of the owner.

The survey decisively demonstrated that black respondents had lower levels of knowledge both of city council structure and functions and of business aid schemes. Given the assumption that negotiation between the planning applicant and the planning authority has a critical influence on the final outcome, the evidence suggests that black businesses have poorer access to the policy implementation process in planning (i.e. confirming hypothesis 6 in part).

It is clear that the widespread view of planning as a major regulatory burden derives mainly from the uncertainty of planning outcomes, the complexity of planning law and administration and suspicion of political bias in decision-making. Paradoxically, the intrinsic and necessary flexibility of the development control system contributes to this malaise.

Respondents generally had very poor knowledge of local politics, though this is apparently a wide-spread phenomenon in Leicester's inner city (see Sills, Tarpey and Golding, 1981: 123). It is worth remembering that business interests are not directly represented in local government. However, views on the planning burden suggest that black businesses, and indeed any businesses, do not feel seriously handicapped by lack of enfranchisement.

The lower levels of knowledge of the planning system displayed by black respondents is not related to a general sense of alienation from local government (c.f. Sills, Tarpey and Golding, 1982: 60) rather it is the result of relative lack of planning experience when compared with white respondents and the very complexity of the system itself. It is not suggested that planners have deliberately tried to exclude black businesses from active participation in the planning process, rather that the methods employed, such as leaflets, have little impact on businesses. The same finding emerged when considering public participation in local plan making (above, p.110).

The overall impression from the survey findings is that all businesses seek greater personal contact with planning officers. They do not wish to see existing planning regulations torn apart, even in the contentious area of aesthetics, rather they feel that direct negotiations with efficient, sympathetic and decisive administrators, will promote greater understanding on both sides. The challenge for planners is to respond to commercial applicants with a personal service. In building direct relationships with businesses in this fashion, the demands of pluralism could begin to be addressed.

CHAPTER 7

RACIAL DISCRIMINATION IN PLANNING - A NULL HYPOTHESIS?

7.1 INTRODUCTION

The analysis in chapters 4, 5 and 6 has demonstrated in varying degrees the validity or otherwise of the operational hypotheses established in Chapter 3 (above, pp. 56-57) with the exception of hypothesis 4 - that planning policies cause indirect racial discrimination by restricting the supply of commercial space. This chapter aims to review the evidence of previous chapters in order to test hypothesis 4.

The analysis of planning applications data (above, Chapter 5) alluded to the effect of a policy of enforcement on wholesalers in the Narborough Road area on overall statistical returns (see especially above, pp. 121, 125, 129). Accordingly the Narborough Road appeal inquiry of 1986 is used as a case study for examining the racial dimension of policy formulation and implementation. The chapter concludes by questioning the utility of the concept of indirect racial discrimination and reaffirming the conclusions suggested by the literature review (above, chapter 2).

7.2 Does Racial Discrimination Exist in Planning?

Working definitions of the twin concepts of direct and indirect racial discrimination were established from a review of relevant literature in Chapter 2 (above, pp. 9-10, 15). Direct racial discrimination occurs when a person or group is treated less favourably because they are assigned to a particular racial category. Indirect racial discrimination is a concept in British statute law and is held to have occurred when a policy requirement or condition adversely affects one racial group more than others and cannot be justified on non-racial grounds. Perhaps confusingly, indirect discrimination is held to arise whether the policy is intentional or not. If the policy is intentional in treating racial groups differently then it is arguable that such actions would constitute direct discrimination.

In the analysis of planning applications (above, p.145) and in a more detailed examination of the context in which planning decisions are made (above, p.152) it was shown that there was no evidence of direct racial discrimination in planning.

A number of attributes relating to planning applications were identified that were associated with disproportionately high refusal rates. In particular, applications involving a change of use or expansion of commercial space, particularly in the retailing and manufacturing sectors, were identified. There was also an apparent problem for aspiring or growing black businesses in the North-East Leicester plan area and apparent conflicts over the allocation of space for all businesses in the East Leicester plan area (above, p.146).

It was demonstrated that the increased demand for commercial space emanated largely from black businesses activity. Over the study period there had been a growth in black businesses accompanied by locational and sectoral diversification. The number of planning applications submitted by black businesses suggested a high level of demand both for a relative share of existing

commercial space and for an absolute increase in commercial space. The high number of refused applications suggests that planning had acted as a constraint on new business formation and growth of existing businesses amongst Asians (above, p.142).

Black business owners did not, however, view planning as a major obstacle, particularly to new business formation. Only a fifth of black business owners interviewed felt that the curtailment of room for expansion was the only serious barrier to business development erected by the planning system (above, p.160). The survey also found that black respondents had much lower levels of knowledge about planning (above, p.171). Irrespective of whether or not black business owners perceive themselves to be at a disadvantage, the available evidence suggests that a knowledge of the planning systems and contact with individual officers can have an effect on the planning outcome. Other empirical studies of planning have consistently argued that the ability to negotiate at the stage of operational decision-making has a direct causal relationship with the planning outcome (see above, p.p. 24-25).

It is clear that Leicester City Council have made strenuous efforts to interest and involve black people in planning and other local government services (above, p.105) but doubt has been cast on the efficacy of existing methods of publicity - particularly for initiating consultations with businesses (above, pp. 110, 171).

In summary, the evidence assembled so far conclusively demonstrates that there is no direct racial discrimination in the formulation and implementation of Leicester's planning policies. The high refusal rates associated with certain types of application point to the consistent application of adopted planning policies. Asian businesses are the recipients of over half such refusals by virtue of the high number of applications they submit. Therefore, the possibility suggested by hypothesis 4 - that indirect racial discrimination occurs through the restriction of commercial space - becomes real. To determine whether or not such discrimination has taken place it is necessary to address the question of whether the policies can be justified on non racial-grounds.

The analysis of planning policies in Chapter 4 drew attention to the generally restrictive nature of land use controls. The basic strategy of the planning authority was to confine particular types of land use to pre-determined zones. Applications for new development or the expansion of existing sites which proposed a land use different from the majority one in a particular zone would be discouraged. Similar policies were found in all the local plans with the exception of the Central Leicester District Plan.

Local plans, by their nature, have areal impacts. A high level of refusals was recorded in East Leicester (where black businesses are in a majority) but similar policies exist in other plan areas, for example Soar Valley and Aylestone, where the impact is mainly felt by white businesses which form the majority. Assuming, for the moment, that restrictive policies are justified on absolute grounds, the researcher would argue that it is incorrect to claim that indirect racial discrimination exists when assessing the impact of area based policies. Where policies are similar in different areas the impact is bound to be relatively greater on black businesses in those areas where black businesses are numerous. Attention was drawn above, (p.130) to differential refusal rates between Asian and whites in the North East plan area. Even in this case there is no evidence to suggest that restrictive policies are not being uniformly applied and therefore higher refusal rates are simply explained by the greater demand from Asians for 'non-conforming' types of development.

An analysis of reasons given for the refusal of planning applications submitted in 1986 shows that local plan policies were cited in 35% of cases. The most frequent reason given for refusal was the impact of proposed development on residential amenities (80% of cases). Other grounds mentioned were the loss of residential accommodation on the site itself (45% of cases), the loss of open space (i.e. over-development - 40% of cases) and the poor quality of visual design (25% of cases). Given the possibility that applicants may appeal against a decision, it is unlikely that the Planning Committee would neglect to cite local plan policies (where applicable) since these have a material

bearing on any appeal determination. Thus, this analysis demonstrates a veiled (though not hidden) agenda in development control. The planning authority appears concerned above all else with the amount and quality of residential space in the city. The emphasis on housing is not surprising since expenditure on housing forms the major part of the City Council's capital and revenue budget (LCC/26: 42-43) and is clearly the most important function, in political terms, that remains within the remit of a district authority following the local government reorganisation of 1974.

The preoccupation with residential space and the visual appeal of buildings - demonstrable both in policy statements and operational decision-making - raises the question as to whether commercial interests are adequately represented and served by the planning system. It has already been demonstrated that businesses have only a limited role (and possibly limited interest) in local plan making (above, p.110). This general finding, coupled with the apparently limited planning knowledge of black businesses when compared with white businesses, suggests the possibility that the former group may experience indirect discrimination because they have a relatively poor negotiating position.

In essence planning impedes black businesses because they have a weaker position than others within the hierarchy of interest groups represented by the planning system. In the case of Leicester it is obvious that planning policies are uniformly applied and that planners have made considerable efforts to involve black people in the whole planning process. Responsibility for the content and implementation of planning policies rests ultimately with elected representatives and therefore the weak bargaining power of black businesses in planning matters is related to their influence on local politics.

7.3 Power and Influence in Planning; A Case Study of Wholesaling in the Narborough Road

The analysis of planning applications data undertaken in Chapter 5 referred at several points to the enforcement action of the planning authority against a number of unauthorised wholesale users on Leicester's Narborough Road. The following case study illustrates how the adoption of a policy could result in indirect racial discrimination when there is a questionmark over the validity of that policy. This section is based on the documents produced at a local inquiry made by the Department of the Environment into a number of appeals (against refusal of planning permission and enforcement notices) made by a group of wholesale traders from the Narborough Road area.

The Narborough Road district shopping centre is located to the South-West of the city centre in Leicester along a major radial corridor route (see above, Fig.1, p.60). The area is characterised by high density terraced housing built from the late nineteenth century onwards. As early as 1963 the City Council had recognised the existence of knitwear, hosiery and clothing wholesaling in the centre and by 1978, when the Narborough Road Shopping Study was conducted, there were seven wholesale units. By virtue of planning approvals for extensions (e.g. Application No. 78/1495/5), the Council had given approval to wholesale uses even though change of use applications had not been made. The shopping study described the Council's attitude towards wholesaling in this locality as "one of general acceptance provided that there is no intensification of use" (LCC/17: 6). This ambiguous policy position could only be applied to an individual site, there was no scope for quashing the general precedent created by the presence of wholesale uses in the first place.

The 'non-policy' was continued despite the more detailed work on the West Leicester Local Plan. The report of publicity mentioned only one complaint against unauthorised wholesaling users (LCC/09: Appendix 5) and the final adopted plan did not allude to

the wholesale uses at all. In common with other local plans there was a general presumption against industrial or warehousing users in local shopping areas (LCC/11: Ch.4).

However, even before the plan's written statement was published (October 1984) the Council had been forced into taking action after receiving a complaint from a City Councillor and a petition of 318 signatures deploring the standard of cleanliness on the Narborough Road. The unauthorised wholesale users were blamed for the general decline of the shopping area owing in part to the amount of trade refuse the businesses generated (LCC/36). The City Planning Officer recommended that planning applications be demanded from unauthorised users. This public response contrasted with the private view of tolerance - in an internal memorandum dated 6th October 1983 a senior planning officer comments on the policy of resisting non retail users in shopping areas, saying "in view of the scale of existing non-retail users, I question whether this is a reasonable position to take".

In 1984 the issue polarised the local business community when the Imperial Trading association (representing Narborough Road retailers) complained to the Chief Executive of Leicester City Council about the detrimental impact of wholesaling on the Narborough Road shopping centre (LCC/72).

This complaint was taken up in a later Planning Committee report which was not made public. In that report the City Planning Officer candidly assessed the options open to the Committee. If no action were taken then local plan policies would be undermined. A general enforcement action could damage existing wholesale businesses and undermine confidence in the area. Defining a wholesale zone would undermine the validity and image of the new local plan. If existing warehouses were allowed to remain it would be difficult to check the development of new ones and contain the expansion of existing ones. The policy adopted from these options was to again invite applications from existing unauthorised wholesale warehouses (LCC/39).

The implementation of this policy resulted in fifteen planning applications from wholesalers. A report on these applications was prepared by December 1984. In the meantime the aforementioned City Councillor had presented a petition of 1,998 signatures which asked the Council to take action against the wholesalers. The Imperial Trading Association and several shopkeepers independently had objected to the proposals they were notified of when planning applications had been received from the wholesalers (LCC/41). Despite reservations about the likelihood of success in pursuing an enforcement action (memorandum to the City Attorney, dated 6th September 1984), the City Planning Officer recommended the refusal of planning permission and enforcement action in the case of the fifteen applicants, and immediate enforcement action against eight other wholesalers who had not submitted planning applications (LCC/40).

This policy was not received with unanimity amongst City Council officials. One of the advisors from the Business Development Unit wrote suggesting that the Narborough Road was undergoing a "commercial evolution" and that some ethnic minority entrepreneurs were disadvantaged by a lack of knowledge of "prevailing rules and regulations". He commented that the planning chances of those "who have access to lobbying organisations, information and individuals in authority will have a far better chance in promoting their enterprise" (LCC/73). These insights seem very perceptive in retrospect, though they were not reported in writing to the Planning Committee.

Following the adoption of an enforcement policy, the Planning Committee resolved to try and help those businesses affected. A letter was issued to all those affected by the enforcement action offering the services of the Council and informing them of their right to appeal (LCC/74), and plans were put in hand for a relocation package and a programme of environmental improvements (LCC/42). The scheme put forward included an intensified programme of facelifts for buildings facing onto the Narborough Road (LCC/43) and a plan to relocate the warehouses on a reserved portion of a council owned industrial estate (LCC/44).

The pace of action did not appear to suit the Narborough Road Association of Traders (formerly the Imperial Trading Association) who instructed a firm of solicitors to complain rigorously to the Council. The letter was reported to the Planning Committee (ibid.) and in response to mounting pressure and media interest the chairman promised swift action (LCC/76).

The serving of enforcement notices had been delayed to allow time for consultation with the wholesale traders in order to assemble a package. However, following the committee meeting, enforcement notices were swiftly served during the following three weeks (see LCC/88: paras. 3, 5 and 7) on those traders who had not applied for planning permission. In the meantime a multiple appeal against these notices and against the earlier refusals of planning permission was financed by twelve traders who briefed a local firm of solicitors to prepare their case. Bahadur (1985) in a research project on the Narborough Road controversy, asserts that the traders were not aware until very late of the seriousness of the Council's intentions. He gives confused information on their 'eleventh hour' collective action by reporting that some traders grouped together to pay £6,000 for making the appeal and later he asserts the cost to be £2,500 and then £2,000 (ibid.: 43, 50).

Pending the outcome of the appeal, the Council forged ahead with a programme of action aimed at the relocation of the warehouses (LCC/77) and further environmental improvements on the Narborough Road (LCC/48). A bid for £130,000 of Inner Area Programme money was submitted for the financial year 1986-87 to include £79,000 to pay for moving the warehouses (ibid.), £11,000 for the construction of parking lay-bys (LCC/51) with the remainder for building cleaning. The relocation package was designed with the knowledge of its likely approval by the Department of the Environment (letter from DOE, Midlands Enterprise Unit to Chief Executive of Leicester City Council, dated 13th June 1985). The plan was to reserve 2.5 acres of land at a nearby industrial park in order to construct 50,000 square feet of dedicated warehousing space. The Inner Area Programme bid for the construction of these units totalled £1,576,000 over five years (LCC/52). However, the

proposed location was adjacent to the North Braunstone estate where an earlier Planning Committee report on a separate matter had identified the occurrence of attacks and vandalism on Asian businesses (LCC/49).

The Department of the Environment appointed a planning inspector to determine all the appeals together and a local inquiry was held from the 14-16 May 1986 (LCC/88). The inspector identified the main planning issues evoked by wholesale trading as (i) a material change to the character and viability of the shopping area, (ii) additional traffic congestion and (iii) loss of possible residential accommodation (ibid.: para. 39).

The appellants case was based around the small level of traffic and activity generated by wholesaling, the necessity of wholesale outlets in view of the increasing vertical integration in the hosiery and clothing sectors (a number of wholesalers had factories in Leicester), the slim likelihood that premises could be re-sold or re-let without financial loss, the unsuitability of the premises for any residential use and the lack of viable alternative sites (see LCC/78; LCC/79; LCC/82; LCC/85; and LCC/86)/ The barrister for the appellants argued in addition that the City Council by its own planning decisions had recognised shifts in comparison goods retailing trends (e.g. by allowing large superstore developments on nearby sites that had been allocated for industrial use). He also alleged that the local plan had failed to give consideration to known commercial developments in the Narborough Road area and was therefore not properly representative of the extant pattern of land use (LCC/88: paras. 43, 45).

The Council's case attempted to reassert the intentions of the local plan policies despite acknowledging the period of policy inaction up to 1984 (LCC/84). Attention was drawn to the traffic hazards created (LCC/81) and the steps taken to improve the area and offer assistance to the wholesalers (LCC/87). The case for the shopping centre was based around a forecast that the centre was still viable for comparison goods retailing but "the higher total profit levels [of wholesalers] compared to retailers" could result

in increased land prices which could force retailers out of a centre. In the event of the wholesale traders being forced to move the Council anticipated the growth of service sector retailing and Asian shops, hot food take-aways and restaurants were specifically mentioned as likely replacements for the warehouses (LCC/80). The Council's case was supported by a local councillor and some local traders and an appearance was made by solicitors acting on behalf of the Narborough Road Association of Traders (LCC/83).

The inspector specifically referred to recent government advice on planning and businesses (see above, p.51) and concluded that individually none of the wholesale uses posed a serious threat to the amenities or viability of the local shopping area. He alluded to the inconsistency in the planning authorities response to the increase in wholesale trading, but reaffirmed the correctness of local shopping policies. He concluded that there was no hard evidence that wholesale uses generated environmental blight or traffic congestion any more than other uses did, nor had they excluded potential retailers from obtaining premises. His solution was to contain the wholesale trade to a defined area and grant only temporary permission to wholesale traders outside this zone. Strict conditions were imposed on all the appellants in order to maintain the attractiveness of the shop frontages (LCC/88: paras. 72-87).

7.4 Conclusions

This chapter began with the express aim of exploring concepts of racial discrimination in planning. The detailed study of recent planning events in Leicester's Narborough Road area has offered a number of useful insights into the nature of the relationship between black businesses and the planning authority. A number of general conclusions can be drawn.

First, the possibility of direct racial discrimination has been discounted after a thorough analysis of available evidence (above, Chapters 5 and 6). In the case of the Narborough Road, two of the wholesale businesses affected were white owned and, whilst this is a small sample, the planning authority did not discriminate between any of the wholesale businesses affected.

Second, the analysis of planning applications data in Chapter 5 has demonstrated the utility of monitoring. The Narborough Road controversy was revealed in a number of ways through the systematic exploration of the straightforward variables used in the analysis. Such data is easily assembled, especially where records are held in digital form, and even a cursory examination can reveal underlying problems in the planning system.

Third, the study of Narborough Road demonstrated very clearly that the relative disadvantage of black businesses arose because of inequalities in bargaining power when compared with white businesses. The white business community on Narborough Road was better able to manipulate Council policies to further their perceived interests. The white businesses had a demonstrably effective lobbying organisation. The Imperial Trading Association was careful to direct its protest at wholesaling activities rather than alluding to Asian run businesses specifically (see LCC/72 and LCC/83), and it is worth speculating that the change of its name to the Narborough Road Association of Traders was done in order to obviate potential criticism of imperialist or discriminatory overtones. The black wholesale businesses, in contrast, had no association and only last minute collective action averted a potential disaster for them as their period of grace in which to appeal drew to a close.

It would be credible to interpret the sequence of events in the Narborough Road as evidence of racial discrimination by the Council attempting to enforce a policy at the behest of a group of largely white businesses against their commercial rivals. Banton (1987) does not draw distinctions between direct and indirect racial discrimination but he does point to inequalities in

bargaining power as a potential explanation for such discrimination. In this theory the incidence of discrimination should decline in a competitive market (ibid.: 132-133). In the Narborough Road it was alleged by the traders and the Council (though not proved) that land prices were inflated beyond the margin of viability for retailers. By exerting political pressure the retailers were able to invoke planning controls that would have closed the local property market to an important source of competition. In this scenario racial discrimination occurred because the retailers were rationally pursuing their own short term goals. It is not necessary to establish whether their intervention was inspired, to any degree, by anti-Asian sentiments.

The actions and intentions of the Council in this instance are rather harder to interpret. The willingness to pursue action against the wholesalers was governed not only by pressure from the retailers but also by the logic of their own plan policies. Their ambiguous stance over the advent of wholesale trading perhaps suggests a willingness to accommodate the "commercial evolution" described by their own black business advisor. It is certain that their written plans did not legislate for the growth of the wholesale trade. Their failure to anticipate conflicts over land use and seek early consultations (at the stage of plan preparation) in order to reach a negotiated allocation of land can certainly be criticised. In essence the local plan did not pay sufficient attention to local conditions. Despite being forced into action against land uses that did not conform with their policies, the Council demonstrated a desire to acknowledge the equal opportunities dimension (LCC/76) and were prepared to direct substantial resources towards mitigating the costs imposed on the wholesale traders (LCC/52).

Certain elements of the Council's revised strategy for the Narborough Road area are also open to criticism. The proposed relocation of the wholesale traders in a location where there was known to be antipathy towards black traders betokens an insensitivity to the needs of black businesses. The assertion that specialist Asian shops, hot food take-aways and restaurants could

replace the wholesaler is almost unbelievable and hypocritical given the Council's policy on hot food shops (see above, p.93) and contemporary refusal of planning permission for black businesses seeking such uses in the area (e.g. Application Nos. 85/0050/5 and 85/0696/5).

The failure of the West Leicester Local Plan as an effective tool for policy implementation is not altogether surprising in the light of other research on local plans (see above, pp.22-23). The apparent insensitivity of the Narborough Road strategy was undoubtedly caused by the invidious position the Council found itself in. The question remains as to whether the end product of all the actions taken amounts to indirect racial discrimination against black businesses.

Before considering the wider implications of this question it is fair to point out that the inspector's determination of the joint appeal contained decision elements that were not options for the local authority. In particular the designation of a particular deregulated zone for warehouses resulted in permanent planning permission for some traders and not others. Whilst the zone included some of the longest established wholesale users, other long established traders were excluded and given only temporary permission. The designation of such a zone might have an impact on land values in the area which would benefit some businesses and not others. The inspector's view that the problem was largely visual caused him to impose planning conditions that would be hard to enforce, particularly given the Government's emphasis on deregulation in respect of businesses.

For indirect discrimination to have taken place in the legal sense it is necessary to show that a policy has a disproportionate impact on a racial minority and that the policy cannot be justified on non-racial grounds. The analysis of planning applications throughout the sample area has shown overwhelming evidence for the differential and unfavourable impact of planning policies on black businesses. However, the policies are all agreed by elected representatives and therefore justified by the democratic process

of local government. In addition, local plans must conform to a structure plan and to the requirements of government policy. Local plans are also formally examined in public and therefore justified in a wider sense.

Thus, it is apparent that the concept of indirect racial discrimination is operationally useless, at least in planning terms. Even when a planning authority acts ambiguously, as in the case of the Narborough Road, it is impossible to claim in an absolute sense that their policies are unjustified. In detailed consultations over the Narborough Road problem, it became apparent that other planning authorities (e.g. Manchester, see LCC/75) had recognised the strength of black businesses in certain sectors and amended their policies to suit. However, the identification of a specific policy weakness in respect of black businesses does not alter the fact that Leicester's Planning Department has a good record on race issues (see above, p.103). The apparent impediments to black business growth generally are symptomatic of a deeper malaise in planning - the failure to anticipate properly and legislate for commercial needs. The question to be addressed, therefore, is: are extant policies the best possible in terms of reconciling the differing needs of the various interest groups? The issue here is not racial discrimination, but discrimination against all businesses.

The evidence from the survey of businesses (above, Chapter 6) showed that businesses did not feel totally constrained by planning regulations, but they felt that planners did not have an adequate understanding of the problems of business and were not sufficiently prepared to enter into negotiations. A recent study of the impact of planning refusals on small firms concluded that at the heart of the problem was a "mismatch between applicants' and officers' perceptions of the merits of the applications" (Roger Tym and Partners, 1988: 28; see also above, p.50).

The analysis of planning policies (above, Chapter 4) and the more detailed analysis of refused applications (above, p.187) indicates that business people's perceptions are well founded. The

balance of emphasis in nearly all extant policies is in favour of residential amenity and the retention of residential accommodation. This issue proves particularly contentious when planning applications relate to the use of the upper floors of premises located in commercial zones such as district shopping centres. In the Narborough Road case above, for example, four of the planning applications were refused partly on the grounds of loss of residential accommodation among others - though these grounds were firmly rejected by the planning inspector (LCC/88: para.85)

The conflicts over the use of upper floors are illustrative of the perception-gap between planners and businesses. The upper floors of shops are often used for storage associated with the ground floor retail use or for separate office-based services (e.g. solicitors' offices). The aims of the restrictive policy are first to preserve residential amenity, and secondly, in the case of office uses, to encourage the take-up of vacant office space in the central area of the city. In practice the implementation of the policy usually results in vacant upper floors. Given the considerable evidence of demand for space, particularly from black businesses, it is worth speculating that the use of upper floors would allow the expansion of existing retail businesses or the development of black owned office-based services. It is evident that a central area location not only imposes higher land costs on would-be entrepreneurs (who often have acknowledged difficulties in raising finance) but that location is also removed from the market that such businesses would serve.

In chapter 4 there was an attempt to demonstrate that Leicester's Planning Committee had done little to address the issues raised by research into the local economy and into black businesses, despite commissioning that research (above, pp. 111-112). To overcome the perception-gap it is strongly asserted that it is incumbent on planners to understand the commercial ramifications of their planning policies. The onus should not lie with businesses to understand planning, rather planners, as public servants, should make planning comprehensible and relevant to businesses. To return to the argument of Chapter 2, this is the

challenge of pluralism. Attention should focus on understanding and responding to the needs of all businesses rather than on attempts to attach blame on institutions and individuals for being racist (e.g. Greater London Council, 1986).

In chapter 2 two possible arguments for planning interventions aimed solely at black businesses were identified. First, it was argued that some ethnic minority groups may have an especial orientation towards entrepreneurship which can be described as a cultural trait. Second, it was argued that black entrepreneurs had, by virtue of their recent arrival, been constrained to develop their business in a period of tight regulatory control in environmental planning. This contrasted with the pre-1939 period when many white businesses had been formed in a largely unregulated environment (above p.49).

In Leicester East African Asians possibly possess an orientation towards business activity (see Aldrich, Jones and McEvoy, 1984: 206; Sills, Tarpey and Golding, 1983: 40). The guidelines of the RTPI/CRE report (1983) would indicate that account should be taken of this, in much the same way that special facilities may be needed for places of worship (ibid.: 31). However, it probably would compound the problems confronting black entrepreneurs if particular groups were singled out for special attention in policy terms. It is also worth pointing out that in Britain the evidence on black business development shows there is no difference in the overall business success of particular minority groups when compared with other minority groups.

The second case for special action is even harder to sustain. If widespread deregulation was initiated now those businesses which were created and developed previously would be faced with unfair competition as commercial land prices decreased, thereby lowering the overhead costs for new businesses. The high failure rate, and consequent short life-expectancy, of all small businesses (see above, p.46) would suggest that would-be black entrepreneurs are not greatly disadvantaged by the recency of their arrival when compared with white businesses. These considerations are quite

apart from the increased environmental stress that might occur in the event of blanket deregulation.

In general terms the most obvious planning problems experienced by black businesses are those associated with an inner city location. The scope for deregulation here seems limited, but positive action under the Urban Programme can be used to target resources at black businesses (see above, pp. 50-51). Given the high proportion of black firms engaged in retailing it follows that particular emphasis should be placed on shopping policies on and targeting renewal strategies at shopping centres. The distinctive artistic and architectural heritage of some ethnic minority groups demands increased awareness from planners. It is more than likely that rigid design guidelines of the kind being adopted by Leicester City Council (see above, p.100) are not sensitive to that heritage (see also RTPI/CRE, 1983: 49). Whilst visual design issues are outside the scope of this work, it is worth remembering that respondents to the survey of businesses were particularly querulous about restrictions on design (see above, p.175).

Any attempt to understand better the needs of businesses embodies the idea that the particular needs of black businesses will be researched and that special efforts will be made to engage black businesses as fully as possible in the planning process.

CHAPTER 8

SUMMARY AND RECOMMENDATIONS

8.1 Recapitulation

This chapter contains a summary of the conclusions reached in testing the seven operational hypotheses. The main research findings are used to develop the ideas put forward in the conclusions to chapters 2 and 7 into a series of concrete recommendations. Some of the recommendations are of the "best-practice" type, whilst most are specific to the Leicester context. A full list of the recommendations as worded for Leicester City Council appears as Appendix 2. The chapter concludes with an assessment of the validity of data collection and analysis methods. Some speculations about further work with existing data and future directions for research are offered.

The overall aim of the project was to establish whether black business development in Leicester has been impeded or assisted by policies and practices in environmental planning. A number of operational hypotheses were established to fully explore this question:

1. Black businesses have increased in number and diversified sectorally and locationally over time.
2. The growth and development of the black business sector has led to increased demand for commercial space.

3. Planning policies restrict the supply of commercial space.
4. Planning policies cause indirect racial discrimination by restricting the supply of commercial space.
5. Direct racial discrimination occurs in the development control process.
6. Black businesses have poorer access to policy formulation and implementation than other businesses.
7. Racial discrimination in planning impedes black business growth and development.

The analysis of a large sample of planning applications (above, chapter 5) suggested that Asian businesses had grown in number since 1971. The majority of these businesses were engaged in the retailing sector or in office-based services with a retail function (e.g. estate agency). Most of the businesses were located in a few core areas of Asian settlement within the sample frame area - mainly on major radial roads bordering the city centre. The data revealed that Asian businesses were increasingly supplanting white businesses both in the core areas and, in the period since 1983, in the wider city. The expansion of Asian businesses from the confines of inner city areas is indicative of the increasing capitalisation of those firms. This trend is also evidenced by the growing number of Asian firms in the manufacturing and wholesaling sectors which generally have large capital requirements [hypothesis 1].

The analysis in chapter 5 also showed that a more complex interpretation of the structure of demand for commercial space was required than that implied by hypothesis 2. First, the evidence that Asian businesses have increasingly supplanted white businesses shows that Asian entrepreneurs demanded an increased relative share of commercial space. Second, the high number of change of use planning applications made throughout the period suggests that Asian firms were demanding an absolute increase in the amount of

commercial space in the city. The returns for the survey of businesses (above, chapter 6) showed that around half the firms interviewed had moved their business at least once. For half that group the major reason was to gain increased commercial space. Around one fifth of the firms interviewed were planning to relocate in the future for the same reason. Thus it seems that there is still a high demand for commercial space, but there has been a reduction in the number of change of use applications made in recent years and this coupled with the reduction in the percentage of refused applications suggests that at least some of this demand has been met.

The analysis of the planning policies of the Leicester City Council (above, chapter 4) revealed conclusively that the primary thrust of policies in the inner areas was to protect and enhance the residential environment. Commercial and (particularly) industrial uses were interpreted as being detrimental to residential amenity and were described as "non-conforming" where they existed outside narrowly defined zones [hypothesis 3]. The release of new land for commercial and industrial development was planned mainly for the outer areas of Leicester (and the surrounding districts in the case of the County Structure Plan).

Restrictive policies of this kind embody the possibility of indirect discrimination [hypothesis 4], but this argument was rejected on two main grounds (above, chapter 7). First, most planning policies are area-based and therefore impact on greater numbers of black businesses in those areas where black businesses form the majority. The crucial test is whether the policies applicable to such an area (e.g. the East Leicester Local Plan area) are unique or unusually punitive; this was found not to be the case. Second, planning policies are determined by democratic processes and must conform to certain legal requirements and in this sense they are justified even if there is a differential racial impact in different areas.

The analysis of planning applications data (above, chapter 5) and of more detailed evidence from planning applications submitted

by firms interviewed for the survey of businesses (above, chapter 6) did not reveal any evidence for suggesting that black firms were discriminated against directly [hypothesis 5]. Indeed, in chapter 4 it was argued that the Leicester City Council had a commendable record in addressing equal opportunities issues in the delivery of its services. The Council had also sponsored a substantial programme of research into the local economy and into the specific characteristics and problems of black businesses. The major shortcoming of most policies was the failure to fully work through the lessons suggested by the research. In the specific area of development control, as well as in the examination of council policy generally, there was a consistent (and arguably detrimental) attitude to commerce irrespective of the ethnic origin of the entrepreneurs.

An examination of the consultation stage in the preparation of three local plans in Leicester (above, chapter 4) showed that commercial interests were represented only to a very small degree relative to residential, environmental and civic lobbies. The planning authority had actively attempted to involve black people and businesses at the consultation stage, but it is arguable that their methods - particularly the reliance on written representations - did little to interest local firms in the planning process. Black respondents to the survey of businesses (above, chapter 6) consistently displayed lower levels of knowledge, than white respondents, of the statutory planning system and decision-making structures. They also had less personal contact with planning officers[hypothesis 6]. The planning department had again demonstrated sensitivity to equal opportunity issues by issuing guidance leaflets (usually with translations) to advise on particular planning problems. Unfortunately these leaflets had a minute impact.

The research has demonstrated that Asian businesses in Leicester have grown in number and have dispersed over a wider range of locations and activities through time. The development of Asian business has made increasing demands on the relative share of commercial space available as well as a (decreasing) demand for an

absolute increase in commercial space. Planning policies have consistently repressed this demand, but it is not possible to prove that racial discrimination - in any form - has been responsible for arresting or retarding the growth and development of black businesses. Therefore, hypothesis 7 must be rejected in its current form. The returns to the survey of businesses (above, chapter 6) showed that black entrepreneurs themselves did not feel unduly disadvantaged when compared with their white counterparts. On the other hand, their lower awareness of the planning system and relative lack of personal contact with planning officers does put them at a disadvantage in the planning system. There is a positive correlation between factors such as 'planning knowledge' and personal contacts with planning officers and the likelihood of gaining planning permission. The case study of the Narborough Road concluded that the ultimate source of racial disadvantage for black entrepreneurs was their lack of an effective lobby in local government.

Other research (above, chapter 2) has decisively related black business disadvantage to the inner city context, amongst other factors. The inner city location is particularly germane to the consideration of the importance of environmental planning. The present study did not make explicit comparisons between the inner city and other areas since the former comprised the major part of the sample frame area. It is contended however that inner city location is a crucial determinant of the apparent disadvantage of Leicester's black firms in planning terms. Local plan policies are particularly restrictive towards commercial land uses in these areas and much commercial space has been lost by redevelopment, road schemes and blight (especially in the case of road proposals). The "wicked" nature of inner city problems (see above p.22) demands a multi-agency approach to problem solving and (probably) increased resources. If black entrepreneurs do experience racial discrimination in planning then the fault (if culpability must be established) lies in the nature of the local state and the comparative lack of representation for such interest groups. The problems apparently caused by town planning can only be solved if the political will exists to force change. The following section

offers a number of suggestions for implementing change in Leicester and discusses the initial response by the planning authority.

8.2 Recommendations for Positive Action

This section develops the arguments advanced in the concluding remarks of chapters 2 and 7 about the justification for positive action to benefit black businesses and the philosophy that should underpin such action. One outcome of this project has been the framing of a number of positive action recommendations for the Leicester City Council. These recommendations are reproduced verbatim as Appendix 2 (below, pp.252-254) and are used to illustrate the following argument.

First, it is necessary to establish the scope for positive action. It has been argued that solutions to the complex problems encountered by black businesses would be best solved by tackling inner city business problems in a more general fashion (above, pp.50-52, 200-201). The rejection of the three hypotheses concerning racial discrimination in planning indicates that any amendment of current planning controls must be applicable to all businesses in the interests of fairness. Falk (1980: 61) draws a useful distinction between action designed to alleviate the impact of control and action designed to stimulate enterprise. In view of the many other (i.e. non-planning) constraints operating on black businesses the latter type of action appears to offer more scope for positive racial discrimination. Ultimately taking any form of positive action depends on political discretion.

By equating the number of planning applications with demand for commercial space it is apparent that at least until the recent past there has been considerable unmet demand from aspiring black entrepreneurs in Leicester. However, numerous economic researches into black enterprise have demonstrated that inner city markets are unlikely to sustain much increased commercial activity. Thus a

blanket relaxation of planning controls for black businesses (or all businesses) would be likely to lead to a proliferation of unprofitable firms, increased environmental stress and a growing vacancy problem in the context of an acknowledged housing shortage. In general terms, the balance of land use allocation in Leicester's local plans should be maintained. On the other hand the tight control over the release of new commercial space has resulted in a large number of refused applications and left commercial applicants with a negative view of environmental planning (see above, table 16, p.161 passim). This negative view is composed of a number of different concerns. In the field of service delivery in planning there was particular concern over the speed with which planning applications are processed, the quality and comprehensiveness of advice given by planning officers and the general attitude to businesses. In the field of policy respondents to the survey of businesses naturally expressed criticism of the particular policies that impinged on them; remarks were frequently made about the lack of assistance to retailers in the distribution of grant monies, the impact of traffic management schemes on parking provision and passing trade and aesthetic control.

A number of recommendations have been made to address perceived problems in the field of service delivery. First, the Planning Authority should publicise the crucial principle of planning law that planning permission is always granted unless there are planning reasons against a particular proposed development. In other words, there is no burden of proof on the applicant to justify a proposed development [recommendation 1]. Speedier processing of planning applications could be achieved by creating a streamlined processing mechanism for commercial planning applications [recommendation 13]; any attempt to clear the backlog of applications would require strengthening the staffing of the development control section [recommendation 12]. The provision of a more interactive planning service where opportunities for negotiation were improved was welcomed by many respondents to the survey of businesses (above, p.176) and it was felt that a development control officer with a specific business liaison function would offer significant benefits [recommendation 10].

The initial response of the City Planning Officer to any restructuring of the development control service has been cautious. Recommendation 1 has been accepted in full and an open mind retained on recommendation 10. It was felt that any special treatment of commercial applications would prejudice the handling of other planning applications (*).

Three other recommendations offered partial solutions for bridging the gap between business people and planners, to foster a climate conducive to negotiation. First it was apparent that many applicants were not aware that using a planning agent would effectively remove the possibility of direct negotiations with the planning authority. The agents' income is derived in part from handling any negotiations and their authority would possibly be undermined by the implementation of recommendation 11. The response of the City Planning Officer fully acknowledges the problem and suggests that agents be encouraged to keep applicants fully informed. It would also be worth pointing out the implications of using an agent in any new or revised guidance leaflets issued to the general public. Recommendation 14, a plea for plain English in official communications, was accepted but the idea of a follow-up survey of applicants who are refused planning permission [recommendation 15] was not accepted. The idea of a follow-up survey was to enable the Planning Authority to demonstrate that it was still interested in providing a service and would be prepared to advise on alternatives to the development originally sought. The response of the City Planning Officer indicated that they would use a follow-up survey to monitor opinions of service delivery and for this reason a wider cross-section of applicants would be necessary. This reasoning was sound if the main purpose of the follow-up exercise was to be monitoring service delivery.

Several far-reaching recommendations were made to address particular concerns in the field of policy. The priority accorded

* Written responses to the researcher's forthcoming report Planning for Businesses are made in an (as yet) unpublished report by the City Planning Officer of the same title (ref: G/A3084/NH/WL)

to residential amenity in local plan and other development control statements has already been noted (above, p.108). It has been suggested that the economic conditions under which the basic land use pattern of inner city areas was established might give sufficient justification for positive action to aid black businesses owing to the recency of their establishment (above, p.49). Although this approach has been rejected (above, p.200) it is worth arguing that inner city land use patterns are characterised by mixed land uses to a far greater extent than the amount of land actually zoned as such would suggest. Accordingly it was recommended that alternative approaches to zoning should at least be considered [recommendation 2] and in particular that there was scope for a more flexible approach to the range of permitted uses in local shopping areas [recommendation 4]. These ideas were not rejected but it was clear that the planning department felt there was little freedom of manoeuvre. The suggestion that the balance between commercial needs and residential amenity unduly favoured the latter was implicit in the recommendation [8] that any opportunity to permit the extension of working hours should be taken. This recommendation was rejected as "unrealistic" in view of the "serious danger of disturbance to local residents."

A less fundamental recommendation [3] to tidy up the anomalies in the designation of shopping area boundaries (such as in the Green Lane Road shopping area) was accepted with the rather pedantic caveat that "all local shopping areas should be defined by an area boundary, in such a way that individual properties can still be identified". Recommendation 5 also addressed the problem of demand for commercial space (as seen by the applicants) and the vacancy problem of upper floors in shopping areas as seen by the planners. The adoption of a more flexible policy on the use of upper floors is particularly germane to black business development. Successful retail businesses that depend on an ethnic market can often only expand vertically on their existing site or endure the problems of a multi-site operation. The development of the black businesses sector is increasingly characterised by a growing vertical spread of sectoral activity (and in some cases, vertical integration within one firm). Thus a thriving retail sector

demands a complimentary range of office-based business services and location above shops is a traditional and beneficial solution to the problems of accommodating this burgeoning sector. The response of the City Planning Officer is encouraging but in City Council terms there is priority policy of encouraging residential uses for such space as evidenced by special measures such as the 1985 Homes Release Project.

Other recommendations on policy were included to tackle particular problems identified by the survey of businesses. Recommendation 6 arose as a result of the primacy of retailing in black business development. The emergence of higher order comparison goods shopping centres in areas of major ethnic minority settlement, such as the Belgrave Road, has led to increased environmental stress. These areas have inadequate infrastructure to cope with increased traffic, car parking, delivery vehicles and so forth. There has also been increased stress on adjacent shopping areas where convenience good retailing has expanded. Policy instruments such as the Inner Area Programme, with its government directed bias towards capital spending and manufacturing industry has resulted in the comparative neglect of the retail sector in the local economy. This observation has been accepted by the Planning Authority but inevitably any action towards improving the infrastructure of shopping areas would demand additional resources. The success of Asian entrepreneurs in regenerating areas like the Belgrave Road may indicate some scope for redirecting resources to shopping areas outside the main radial corridors if better leverage could be achieved in the former areas.

The final environmental planning recommendations [7 and 9] are interesting in that they arose from what a recent study for the Department of the Environment identified as a "mismatch between applicants and officers' perceptions of the merits of the applications" (Roger Tym and Partners, 1988: 28). General complaints about the failure of planners to understand the problems of small businesses or to appreciate their role in the local economy were thrown into sharp relief during the survey of businesses when many respondents complained about the aesthetic

imperialism of the planners and the additional development cost imposed by planning conditions relating to the appearance of buildings and landscaping. The growing preoccupation with design on the part of the planning authority has been described above (p.98), however there was no recommendation that control should be relaxed and the initial response to the specific recommendation to introduce better design guidelines [9] was remarkably intransigent:

"Mr Dale's findings that business people resent aesthetic control more than any other area of planning control is hardly surprising and I see no strong grounds to relax that control by reducing standards. Experience has shown too often in the past that applicants can undertake developments detrimental to the appearance of the building."

(City Planning Officer, Planning for Businesses: 6 [forthcoming])

Whilst the City Planning Officer fiercely defended the right to retain aesthetic control over private developers (even when that right was not under direct attack) he abnegated any responsibility for control over the appearance of City Council buildings. Recommendation 7 was framed in the light of criticism of the City Council's visually strident "Working for You" publicity campaign, which included placing large hoardings on prominent public buildings. Planning applicants who had been refused advertising consent felt that dual standards were in operation (see above, p.180). The admission that the "Planning Committee have therefore little chance to police Local Authority signing" (ibid.: 5) suggests that this viewpoint is reasonable. The existence of double standards in planning control will ensure that the perception gap remains wide.

The other recommendations made to the City Council arose from comments made during the survey of businesses and do not relate directly to policy and practice in planning. The most serious impediments to black enterprise (see above, pp.39-47) are outside the control of planners even in local authorities where an economic development role is vested with the planning section, which is not the case in Leicester. This research has concentrated on the impact of control on business development and the measures

described above would indirectly stimulate and strengthen black enterprise. There is limited scope in planning for direct positive action. Inner city policy instruments, such as Industrial Improvement Areas and City Grants, could be used in this way through careful targeting and would complement other local authority initiatives such as enterprise boards and black venture capital funds (above, p.45). To reiterate the conclusions reached above (p.201) it is contended that it is preferable to make schemes open to all businesses and to strive for equal participation from black entrepreneurs. This can be achieved by adopting established techniques such as setting targets for participation and conducting vigorous and sensitive outreach.

8.3 Data Problems and Possibilities

The problems with the collection and analysis of planning data have been fully described above (chapter 3). The most serious problem with the planning applications data is the weakness of identifying racial origin by surname evidence. This method is totally incapable of detecting Afro-Caribbean businesses, and would be unsuitable for many British cities. On the other hand, the use of planning records has enabled the analysis to reach back to 1971 allowing trends in Asian business development to be modelled. In this respect, planning records are a useful source of business data. Whilst it is obvious that not all businesses need or apply for planning permission, the majority of newly formed businesses will require planning permission either at the outset or at some stage if undertaking expansion. Given this minor limitation, it would be possible to use planning records to map the fortunes of a particular business (using surname or trading name evidence) or a particular site. Such an analysis could shed much valuable data on the level and nature of the replacement of white businesses by black businesses.

The coding scheme used in the analysis of the planning applications data was inevitably arbitrary. The land use and sub-area codes were based on obvious divisions and were capable of modification for different analytical purposes. For example, it would be possible to alter the sub-area codes (see above fig.6, p.68) to isolate applications from much smaller areas. The advantage of this approach would be that applications could be associated with specific policy constraints. This would allow a particular development control decision to be assessed in the context of stated policy goals which are frequently complex and comprehensive in relation to (even) an individual site. Such an analysis might ultimately generate an overview of the pattern of decision-making that could not be criticised on the grounds that it was not sensitive to the operational principles of development control, which treats every application individually and 'on its merits' (see also Underwood, 1981: 228-229).

Other possibilities for the data set include multivariate modelling which might reveal in a more elegant synthesis the proportionate effect of the various contextual factors such as land use and location on the observed planning outcome. However, the elaborated bivariate analysis did not reveal any dominant contextual factors. The research instead has pointed towards the existence of a perception-gap between applicants and planning officers. The entrepreneur assesses a proposed development mainly in terms of economic performance. Planners expectations relate to environmental matters and in particular to the visual appearance of a development and its contribution to the amenities of local residents (cf. Roger Tym and Partners, 1988: 26-28). There is limited recognition on the part of planners of the economic processes that underlie the use of land: for example, amenity is measured concretely by factors such as noise levels and abstractly by concepts such as aesthetic beauty. Whilst such factors can be costed and are actually incorporated into formal appraisal methods such as cost-benefit and balance sheet analysis, there is little evidence of any evaluation by planners of the narrow economic benefits of a proposed development in terms of return on investment and job-creation. It is important to bear in mind that a

prospective developer is not obliged (under planning law) have to make such a case out.

Research specifically on the differences between commercial and planning decision-making is required to pursue the concept of the perception-gap. The present study and previous research offer a number of clues. The commercial applicant's demand for speed in the development control process, for instance, is suggestive of the short-term nature of commercial decision-making. A useful area of study might be to compare the investment horizons of the public and private sectors - the idea being that planners are seeking permanent solutions to environmental problems, whereas businesses seek a much shorter-term return on investment and plan to renew that investment periodically. This thesis may be applicable where conflicts occur over visual design. Another possibility is to examine the concept of the primacy of residential space and amenity in planning. Even the language of planning policies - describing certain land uses as 'non-conforming' - suggests a particular view of urban space that does not acknowledge the importance of economic forces in the allocation and use of space.

If the foregoing argument is sound then it is unlikely that further work on the type of data collected and analysed for the current project will prove fruitful. Basic data and relatively straightforward statistical techniques reveal the existence of the perception-gap when a number of planning applications with similar contextual attributes are found to have refusals well above the average. In this manner the problem of unauthorised wholesale uses along the Narborough Road was identified. Further work on the perception-gap is probably best achieved through a detailed a case study approach as employed in chapter 7. The analysis of planning documentation used in the case study should be supplemented with more detailed data on the planning applicant's business and the costs imposed by planning. The survey of businesses undertaken had the scope for gathering such data, given the generally high motivation to answer detailed questions on the part of respondents. The collection of data on the costs imposed by planning decisions would be central to progressing this work. Any further work in

this area ought to be comparative: it would be particularly interesting to contrast the fortunes of businesses under different planning regimes, such as the tightly regulated local authority, Simplified Planning Zones and Development Corporations.

The study of the perception-gap is relevant to the study of black businesses. Whilst it has generally been argued throughout the present work that black businesses should not be regarded as inherently different from white businesses, overcoming the gap can only be achieved by better dialogue. Here cultural and linguistic difficulties could add an extra dimension to the problem. On the other hand the weakness of cultural models of ethnic minority entrepreneurship and the identification of common (non-ethnic) circumstances to explain business failure (above, pp.48, 200) suggest that this is not an especially important line of enquiry.

It would undoubtedly be interesting to explore further the possibility of statistically modelling the reasons given for the refusal of planning permission, using the data gathered on the decision situation of applications made by respondents to the survey of businesses (above, chapter 6). However, it is almost impossible to develop a coding scheme that distinguishes between different reasons (see above, p.72) and it is equally hard to assess what weight was given to the various reasons in reaching the decision. Detailed analysis of background documentation often reveals hidden motives in decision-making, as in the Narborough Road controversy. More research in this area is central to advancing the understanding of development control and comparisons between planning authorities will be necessary (see also Underwood, 1981: 229).

In specific terms the findings from this project are applicable only to Leicester. Whilst the hypothesis about racial discrimination in planning impeding black business development has been rejected, it is possible that it exists in other authorities. First, there are very few African/Afro-Caribbeans, the group most heavily disadvantaged in business terms, in Leicester (above, p.40). Second, Leicester has an excellent record of racial

awareness in planning when compared with other District Councils (above, p.103). In common with other studies of black businesses, it was found that the particular problems experienced by black firms in Leicester are largely shaped by the wider problems of the inner city and can be addressed by the policy tools available for tackling inner city problems. This finding highlights the danger of attempting to understand a complex problem through the medium of a single discipline case study.

APPENDIX 1

Instruments Used in the Survey of Businesses

part

A - Pilot letter to potential respondents	219
B - Pilot questionnaire	220
C - Follow-up letter to potential respondents	230
D - Final letter to potential respondents	231
E - Final questionnaire	232
F - Showcards used with final questionnaire	242
G - Letter and interview schedule for planning agents . . .	250



Institute of Planning Studies, University of Nottingham in conjunction with Leicester City Council Planning Department, New Walk Centre, Leicester (tel. (0533) 549922 ext. 7232).



The Occupier

Dear Sir/Madam

I am conducting a survey of firms in Leicester that attempts to find out how local business people view the work of the local Planning Authority, Leicester City Council. The research is based at the Institute of Planning Studies, University of Nottingham in conjunction with Leicester City Council Planning Department.

The aim of the survey is to discover how local business people perceive the service provided by the Planning Department, how it has affected the development of their business and whether or not different policies or a better service could be provided. Whilst the survey is being undertaken in conjunction with the Planning Department any information obtained will remain strictly confidential and will not be revealed except in overall statistics that could not identify individual respondents.

My study of planning records has shown that you or a former occupier of these premises has had contact with the planning department during the last three years and I would greatly appreciate your help with this survey. With your permission I would like to visit you at your premises in normal working hours during the next few weeks and ask you to participate in a structured interview. In the meantime if you require any further information or would prefer me to call at a specific time or would prefer not to participate then please call the number given at the head of this letter.

I look forward to meeting you.

Yours faithfully

M B Dale (University of Nottingham)

1.5 Can you confirm your/the main ethnic origin of the owner(s)/
directors? SHOW CARD B

African/Afro-Caribbean	01
Asian	02
White	03
Other	04
NR	05

1.6 What products or services does your firm specialise in?

Retail	01
Manufacturing	02
Wholesale	03
Services	04

NOTE SPECIFIC PRODUCTS/SERVICES

.....

1.7 How long has this/your firm been in business?

.....

1.8 Was this business started from new?

Started from new	01
Taken over as a going concern	02
Inherited	03
Moved from another location	04
NR	05

1.9 Have you/the owner had previous experience in business?

Yes	01
No	[SKIP TO 1.12] 02
NR	00

1.10 Was this experience in the UK or abroad [WHERE]?

UK	01
Abroad	02

1.11 Could you briefly describe the nature of this previous business?

.....
.....
.....

1.12 How many employees are there in this firm?

.....

2.1 I would like to ask you some questions about these premises.
How would you describe these premises?

Shop only	01
Shop with accommodation	02
Purpose built industrial unit	03
Warehouse	04
Conversion: house/other	05
Own home	06
Other	07
NR	00

NOTE CONDITION OF PREMISES*

.....
* Fascia/frontage -refurbished, brickwork cleaned?
* Interior - internal fittings, purpose built?

2.2 Do you own or rent this building?

Freehold	01
Leasehold	02
Rented: private/municipal	03 13
NR	00

2.3 Do you live in this building?

Yes	01
No	02
NR	00

2.4 Have you moved this firm to here from other premises?

Yes	01
No	02
NR	03

[SKIP TO 2.6]

2.5 How many times have you moved the business? What was the reason for your last move?

.....[No. OF TIMES]

.....

.....

.....

2.6 What do you consider to be the main advantages of this location for your business? UNPROMPTED

Captive Market			1	2	3
Labour			1	2	3
Suppliers			1	2	3
Car Parking			1	2	3
Premises suitable			1	2	3
Attached Residence			1	2	3
Planning Permission			1	2	3
Safe area			1	2	3
Other			1	2	3
NR					

RANK REPONSES IN ORDER GIVEN, PROBE FOR EFFECT ON LOCATIONAL CHOICES [1 = LEAST SIGNIFICANT ETC.]

2.7 What do you consider to be the main disadvantages of this location for your business? UNPROMPTED

Competition			1	2	3
Labour			1	2	3
Suppliers			1	2	3
Car parking			1	2	3
Premises unsuitable			1	2	3
No residence			1	2	3
Planning difficult			1	2	3
Unsafe area			1	2	3
Other			1	2	3
NR					

RANK RESPONSES IN ORDER GIVEN, PROBE FOR EFFECT ON LOCATIONAL CHOICES, PROBE FOR EVIDENCE OF RACIAL ATTACKS.

2.8 Do you intend to move your place of business during the next two years?

Yes		01
No	[SKIP TO 3.1]	02
DK	[3.1]	03
NR	[3.1]	00

2.9 Would you move to a location in Leicester or elsewhere?

Yes		01
No		02
DK		03
NR		00

2.10 What would you consider to be the main advantages of moving?

.....

.....

.....

My study of planning records show that you/a former occupier has applied for planning permission during the past three years. I would like to ask you some questions on Leicester City Council's Planning Department?

3.1 When starting or developing this business at some stage the need arose to obtain planning permission. Were you personally aware of the need to apply for permission?

Yes		01
No		02
NR		00

3.2 Did you use an agent to apply for planning permission on your behalf?

Yes		01
No		02
DK		03
NR		00

3.3 Were you satisfied with your agent?

Yes	01
No	02
NR	00
NOTE COMMENTS	

.....

3.4 Did you have direct contact with the planning department?

Yes Letter/telephone/call to office/officer call	01	11	21	31
No				02
DK				03
NR				00

3.5 Do you know who made the decision about your planning application? PROBE

Yes Council/officer/Secretary of State	01	11	21
No			02
NR			00

3.6 Can you tell me the names of your local city councillors?

Yes 2 correct/1 correct/0 correct	01	11	21
No			02
NR			00
NOTE NAMES			

3.7 Did you understand the decision notice that the city council sent about your planning application? PROBE

Yes	01
No	02
NR	00
NOTE COMMENTS	

.....

3.8 Do you know what you could do in the event of not being satisfied with the decision made by the city council?

Appeal	01
DK	02
NR	00

3.9 Have you seen any of the leaflets issued by the city council to help businesses in applying for planning permission?

Yes 01
No 02
NR 00
NOTE WHICH

3.10 Do you think that these leaflets should be available in the languages used by the ethnic minority population?

Yes 01
No 02
DK 03
NR 00

3.11 Could you indicate which of the following schemes, designed to assist businesses, you have heard of [a] and which you have made use of [b]? SHOW CARD C

	a	b
Business Advice Centre		
Business Development Unit		
Commercial Improvement Areas		
Industrial Improvement Areas		
Operation Clean-Up		
Grants to Industry in Residential Areas		
Shopfront Facelift Scheme		

3.12 What do you think the priorities of the City Council's Planning Department ought to be? SHOW CARD D

Environmental Improvements	
Helping Businesses to Create Jobs	
Protecting the Environment	
Allowing more freedom for dev.	
Infrastructure Improvements	
Conserving buildings	
Protecting firms	
RANK 0-3, NOT IMPORTANT TO URGENT	

3.13 How would you describe the service provided by the Planning Department when you applied for planning perm.?

NOTE COMMENTS
.....
.....

3.14 Did you have to alter your ideas for developing your business after applying for planning permission?
 PROBE FOR EVIDENCE OF OTHER CONSTRAINTS

NOTE COMMENTS

.....

.....

.....

3.15 Which of the following suggestions do you think would result in the Planning Department providing businesses in Leicester with a better service [YES = a, NO = b]? Have any other suggestions to add to that list? SHOW CARD E

	a	b
Wider publicity of adopted plans		
Better leaflets on statutory controls		
Relaxation of car parking restrictions		
Relaxation of advert regulations		
Appointment of Specialist Officers		
Establishment of local offices		
Training for agents/advisers		
Faster Processing of planning apps.		
Relaxation of Design Requirements		
Expansion of aid programmes		

OTHERS

3.16 Planning control is just one of the many areas of regulations that affect businesses. Can you tell me what other legal requirments have most helped [a] or hindered [b] the development of your business? SHOW CARD F

	a	b			
National Insurance			1	2	3
Wage Councils			1	2	3
Health and Safety at Work Act			1	2	3
Maternity leave			1	2	3
Pay as you Earn			1	2	3
Building Control Regs.			1	2	3
Trading Standards			1	2	3
Environmental Hazards Regs.			1	2	3
Value Added Tax			1	2	3
Company Law (Auditing)			1	2	3
Employment law			1	2	3
Statistical Returns			1	2	3
Fire Prevention Regs.			1	2	3
Statutory Sick Pay			1	2	3
Data Protection Act			1	2	3
Anti Discrimination Law			1	2	3

NOTE ORDER MENTIONED, RANK 1 = LEAST, 3 = MOST.

4.1 Many professionals offer services to assist businesses with fulfilling the requirements of government regulations. From the following list could you tell me if you have had contact with any of those listed and whether or not you regularly employ them. Have you found any particularly helpful or unhelpful? SHOW CARD G

	a	b	c	d
Accountant				
Architect				
Bank Manager				
Building Society Manager				
Estate Agent				
Financial/pensions consultant				
Insurance Broker				
Personel agency				
Solicitor				
Stockbroker				

A= CONTACTED; B= EMPLOYED; C= HELPFUL; D= UNHELPFUL

4.2 Do you think professionals understand your needs as a business person or the needs of business people generally?

NOTE COMMENTS

.....

5.1 Do you think that businesses owned or managed by people from ethnic minorities face any problems or have particular needs that other businesses do not have?

[FOR ETHNIC RESPONDENTS SPECIFY GROUP] NOTE COMMENTS

.....

.....

.....

6.1 It would help me to have an idea of the size of this firm.
Could you tell me in which category the annual turnover of
this firm is located? SHOW CARD H

Under 10,000	01
10,000 - 25,000	02
26,000 - 50,000	03
51,000 - 100,000	04
101,000 - 500,000	05
500,000 - 1,000,000	06
Over 1,000,000	07
NR	00

7.1 Finally, are there any comments you would like to make about
this survey, or any of the topics covered by it?

.....
.....
.....

THANK YOU VERY MUCH FOR PARTICIPATING IN THIS SURVEY



Date as postmark.

Dear Sir/Madam,

I am conducting a survey of businesses in Leicester that have applied for planning permission during the last three years. The survey attempts to discover how the planning authority in Leicester has served local firms, particularly those firms starting up.

I recently attempted to contact you at _____
where you applied for planning permission in _____

I have since discovered that the premises are not in use and I wondered whether I could visit you at your present place of business or at your home to conduct an interview about the time you applied for planning permission. The interview should take approximately thirty minutes.

I would be grateful if you could return the slip below using the prepaid reply envelope enclosed. If you are willing to participate please supply details of where and when you can be contacted in the space provided.

I look forward to meeting you.

Yours faithfully

Mark Dale (University of Nottingham)

Please detach and return in the envelope provided.

I am willing to participate / I would prefer not to participate*

I can be contacted at (address)

.....(phone no.)

on the following days/dates (specify a suitable time)

*Delete as applicable.



Institute of Planning Studies, University of Nottingham in conjunction with Leicester City Council Planning Department, New Walk Centre, Leicester (tel. (0533) 549922 ext. 7232).



The Occupier

Dear Sir/Madam

SURVEY OF BUSINESSES

I am conducting a survey of firms in Leicester that attempts to find out how local business people view the services provided the Planning Department of Leicester City Council and how town planning has affected the development of their businesses.

My study of planning records has shown that you, or a former occupier of:

applied for planning permission during the last three years and I would greatly appreciate your cooperation with this survey in answering questions about the time you applied for planning permission. I would like to visit you at your business premises during normal working hours in order to fill in a structured questionnaire form - the interview should last no longer than thirty minutes.

With your help and that of other business people, it will be possible to provide information to assist the Planning Department in improving its services to local businesses. However, please note that any information you give will not be revealed to Leicester City Council. All interviews will be treated in the strictest confidence and information so obtained will only be published in overall statistics that could not identify individual respondents.

In the mean time, if you require any further information, or would like me to visit you a prearranged time, or would prefer not to take part, then please call the number given at the head of this letter and mention Survey of Businesses

I look forward to meeting you.

Yours faithfully

Mark Dale (University of Nottingham)

Institute of Planning Studies, University of
Nottingham/Planning Department, Leicester City Council

SURVEY OF BUSINESSES IN LEICESTER

Private and Confidential: no information about individuals or
businesses will be released.

Interview Number/.../..... [number/date]
Business Address[number/road]
...../.....[district/post code]
Contact/.....[name/job title]
Interview Time:.....:..... [start/finish]

1.1 Firstly, may I ask you whether you are the owner or the
manager of this firm?

Sole Owner	[skip to 1.3]	01
Part Owner	[1.3]	02
Director	[1.3]	03
Manager		04
NR		00

1.2 Are you a relative of the owner/directors?

Yes	01
No	02
NR	00

1.3 What sort of company is this firm? SHOW CARD A

Sole Owner/Trader	[SKIP TO 1.5]	01
Partnership		02
Limited Company: independent/subsidiary		03 13
Franchise		04
Cooperative		05
Other		06
NR		00

1.4 How many owners/partners/shareholders are there in the firm?

[INCLUDE RESPONDENT]

1.5 Can you confirm your/the main ethnic origin of the owner(s)/
shareholders? SHOW CARD B

African/Afro-Caribbean	01
Asian	02
White	03
Other	04
NR	05

1.6 What products or services does your firm specialise in?

Retail	01
Manufacturing	02
Wholesale	03
Services	04

NOTE SPECIFIC PRODUCTS/SERVICES

.....

1.7 How long has this/your firm been in business?

.....

1.8 Was this business started from new?

Started from new	01
Taken over as a going concern	02
Inherited	03
Moved from another location	04
NR	05

1.9 Have you/the owner had previous experience in business?

Yes	01
No	[SKIP TO 1.12] 02
NR	00

1.10 Was this experience in the UK or abroad [WHERE]?

UK	01
Abroad	02

1.11 Could you briefly describe the nature of your previous business?

.....
.....
.....

1.12 How many employees are there in this firm?

.....

2.1 I would like to ask you some questions about these premises.
How would you describe these premises?

Shop only	01
Shop with accommodation	02
Purpose built industrial unit	03
Warehouse	04
Conversion: house/other	05
Own home	06
Other	07
NR	00

NOTE CONDITION OF PREMISES*

.....
* Fascia/frontage -refurbished, brickwork cleaned?
* Interior - internal fittings, purpose built?

2.2 Do you own or rent this building?

Freehold	01
Leasehold	02
Rented: private/municipal	03 13
NR	00

2.3 Do you live in this building?

Yes	01
No	02
NR	00

2.4 Have you moved this firm to here from other premises?

Yes	01
No	[SKIP TO 2.6] 02
NR	03

2.5 How many times have you moved your business? What was the reason for your last move?

.....[No. OF TIMES]

.....

.....

.....

2.6 What do you consider to be the advantages [a] of this location for your business? UNPROMPTED

2.7 What do you consider to be the disadvantages [b] of this location for your business? UNPROMPTED

	a	b
Market		
Labour		
Suppliers		
Car Parking		
Premises - suitability		
- access		
- cost		
Residence		
Planning Permission		
Area - safety/crime		
- quality of environment		
Others		
.....		
NR		

EXPLORE FACTORS

.....

.....

2.8 What would be the ideal type of location for your business?

.....

.....

2.9 Do you intend to move your place of business during the next two years?

Yes		01
No	[SKIP TO 3.1]	02
DK	[3.1]	03
NR	[3.1]	00

2.10 Would you move to a location in Leicester or elsewhere?

Yes	01
No	02
DK	03
NR	00

2.11 What would you consider to be the main advantages of moving?

.....

.....

My study of planning records show that you/a former occupier has applied for planning permission during the past three years. I would like to ask you some questions on Leicester City Council's Planning Department?

3.1 When starting or developing this business at some stage the need arose to obtain planning permission. Were you personally aware of the need to apply for permission?

Yes	01
No	02
NR	00

3.2 Did you use an agent to apply for planning permission on your behalf?

Yes	01
No	02
DK	03
NR	00

3.3 Were you satisfied with your agent?

Yes	01
No	02
NR	00

NOTE COMMENTS

.....

3.4 Did you have direct contact with the planning department?

Yes	Letter/telephone/call to office/officer call	01	11	21	31
No					02
DK					03
NR					00

3.5 Which of the following services is provided by the Planning
Department of Leicester City Council? SHOW CARD C

Regulation of new development
Allocation of council housing
Collection of rubbish
Provision of public parks

a	b

NOTE WHETHER RESPONSES CORRECT [a] OR INCORRECT [b]

3.6 Can you tell me the names of your local city councillors?

Yes	2 correct/1 correct/0 correct	01	11	21
No				02
NR				00

NOTE NAMES

3.7 Do you know who decides whether or not planning permission
is granted? PROBE

Yes	01
No	02
NR	00

3.8 Did you understand the reasons given for this decision about
your application for planning permission?

Yes	01
No	02
NR	00

NOTE COMMENTS

.....

3.9 What was your reaction to that decision? Did you take any
action immediately?

NOTE COMMENTS

.....

3.10 Did you have to alter your ideas for developing your
business as a result of this decision?
PROBE FOR EVIDENCE OF OTHER CONSTRAINTS

NOTE COMMENTS
.....
.....
.....

3.11 Did you know that you have a right to appeal against any
decision made by the Planning Department? PROBE

Yes	01
No	02
NR	00

3.12 Have you seen any of the leaflets issued by the city council
to help businesses in applying for planning permission?

Yes	01
No	02
NR	00

NOTE WHICH
.....

3.13 Do you think that leaflets designed for business people
should be available in the languages used by the
ethnic minority population?

Yes	01
No	02
DK	03
NR	00

NOTE COMMENTS
.....

3.14 Have you heard of any of the following schemes, designed to assist businesses [a], and have you used any of them [b]?

SHOW CARD D

Business Advice Centre
Business Development Unit
Commercial Improvement Areas
Industrial Improvement Areas
Operation Clean-Up
Grants to Industry in Residential Areas
Shopfront Facelift Scheme

a	b

3.15 How do you think the Planning Department can help businesses to develop. Are any of the following good [a] or bad [b] ideas? Have you any other suggestions to make? SHOW CARD E

Deregulation
Information flow
Aid programmes
Protecting firms

a	b

NOTE COMMENTS/SPECIFIC SUGGESTIONS

.....

.....

4.1 From the following list could you tell me if you have contacted any of these professionals? Have you regularly employed any of them? Did you find any of them helpful or helpful? SHOW CARD F

Accountant
Architect
Bank Manager
Building Society Manager
Estate Agent
Financial/pensions consultant
Insurance Broker
personnel agency
Solicitor
Stockbroker

a	b	c	d

A= CONTACTED; B= EMPLOYED; C= HELPFUL; D= UNHELPFUL

4.2 Do you think professionals understand your needs as a business person or the needs of business people generally?

NOTE COMMENTS

.....

5.1 Have you found that any of the following areas of government regulations have been helpful [a] or unhelpful [b] in developing your business? SHOW CARD G

National insurance contributions
Pay as you earn
Value added tax
Statutory sick pay
Trading Standards
Health and safety at work
Fire prevention regulations
Planning regulations
Building control regulations
Environmental health regulations

a	b
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

NOTE ORDER MENTIONED

5.2 Do you think that businesses owned or managed by people from ethnic minorities face any problems or have particular needs that other businesses do not have?

[FOR ETHNIC RESPONDENTS SPECIFY GROUP] NOTE COMMENTS

.....

.....

.....

6.1 It would help me to have an idea of the size of this firm. Could you tell me in which category the annual turnover of this firm is located? SHOW CARD H

Under 10,000	01
10,000 - 25,000	02
26,000 - 50,000	03
51,000 - 100,000	04
101,000 - 500,000	05
500,000 - 1,000,000	06
Over 1,000,000	07
NR	00

7.1 Are there any other comments you would like to make about the service you received from the Planning Department when you applied for planning permission?

.....
.....
.....

SUGGEST EASE OF CONTACT WITH OFFICER, PROCESS TIME

7.2 Finally are there any other comments that you would like to make about this survey or other topics that you feel should have been discussed?

.....
.....
.....

THANK YOU VERY MUCH FOR PARTICIPATING IN THIS SURVEY

CARD A

From the following list, could you indicate what sort of company this is?

OUTRIGHT OWNER OR TRADER

PARTNERSHIP

LIMITED COMPANY - independent

- part of a larger company

FRANCHISE - financed by parent company and owners

CO-OPERATIVE - owned and managed by the employees

OTHER - please specify

CARD B

In compliance with Leicester City Council's policy on ethnic monitoring, this question is intended to reveal whether or not the City Council treats members of different ethnic groups equally and impartially. Please indicate to which group you or the majority of the owners or directors belong.

AFRICAN/AFRO-CARIBBEAN

ASIAN

WHITE

OTHER (Please Specify)

CARD C

Which of the services listed below is provided by the Planning Department of Leicester City Council?

REGULATION OF NEW DEVELOPMENT IN THE CITY

ALLOCATION OF COUNCIL HOUSES

COLLECTION OF RUBBISH

PROVISION OF PUBLIC PARKS

CARD D

Leicester City Council and Leicestershire County Council operate a number of schemes designed to stimulate the local economy, improve the environment that businesses work in and assist firms that are starting up. Could you tell me whether you have heard of any of the schemes listed below and which, if any, you have used.

BUSINESS ADVICE CENTRE

BUSINESS DEVELOPMENT UNIT

GRANTS TO INDUSTRY IN RESIDENTIAL AREAS

COMMERCIAL IMPROVEMENT AREAS

INDUSTRIAL IMPROVEMENT AREAS

OPERATION CLEAN-UP

SHOPFRONT FACELIFT SCHEME

CARD E

On this card a number of ideas have been suggested that the Planning Department of Leicester City Council might try in order to give local businesses a better service. Do you think that any of these ideas are good or bad ones? Have you any other ideas that might help?

RELAXATION OF RESTRICTIONS ON DEVELOPMENT

- rules for the provision of car parking space
- constraints on the external appearance of new development
- constraints on the provision of advertisements
- restrictions on hours of opening/working

PROVIDE MORE INFORMATION ABOUT PLANNING CONTROLS

- better publicity for local plans and development regulations
- establishment of local advice centres
- specialist planning officers to deal with businesses

EXPANSION OF AID/GRANT PROGRAMMES

- more money for firms undertaking capital projects
- environmental improvements to inner city areas
- provision of car parks in older shopping areas

PROTECTING EXISTING FIRMS

- resisting the development of new areas for businesses such as
- Centre 21

CARD F

From the following list, can you tell me whether or not you have contacted any of the professionals listed. If you have contacted any did you employ them and did you find them helpful or unhelpful?

ACCOUNTANT

ARCHITECT

BANK MANAGER

BUILDING SOCIETY MANAGER

ESTATE AGENT

FINANCIAL/PENSIONS CONSULTANT

INSURANCE BROKER

PERSONNEL AGENCY

SOLICITOR

STOCKBROKER

CARD G

Could you tell me if any of the following areas of government regulations have been helpful or unhelpful in developing your business.

NATIONAL INSURANCE CONTRIBUTIONS

PAY AS YOU EARN (income taxes)

VALUE ADDED TAX

STATUTORY SICK PAY

TRADING STANDARDS REGULATIONS

HEALTH AND SAFETY AT WORK ACT

FIRE PREVENTION REGULATIONS

PLANNING REGULATIONS

BUILDING REGULATIONS

ENVIRONMENTAL HEALTH REGULATIONS

CARD H

It would be helpful if I could compare the size of the different firms that have participated in this survey. Could you indicate into which category the annual turnover (gross receipts) of your firm falls. Please remember that all the information in this survey will remain strictly confidential.

UNDER £10,000 PER YEAR

£10,000 - £25,000

£26,000 - £50,000

£51,000 - £100,000

£101,000 - £500,000

£501,000 - £1,000,000

OVER £1,000,000



Institute of Planning Studies

DIRECTOR AND PROFESSOR OF PLANNING
J C MOUGHTIN BArch MCD MA PhD FRAnthl RIBA MRTPI

UNIVERSITY OF NOTTINGHAM

Paton House

University Park Nottingham NG7 2RD

Telephone 0602 506101 Extension 3063

14 November 1987

Dear Sir

I am currently undertaking research in conjunction with Leicester City Council Planning Department into the role of planning in stimulating or hindering business development in the inner areas of Leicester. In particular, the study investigates the role of town planning in the recent growth of entrepreneurship amongst black and Asian groups.

I felt that a potentially very useful exercise would be to interview agents who are in regular contact with the planning department. My aim is to see how agents view the service given by the planning department in the context of the needs of their clients. Also I would be interested to discover the views of the agents on the policies operated by the department and how relevant to commerce they are. These brief interviews with agents are a small part of the research programme which includes a large number of structured questionnaire interviews with firms in Leicester.

My study of planning records has shown that your firm has frequently handled planning applications for commercial clients and I wondered whether you would be prepared to participate in the research project by giving a short interview. The interviews will take the form of a semi-structured questionnaire: a copy is enclosed for your information. Please note that any views or particulars given will remain strictly confidential, as will the list of agents interviewed.

I hope to meet you in the near future and look forward to hearing from you.

Yours faithfully

M B Dale (University of Nottingham)

enc.

PLANNING AGENTS - EXECUTIVE INTERVIEW SCHEDULE

1. I would like to ask you about the services you provide.

- 1.1 Is acting as a planning agent the main service you offer to clients?
 - 1.2 What sort of percentage of your business is for clients seeking planning permission within Leicester?
-

2. Can we turn specifically to planning?

- 2.1 Approximately how many contacts per year do you have with Leicester City Council's Planning Department?
 - 2.2 Do you prefer handling applications in certain areas of the city, rather than others?
 - 2.3 Are you familiar with the organisation of the Development Control section of the Planning Department?
 - 2.4 How would you describe the service offered by the Development Control Section in respect of commercial clients?
 - 2.5 Overall, how would you describe and evaluate the benefits and disbenefits of Local Plans and Implementation in the City?
 - 2.6 Are there any suggestions you would like to make that might improve the policies and practices of the Planning Department in this context?
-

3. I would like to consider ethnic minority businesses. I am particularly interested in any difference you have perceived between your ethnic minority and other clients.

- 3.1 Is much of your planning agency with ethnic minority clients? How did you attract that business?
 - 3.2 Have you encountered language problems in your agency with ethnic minority clients?
 - 3.3 Have you noticed any difference in the treatment of your planning clients between different ethnic groups?
 - 3.4 Are you aware of the ethnic monitoring scheme operated by the Planning Department and do you participate?
 - 3.5 Have you perceived any significant differences between the planning requirements of ethnic minority clients and those of your other clients?
 - 3.6 In general, are there differences in the business practices and commercial aspirations of different ethnic groups?
-

4.1 Are there any other comments you would like to make?

THANK YOU VERY MUCH FOR ASSISTING ME WITH THIS RESEARCH

APPENDIX 2

Recommendations made to Leicester City Council

1. The Planning Committee should clearly affirm the entitlement of developers to planning permission by making a statement 'of intent to grant planning permission wherever possible.' A separate statement could be made at the start of any revised local plan or in any new city development plan, for example.
2. The Planning Committee should give priority to a review of the scheduling of areas of mixed land use and the policies applied there in.
3. Local shopping areas should be defined by an area boundary not by the designation of individual properties.
4. A wider range of uses should be permitted in local shopping areas. Attention should be devoted to establishing and enforcing planning conditions that create better access for delivery vehicles and enhance the quality of the environment.
5. Commercial uses should normally be permitted on the upper floors of premises located in local shopping areas.
6. The policy of improving local shopping areas should be sustained and also extended to those areas outside the main radial corridors.
7. The Planning Committee should ensure that applications for notices and hoardings made by private developers are accorded similar treatment to notices and hoardings placed on public buildings.

8. Consideration should be given to establishing and enforcing conditions to protect residential amenity that will enable the approval of more applications for the extension of opening/working hours.

9. Design guidelines with a wide range of clear examples should be prepared in order to assist developers and their agents.

10. The Planning Committee should create a post in the Planning Department for a Business Liaison Officer.

11. Applicants using an agent should be notified directly upon receipt of their application and informed that any negotiations will be conducted through the agent.

12. The Planning Committee should give urgent consideration to the staffing levels in the Development Control Section.

13. The Planning Committee should ask the City Planning Officer to study the feasibility of introducing a streamlined development control service for commercial applicants, using existing staff.

14. The Planning Authority should issue comprehensive and intelligible (to the lay person) reasons for refusing any planning application.

15. The Planning Committee should ask the City Planning Officer to study the feasibility of issuing a follow-up questionnaire to applicants who have been refused planning permission.

16. Sponsoring Committees should adopt performance indicators relating to the delivery of economic development services. Results from such monitoring should be reported publicly.

17. The Policy and Resources Committee should review the effectiveness of services aimed at Afro-Caribbean entrepreneurs.

18. The Policy and Resources Committee should ask the Chief Executive to undertake a feasibility study of a 'One-Stop-Shop' service for businesses.

19. The Public Works Committee should give consideration to ways of publicising the legal requirements and alternative means of collecting trade refuse.

20. The Environmental Health and Public Control Committee should give consideration to granting Hackney Vehicle Licenses to all suitable applicants.

SOURCE: Dale, M. B. Planning for Businesses. Report to Leicester City Council, Planning Committee, pp. 4-6, [forthcoming]

REFERENCES

1. Leicester City Council Documents

This section comprises a list of all primary documents consulted from the archives of Leicester City Council. Most of the documents listed were produced and published (where applicable) by Leicester City Council. Other documents were published in Leicester unless otherwise stated.

The documents have been grouped under generic headings and listed in date order. Following local government practice the author is most commonly given as the chief officer of the relevant department. Where known, a report number or reference number is given as well as the date of publication.

The group of documents relating to the Narborough Road Appeal Inquiry (see below, section 1.5) were submitted as evidence to that inquiry. Additionally some Planning Committee reports were submitted to the inquiry but these are listed with other committee reports (below, section 1.3). Full details of the inquiry can be found in the Planning Inspector's letter of determination (LCC/88: Appendix).

The numbering system used below corresponds to the form of citation used in the main text (and, for example, in the above paragraph).

Any enquiries about these documents should be addressed, in the first instance, to the Chief Executive, Leicester City Council, New Walk Centre, Welford Place, Leicester, LE1 6ZG.

1.1. Statutory Local Plan Statements

01. CPO(*). City of Leicester; City Development Plan: Written Statement. 1956 (Revised 1962).
02. CPO. Abbey District Plan: Written Statement. February 1979.
03. CPO. Central Leicester District Plan: Report of Publicity. September 1980.
04. Tower Street/Walnut Street Area Policy and Programme, by F. Robson (Chairman of Inner Area Review Team). 1981.
05. CPO. Leicester Structure Plan; Extracts from the Approved Written Statement. April 1981.
06. Central Leicester District Plan: Written Statement. April 1982.
07. CPO. North-East Leicester Local Plan: Report of Publicity. February 1983.
08. CPO. East Leicester Local Plan: Report of Publicity. April 1983.
09. CPO. West Leicester Local Plan: Report of Publicity. June 1983.
10. CPO. Soar Valley South and Aylestone Local Plan: Written Statement. September 1983.
11. CPO. West Leicester Local Plan: Written Statement. October 1984.
12. CPO. East Leicester Local Plan: Written Statement. November 1984.
13. CPO. North-East Local Plan: Written Statement. February 1985.
14. CPO. Knighton and Stoneygate Local Plan: Draft Statement. October 1985.

* Note on Abbreviation: CPO - City Planning Officer.

1.2. Leicester City Council Publications

15. CPO. East Park Shopping Study. January 1976.
16. CPO. Belgrave Shopping Study. August 1977.
17. CPO. Narborough Road Shopping Study. November 1978.
18. CPO. Planning for Industry: A Review of Policy Towards Existing Industry and Industrial Areas. February 1979.
19. Report of an Inter-Departmental Working Group on Vacant and Underused Land in Leicester, by C. J. Gossop (Chairman), February 1981.
20. CPO. Key Facts About Leicester 1-4. 1983-5.
21. CPO, and City Estates Surveyor. East Park Road Industrial Improvement Area: Declaration Report. January 1983.
22. Operation Clean Up: Strategy and Achievements 1978-1983. July 1983.
23. CPO. Grants to Industry in Residential Areas: Strategy and Achievements 1979-1984. August 1984.
24. CPO, and City Estates Surveyor. 3 Gates Commercial Improvement Area; Declaration Report. January 1985.
25. Policy and Resources (Employment and Urban Policies) Sub-Committee. Leicester Inner Area Programme 1986-89: Submission Document. December 1985.
26. Chief Executive. Leicester City Council: Annual Report 1986/86. 1986.
27. CPO. Survey of District & Local Shopping Centres in Leicester. October 1986.
28. CPO. Places of Worship in Leicester. 1987.
29. CPO. General Development Control Statistics: Quarterly, 31 March 1983 - 31 March 1988.

1.3 Reports to Leicester City Council Planning Committee

30. CPO. "Office Development Policy for Inner Leicester". Planning and Improvement Committee, 14 January 1976, (Report No. 581).
31. CPO. "The Location and Use of Social/Entertainment Facilities Open During the Late Evening". Planning Committee, 8 February 1978, (Report No. 1447).
32. CPO. "Policy for Shopfront Signs". Planning Committee, 3 September 1981, (Report No. 3606).
33. CPO. "Projecting Signs and Sun Blinds". Planning Committee, 7 April 1983, (Report No. 4515).
34. CPO. "Hot Food Shops - Variation of Closing Hours and Concentration of Shops". Planning Committee, 3 November 1983, (Report No. 4787).
35. CPO "The Handling of Planning Applications: Circular 28/83". Planning Committee, 2 February 1984, (Report No. 4941).
36. CPO. "Use of Retail Shops as Warehouses and Wholesale Cash and Carry Warehouses, Narborough Road". Planning Committee, 2 February 1984, (Report No. 4946).
37. CPO. "A Review of the Retail Warehouse Policy". Planning Committee, 8 March 1984, (Report No. 4992).
38. CPO. "Retailing in Leicester - An Interim Policy on Superstores". Planning Committee, 9 August 1984, (Report No. 5235).
39. CPO. "Use of Shops as Warehouses and Wholesale Cash and Carry Warehouses, Narborough Road". Planning Committee, 9 August 1984, (Report No. 5259).
40. CPO. "Applications Recommended for Refusal". Planning Committee, 6 December 1984, (Report No. 5424).
41. CPO. "Use of Shops as Warehouses and Cash and Carry Warehouses; Narborough Road", Planning Committee, 6 December 1984, (Report No. 5427).
42. CPO. "Environmental Improvements - Narborough Road Shopping Centre". Planning Committee, 10 January 1985, (Report No. 5449).

43. CPO and City Engineer. "Environmental Improvements - Narborough Road Shopping Centre". Planning Committee, 4 March 1985, (Report No. 5547).
44. CPO. "Use of Shops as Warehouses and Cash and Carry Warehouses - Narborough Road". Planning Committee, 9 May 1985, (Report No. 5616).
45. CPO. "Hot Food Shops/Restaurants - Ventilation Flues". Planning Committee, 6 June 1985, (Report No. 5679).
46. CPO. "Ethnic Minorities and the Planning Process in Leicester". Planning Committee, 10 October 1985, (Report No. 5808).
47. CPO. "Ethnic Minorities and the Planning Process in Leicester". Planning Committee, 9 January 1986, (Report No. 5923).
48. CPO. "Narborough Road Regeneration Programme of Works". Planning Committee, 6 March 1986, (Report No. 6021).
49. CPO. "North Braunstone Shops: External Improvements". Planning Committee, 3 April 1986, (Report No. 6061).
50. CPO. "Lesbian and Gay Rights". Planning Committee, 3 April 1986, (Report No. 6064).
51. CPO. "Narborough Road Regeneration: Provision of Car Parking Lay-bys". Planning Committee, 3 April 1986, (Report No. 6065).
52. CPO. "Relocation of Narborough Road Warehouses at Brailsford Park". Planning Committee, 13 May 1986, (Ref; D/MJT/JCW).
53. CPO. "The Policies and Practices of the Planning Committee in Relation to Employment and Economic Development Matters". Planning Committee, 13 May 1986, (Ref: P/FR/SMB/02.1).
54. CPO. "Planning Advice to Retailers". Planning Committee, 5 June 1986, (Report No. 6151).
55. CPO. "The Handling of Planning Applications and Ethnic Monitoring". Planning Committee, June 1987, (Ref: G/A1302/NH/BC).
56. CPO. "The Ethnic Monitoring of Planning Applications". Planning Committee, 3 December 1987, (Ref: P.NH/P20.a.).
57. CPO. "Trading Patterns of Retail Warehouses in Leicester". Planning Committee, 7 April 1988, (Report No. 7073).

1.4. Reports to Leicester City Council - Various Committees

58. City Attorney and Chief Environmental Health Officer.
"Hackney Carriage Vehicle Licensing". Environmental Health and Public Control Committee, 15 August 1984.
59. "Hackney Carriage Vehicle Licensing". Minutes of the Meeting of Environmental Health and Public Control Committee, 12 September 1984: Min. 52.
60. "Hackney Carriages and Private Hire Cars". Minutes of the Meeting of Environmental Health and Public Control Committee, 10 October 1984: Min. 63.
61. Chief Executive. "The Structure of the Employment and Economic Development Unit". Policy and Resources (Employment and Economic Development) Sub-Committee, 13 February 1985.
62. Chief Executive. "Research on Ethnic Minority Businesses". Economic Strategy Working Group, 9 October 1985.
63. City Estates Surveyor. "The Policies and Practices of the Estates Committee". Estates Committee, 6 February 1986.
64. City Engineer. "Works Committee - Policies and Practices in Relation to Employment and Economic Development Matters". Works Committee, 7 May 1986, (Ref: MA/PJW/SAH/3114).
65. Director of Recreation. "The Policies and Practices of the Recreation Committee in Relation to Employment, Economic Development and Local Economy Matters". Recreation (General Purposes) Sub-Committee, 16 June 1986, (Ref: PRO/SMB).
66. Director of Housing. "The Policies of the Housing Committee in Relation to Employment and Economic Matters". Housing Committee, 7 April 1987.
67. Chief Executive. "Ethnic Minority Businesses in Leicestershire". Policy and Resources (Employment and Urban Policies) Sub-Committee, 11 August 1987, (Ref: C/A4011/MF/JPW).
68. Chief Executive. "Leicestershire Asian Business Association". Policy and Resources (Employment and Urban Policies) Sub-Committee, 11 August 1987, (Ref: C/A3536/MR/SMB).

69. Chief Executive. "The Policies and Practices of Committees in Connection with Employment and Economic Development Matters". Policy and Resources (Employment and Urban Policies) Sub-Committee 11 August 1987, (Ref: C/A3988/MF/SMB).
70. Chief Executive. "Business Services Survey for Leicester City Council". Policy and Resources Employment and Urban Policies) Sub-Committee, 12 January 1988.
71. Chief Executive. "Ethnic Minority Businesses in Leicestershire". Policy and Resources (Employment and Urban Policies) Sub-Committee, 12 January 1988, (Ref: C/A4717/MG/LMT).

1.5. Narborough Road Appeal Inquiry

72. Gower, A. S. Letter to Chief Executive, Re: Narborough Road Shopping Centre, 14 January 1984, (photocopy of letter prepared on behalf of the Imperial Trading Association, Narborough Road, Leicester).
73. Dholakia, U. K. Letter to Principal Race Relations Officer, Leicester City Council, 4 December 1984.
74. CPO. Letter to various planning applicants, Re: Narborough Road Warehouses, 14 December 1984, (Ref: D/MJT/VAP/841).
75. City Planning Officer, Manchester City Council. Letter to CPO, Leicester City Council, 15 May 1985, (photocopy).
76. Leicester Mercury, 23 May 1985. "Warehouses: We Will Act Swiftly". Leicester.
77. CPO. Letter to various planning applicants, Re: Relocation of Narborough Road Warehouses. June 1985, (Ref: D/MJT/KP/P39).
78. Bonsal, S. S. Evidence submitted to the Narborough Road Appeal Inquiry. 14-16 May 1986, (typescript prepared by Appellant).
79. Cheema, D. S. Statement submitted to the Narborough Road Appeal Inquiry. 14-16 May 1986, (typescript prepared by Appellant).

80. CPO. "A case for the Narborough Road Shopping Area".
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14-16 May 1986, (photocopy, Ref: P/SS/KP/D5).
81. Davies, G. V. Evidence to the Narborough Road Appeal Inquiry.
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82. Gill, P.S. Statement submitted to the Narborough Road Appeal
Inquiry. 14-16 May 1986, (typescript prepared by Appellant).
83. Messrs. Howard Staunton & Co. Letter to Planning Inspector
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88. Department of the Environment. Letter to Messrs. Crane &
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1986, (Ref: T/APP/U2425/C/84/1853/P6,
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