

Place Directorate

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James Frankcom,
Chairman of the Spitalfields Neighbourhood Forum

via email
info@spitalfieldsforum.org.uk

20 January 2022

Dear Mr Frankcom

This letter sets out the current situation with the Spitalfields Neighbourhood Plan and the next steps available to the Council.

The examiner's report on the Spitalfields Neighbourhood Plan was received by the Council and the Spitalfields Neighbourhood Forum on 15 July 2021, and recommended that the neighbourhood plan be put to a public referendum subject to a number of modifications being made to it. The Council accepted this recommendation.

Under section 61H of the Town and Country Planning Act 1990, an LPA may designate a neighbourhood planning area as a 'business area' if they consider the area to be wholly or predominantly business in nature. This was the case for the Spitalfields Neighbourhood Planning Area. In such cases, two referendums must be held on the neighbourhood plan that is prepared – one of residential voters, and one of businesses.

Accordingly, two referendums were arranged for 11 November 2021 – one for residents and one for businesses. The voters in the residential referendum voted 'yes' to the adoption of the neighbourhood plan; the business voters voted 'no' to the adoption in the business referendum.

Following this split outcome, the law now puts the onus back on the Council to decide whether or not to adopt the neighbourhood plan as part of the development plan for the Borough.

This is understood to be an unprecedented situation in the history of neighbourhood plans. As a result, the Council has been considering carefully how best to proceed.



Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area in ways that are aligned with the strategic needs and priorities of the borough. It is clear that the Spitalfields Neighbourhood Forum has invested significant time and resource in developing the Spitalfields Neighbourhood Plan. However, the contrasting outcomes of the business and residential referendums suggest that significant elements of the business community in the area have concerns about the content of the plan.

In the spirit of neighbourhood planning, the Council would like to invite the Spitalfields Neighbourhood Forum to engage further with business representatives from the Spitalfields Neighbourhood Plan Area to explore the concerns that led to the outcome of the business referendum. This would be with a view to the Neighbourhood Forum preparing a written position statement for the Council by 20 May 2022 setting out (i) the main concerns raised by business representatives in these discussions; and (ii) the Neighbourhood Forum's answers to those concerns.

After receiving this position statement, the Council will make a decision about next steps.

It should be noted that Development Plan Documents such as Neighbourhood Plans are required to be approved by full Council. It is important that this item has sufficient time for debate and discussion and given that the Council meetings for the early part of 2022 will focus on budget setting, we will aim to discuss the item at the June or July full Council meeting.

Yours sincerely



Ann Sutcliffe
Corporate Director - Place



James Frankcom
Chairman
Spitalfields Neighbourhood Planning Forum

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19 May 2022

Dear Ms Sutcliffe

Thank you for your letter of 20 January 2022. The committee of the Spitalfields Neighbourhood Planning Forum (SNPF) has authorised me to provide you with this written statement on our position regarding the outcome of the business referendum held on 11 November 2021.

I can confirm that representatives of our committee have met with representatives of business who participated in the aforementioned business referendum. Our research into who took part and campaigned in the business referendum indicated the opponents of the Spitalfields Neighbourhood Plan (the Plan) among the business community fell into two distinct groups: a number of curry house restaurant proprietors on Brick Lane, and the owners of the Old Truman Brewery site (also known as the Truman Estate) and some of their tenants.

We have discussed the outcome of the business vote with representatives of both groups, specifically, Guljar Khan and Azmal Mert, representing the Brick Lane Restaurateurs Association (BLRA), and Jason Zeloof, representing the owners of the Old Truman Brewery/Truman Estates (OTB).

This letter sets out the context of the situation we are in, the concerns raised by the two parties aforementioned, as well as our answers to those concerns.

1. Context

- 1.1. SNPF was approved by the London Borough of Tower Hamlets (LBTH) in 2016 after a statutory public consultation process begun in July 2014 by SNPF and concluded in April 2016 by LBTH.
- 1.2. The neighbourhood area was designated at the same time the forum was approved. This followed a separate process of statutory public consultations, initiated by SNPF in July 2014 and finished by LBTH in April 2016.
- 1.3. Between 2016 and 2019, SNPF organised and facilitated a dynamic process of consultations, seeking qualitative and quantitative data from local people who lived and worked in the area. This initiative was designed to understand the planning needs and priorities of local people from all walks of life and develop a series of aims and objectives that would form the basis of the policies contained in the Plan.
- 1.4. Throughout this time, we were supported by LBTH and the government agency tasked with facilitating neighbourhood planning. We hired neighbourhood planning consultants during this whole time who were experts in neighbourhood planning and

had taken many forums through the same process, including others in LBTH. Tony Burton, the lead consultant for the London Neighbourhood Planners said our efforts to ensure consultation feedback from hard to reach groups and the business community was “among the best he had seen”.

- 1.5. In February 2020 the draft plan, using the data and understanding we had gathered over the past three years, began being put together. Mr. Zeloof was present during this whole process and his involvement and support were sought and received consistently. He made various suggestions which were included in the final version of the Plan.
- 1.6. Later in June 2020 the early draft plan was ready for Regulation 14 consultation. We shared the document with officers at LBTH who wrote to express their general support for the document.
- 1.7. Regulation 14 consultation began in July 2020 and concluded in September 2020. Some amendments were made to the plan following this consultation.
- 1.8. In October 2020 the regulation 16 version of the neighbourhood plan was officially approved by the general members of the neighbourhood forum and submitted to LBTH for regulation 16 consultation. The owner of the OTB (Mr. Zeloof) was present at this vote and voted to support the Plan.
- 1.9. In November 2020 an application was made by SNPF to renew its forum approval by LBTH, which was passed following a statutory public consultation organised and led by LBTH.
- 1.10. In December 2020 the Regulation 16 statutory public consultation into the plan began. This was organised by LBTH. This consultation then concluded in February 2021 after an extended period of time because of the holiday period in December.
- 1.11. In March 2021 the examination of the plan began led by Jill Kingaby.
- 1.12. The examination ended in July 2021 with strong support for the plan from the examiner, subject to some minor amendments. The examiner said the consultation processes SNPF had led were “exemplary”.
- 1.13. Representations were made by various statutory bodies and local people during the stages of Regulation 14 and 16 statutory consultations. Overwhelmingly, the response was positive to all aspects of the Plan. Mr. Zeloof made representations during the statutory consultations but neither Mr. Mert, Mr. Khan nor any of their associates did so.
- 1.14. The referendum version of the plan was unanimously approved at a special general meeting of SNPF in late July 2021. All members of the forum including Mr. Mert and Mr. Khan were invited in writing. The owner of the OTB was present at this vote and voted to support the Plan. Neither Mr. Mert nor Mr. Khan nor any of their associates chose to attend.
- 1.15. The referendum version of the neighbourhood plan was then the subject of a pair of referendums on 11 November 2021.
- 1.16. The referendum result was split. The residents voted in favour of the Plan, 298 votes in favour and 252 against. The business voters voted against the Plan, 18 votes in favour and 70 votes against.
- 1.17. The business vote is mired in controversy. 25% of all the votes in the business referendum have been found to be invalid because they were either rejected during adjudication of personal identifiers or later found by our lawyers and since confirmed by the police to have been illegally cast votes by persons who had already voted the maximum number of times they were permitted. In particular, the owner of OTB (Mr. Jason Zeloof) voted six times, an associate of his at the same site voted four times and Mr. Azmal Hussain Mert illegally voted four times, two times for companies that did not exist.

- 1.18. Both the referendum outcomes are currently the subject of an active police investigation by the Metropolitan Police Special Enquiry Team currently in the hands of the Crown Prosecution Service. They have bagged up evidence from LBTH Electoral Services as well as from SNPF. This is due to illegal activities that influenced the outcomes of both referendums and the illegally cast votes.
- 1.19. The law states that Tower Hamlets Council should now decide whether to respect the outcome of the positive resident vote or the negative business vote.
- 1.20. The statutory guidance in the Neighbourhood Planning (Referendum) Regulations clearly directs LBTH to support the resident vote in this instance.
- 1.21. The reasons to support the outcome of the resident referendum are:
 - 1.21.1. The residential vote was robust and trustworthy and was a positive vote despite the presence of an illegal spoiler leaflet funded by Mr. Khan and his associates which made false, alarmist claims about the scope of neighbourhood planning and broke election/referendum campaign spending and imprint rules.
 - 1.21.2. The relative size of the residential electorate is substantially larger than the relative size of the non-domestic business electorate.
 - 1.21.3. The level of support in the residential referendum (298 votes) was larger than the level of opposition in the business referendum (70 votes, of which around 20 votes have since been identified as unlawfully cast additional votes and cannot be counted).
 - 1.21.4. The character of the neighbourhood area demonstrates that the business vote was skewed by the undue influence of one major landlord (Zeloof) who owns around 10% of the total land area of the neighbourhood area and exercised substantial and undue control over the votes cast by his tenants. 37 of the total number of no votes cast (70) were cast from a single building under OTB control, through a post room tenants must use that is under the direct surveillance and control of OTB.
 - 1.21.5. There is strong evidence of attempts to unduly influence and subvert the outcome in the business referendum due to multiple voting, which is an established fact and cannot be disputed, and the potential for a very substantial proportion of the votes not being cast in a free environment at 91 Brick Lane (OTB HQ). We have evidence, which we have previously submitted, and which is now in the hands of the police, that shows tenants of the OTB being compelled to take part in consultations in the way their landlord directed them.
 - 1.21.6. An alternative outcome other than supporting the residents would be an irrational decision, that went against the statutory guidance, and would be extremely vulnerable to legal challenge.

2. The Concerns Raised by Business Representatives

The business representatives we have been tasked with reaching out to are broadly divided into two groups: the operators of numerous independent curry houses and restaurants on Brick Lane, led by Azmal Hussain Mert and Guljar Khan, and the owner of the OTB site and their tenants, led by Jason Zeloof. Each group shall be considered separately as they have different concerns. In summary, it is our view that the concerns raised by Azmal Mert and Guljar Khan are reasonable and can be overcome, while those raised by Mr. Zeloof are disingenuous, purely tactical and cannot be met.

Our representatives have met with Mr. Guljar Khan and his associates a couple of times and they have raised the following concerns with us:

- 2.1 They claim the consultations which SNPF and LBTH ran were not effective in reaching the Bangladeshi community.
- 2.2 They feel the Plan should be called “Spitalfields and Banglatown Neighbourhood Plan”.
- 2.3 They fear the Plan might restrict small scale developments, specifically the construction of roof terraces in the Conservation Area.
- 2.4 The Plan should “say more” about the importance of Banglatown as a world capital of curry.
- 2.5 They feel the neighbourhood plan area, designated back in 2016 after a statutory consultation process followed by Tower Hamlets, should be a larger area.
- 2.6 They believe more development should take place on Brick Lane and the controversial Woodseer Street development, by OTB, is fundamentally good.

Our representatives have also discussed the outcome of the vote with Jason Zeloof, who represents the family who own OTB. He acknowledges he voted against the plan, despite previously supporting it in public, and raised the following concerns with us:

- 2.7 He believes the present system (i.e. without a neighbourhood plan) “works well”.
- 2.8 In his opinion, there are adequate controls already and a Plan is not needed.
- 2.9 He asserts that the Plan is “too conservation orientated” and would restrict “good quality schemes” and, in his opinion, the Plan is too focussed on Georgian streets.

3. Our Answers to those Concerns

Our answers to the concerns raised by Mr. Guljar Khan and their associates:

- 3.1 In response to the view that the consultations were not effective in reaching the Bangladeshi community we acknowledge his perception but feel that this is **not** born out in reality.
- 3.2 Guljar Khan applied for and was given membership of SNPF in 2017. He was personally interviewed as part of our consultation process into the needs and priorities of the neighbourhood (by Krissie Nicolson, the Director of the East End Trades Guild, who was a committee member of SNPF and later Vice Chair of SNPF), also in 2017.
- 3.3 The consultation process SNPF followed during 2016-2019 when developing the basis for our policies was described as “among the best [I have] seen” by a neighbourhood plan examiner (Tony Burton CBE) who was engaged by us as a consultant at that time.
- 3.4 From the outset we sought to ensure that every effort was made to reach out to all our communities, no matter how difficult to reach. We identified key local stakeholders, of which the Restaurateurs Association was one, and interviewed them for their views, accordingly.
- 3.5 We also used the ‘commonplace’ software system that has been used by many local councils and neighbourhood forums up and down the country, including the forum on Roman Road Bow, and this saw the participation of over 600 local people, which is an order of magnitude higher than typical planning consultations achieve in this area.
- 3.6 We recognised from the start the importance of including the Bangladeshi community and after realising that not enough of them were initially taking part in the commonplace survey, we hired the services of Citizens UK (London Citizens) to expand our reach. They appointed Yasmin Aktar, a Bangladeshi, to help us. She worked alongside a team from Queen Mary University Geography Department and set up

stalls at the main local mosques and visited other community centres. This exercise ensured 37% of the respondents whose input gave us our final data identified themselves as being from the Bangladeshi community. This contrasted positively with census figures provided to us by the Local Government Association which informed us 41% of the population of the Spitalfields & Banglatown ward in 2011 identified as Bangladeshi. We regarded this as a success.

3.7 To get people to participate online we placed two half page advertisements in the Janomot newspaper and leafletted every single domestic and business address in the entire neighbourhood area. These leaflets were bilingual and the details of all of this work is included in the consultation statement we submitted to LBTH at the start of the Regulation 16 consultation phase. During this time we specifically gave a leaflet by hand to every single shop and restaurant along Brick Lane.

3.8 While this process was underway, Citizens UK were going to places where they identified Bangladeshi people would be and completed paper survey forms with translators present. Understanding the remit of their involvement to be specifically Asian/Bengali, and, in addition to the surveys conducted by students, Emmanuel and Afsana and other CUK colleagues engaged with the following organisations:

- Brick Lane Trust (spoke to Chairman, emailed surveys offering £5 vouchers)
- Brick Lane Mosque (set up tables before/after Friday prayer for people to fill in surveys)
- East London Mosque (set up tables before/after Friday prayer for people to fill in surveys + announcement inside mosque)
- Mariam centre (Sister Circle)
- ELATT Connected Learning (ESOL class)
- Spitalfields Housing Association (emailed surveys offering £5 vouchers to take part)
- Spitalfields Small Business Association (spoke to Chairman and emailed surveys + link)
- Christ Church School – (Paid visit to school & left paper surveys at reception)
- Brick Lane Businesses – Jewish Wholesaler (2 surveys completed)
- Osmani Trust (visited the Centre and sent link to survey as requested by them)
- Canon Barnet School (Got in touch via Parent liaison officer)
- Channel S (contacted Bengali TV station, no response)

3.9 Citizens UK also translated text into Bangla and distributed posters to the organisations along with an English version. Bangla text was put on the SNPF website.

3.10 After this process using Citizens UK and the online Commonplace Survey were completed we had an independent market research company named Gracechurch write a report using transcriptions of the recorded interviews we had held with local stakeholders. These stakeholders which were individually interviewed included Bengali East End Heritage Association, Brick Lane Restaurateurs Association and Truman Estates. The outcome of all this data was the formulation of a series of aims and objectives for the Plan. When doing this we looked at the existing regulations contained in the existing planning framework and worked out where there were opportunities to make a difference. For example, we were advised that a lot of work was due to take place on local streets, so we did not focus on litter bins. We also recognised that the main issue with litter bins is their being emptied efficiently, and this was beyond the scope of a planning policy. There were other similar calculations we had to make in the light of the promises being made by officers to us about the scope of the affordable housing quotas to be contained in the upcoming Local Development Plan.

- 3.11 In 2020, the statutory Regulation 14 and Regulation 16 consultations on the draft Plan were conducted by us and Tower Hamlets. Both these were deemed to be valid and lawful by LBTH legal officers as well as the independent examiner.
- 3.12 In all we leafletted every single domestic and business address in the area no less than three separate times: the first time in 2015 when the forum was seeking approval and it was seeking the designation of the neighbourhood plan area, a second time in 2017 when the forum was seeking participation in the 'needs and priorities' consultation using the commonplace platform (as described previously), and the third time during the statutory Regulation 14 consultation led by SNPF in July 2020 when the proposed policies in the plan were shared and responses to them sought. Mr. Khan and his associates admit receiving these leaflets.
- 3.13 LBTH also conducted its own statutory consultations in 2015, regarding the approval/designation of the neighbourhood forum and neighbourhood area, and also in 2020 during its Regulation 16 consultation on the draft Plan. All of these consultations conducted by LBTH met the legal requirements.
- 3.14 Jill Kingaby, the independent examiner appointed by LBTH, said in her statement that SNPF efforts to consult the whole community had been, in her words, "exemplary".
- 3.15 We have a large and growing membership which is diverse and inclusive. The forum is only required by law to have 21 members but we have 247 members as of the time of this statement being written. 83 of those members are business operators and 53 are Bangladeshi among British-Bangladeshi people. We have a growing number of members from the business community operating restaurants on Brick Lane – around thirty separate businesses at the last count owned by British-Bangladeshi persons. We have also the affiliated membership of the East End Trades Guild that champions the interests of small businesses in the area, many of whom are Bangladeshi led. Krissie Nicolson, the director of EETG, was Vice Chair of the Forum during the period when the plan was being written and gave us much support during our consultation phases. The Attlee Foundation is one of our founding support groups. The Spitalfields Small Business Association are also affiliated members of the forum and wrote in support of the neighbourhood plan during the consultation phases.
- 3.16 During the Regulation 14 consultation the support for the plan was overwhelming.
- 3.17 **We fully support renaming the neighbourhood plan "Spitalfields & Banglatown Neighbourhood Plan"**. The committee has already voted to do this, and we shall propose officially renaming the document (unilaterally) at our next AGM in October this year, or sooner if directed to by LBTH. We hope Tower Hamlets will follow suit and rename the Plan, once the version passed by residents has been 'made' (approved by Tower Hamlets Council), as a non-material amendment. We believe the name of the plan does not impact the policies contained in the plan and so would fully support such a non-material amendment being made at the earliest opportunity after the Plan is made.
- 3.18 We have discussed the policies in the Plan with Mr. Guljar Khan and his associates. We have sought to assure them that the policies should not stop small scale developments. The policies do not mention roof terraces at all and would not necessarily be used to prevent such small-scale developments in the future.
- 3.19 The forum does represent the interests of local people and it did write to support the council decision to oppose a roof top bar constructed in breach of planning guidance at 67 Brick Lane. This substantial development was constructed without any planning application and only applied for permission retrospectively once challenged by council officers. We wrote to support the council's decision to refuse this retrospective application for planning approval because we felt allowing such a development (which was a substantial change to the building and which would cause a great deal of

nuisance to residents living nearby in flats in adjacent buildings on Brick Lane) without prior approval would set a dangerous precedent and might become a tactic copied by other developers that would cause great harm to residential amenity and the integrity of historic buildings in the Conservation Area.

- 3.20 The Plan does make reference to the LBTH Shop Front Guide. It also recommends in Policy Spital 2(a) that “new or altered shop fronts and signage should demonstrate a high quality of design that preserves and enhances the character and appearance of the Local Character Area within which the application sits.” This means the prevailing character of the Local Character is a key tool of assessing the merits of a new shop front, and in this instance, the Brick Lane South local character area description should be used for most of the curry houses. This character area is described in Appendix A (F) and makes reference to Banglatown and focuses on the scale of buildings, the presence of narrow, individual shops and restaurants, and is designed to prevent large new office buildings being built here, totally out of character with the area, which would drive up rents and push out independent traders. The policy is not designed, and could not be used, to stop small scale developments.
- 3.21 There is also the possibility of a misunderstanding about how the forum works. The forum does not make decisions on planning applications. The decision on such development proposals lies with the Local Planning Authority and the judgement of planning officers at Tower Hamlets. The Local Character Area appraisal for Brick Lane South, which should be used when applying policy Spital 1 and Spital 2 in our Plan, which makes reference to the restaurant industry in this area and the prevailing characteristics of Banglatown. It should therefore support developments in keeping with the prevailing Banglatown character of this area, which we all admire.
- 3.22 **We strongly agree with Guljar Khan’s point that the plan can and should say more about the importance of Brick Lane being the world capital of curry and the heart of Banglatown.** The forum committee has already resolved to do this. We propose to recommend substantial (but non-material) amendments to Section 2 (planning context) of the Plan. This can be done once the version approved by residents in their referendum has been made/approved by the council.
- 3.23 The amendments we propose will add much more information about Banglatown, the community that built it, and the central role Brick Lane and Banglatown have for the curry industry - locally, nationally and globally. We shall make these non-material amendments to the Plan once it has been officially adopted as part of the local planning policy framework. These non-material amendments will be based on the findings of the Runnymede Trust (in their report titled *Beyond Banglatown* published in 2020) and our discussions with Mr. Khan and his associates.
- 3.24 With regard to the bounds of the neighbourhood plan area, this is a complex matter. The neighbourhood area was designated by Tower Hamlets in 2016 after a full statutory consultation led by Tower Hamlets. The only formal opposition made about the proposed area came from the Old Truman Brewery who demanded a much smaller area that excluded their site. They did not believe that the area being proposed by SNPF in 2015 that was changed by LBTH and eventually designated by them in 2016 had enough similarity to be effective in neighbourhood planning. Conversely, the planning officers at the time recommended the boundaries that were eventually approved by Tower Hamlets because they felt it would be suitable for neighbourhood planning purposes.
- 3.25 The boundaries of the planning area were based on town planning considerations not on demographic ones. The area’s boundaries took in the Brick Lane District Centre, the four Conservation Areas (in particular the Brick Lane and Fournier Street Conservation Area), went as far east as the GLA Central Activity Zone boundary and the LBTH

- Cummulative Impact Zone boundary. It also reflected the feedback we received during our consultations with local people on those boundaries conducted in 2014-2015.
- 3.26 Nevertheless, we appreciate the concerns raised by Guljar Khan and his associates who feel that people living beyond the boundaries, particularly to the east in the Chicksand Estate area, may feel excluded from the work of the forum. We have been advised that the matter of the Plan and the neighbourhood area are two distinctly different legal entities. **We therefore propose to seek legal advice from your officers about mechanisms to expand the neighbourhood area once the approved Plan has been made.** We have identified three or four possible avenues for doing this and would seek advice from your legal officers about which one would be workable. We would then make the relevant applications in the future to either expand the current bounds, dissolve the forum and re-set with new boundaries while keeping the plan in place, or dissolving the forum, writing a new neighbourhood plan based largely on the approved one, and then going through the process of drafting a new neighbourhood plan for the new larger area which would supersede the made plan once it had passed all the various hurdles.
- 3.27 **Overall, we feel we are able to accommodate all the concerns raised by Mr. Khan** on behalf of his business community using a series of non-material amendments to the Plan. His concerns are reasonable and fair and the discussions we have had with him and his associates have been constructive, cordial and helpful.

Our answers to the concerns raised by Mr. Jason Zeloof:

- 3.28 Mr. Zeloof has told us he is against there being any further controls/restrictions etc over what he does on his sites. He appears to feel that ordinary people should not have any right to determine what happens where they live or work. In response we say that Neighbourhood Planning is a right all communities have, nationwide. This right has been given in legislation. Neighbourhood Plans are a chance for ordinary local people to be more engaged and directly influence the planning framework where they live or work. There are thousands of neighbourhood plans all over the country, with many in central London in similar areas to Spitalfields where large businesses like his operate. Elsewhere, large businesses/property developers have not sought to frustrate the wishes of ordinary local people exercising their right to neighbourhood planning. The Zeloof Family's attitude to business appears to be based on economic clout and they feel mere mortals, such as us, should know our place and not attempt to frustrate whatever secret schemes they have for this area.
- 3.29 Mr. Zeloof has been a member of the Neighbourhood Forum and an elected member of its managing committee since its creation in 2016. He attends our meetings, accompanied by a large number of his employees, and gets them to vote for him, and thus he is always elected. This is fine because anyone who lives or works here is entitled to play a full role in the work of their neighbourhood forum. However, he has demonstrated time and again that he is set against the aims and objectives of the forum and has indicated by his deeds that he would like to destroy it if he could.
- 3.30 Mr. Zeloof has been fully involved in all our decisions and processes. He was consulted at every stage and his agreement was sought for and given to every paragraph of the neighbourhood plan. We anticipated his opposition and bent over backwards to make sure he was fully involved. He responded well to this and seemed to change his approach to us and began working with us constructively, so we believed. He voted twice to support the Plan at general meetings of the forum. The first time was in the forum committee meeting which approved the draft plan in July 2020, then again at the Annual General Meeting in October 2020 when the draft was submitted to LBTH

- for Regulation 16 consultation, and a third and final time at the Special General Meeting in July 2021 approving the amended version that followed examination.
- 3.31 We now feel completely betrayed because it would appear all this was a lie. It was a tactic to deceive us. He negotiated with us in bad faith because his subsequent actions to organise opposition to the Plan, which he had previously publicly supported, and then facilitate a no vote against it from among his tenants, are at odds with his previous behaviour. It would appear he sought to “run with the fox and ride with the hounds”.
- 3.32 Given the lengths everyone went to ensure his inclusion, and his recently stated opposition to any further planning controls in the area, and his secret behind the scenes campaigns, as well as his efforts to coerce his tenants and other local business operators to oppose the plan, **we do not feel that we can ever accommodate his demands**. His willingness to break the law by voting no less than six times personally indicates he is not someone we can negotiate with in good faith or have faith in an agreement with.
- 3.33 Our community is larger than one property developer, no matter how big they are, or how much money they have. We are ordinary local people with limited means, fighting for the rights of local people, against a powerful and belligerent property developer seeking to take total exclusive control of Brick Lane and the surrounding area.
- 3.34 Our neighbourhood plan includes a policy (Spital 7) on reducing rents by 45% for twelve years on new commercial units in new large commercial developments. This section was consulted on, drafted and devised by the East End Trades Guild who worked closely with us when writing the Plan. Mr. Zeloof was a vociferous opponent of this policy, but an agreement was eventually reached with him on the discount rate and period it would apply. Despite this, he submitted a lengthy objection to it during Regulation 16 consultation, which was rebuffed by the examiner. We now suspect he always opposed this policy and his commercial interest to ensure maximum profits on new developments (such as the controversial Woodseer Street “shopping mall” development proposal on Brick Lane) was a large factor in his decision to do whatever it took to stop the Plan ever coming into effect. Simply put, he has been motivated by corporate greed.
- 3.35 The only other objection he made to us about the Plan during the statutory consultation was the inclusion of one of his shops as a Non-Designated Heritage Asset (see Spital 1(j)). We removed this property from the list in Appendix B.
- 3.36 Our Plan has been given full support by local campaign groups such as the ‘Save Brick Lane Campaign’ and Nijjor Manush. We have their support because they believe the Plan will protect the unique social, cultural and architectural character of Brick Lane. These things would appear to be something Mr. Zeloof is ready to destroy if they get in the way of his profit motive.
- 3.37 Mr. Zeloof contends that the plan is “too conservation orientated”. We disagree because the plan has numerous chapters on a range of issues beyond the protection of local heritage assets. We also disagree with him in principal because our consultations with ordinary people who live and work in the area, showed that they value the unique urban heritage of Spitalfields and Banglatown and want it protected as a place to live and work. This area is a vibrant town centre that is the jewel in the crown of this great London Borough of Tower Hamlets and one which people near and far and rightly proud about and wish to see conserved for future generations. It is a ‘goose that lays the golden egg’ which the Truman Brewery has made so much money from over the years. People come here because of the character of the area, socially, culturally and architecturally. All three work together in harmony and the crowds they

bring here are to everyone's benefit, not least, the numerous small businesses that operate on Brick Lane. To erode that character would undermine the attraction of the area to the visitors our businesses need to thrive. Simultaneously, thousands of people live in or near the area of the Plan and benefit from the legal protection it gives to precious spots of green and open space, such as Allen Gardens, Chicksand Street Gutt, Spitalfields City Farm and other sites, which we know developers covet. Thousands of families without gardens depend on these pockets and this Plan goes a long way to make Spitalfields and Banglatown more "liveable".

3.38 The term "good quality schemes" used by Mr. Zeloof is wholly subjective. Any proposal would be assessed fairly by planning officers at Tower Hamlets against the Local Development Plan and the Neighbourhood Plan. The Local Character Area (LCA) appraisals in our Plan would help them do this. The Old Truman Brewery site has its own LCA (Area B) and any development here should be evaluated in relation to the prevailing character of that area. We can see no reason why a genuinely and objectively "good quality" scheme that was not damaging to the area would be rejected on the basis of our Plan. There is a small area of Georgian Streets in the neighbourhood plan area which formed the original Fournier Street Conservation Area set out in the 1970s, and apart from their being located in a LCA (Area A) there are no policies specifically in relation to these buildings. They already have ample protection because most of them are listed or locally listed and located within a conservation area. Our Plan covers a much wider area with a diverse community who celebrate calling this their home.

3.39 The Plan is about looking after many more things such as the protection of outside play spaces, the environment, keeping rents low for small businesses in new developments, keeping the diversity of the area by taking steps to protect the social character of the area, and ensuring the unique qualities that Spitalfields and Banglatown has are cherished for future generations.

We hope this statement provides the information you have requested.

This part of Spitalfields and Banglatown deserves a neighbourhood development plan. It is the work of dozens of people, supported by hundreds more, over eight years. This neighbourhoods is loved by the communities who live and work here, often for different reasons, but with equal passion. The Plan is fair and balanced, it has been supported by residents in a formal referendum, and praised by the cool minds of neutral arbitrators.

Neighbourhood Planning is a tool being used across Tower Hamlets. We know about communities in other parts of this borough in places such as Burdett Road and Shadwell who want to develop neighbourhood plans of their own. They are a tool of people-power. Our neighbourhood forum would like to support these emerging groups by providing workshops where they can be helped to go through the various stages of consultation, grant applications, et cetera. These groups deserve encouragement, which your support for this Plan would be a critical starting point.

We urge you to consider this statement in conjunction with the previous statement we made about the referendum result in December 2021. In that statement we proved unlawful voting in the business referendum, in particular the illegal multiple voting by Mr. Jason Zeloof and several of his close associates. This matter, as well as potential undue influence and illegal electioneering activities, are all currently being investigated in a live and developing police investigation led by DC Melissa Gillam in the Metropolitan Police 'Special Enquiry Team'.

We attach with this document the paper we submitted to LBTH in December 2021 on the 'errors and illegalities in the non-domestic referendum' as these must still be a key issue in your considerations.

If you have any questions please do not hesitate to write to us at the email address you are used to using: info@spitalfieldsforum.org.uk

Yours sincerely

James Frankcom
Chairman
Spitalfields Neighbourhood Planning Forum