

SHEPHERD'S BUSH MARKET (West London)

Shepherd's Bush Market is a street/covered market in West London. Dating back over 100 years, it stretches along and within a section of train track where the Hammersmith and City Tube line runs between two stations. There are around 140 businesses of three types; archway shops, stalls and shops on the other side of the passageway from the arches. On the other side of the tracks is New Shepherd's Bush Market, owned and managed separately. Both, however, have small, independent traders, a mixture of food, clothing, fabrics and other items, and many traders from minority ethnic backgrounds and communities.

The market was owned by Transport for London (TfL), a significant London landlord, until they sold all but the archway shops to Orion Group, a private developer, in 2011. Prior to that, traders say that TfL had failed to invest sufficient funds in the infrastructure of the market, which decayed as a result. Orion has planning permission to build flats for private sale and rent and in addition, new premises for the market. The company, together with Development Securities Plc, took over the ownership and management of the market in February 2014, managing the project under different new limited companies (for the purposes of simplification, they are all 'Orion' here) Orion's development is partly financially backed by Primerica (a US real estate investment company). As well as redeveloping the market, the development will create 194 flats, 13 mews style houses and five 'live/work' units — none of which will be 'affordable' (even 'affordable' is only up to 80% of market rent). In order for development to go ahead, Orion must be granted permission to compulsorily purchase some of the shops. This requires a Compulsory Purchase Order (CPO) which so far has not been granted (see below).

The Shepherd's Bush Market Tenants' Association (SBMTA) is a non-profit association representing the vast majority of the Shepherd's Bush Market businesses. They have been trying to work with the Orion to ensure that Orion's scheme will enhance the market's assets and benefit the livelihoods of the traders. However, according to SBMTA, the redeveloper's failure to honour and respect agreements and heed the words of the businesses has forced businesses to take legal steps to "damage control" and protect their own businesses. Traders have experienced many problems since the development project began. Despite the planning permission being granted, there is still very little detail about the 'market offer' by developers which they legally have to provide as part of the development. Proposed changes have been criticised by traders – for example the removal of canopies which protect businesses and shoppers from rain and wind. OBSL has also been offering less secure and favourable leases, which place greater cost and liability onto the shoulders of the tenants. A new Temporary Market Area made of shipping containers and temporary stalls, erected so that structural work can be carried out in the market has been judged unsatisfactory by many traders. This dispute and uncertainty has had a real impact on the market – around 10% of traders have left the market since February 2014, many fed up with uncertainty and lack of transparency.

Hammersmith and Fulham Council granted initial outline planning for the redevelopment in 2012. A judicial review challenge was then made by the Goldhawk businesses (neighbouring concerned businesses), which was overruled. Most significantly, a public inquiry was held into the CPO in 2013 and the government independent inspector, Ava Wood judged after several months of fact-finding and taxpayers' money that the Compulsory Purchase Order (CPO) should not be granted because it did not provide adequate terms and conditions to ensure the security and diversity for the market tenants. Then, in an unprecedented move for a small street-market related development, the Secretary of State for Communities and Local Government, the Rt Hon Eric Pickles, overruled the recommendation. The traders challenged this ruling and appealed against the CPO decision in the high court. In July 2015 the high court upheld the ruling and the traders are currently in the process of appealing again (September 2015).

Local MP Andy Slaughter is supportive of the traders' criticisms, and has set up his own petition for the market . Traders have also launched a petition to the GLA (Greater London Authority) calling on it to protect this unique retail and social space.

MORE INFORMATION:

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