

THE CONFLICT OVER STANDARDS
IN THE USE OF WORKSPACE.

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ABSTRACT

The paper reports the experience of space-planners con-
sulting on the re-use of industrial buildings. It argues
that differences between the broad use-classes of build-
ing control and their specific application to individual
cases can be exploited by small firms. These meet the
need of their employees, their customers and their finan-
cial supporters by a variety of types of code avoidance.
The paper suggests that some kinds of strategy are more
appropriate for the early stages in a firm's growth. It
ends by questioning the role to be played by professional
advisers.

Introduction

- The authors are practising architects, participating in a consultancy which specialises in brief-writing and interior design, as well as teaching and undertaking research.
- The experience which is reported here has been gathered since 1975, when we were asked to prepare evidence on the re-use of redundant warehouses for the Covent Garden Public enquiry, (1) and includes also the results of study projects carried out in the Inner and Outer areas of London and in Greater Manchester. We have advised a number of community associations on the establishment of group workshops and have acted as architects for a number of low-cost building conversions as well as advising international corporations on the re-design of complete working environments.
- In this work we have found a great disparity between the standards of design which are demanded by public authorities and the standards of design which are deemed appropriate by owners and users. The situation is often resolved by negotiation and poses some interesting questions about the traditional role of professional advisers.

Building Standards

- The quality of the environment is protected by official standards embodied in documents enforceable by law, but it is also conditioned by a number of other rules of accepted good practice and explicit or implied codes of behaviour.
- Many legal standards, in the United Kingdom, have a two-level structure: there is an underlying system of use categories for which thresholds of performance are laid down and there is a surface mechanism for dealing with specific cases. The former is the letter of the law and the latter is the spirit of the law, conforming to which

may be either the implicit responsibility of an individual subject to the law or the explicit regulatory function of an official. In a study for "The Architects Journal" we found 34 pieces of legislation directly relevant to industrial buildings.

- The most generally applied acts of parliament concern town and country planning, building regulation, health and safety at work and fire. The way these are conceived is illustrated in Table 1. One feature of this structure which leads to considerable confusion is that the use-classes defined by the various acts do not coincide. It is quite possible for a change in the use of a building which requires a strengthening of the structure, not to constitute a change in land use, and vice versa.
- Another kind of law which can be of considerable importance concerns landlord-tenant relationships and defines the rights of both parties concerning such matters as security of tenure, ability to sub-let unused space and so on.

TABLE 1

	General Structure	Handling of Specific Cases.
Planning	<ul style="list-style-type: none">- Land-use zoning plans published.- Conformity required only when use is changed from one use to another	<ul style="list-style-type: none">- Individual applications handled by committee of local council.- Officers advise on implications of change.- Adjacent owners invited to comment.
Building Regulations	<ul style="list-style-type: none">- Nationally applicable performance standards.- Deemed to satisfy provisions for typical forms of construction.	<ul style="list-style-type: none">- Individual applications made to local authority department concerned.- Inspection of work carried out by qualified officials who can agree modifications on site.
Health and Safety at Work	<ul style="list-style-type: none">- Minimum standards laid down in legislation.	<ul style="list-style-type: none">- Each individual workplace inspected by the local official who may take account of particular economic circumstances.
Fire	<ul style="list-style-type: none">- Minimum standards laid down for broad use-classes.- Protection of structure and protection of occupants covered by different provisions.	<ul style="list-style-type: none">- Each individual workplace must be certified by local fire authority- Approval handled by officer responsible for fighting any eventual fire: will take his available resources into account.

- Institutions who are concerned with property have their own conceptions of appropriate standards. Loan finance is often secured by property whose value will be derived from its age, the conditions of letting, its location and its potential for re-use by others if the loan it secures cannot be repaid. The general presumption is that new buildings, wholly owned, and designed as "universal spaces" give greatest security; the possibility that they may be uneconomic for certain owners to obtain and maintain has, until recently, at least, meant only that such entrepreneurs are unable to obtain finance.
- It should be noted in this context that central government agencies and other publicly financed development corporations tend to act according to the same codes as the private sector: they increase the flow of money into property but have little effect on its distribution.
- Another kind of standard is the "market standard" imposed on a firm by its customers or their trade unions. There has been some documentation of the latter influence by the national press: "improved working conditions" seem to have become an accepted bargaining counter in newspaper publishing and in the motor industry. So far as the influence of customers is concerned it is clear that the quality of those parts of a factory visible to potential purchasers of its products can be an important component of its advertising effort.
- A final type of standard which determines a working environment derives from the expectations of a firm's owner. A silversmith and a motor repair mechanic will seek very different types of environment in which to set up business.

Work Organizations and their Premises

- We have been mostly concerned with the problems of small firms (defined by the Bolton Committee (3) as those employing less than 200 people) and in particular with their birth and the early phases of growth. A number of commentators have stressed the role played by premises in facilitating survival in this period (4).
- Our own researches seem to show that many firms begin their life in shared premises and using borrowed facilities. As they grow, they obtain progressively more self-contained and more sophisticated accommodation until eventually they are able to control the greater part of the environment in which they work.
- We have suggested elsewhere (5) that a series of stages in the growth of a firm can be defined and that each carries with it an optimum type of accommodation. Firms which depart radically from this "norm" of development are likely either to fail to grow (their environment constrains their development to the next stage on the "ladder") or to run high risks of financial collapse (they are using an environment beyond their means).
- A representation of the typical premises for each of the stages of growth in modern and traditional manufacturing firms is given in Table 2.

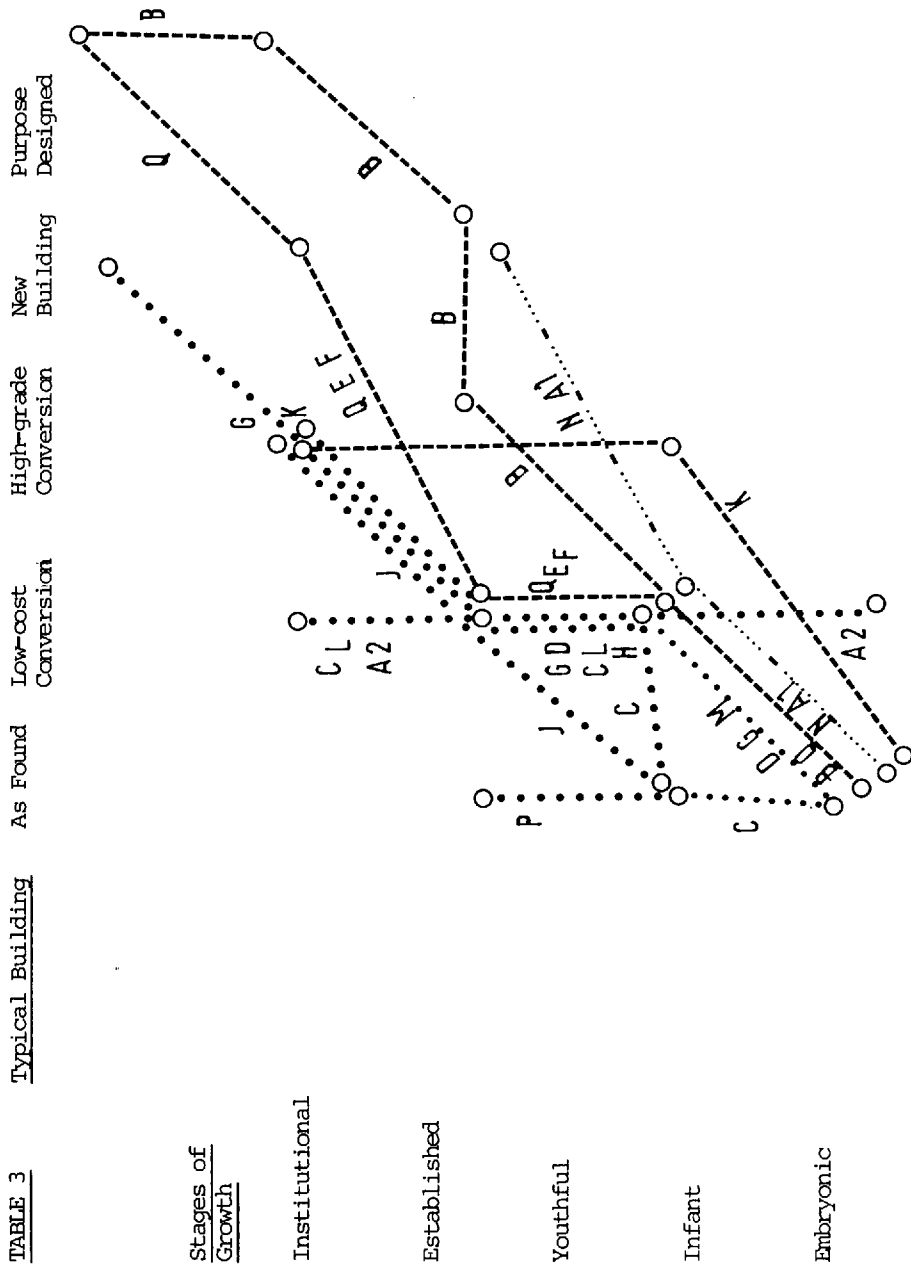
TABLE 2

Typical Requirements

<u>Stages of Growth</u>	<u>Quality</u>	<u>Image</u>	<u>Location</u>	<u>Tenure</u>	<u>Size</u>
Institutional (professional management)	Purpose-designed building	Own Estate	Development area or city centre	Lease-back from finance house	Range: 20,000sq.ft+
Established (basic work mechanised)	New building	Own plot	Industrial estate or New Town	Owned or on a long lease	Range: 5,000 - 20,000sq.ft.
Youthful (some employees)	High-grade conversion	Separate entrance	Older suburbs	Medium lease	Range: 2,000 - 5,000sq.ft.
Infant (dependant firm supports one or more people)	Low-cost conversion	Name on the door	Inner city	License or short lease	Range: 250 - 1,000sq.ft.
Embryonic (hobby or part-time interest)	As found	Shared	Residential area	Shared	Range: 100 - 250sq.ft.

Matching Accommodation to the Stage of Growth

- Firms we have encountered approach the norm of accommodation standards in two ways. Some combine a high-risk strategy with attempts to increase their security while others set out on a pathway of undercommitment which still gives access to opportunities for extension.
- A sample of 15 firms was interviewed in depth and their experiences recorded on a chart showing how nearly they approached the normal strategy. This is shown in Table 3, where firms A and N are following high-risk pathways, B represents an almost classic or normal approach, K, E, F and Q switch from over to under commitment and vice versa, and the remaining examples all follow a conservative strategy.
- Detailed study of these cases suggests that both over and under commitment strategies involve substantial avoidance of the standards which conventionally control property development.



- The high-risk strategy diverts the firm's resources into property rather than into business development. If the firm fails, as happened with our case study A1, and it actually owns the property, the capital can be used to reconstruct the firm: the case A2.
- The high-risk strategy is only possible where three conditions obtain:
 - the financing institution relaxes its normal lending rates (or there is an independent capital sum available e.g. personal savings).
 - employees are prepared to accept insecure jobs
 - the entrepreneur can accept the prospect of his firm's failure.
- The low-risk strategy can involve one or more of the following special conditions which reduce initial investment. Some of them also allow temporary or permanent expansion when required by market opportunity. These are shown in Table 4.
- Our studies are not yet sufficiently extensive to allow us to say with certainty which of these strategies can best be used in the earlier, and which in the later stages of a firm's growth.
- Our experience so far however suggests the hypotheses that:
 - Planning law and building regulations can only be avoided in the very earliest stages of growth.
 - Employment law and firm regulations can be avoided into the early stages of growth.
 - The impact of financial institutions and of employee organization cannot be avoided once a firm is established.
 - The employer's own expectations govern the final stages of development.

TABLE 4

- Working at home; in a garage or in a garden shed.	This avoids almost all official standards.
- Hiring equipment only in another firm's space.	These two avoid most legal commitments of landlord to tenant.
- Taking licence, not lease, on a small area of space.	
- Use of upper floors in multi-storey buildings.	This space may be considered a bad investment by financial institutions.
- Using short-life property about to be redeveloped.	This may avoid compliance with building regulations.
- Occupying space below raised motorways and railway lines.	The land has already been zoned for that use.
- Using part of a building which is otherwise empty.	The remainder of the building may not have to conform with planning laws.
- Multi-occupation by firms whose relative sizes vary from time to time.	Planning use categories cannot be rigidly applied.
- Using the firm's own skills or labour to upgrade property.	The usual employment law and contract procedures are avoided.
- Occupying a building before its safety has been approved.	Full application of the law will take many months.
- Increasing density of occupation.	
- Employing outworkers.	These may ignore employment law.

- Clearly very large firms, which have not been the particular subject of our study, may well be able to "write their own rules" by, for example:
 - Generating their own finance internally
 - Influencing legislators and legislation
 - Becoming so important to a local economy that their needs are deemed to override those of the general public as defined by law.
 - Using their market power over employees.

ALTERNATIVE TYPES OF STANDARD

- Questions for further research concern the degree to which the matching of general rules to the needs of individual firms can or should be institutionalized.
- It has been suggested (6) that:
 - Short life standards should be officially recognised. Intermediate standards should be defined for particular circumstances.
- There is in fact a great deal of flexibility in "the system" as it presently operates in the UK. We suspect that this can be exploited by certain types or classes of entrepreneur who understand the loopholes best.
- Is it in the general interest that this should continue to be privileged knowledge ?
- Would institutionalization of "building law avoidance" remove a vital flexibility at the same time as extending an opportunity to those who at present lack the skill to exploit the loopholes ?
- Are architects who adhere to traditional standards of professional behaviour the best people to advise prospective tenants of the best way to obtain the space they need ?

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