



## **FRIENDS OF BUTTS CLOSE**

### **AN OCCASIONAL NEWSLETTER**

**October 2017**

### **The Council's Proposal for a Road across Butts Close – the Public Inquiry at Hitchin Town Hall, 21<sup>st</sup> November 2017**

As most of you will know, we have been advised of the date for this Public Inquiry into the Council's proposals for a roadway on Butts Close, which is linked to their plans for an additional car park to be built within the existing site of the Swim Centre / Archers.

How did we get here?

The Council has had plans for more parking on this site for over 25 years. We thought that these had been given up, but suddenly we found a planning notice stuck near the gate to Fishpond Road, advising 'The Public' that NHDC had applied to the DEFRA Planning Inspectorate for consent to build a road down the east side of the Close. DEFRA has to be asked for consent because Butts Close is Registered Common Land. The purpose of the road was to give access to a new car park. It was all news to us.

We were pleased to then receive a letter from NHDC Officers on the matter, and a copy of their application form to DEFRA as well as a plan. The form was, well, limited in its content, and the plan was out of date, as it omitted to show the dance/fitness studios which had been built on the intended car park site two years previously.

The matter was discussed by our Steering Group, and FoBC members were asked to contribute their thoughts. The feedback that we received made it clear that nobody thought that a road down Butts Close was a good idea. Accordingly we constructed a formal letter of objection, and sent this to the Planning Inspectorate, and as we were to discover so did many other people.

Their response was to hold a public inquiry. This is not a frequent event. Of the last 74 applications for consent under the Commons Act legislation, ours is the only one to be dealt with in this way: most are determined through written submissions, sometimes backed up by a site visit.

Fortunately, one of our members has a great deal of experience in Commons Act matters, and her support has been invaluable. She advised that the Inquiry process was somewhat similar to Civil Court procedures, with formal submissions to the Inspectorate to which the applicant and the objectors would speak, and then be cross-examined. She also advised that it would be best if there were only a few designated speakers. The FoBC Steering Group proposed that I should be the



Looking north – the pathway of the proposed access road. Fishponds Road is in the distance

formal speaker. Hitchin Forum likewise decided on a single speaker – Bill Sellicks, the Chairman. A third objector, Ken Dodds, has also elected to speak at the Inquiry.

We then began constructing our arguments and all the back-up documentation. The formal submission, or Statement of Case, has to follow a specified format, and it has to be on paper – no digital revolution here!

We went through a number of drafts. The Inspectorate then advised us of the date for the Inquiry, the date when the Council's Statement of Case had to be submitted to the Inspectorate and shared with the objectors

(26<sup>th</sup> September), and the date for our own submission (10<sup>th</sup> October). Bill Sellicks and I collected the Council's document bundles on 26<sup>th</sup> September. Ours had to be mailed out to the Planning Inspectorate by 5<sup>th</sup> October to ensure it would hit their deadline for receipt.

Whereas the Council's original application had been sparse, their document bundle for the Inquiry was just the opposite at over 650 pages, and this meant we had to do some rapid re-drafting. Ours is a slim but (we hope) succinct 150 pages, but it is still over 33MB in size. And given the Inspectorate's stringent format requirements it has cost quite a sum to produce: we are very indebted to Hitchin Forum for underwriting the expenses.

What's new?

- The Council are now proposing three options for the new car park, with 69, 96 or 106 places, which would be for general public parking, not only for HSC/Archers customers.
- They have also put forward three options for the access roadway down Butts Close: an unfenced road, a road with a low wooden rail fence with shrubbery, or with a high fence with hedging.

Does this make a difference? Provisionally we think that whatever screening could be provided for the car park, it will inevitably mean more encroachment upon the sense of natural refuge that Butts Close now affords. We also think that whereas an unfenced road would be a hazard for all people using the Close, it would be especially so for children and their parents. On the other hand, a high (say 2m) hedge would shield passers-by somewhat from the cars that would be flowing up and down the access road from 6.30am to 10pm, and especially everyone on the main central pedestrian path on the Close which would be adjacent to the new road and the hedge.

But what do you think? Please share your thoughts and ideas, because we can only be a channel for the majority views of the Friends of Butts Close.

As to the Inquiry: PLEASE come if you can. We know a day in a 'Court Room' is not exactly going to be like Judge Judy, but your support will be much appreciated, and you may well have the opportunity to speak anyway – see the appended Notice of Inquiry.

Contact Friends of Butts Close at [buttsclose@gmail.com](mailto:buttsclose@gmail.com) and Hitchin Forum through [www.hitchinforum.org.uk](http://www.hitchinforum.org.uk)

If you want more information, the full Statements of Case of the Council, Ken Dodds, Hitchin Forum and Friends of Butts Close are now available to read at the Town Lodge, Gernon Road, Letchworth. All you need to do is go to reception and they will direct you.

I can email you the FoBC Statement of Case but not the supporting documentation – it's just too large a file. Do contact me at [buttsclose@gmail.com](mailto:buttsclose@gmail.com) if you want more information.

### ***Litter-picking on Sunday 15<sup>th</sup> October***

Thanks to everyone who has volunteered. If you haven't already and want to come, please let me know as soon as possible so we can arrange grab-sticks for you.

### ***Butts Close – County-wide Fame !***

You may have seen this, but if not we've appended the article by Andrew Taylor of Community Management Services that was published in *Hertfordshire Life* in August.

If only we can keep that tranquillity!

Tony Riley  
For  
Friends of Butts Close

October 2017

## **NOTICE OF INQUIRY**

### **COMMONS ACT 2006 – SECTION 38 PROPOSED WORKS ON BUTTS CLOSE, HERTFORDSHIRE APPLICATION REFERENCE NUMBER COM/3163648**

An Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs will hold an inquiry at Hitchin Town Hall, Brand Street, Hitchin SG5 1HX on 21 November 2017 into an application by North Hertfordshire District Council under section 38 of the Commons Act 2006 for consent to carry out works on Butts Close Common CL 71.

The proposed works are to construct a tarmac access way with low level fencing from Hitchin Swim Centre Car Park through common land in order to provide access to a new car park located on Hitchin Swimming Centre. The fencing will be 2 foot high post and rail fencing, total length 80 metres.

The inquiry will begin at 10.00 hours on 21 November 2017, continuing on subsequent days if necessary. Anyone can attend the inquiry. Anyone who wishes to be heard on the subject matter of the application may, at the discretion of the inspector, give evidence at the inquiry or arrange for someone to do so on his/her behalf.

Copies of the application form, accompanying documents, written representations and inquiry evidence may be inspected at North Hertfordshire District Council, Town Lodge, Gernon Road, Letchworth SG6 3HN between the hours of 10.00 and 16.00 weekdays (not public holidays) during the six weeks before the inquiry.

Richard Holland  
Common Land Branch  
The Planning Inspectorate  
On behalf of the Secretary of State for Environment, Food and Rural Affairs



# HITCHIN'S WILD WEST



*Countryside Management Service projects officer Andrew Taylor outlines enhancements to a centuries-old green space in Hitchin for people and wildlife*

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A HIGHLY VALUED open space in the heart of Hitchin, Butts Close has been used for parades, demonstrations, sports, fairs and festivities for centuries. Over the past year it has seen wide-ranging improvements to make it an even more attractive place to escape the bustle of this old market town.

## HISTORY

The close has been common land for perhaps a thousand years, and commoners grazed their animals here until well into the 19th century. The first local record of the name 'Butts' can be found in 1492 and refers to archery targets – originally a wooden cask or grass covered earth mound. A royal statute in 1363 made archery practice obligatory, and areas of common land like Butts Close were frequently used by archers. Hitchin men served in the armies of Henry IV, V and VI.

The largest spectacle on Butts Close was probably *Buffalo Bill's Wild West and Congress of Rough Riders of the World* show in 1904, which involved 800 people and 500 horses. The troupe arrived at Hitchin Station, after a show in St Albans, on three special trains. Local press reported 24,000 people attended the Hitchin event.





The avenue of trees along the central path (pictured below) and the limes along Bedford Road which form such a striking aspect of the modern landscape were planted to commemorate the coronation of George VI In 1937.

## IMPROVEMENTS

This centuries-old green public space has undergone a significant project funded by owners North Hertfordshire District Council and managed by the Countryside Management Service (CMS) to preserve its future. The work aimed to deliver the council's green space action plan, with improvements to facilities for visitors and habitats for wildlife. Volunteers were at the heart of these efforts. The Friends of Butts Close researched historic information and images to provide the content for new interpretation panels, which now greet visitors at the main entrances. CMS volunteers visited the area twice to help restore the willow-edged pond.

Since previous work on the pond in 2007, when a major makeover transformed it from a characterless hole to a wildlife refuge, a natural accumulation of silt and plant material had begun to affect water quality and increase the risk of it drying out. Clearing the pond became a priority, and at the end of 2016 silt and plant material was removed and landscaped next to the pond.

While there was short-term disturbance to the pond, in the long-term this work

has secured its future, with benefits for wildlife including moorhens and common blue damselflies. The pond's important function in managing flood risk by retaining water flowing east towards the river Hiz, has also been protected.

Around the pond, willows were pollarded – cutting the trees a few metres up the trunk to promote vigorous regrowth – and a floating reedbed was replanted. The reedbed provides habitat for birds such as reed warblers and performs a valuable function in extracting nutrients from the water. Parts of a boundary hedgerow planted in 2007 were coppiced, again to promote regrowth and thicken shrubs, which provides nesting habitat for birds.

With wild flowers also sown in the conservation grassland around the pond, and new benches and litter bins installed throughout Butts Close, this project has greatly improved many aspects of the site.

Next time you are in Hitchin, take the opportunity to walk the short distance from the main shopping area to enjoy the open space and wildlife, and to walk in the footsteps of medieval archers, cowboys and indians.

*Countryside Management Service works with communities in Hertfordshire to help them care for and enjoy the environment, go to [hertfordshire.gov.uk/cms](http://hertfordshire.gov.uk/cms) or call 01992 588433 for more. Updates on Herts countryside news and events can be found at [hertfordshire.gov.uk/updateme](http://hertfordshire.gov.uk/updateme)*

**Opposite top** Bill Cody with members of the Oglala Lakota on tour with *Buffalo Bill's Wild West and Congress of Rough Riders of the World* show, which came to Butts Close in 1904

**Opposite bottom** Improvements to the pond will help water birds such as moorhen to nest among the reeds

**Below** Butts Close has been common land for around 1,000 years and gets its name from medieval archery targets

