

NEWSLETTER  
Jan/Feb 2012 No. 109

## Chairman's Piece

At the recent Hitchin Committee there was a glimpse of **Tweedledum planning**. I will not name the officer who was speaking, because surely he must be embarrassed if he thinks about it. In response to questions from Councillors about Churchgate, he commented on the discussions about Areas 4 and 5 (St Marys Square and the Portmill Lane car parks), which seemed to be designated only for "enhancement", whereas the last sighted Simons' proposal (a long time ago, and yes we are still waiting for Mark II) indicated an urge to build tall buildings on either side of an alley through the middle of Area 4. He said something to the effect that there seemed to be a lot of emphasis on there only being enhancement on those areas, but as "enhancement" had never been defined, nobody could be definite on what that meant. The implication being that the Council could call anything enhancement, even radical redevelopment, and there were no grounds to protest.

He is right in one sense, enhancement is not defined in the 2005 Churchgate Planning Brief, and neither is development or redevelopment, which are mentioned a lot. But the words are used as though a difference was meant. Streetscape enhancement, enhanced hard landscaping and planting, enhancement of the River Hiz etc, and all in Areas 4 and 5, where the word 'development' does not appear at all. The building on Area 5, possible undercroft parking and replacement of parking potentially lost from the Biggin car park, would allow enhancement of the river and environmental improvements. All very clear, unless, like Tweedledum, words only become what the Council wants.

Changing times is a theme in **Mary Portas' Review** – well reviewed by Keith Hoskins in this edition. I note his cautious tone about remote institutional landlords. The Simons project is intended to be sold off, if ever developed, to a pension fund or other investor, who will no doubt trade it off to someone else, who will want to make as many bucks or yuans as they can. The risk of allowing some distant investor/speculator to control such a large part of this vital town centre seems risky in the extreme. While much of our buying may in future be from an Amazon warehouse somewhere, local ownership of our shops and high streets seems very attractive and should be supported, partly by buying from them!

I hope that the **Hitchin Forum website** will be renewed within the next few weeks. We have felt the need to be able to post items and update the content quicker than was possible previously. Please do look at the website. All comments will be welcome as to style, content and usefulness. We would also welcome photos of Hitchin to put on it, of the beautiful and the ugly. We have not repeated the previous trial of a 'discussion forum', but will welcome comments on current issues which we hope to incorporate in further posts and in the newsletter.

I hope that the New Year has started well for you and that Hitchin will thrive, whatever.

*Mike Clarke*

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## Our High Streets: The Portas Review

**Keith Hoskins, our Town Centre Manager, considers the implications for Hitchin of the Government's latest report on our town centres.**

In the deluge of pre-Christmas activity, the publication of **The Portas Review** - an independent review into the future of our high streets - may have escaped attention. Mary Portas was commissioned by the government in May to investigate the decline of high streets and has concluded that how we shop as a nation has quite simply changed beyond recognition — forever.

We sent in our thoughts and aspirations from Hitchin and I am pleased to see us listed both as a contributor and a case study. So it will surprise no-one that in the summary of 28 recommendations, there are many that are in daily practice in Hitchin and, but for the lack of resource and authority, others that would be implemented speedily. But there's the rub, this Review will, I hope, re-establish town centres as priorities with government nationally and locally without fully addressing the question of how we pay for what is needed.

But let's take a closer look at what Government is being asked to do. The Portas Review asks for legislation to "allow" **landlords** to become investors in the high street by contributing to their Business Improvement District — this already happens if the property is empty as the BID levy liability then falls on the property owner. And here in Hitchin, we are fortunate that there are a number of local landlords who understand the imperative of investing in the community to ensure their long term interest, indeed this was the original foundation of Hitchin Initiative. Remote institutional landlords have always been a different matter!

The Review wants successful BID companies to be "empowered" to take on more responsibilities and powers and become "**Super-BIDS**". "Amen" to that, but to take on more powers and responsibilities means someone somewhere has to be prepared to relinquish it and these things can become very territorial!

Local areas should implement free controlled **parking schemes** that work for their town centres. Well, a conversation has begun but the

Council needs revenue, otherwise it must raise it elsewhere to maintain services. But there has to be a better way. We need to be smarter with car park charging. What's the point of having half empty car parks on a wet Wednesday afternoon with all the associated enforcement costs charging at the same rate as a peak Saturday morning? Less is more.

There are a number of issues regarding **development** — addressing the Use Class System to make it easier to change the uses of key properties; local authorities should make proactive use of Compulsory Purchase Orders to encourage redevelopment; developers should make a financial contribution to ensure that the local community has a strong voice in the planning system - perfectly reasonable aspirations.

**Markets** feature highly in the Review. Mary Portas thinks we need to establish a new "National Market Day" where budding shop keepers can try their hand at operating a low-cost retail business, and remove unnecessary regulations to make it easier for people to become market traders. I would suggest that communities should run their own markets thus removing a bureaucratic overhead and that the easing of trading regulations should be applied to independent businesses across the board.

There are recommendations regarding **business rates** that require some imaginative political will — Government is asked to consider whether business rates can better support small businesses and independent retailers; whether local authorities should use new discretionary powers to give business rate concessions to new local businesses. This can only work if Government gives a greater portion of our business rates back — more than the 19p in the pound that we get at the moment! — but with a clear direction of how it is to be allocated so that it does not disappear into the black hole of general funds.

There is a suggestion that there should be a **presumption in favour** of town centre

development in the working of the National Planning Policy Framework – which I thought existed already since John Gummer u-turned policy in the early 90s. Another idea is to introduce an “exceptional sign-off” by the Secretary of State for all new out-of-town developments and require all large new developments to have an “affordable shops” quota. Surely all shops should be affordable?

There is more around disincentives to leave property empty, introducing a public register of

## Changes to the Planning System

### Adrian Gurney of Hitchin Forum’s planning group gives an overview of changes to the planning system.

There is a lot happening in relation to the planning system at the moment. The focus is switching from regional level to the local, and this gives us more opportunity to influence what happens. Over the next year there will be plenty for Hitchin Forum and other local community groups to consider.

Firstly, the **Localism Act** and its measures will take effect from early April. Regional bodies and their strategies will be formally abolished. This means that local authorities will not have to meet targets on housing that are handed down to them, but neighbouring authorities will be expected to co-operate in preparing development plans on such issues.

Secondly the **National Planning Policy Framework (NPPF)** is expected to be published in its final form, also in April. We can be less certain what this will contain following the consultation last year. However the Select Committee has already reported and the following recommendations respond to some of the concerns expressed by Hitchin Forum and others:

- The presumption in the NPPF should only be in favour of sustainable development that is consistent with the Local Plan; use of the term ‘sustainable economic development’ should be dropped since this aspect of sustainability must not be paramount.

landlords and encouraging imaginative community use of empty properties. This last item already happens in Hitchin but of course only with local landlords who understand the dynamics of the town.

I will climb off my soapbox now but if you crave more read the full report on [www.bis.gov.uk](http://www.bis.gov.uk) or [www.maryportas.com](http://www.maryportas.com) and reflect on how visionary we are in Hitchin.

- Some major policy areas should be strengthened. The town centre first policy should be a requirement (not a preference), and offices, arts, culture and tourism should be included in the policy.
- Reference to brownfield land should be reinstated, and local authorities should set their own targets.

These references to the Local Plan and the role of the local authority make clear that it is going to be vital that each local authority gives priority to the preparation of its Core Strategy and Development Policies, and that it addresses appropriately issues such as housing, brownfield/greenfield development, and town centre needs.

NHDC will shortly be submitting its “**Preferred Options**” for housing growth for public consultation. This will form part of the Council’s “**Core Strategy**” and “**Development Policies**” documents in its “**Local Development Framework**”, the new term for Local Plans.

It will be important for Hitchin Forum to examine the final NPPF, and the NHDC documents (and those of neighbouring authorities as they become available), and decide which issues need to be the focus of attention. We will report further in the next Newsletter.

## Churchgate Update

### John Urwin, Chairman of Hitchin Forum's Planning Group, reports on recent correspondence with NHDC:

In the last Newsletter we reported that Hitchin Society, Hitchin Historical Society and Hitchin Forum had sent a joint letter to the Leader of the Council, raising the following points:

1. NHDC would be acting contrary to its own policies and contrary to EU law by pursuing a scheme that differs substantially from that which was advertised.
2. NHDC appeared to be varying the provisions of the Planning Brief without following due process which would have included public consultation.
3. It is not appropriate to defer the recovery of the Council's expenses until after planning consent is granted.
4. There is an evident bias in favour of Simons' proposals in the tender appraisal scoring which may have misled councillors as to the appropriateness of the proposals.

We felt the reply we received from Cllr Needham needed clarification. A second more detailed letter was sent, clarifying among other things that Point 1 above only occurs if NHDC accepts a scheme from Simons that involves building on St. Mary's Square and Portmill Lane car parks; in other words, they have not broken EU procurement law - yet.

The response from the Leader of the Council was that NHDC will not be breaking EU procurement law because all the respondents to the tender advertisement proposed to build on those areas. Some councillors at the recent Hitchin Committee seemed to be taking the same line. This is superficially convincing, except that all the other tenderers subsequently pulled out, leaving only Simons, who, it seems, had to be tempted with an offer of a large area of free land.

If the Council had signalled at the outset of the tender process that they were prepared to allow building on these two areas, would it have attracted more serious bidders? (We note that when York City Council contravened EU procurement law, the Commission threatened

legal action until the council re-opened the procurement process.)

There is also the matter of how NHDC will demonstrate best value in public contracting with regard to the free land they appear to be giving Simons.

The core issues here are: i) that the Council is contemplating releasing Portmill Lane and St Mary's Square car parks for development when they were advertised for enhancement in the EU procurement process, and ii) they are also contemplating releasing these areas of land to their development partner without going through any competitive tendering process. It is likely that these matters and points 2, 3 & 4 above will only be settled by the EU Commission and the local government Ombudsman.

Subsequently, we noticed that the wording of one of the *Project Objectives* had been altered in the latest report to the Hitchin Committee. You may not be surprised to learn that this related to building on the two contentious areas already mentioned! Again, the three societies wrote to the councillors to point this out. The attitude of some of them at the Hitchin Committee meeting makes one wonder whether they are on top of their game.

Meanwhile, we are all marching to Simons' drum, and NHDC refuse to reveal the "*trigger dates*" that Simons have to meet – so much for Localism.

Elsewhere, plans to upgrade Stevenage town centre have been scaled down and more widely, the Eurozone continues to affect our economy, so perhaps the current Churchgate project will end up going nowhere. In the meantime, however, the Council should take very seriously the blight that this wholly inappropriate proposal is having on the town, and in particular our market.

More details on all these matters will be given at our members meeting on 8 February (see Diary Dates).

## Bancroft Hall – a Future?

**John Keene of Hitchin Forum's Steering Group & Margaret Eddleston of Hitchin Bridge Club summarise the latest news in this thorny saga.**

NHDC's Cabinet are being asked by their officers to confirm the date of "the proposed closure and demolition of Bancroft Hall". Officers claim that this is a necessary first step to facilitate their application for a Heritage Lottery Fund grant to improve Bancroft Recreation Ground. No replacement is envisaged. They intend the demolition should coincide with the opening of the refurbished Town Hall in 2014.

We welcome improvements to the Recreation Ground which were the subject of a public consultation. However, at no time was possible removal of the hall mentioned, either in the key aims of the project, in any of the accompanying documents, at the open presentation, in the public consultation questionnaire or in reports to the Hitchin Committee. We consider the loss of the community building without replacement an appalling decision.

In their report NHDC admit that the hall was a popular venue until quite recently. The decrease in use is hardly surprising considering its increasingly decrepit condition, which could also account for some reported vandalism.

The refurbished Hitchin Town Hall will be a tremendous asset to Hitchin and surrounding areas but it will provide less space available for

hire by community groups and clubs than the current building. In fact the space available will reduce by more than half and what will remain will be essentially the Mountford Hall, suitable for large functions, festivals, concerts and dances but unsuitable for regular weekly use by community organisations.

Hitchin Bridge Club have made repeated presentations to NHDC and submitted detailed business plans setting out proposals to build and manage a new hall on behalf of the community. They are supported by all the current hall users: Age UK Asian ladies lunch club, the over 60's Good Companions Club, Art in the Park which provides art therapy for disabled adults, the Afro-Caribbean lunch club and the yoga classes as well as potential future users and the principal representative organisations in the town.

We find it difficult to comprehend NHDC's stance on this matter. In their own reports they acknowledge the great value of community halls and in this case it's virtually free! Surely, in the spirit of Localism such an initiative is to be welcomed and supported. Even the possibility of the (no doubt coveted) Green Flag Award for an improved Recreation Ground should not blind NHDC to the benefits of a new Bancroft Hall.

### Snippets:

**Hitchin Town Hall & Museum** - NHDC have secured a grant of £123,000 from the Heritage Lottery Fund towards the costs of fitting out the new Museum. Good news! They add that they will now be in a position to apply for a further grant of more than £830,000, which is terrific. As far as grants go, NHDC seem to be on a roll here, and it is to be applauded. The dual project is on line to open in 2014. Which reminds us: that is when Bancroft Hall is due to close. In order (they say) to qualify for a grant. A grant too far?

**Time, gentlemen please** - In June 2011 an over-dominant development proposal which included demolishing a well-liked building in Hitchin, the former Orchard & Anvil pub on Nightingale Road, was refused planning permission. In November we were informed that the applicant has appealed against this to the Planning Inspectorate. This appeal will be considered at an 'informal hearing'. We will attend this hearing and hope that the applicant does not succeed.

**Top Field** - No cows, not common. Resulting from a public inquiry, Top Field has lost its status as common land. Hitchin Cow Commoners (who once were entitled to graze their cows here) will continue to be owners of the field which could be sold off for development, provided that an equivalent plot is purchased to provide similar facilities. Obviously not the last we are to hear of this one!

## The Old Bus Garage, Bridge Street - a temporary halt?

### Chris Honey reports:

On 15 December dramatic events occurred at NHDC's Planning Control Committee regarding the old bus garage. They were considering two applications for this site; the first was for full planning permission to erect two three storey buildings to provide 12 two bedroom flats. The Area Planning Officer recommended that permission be **refused** mainly on the grounds that its impact on the Conservation Area and the immediate locality in general had not been justified. The proposed development was considered excessive in scale and height and would contrast unacceptably with the scale and character of the surrounding buildings.

Perhaps the 'scale' of the opposition to this proposal from us, the Hitchin Society, Hitchin Historical Society, Hitchin British Schools Trust, local residents and stakeholders determined the applicant to **withdraw** this application at the last minute!

The second application was to renew Conservation Area Consent to demolish the present building. **Consent** for this was recommended by the Area Planning Officer as this building was not listed nor included in the recently updated list of buildings of local interest despite it being in the Conservation Area. This

acceptance was accompanied by a condition that the proposed building replacing it must be approved and construction started within eight weeks of the demolition.

Several members of the committee considered that there had been too many 'interesting' buildings demolished in Hitchin in recent years and that there should be resistance to the loss of certain buildings in Hitchin. Further, they felt that the applicant should be encouraged to design a dwelling which included the retention of the frontage of the former London Transport Bus Garage. So they were recommending that any proposal should include, in some form, the facade of the existing building. But the Area Planning Officer advised that in his opinion the building, whilst a little unusual, had no special architectural merit and therefore could be demolished on approval of a suitable and appropriate development. Thus the Committee reluctantly resolved to **grant** conservation area consent for demolition.

This seems like the end of the 'journey', but we still think we can persuade the applicant to retain and modify the present facade. With luck this may be a temporary 'halt' for refurbishment rather than a 'termination'.

### Friends of Charlton Village

Forum member **John Pearce** reports that this new group has been formed, aiming to maintain the village as an attractive place for living, working and recreation; to retain the Windmill pub as the village hub; to work with other relevant bodies and organisations for mutual benefit; to protect the village and its green belt from unsympathetic development; to promote the historical legacy of the village and to form a focal point to support local and national charities. It will be of interest to anyone living, working or with past memories of the village. To receive the monthly e-newsletter, email the editor: [pearcej53@o2.co.uk](mailto:pearcej53@o2.co.uk).

### Diary Dates

Wednesday 8th February: **Hitchin Forum members meeting**; 7.30pm, Holy Saviour Church Hall  
Your opportunity to hear more about local issues & share your views & ideas

Saturdays 4th February & 3rd March: **Councillors' Surgery**; 10.30am - noon, Market Place

Monthly opportunity to raise issues of concern with Hitchin's County & District Councillors

Tuesday 6th March: **Town Talk** - 6.30pm, **Hitchin Committee** - 7.30pm, Benslow Music Trust

Local democracy in action