

newsforum



The London Forum - working to protect and improve the quality of life in London

The London Forum of
Amenity and Civic Societies

Founded 1988

www.londonforum.org.uk

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DCLG "Technical Consultation" on planning changes

The end of the Planning System?

Technical Consultation on Planning – nothing technical, it's for real!

by **Michael Bach**

When former Minister Nick Boles was asked by the DCLG Select Committee about evidence to support the proposed changes to planning legislation to allow offices to change into housing without requiring planning permission, he hesitated briefly, then made it clear that he did not wish to take that route. He was not concerned about the likely impact, the owners of property knew best what to do with their property. It was a 3-year experiment after which it would be reviewed. It was unlikely to be the end of the world, and if there were a problem the Government would change the legislation.

Although not much more than 18 months since the changes came into effect, many London Boroughs who were not covered by an exemption from the change, have experienced huge pressures to confirm proposals for offices to change to housing – especially Richmond, Camden, Islington. Many of these schemes involve the loss of occupied offices in town centres. This is reducing the supply of office space, particularly for small firms; if that were to continue it would adversely affect the local economy and the future of town centres.

New Proposals

In August the Government undertook a "Technical Consultation on Planning" – the only "technical" aspect about it is that it is about making changes to secondary

This time the proposals would be more far-reaching and the likely impacts on the local economy and particularly town centres could be severe.

legislation rather than changing policy. In fact it is driven by the same policy as Nick Boles referred to – enabling the owners of property to have greater freedom to change its use without needing planning consent.

This time, however, the proposals would be more far-reaching and the likely impacts on the local economy and particularly town centres could be severe. Not only would the offices to housing freedom be extended to 2019 (or even indefinitely), but industrial and warehouse buildings could also be converted, as could a number of town centre uses. Shops could turn into banks and estate agents, as well as into cafes and restaurants. Various "sui generis" uses – uses in a class of their own, such as casinos, nightclubs, amusement arcades and launderettes (yes!) – would be encouraged to turn into housing, cafes or restaurants, or even gyms.

London Forum response

In our response we pointed out that:

- top-down, across-the-board imposition of such changes would be in direct conflict with Coalition Government commitment not to impose policy change from Whitehall, but to support local plans and local decision making;
- this approach would have a major impact on the local economies of London Boroughs and on their town centres – by stripping out offices that house small and medium-sized enterprises, start-up firms and voluntary organisations. This would damage the local economy and undermine the vitality and viability of town centres. Town centres are not just about shops – it is the mix that makes them attractive.
- local planning authorities would no longer be able to manage the mix of uses in their town centres – it would be a complete free-for-all.
- the change of use to housing would be a one-way trip – we would lose much of the diversity that we value, driven entirely by the huge difference between housing and office values. Even launderettes, valued community and social assets, would be stripped out.

The Coalition Government claims to be committed to revitalising our town centres – one of the few policies upon which

The Technical Consultation on Planning (cont)

everyone agrees – yet these proposals, despite assertions to the contrary, would, by overriding local choice, achieve the opposite.

Offices to housing

The Government has provided no evidence of the impact of their earlier changes – they have failed to monitor what has happened. They do not know the scale of activity in terms of floorspace lost, whether it was occupied or how much housing will be provided. Their only data is the number of proposals notified to local authorities between April and June 2014.

London Boroughs have complained about the amount of cherry-picking by developers choosing the best stock in the best locations. If this office space is lost London Boroughs will have to find new office sites, in competition with housing and in all the wrong places – not well-served by public transport. The wrong development in the wrong place is a "lose-lose" situation!

In 2013 the Government offered Boroughs the opportunity to seek an exemption from deregulation, based on the strategic importance of the offices or their significance to the local economy. The Government now proposes to get rid of these exemptions – mainly the Central Activities Zone of Central London, Canary Wharf, Kensington and Chelsea and small parts of other Boroughs, replace it with a criterion that an office is strategically-important. This will be of little

use for defending the employment in small firms if each case is "judged on its merits" – they will all be gone by 2019 when we wake up to what we have lost.

What should you do?

The Government may have made their decision by the end of this month as some items in the package will be included in current Bills. Most of the proposals to enable changes of use without needing planning consent will be incorporated in secondary planning legislation over the next few months. You must lobby your MP – help them understand why these proposals are bad for your local economy, your town centres and, especially, local centres as these would be handed over to speculative developers and remove any ability of your local authority let alone the local community to shape their future.

These proposals are not a change in policy – if they were we could debate the merits – but are handing the future of our community over to the market to develop as it pleases. The Coalition Government's assertions about getting away from central control, supporting local plans, giving greater control to local authorities and local communities to shape their own future and to supporting town centres are clearly no longer the priorities we thought they were. These proposals are a timely reminder for the debate over the next six months. ■

Other comment

Many voices from the The Local Government Association to the London Mayor have expressed serious concerns urging Government not to override local decision-making. The Business Minister, Vince Cable MP, has criticised the Government's new rules easing the conversion of offices and shops into homes.

The Greater London Authority

fears the proposal could endanger the capital's supply of industrial floor space, and says Mayor Boris Johnson is set to oppose it.

Sir Edward Lister, the deputy Mayor for planning said: "While the Mayor places a high priority on increasing housing output, he is likely to object to this proposal as he is determined to protect London's valuable industrial base. He is firmly of the belief that policies are already in place to manage the release of surplus industrial land ." (Planning Magazine)

The Further Alterations to the London Plan, published in January and currently under examination, include measures to protect the capital's industrial land.

A Royal Institution of Chartered Surveyors report has demonstrated that these conversions are aggravating commercial shortages and increasing office rents. Already existing business are being served with eviction notices so that landlords can cash in on higher residential rents and sales prices.

In some areas new planning rules have brought vacant offices back into use but in others the majority of applications have seen offices which were either partly or fully occupied being turned into flats.

A Local Government Association survey of planning officers identified the detrimental effect these changes are already having. It warned against making them permanent from 2016 and removing the exemptions that currently apply. ■

Impacts in the boroughs

Barnet

More than 100 small businesses and charities were given as little as four to six weeks' notice to leave their premises in the 14-storey Premier House in Barnet, by developers who plan to turn it into 112 flats. Knight House in East Barnet Road provided 23 small starter business with single room serviced offices. Usually fully occupied with a waiting list, now it is to be converted into 9 small flats under the new rules.

A Barnet Council spokesman said councillors had no choice but to approve the conversion because of the new planning rules. He said the council would not have otherwise allowed the eviction of a full office block.

Islington

71 office buildings have already received prior approval for conversion to residential since May 2013, with 11 further applications submitted. 3,000- 3,500 jobs would be threatened. Islington Council led a judicial review against the policy and earlier this month struck a deal to protect clusters of businesses and charities in the borough from being lost.

Mitcham

More than 40 small businesses and up to 150 employees in the Willow Lane Industrial Estate In Mitcham are searching for new premises after being sent eviction letters giving them four weeks notice. ■

London Forum's response to the DCLG

London Forum's Chairman has written to Ministers in the DCLG, the Cabinet Office and the Treasury expressing concern about the so-called "Technical Consultation" on planning changes.

In sending in the London Forum's response to the Department for Communities & Local Government (DCLG) Technical Consultation to Christina Machado in the Programme Management, Planning section of the DCLG, Peter Eversden spelled out the London Forum's view that "the Government's recent and intended interference with the implementation of the London Plan and the Local Plans in the capital is totally unacceptable."

He further demanded "Communities in London would like to know when and how the Localism Act was withdrawn and where they would find the evidence base for the Government's permitted development and parking proposals in this Technical Consultation."

Ms Machado's reply did not answer the questions but merely re-stated government platitudes:

"The Localism Act made significant changes that have put local plans back in the hands of local councils and their communities, ensuring that these determine where development happens locally and abolishing top down Regional Strategies. "I would like to reassure you that our planning reforms aim to deliver the homes and infrastructure people want and need, by working with, not against, local communities.

"With regard to the permitted development proposals, we should explain that Section 2 of the consultation document explains the rationale and background to the proposals on permitted development rights and parking" (as if that justifies sweeping away virtually all planning protections!)

Peter Eversden's reply

"There is no point in the Government promoting neighbourhood planning and then preventing neighbourhood forums and their local authority from being able to decide what happens in the way of development in their area by DCLG dictating that properties can be converted to other uses.

"The permitted development rights that the Government has introduced and those it intends to allow have been, and will be, harmful to London's economy and town centres.

The Government's recent and intended interference with the implementation of the London Plan and the Local Plans in the capital is totally unacceptable

Peter Eversden

"As the DCLG figures indicate, a large number of offices have been converted to flats in London boroughs. Many of those were not empty or under-used and the businesses in them have been driven out. The loss of offices in some boroughs such as LB Richmond is so serious that consideration is being given to allowing new offices on land designated for homes.

"The flats that have been supplied in many office conversions in London are not of the type that the boroughs were seeking to meet their needs for homes and the local authorities could obtain no CIL contributions to meet the extra demand on local infrastructure, nor S.106 contributions to deliver affordable homes elsewhere.

"The London Plan, which has just had some alterations examined, has had its policies developed over the past twelve years and they reflect the economic opportunities in the capital and how they should be achieved. It is wrong that the Secretary of State has approved each version of the London Plan and now wants to interfere by PDR with that Plan's implementation.

Lack of evidence

"Where is the evidence that DCLG took note of the RICS report and the concerns of boroughs like Richmond and Islington against which it took action to prevent them using Article 4 Directions to control the situation? Where is the Government's evidence for the parking standards it wishes to impose on London?

"Taking away local authority control of much needed local facilities does not seem to accord with localism and the need to ensure local infrastructure meets needs." ■

From our members

The Wimbledon Society wrote to their MP Stephen Hammond, expressing their concerns:

"Both the cases I have cited relate to the loss of viable office premises. They give the lie to the suggestion that the policy is targeted on rundown or empty offices. I note that DCLG Ministers referred, again to "redundant offices" in their 14 October Written Statements; this is grossly misleading, as the cases I have cited show."

The Kensington Society, wrote to their MP Sir Malcom Rifkind:

"We are writing to you to ask you to seek the views of the Rt Hon Vince Cable MP Secretary of State for Business (given his responsibility for small firms and enterprise) on how he will ensure this proposal does not result in the wide-scale conversion of office space into mansions and luxury flats for sale to overseas investors and the decimation of the supply of offices within a few years."

Covent Garden Community Association drew attention to the following clauses of the Deregulation Bill :

- 29: Reducing the qualifying period for the right to buy council homes from 5 years to 3 years.
 - 34: Removing the 90 day minimum restriction for short-term use of London residential accommodation.
 - 52 (with Schedule 16 at the end): Introducing a quick regime for potentially any business to make ancillary sales of alcohol from 7am to 11pm, under a 3 year licence, with just a 3 day objection period for police or EH only.
 - 53: Increasing the number of Temporary Event Notices for licensable activities from 12 to 15 per premises per annum.
- and the relaxation of mini-cab licensing

Among other objections Mary Portas and a group of fashion and digital business leaders have written to the communities secretary Eric Pickles over a proposed change in Primrose Hill. ■

London Forum AGM 2014

14 October 2014 at the Gallery,

Report of the AGM meeting; **Derek Chandler** and **Peter Eversden**

Chairman's welcome and introduction

Chairman Peter Eversden, warmly welcomed Alan Baxter, Patron of the London Forum, and invited him to open the meeting.

Alan Baxter said it is always a pleasure to attend a meeting of the London Forum. He recounted some fascinating history of this very interesting building, which was originally a warehouse occupied by Thomas Cook for their shipping business. Goods and passengers' luggage were collected here to be forwarded to ports such as Tilbury or Southampton for loading onto ships. The courtyard would be busy with the horse-drawn drays then in use. Many of the buildings in the local streets have similar interesting histories behind their current busy activities.

In 1979 Mr. Baxter could see from his office on the opposite side of Cowcross Street that this building was no longer in use. He needed more space and thought it would be ideal. The area was at a fairly low ebb then and it seemed unlikely that it would be developed. But when he decided to try to acquire it the Bank absolutely refused to consider a loan. He persisted and eventually raised the money needed to buy it and make the essential renovations. The building now provides attractive spaces for more than 100 organisations to exist separately and also to associate and generate ideas.

In recent years the area has changed rapidly and become very busy. The building is situated over platform 12 of the new Crossrail part of the enlarged Farringdon station; Crossrail and Thameslink will bring a large number of people to the area. The changes emphasise the importance of understanding the nature of a locality so that it is not lost as changes occur. He urged the London Forum and its member organisations to continue to speak up to provide bottom-up reminders to our top-down leaders of the human nature of cities.

He closed by noting the sad loss of Sir Richard MacCormac, and paid tribute to him as a great force in the understanding and sensible development of cities.

The Chairman thanked Alan Baxter warmly and expressed the London Forum's deep appreciation at being a member of the amazing community he had created.

Chairman's address

The Chairman commented that this AGM came at the end of the London Forum's 25th year. He reminisced about its beginnings. He had followed Marion Harvey the founder Chairman. It was the loss of St Mary Axe, despite objections to the proposed redevelopment in the mid 1990s, that spurred him to become involved with the London Forum. Many such losses have occurred since despite similar strong objections.

Little seems to have been learnt from the destruction of St Mary Axe. If similar objections had been effective on the "WalkieTalkie" it might not now need to be enveloped in a curtain to avoid causing damage in the surrounding area. Even the London Plan states that no building should cause reflection or glare!

The deaths of Sir Richard MacCormac, our President, and of Harley Sherlock, a long-serving Vice-President, deprive the London Forum of two valued colleagues. Harley Sherlock for many years ran our Planning and Transport Committee with great distinction. He was a great architect and a strong force for the building of the kind of homes that would suit the needs of people for comfort and happiness.

The Mayor of London, Boris Johnson, clearly appreciates the work of the London Forum, hosting the City Hall event celebrating our 25 years of activity for London. We maintain regular contact with the GLA and aim to be a source of constructive criticism. The Chairman continues to serve on the Outer London Commission, which provides a very useful position for involvement in the plans for Outer London. The Forum is concerned that the "Duty to co-operate" between boroughs is often ignored.

Recent "regeneration" projects which force long-established residents to move away to distant areas continue to be a major concern of the Forum; it disrupts social and family links and makes finding work more difficult.

Minutes of the AGM of 15th October 2013

Moving on to this year's business the Chairman proposed the acceptance of the Minutes of the last AGM which are on the web site and had been reported in last Autumn's Newsforum. There were no

revisions or comments. These were agreed, nem con.

The Chairman thanked Helen Marcus and Peter Pickering for helping to compile the review of the year summarising the key activities of the Forum. He also thanked Helen Marcus for the huge amount of work in producing Newsforum which is now very widely appreciated. Paper copies have been replaced with electronic versions where members are happy to receive only this form. He urged members to let us know if they no longer need a paper copy. An advantage of the electronic form is that you can easily supply the whole edition or selected parts to your members.

The Committee continues its scrutiny of London Plan, which is essential to ensure that the Plan is in the best interests of London and Londoners. It has been altered many times, requiring participation in the formal examination to criticise or suggest improvements when appropriate. The recent alterations are to cope with a higher expected population but we believe that they are not likely to be effective unless restrictions are removed.

In 2016 there will be a new Mayor and this will mean a new London Plan which we will again monitor and comment on. We are pleased that London Forum members also contribute to this process, making their own comments on alterations.

Government policy changes seem to have been implemented without thought about the wider consequences. The encouragement of conversion of office space to residential use results in inadequate flats while new, replacement, offices to meet the continuing demand are then built on land identified for housing. Richmond in particular has suffered from this. There has been widespread criticism of "offices to homes" and the Forum will continue to lobby and draw attention to the harm that can be done.

Members are urged to continue to check on Local Plans and ensure that these are up-to-date, especially for new situations, such as basements.

The London boroughs are now very constrained by cost limitations and restrictions on their powers, and their representations to Government are generally ignored. At the same time Government interference can prevent the

boroughs having much control on developments in their areas. Changes to permitted development rules have already caused serious problems and damage in boroughs. Members are urged to monitor the use of Section 106 and the Community Infrastructure Levy.

Neighbourhood Forums and Plans are gradually being established.

The Mayor has taken the Park Royal and Old Oak development away from the three Boroughs and put in place his own Strategic Development Corporation.

Several successful Open Meetings have been held, one on Tall Buildings showed that housing in these is often not very good and reduces the availability of social and affordable housing. Further meeting dates have been set and the topics will be announced nearer the dates.

Financial Report

The London Forum Treasurer, Tony Allen of the Chislehurst Society, reported on the year.

There was a small surplus of £827. The use of computers is now widespread but still about 90% of societies pay by cheque. Societies are urged to pay electronically if possible as this reduces not only costs for the London Forum but the time required for the Treasurer and Membership Secretary. An electronic payment route has been set up and is working.

Although the Treasurer had recommended an increase in subscriptions this year they remain unchanged. A future increase cannot be ruled out.

Recent changes in Charity Law have led to extensive discussions in Societies and the London Forum on the advantages and disadvantages of different forms of society organisation. As the current Chair of the Chislehurst Society he had given a lot of time to assessing the options. There is concern about potential liabilities arising from the actions of trustees or of individual members. As the possible effects of the changes are not yet clear developments will be closely monitored.

Thanking the Treasurer for his work during the year the Chairman noted that the subscriptions had last been raised, by 12%, in 2012. An increase might be needed for the 2016 subscription year. He hoped that

members would agree that the London Forum gave good value for the subscription. We were looking to see whether any project useful to our aims could benefit from some funding from our resources.

The Chairman asked for any questions on the Accounts.

Michael Hammerson drew attention to a fund of some £2,900 available to the Executive Committee for special projects, which gave some financial security to the Forum.

Some subscriptions were still outstanding and these are being followed up. There will be an on-line form next year in the private section of the website so that Societies can update information electronically.

Approval of Annual Report and Accounts for 2013/14

The Chairman asked for a proposer and seconder for the motion to approve the Annual Report and Accounts for 2013/14. Michael Bach of the Kensington Society proposed and it was seconded by Andrew Bosi of the Islington Society. The motion was passed nem con.

Election of Honorary Independent Examiner

The Independent Examiner Simon Baddeley had served the Forum well for many years but now wishes to retire. The Chairman thanked him for his long service as Honorary Independent Examiner.

Election of Officers and Trustees:

One-third of the present Executive Committee retired by rotation and were willing to stand for election having been duly nominated: Michael Bach, Diane Burridge, Martin Jones and Peter Pickering. No other nominations had been received. A motion to elect the four nominees en bloc was proposed by Bill Tyler of Muswell Hill and Fortis Green and seconded by Derek Chandler of Hampstead Garden Suburb and passed with one abstention.

Peter Eversden stated that he was happy to continue as Chairman of the Executive Committee (EC); the other members of the EC would be Tony Allen, Treasurer, Michael Bach, Chairman Planning and Transport Committee, Derek

Chandler, Secretary, Helen Marcus, Editor Newsforum, Diane Burridge, Membership Secretary, Peter Pickering, Minutes Secretary, Michael Hammerson, Martin Jones and Bill Linskey. Two vice-presidents were co-opted to the EC, David Lewis and Bill Tyler.

The Chairman thanked Haydn Mylchreest who had now resigned as Membership Secretary for his many years of dedicated work at a very high standard on membership records and subscription collection as well as many valuable contributions on the Executive Committee. He hoped that he would still keep in touch.

The Chairman thanked the EC for their work and support, observing that there were vacancies for anyone interested in participating.

The business of the AGM being complete, there was a short interval after which the Chairman introduced Freddie Gick, the Chairman of Civic Voice.

Address by Freddie Gick

Freddie Gick paid tribute to the work and positive influence of Helen Marcus, a London Forum trustee, during her time as a Civic Voice committee member.

Civic Voice is now four years old and has made huge progress in the last year establishing important contacts at government level enabling it to fulfil its main objectives: lobbying and influencing Government and other organisations at national level, and also supporting and developing societies.

All Party Parliamentary Group

The All Party Parliamentary Group for Civic Societies in the Commons now has 70 MPs. Civic Voice has developed a close working relationship with the DCLG and ministers such as Ed Vaizey, MP, with whom they have discussed the restructuring of English Heritage.

Manifesto for the next election

It has developed a Manifesto for the next election following wide consultation with CV members. The top three aims, which it is hoped to persuade all Parties to adopt, focused on up-to-date Local Plans everywhere, place improvement strategies, and more engagement and collaboration with local people in planning and decision making.

London Forum AGM 2014 (cont)

Guides for Societies

Civic Voice has produced guides on Public Realm campaigning and on Collaborative Planning to assist societies to influence what developments happen and where. Workshops are available on Local Listing and registering of Assets of Community Value.

Membership fees

There was a lengthy discussion about the membership fees. Civic Voice has 290 members in England but only 15 in London. Civic societies wanted it to be independent so that it did not suffer the same fate as the Civic Trust. But even the current high membership fee does not cover the costs of running Civic Voice which are double its subscription income, even with only one administrator – and if it is to be effective and influential it must have some paid staff. CV Trustees are actively seeking ways of raising the number of members and securing other sustainable funding to bridge the gap. Freddie said he entirely understood the problem for London societies of such high fees which people felt were out of line with other national and local bodies that they needed to subscribe to.

Future projects

Recent recognition of its work and importance include being appointed lead organisation for the English Heritage survey of listed buildings; and receiving a £480,000 Government grant to lead on surveying war memorials for the coming four year commemoration of the sacrifices of World War One. There will be 250 workshops to advise on conducting surveys. (see Newsforum 67)

Freddie Gick was warmly thanked by Peter Eversden for his talk and for the achievements of Civic Voice.

Ted Bowman and Sir Peter Hall

At the end of the meeting tribute was paid Ted Bowman, President of Coin Street Community Builders who died in March, and to Sir Peter Hall who dies in July. (see page 18)

Bill Tyler proposed a vote of thanks to Peter Eversden for his continued work as the Chairman of London Forum, which was greeted with applause. ■

Civic Voice Convention

report by Peter Pickering

This year's Civic Voice convention was held in Canterbury on Friday and Saturday 24-25 October. It was well arranged by Civic Voice with the Canterbury Society - a society which after a very active period became moribund and was wound up in the 1990s, to be refounded in 2008 and now very active again.

The first day of the convention was in the Westgate Hall, a former drill hall which has been saved by the efforts of the Westgate Hall Community Trust and which was still having its last lick of paint when we arrived; there were a large number of informative stands run by local and national organisations among which were CPRE and Living Streets.

After a brilliant and inspiring address by Griff Rhys Jones, the President of Civic Voice, and the launching of the Civic Manifesto 'Localism for Real' there was a sandwich lunch and an account of the saving of the Westgate Hall.

After lunch there was a choice of walks; eschewing archaeology (by which I was sorely tempted), heritage and planning disasters/successes, I opted for a walk through the city centre led by the interim chair of the City Centre Partnership to see how the business community can play a positive role. This was very informative, though a freestanding town with a large number of visitors differs greatly from what we

have in London; one similar problem is that the local managers of most enterprises have little power to take initiatives and are controlled from national or regional headquarters who may be out of touch with local circumstances.

After a cathedral tour and Evensong there was a dinner in the Cathedral Lodge, a modern convention centre in the precincts with a talk about the cathedral by Jonathan Foyle of the World Monuments Fund and finally a pub crawl.

The second day was in the Cathedral Lodge, and included the AGM itself (with announcement of the results of the postal ballot for trustees), an address from Freddie Gick, the Chairman of Civic Voice, and the presentation of Marsh Christian Trust awards to the Norwich Society and to Michael Bach for his outstanding contribution to the civic movement.

Finally, there was a series of workshops and discussions for which I was unable to stay because of another engagement.

The Convention was well attended from across the country - some fifty societies were represented (most with more than one delegate); there were not more than five from London, even though Canterbury is easily accessible from London. ■

Civic Voice National Design Award launched

Civic Voice has launched a National Design Award which is open to communities across England. Communities are invited to nominate buildings and schemes for projects they consider make a significant contribution to the quality of their built environment, whether village, town or city.

Griff Rhys Jones, President of Civic Voice said: "It will not be the usual sort of design award where professionals give an award to the work of other professionals. Instead, the nominations will be made and supported by local communities across the country".

The Civic Voice Community Design Award was launched in Canterbury at the AGM of Civic Voice. The awards will be distinctive in that nominations can only be made by local communities.

For further information please contact: 0151 707 4319 or nationaldesignaward@civicvoice.org.uk

More information about Civic Voice and all its current projects can be found on its website:

www.civicvoice.org.uk ■

Charitable Incorporation

Open Meeting 17th September

Peter Pickering and **Peter Eversden** report

This was an important meeting for all community, civic and amenity societies who want to understand the new Charitable Incorporated Organisation (CIO) legal form for charities. Societies have become concerned about the liability of their trustees and members.

The key speaker was Tim Rutherford, Partner, Charity and Social Enterprise at the law firm StoneKing LLP who is a leading expert on charity law, governance and related issues.

The Charity Commission has published papers on a new type of organisation, a Charitable Incorporated Organisation, CIO, with limited liability for trustees. The London Forum was disappointed that nobody from the Charity Commission would make themselves available for this meeting and criticised the response from the Commission to emails and telephone calls.

Several papers giving background information were sent out to all members before the meeting.

Overview by Tim Rutherford

Tim Rutherford opened the meeting with a presentation which expounded the consequences (for the liability of trustees and members, especially in relation to tort, contract, property ownership, employment and criminal action) of the unincorporated status of virtually all civic and amenity societies, the alternatives to that status (the long-established 'company limited by guarantee' and the new and still imperfectly understood CIO, and how a society could change its present status. He explained that unincorporated societies have no legal identity and that can lead to problems. The status of an incorporated organisation (CIO) or registration as a public company better covers an organisation. A Company Limited by Guarantee is registered with Companies House which has different report requirements from those of the Charity Commission. A society could be registered with both.

The liability of trustees of an unincorporated charity is not clear but it exists. It will depend upon the type of claim that someone or an organisation could initiate. It could relate to things said

or written in newsletters or even on social media. Insurance for trustee liability can be taken out but needs careful scrutiny to ensure it is appropriate for the required purpose.

Highgate, Chislehurst, and Putney Societies, also gave brief presentations.

Comments and questions, and Mr Rutherford's replies.

The Sydenham Arts Festival representatives said that they were currently a limited company, and wished to become a CIO; their objectives were partially charitable. How should they go about this? Mr Rutherford said that regulations enabling limited companies to become CIOs were currently being drafted, but he had seen no enthusiasm for such a change in status. A CIO had to be fully charitable, but splitting an organisation into charitable and non-charitable parts was feasible.

Bill Linskey (Brixton Society) said that his society owned no property, did not borrow and did not employ people, but were concerned about potential third party liability for events. Their policy was in the name of the society, and the insurers had never queried this; Mr Rutherford said that whatever a bank or insurance company called the account or policy, it was not legally with an organisation that was unincorporated and was not therefore a legal entity; he thought many insurers were not fully aware of the situation, but it might be buried somewhere in the policy documents. Mr Linskey said that the Brixton Society was a member of the London Forum - thus, one unincorporated organisation was a member of another unincorporated organisation.

Asked about the cost of becoming a CIO, Mr Rutherford said that it could be between two and four thousand pounds; the Charity Commission had published a model constitution, with guidelines, and a society might be able to undertake most of the changeover work itself. Or a number of societies could get together and share the costs of advice.

In reply to the Wimbledon Society, Mr Rutherford said that an organisation that was constituted as a company limited by guarantee could itself have members who

were not members of the company. Mr Rutherford confirmed that a society that changed its status should consider keeping its superseded entity in existence, so that it could deal with receipts (e.g. standing orders and legacies) made to its former self.

The Highgate Society representatives said that they were firmly resolved not to be a charity, but were nervous of the implications of being unincorporated; Mr Rutherford said that to become a CIO one had to be a charity.

The Chislehurst Society saw the reasons for incorporation; changing status would, under their constitution, need full consultation with members. They found the requirement to have a list of members always up-to-date daunting, since it had 3000 members, with subscriptions collected fairly informally by street representatives. They wondered if they could have passive supporters, who paid subscriptions, but were not legally members of a CIO.

The Putney Society had 900 members, with no assets or employees, but worried about the potential liabilities of members; they were appalled by the cost of conversion, and wondered what the real risks of liability were and how far insurance would avert them.

CPRE (London) were puzzled by the great differences among insurers in premium levels and the coverage they offered.

There was a discussion about the possibility that a society would be liable because it, or a member acting on its behalf, uttered something defamatory in its response to a planning application, or in a newsletter, or if it gave a person something that could be construed as planning advice, that proved mistaken and caused the recipient expense. Some argued that a society had to be very cautious in anything critical it said.

This meeting gave a useful overview of the situation but societies are advised to make their own individual enquiries on the matter and may want to take professional advice. Tim Rutherford offered his services, for a charge, to societies who wanted further guidance. ■

What Next For Smithfield?

By **Diane Burridge**

Secretary of State Eric Pickles' rejection in July 2014 of the John McAslan & Partners' £160 million proposal to fill Smithfield Market with shops and offices was reported in the last Newsforum as a 'major victory' for conservation. The decision established the importance of protecting non-listed buildings in Conservation Areas.

But the landowners, Henderson Global Investors, have the right to challenge the Inspector's decision in the Courts; and the City of London Corporation, the planning authority which supported the development, has been unrepentant about their support.

Lead campaigners, SAVE Britain's Heritage and the Victorian Society, held a meeting 16 October 2014 to examine lessons learnt and next steps.

Lessons for other Conservation 'Battles'

Alec Forshaw, who was head of conservation and design at the London Borough of Islington from 1988 to 2007, and wrote *Smithfield, Past and Present* (1980 and 1990), discussed lessons for local authorities. Having appeared as one of the expert witnesses at the Public Inquiry, Alec stated that the decision implies that:

- Undesignated heritage assets can be as important as those which are designated.
- Greater weight can be given to the importance of heritage assets and alternative viable uses.
- The interiors of buildings can be just as important as the exterior.
- Even in large areas substantial harm can be caused by insensitive developments.
- Character is as important as appearances, including the history of buildings, as well as their architecture.
- Local authorities need to consider land use activity in the area in which the planned development is situated. They do not need a planning application to do such work.
- Planners should use their powers against negligent owners more.
- Deliberate neglect is not a justification for demolition.

David Cooper, a member of the Law Society Specialist Planning Panel, who acted as the advocate for SAVE, added:

This was the first time that the Secretary

of State has agreed that there had been 'deliberate neglect' by a public body - in this case, the City of London Corporation - which could dramatically cause significant harm to the conservation of an area. Supporting the Inspector's findings, he also stated that the alternative scheme proposed by campaigners is likely to be viable. He ruled that, although there is tension between the need for offices and the need for conservation, the latter is more important. Policies for protecting heritage assets outweigh other policies.

Questions for English Heritage

David Cooper asked the audience: What was English Heritage doing to support such a scheme? Why did the City of London Corporation keep the site empty and derelict for so long - 18 years?

What Next?

Alan Baxter, Patron of the London Forum who has served on the London Advisory Committee of English Heritage, noted that Smithfield is well-spaced in relation to the other public markets in London and that the area has too many offices, and needs more cultural activities. Markets, which are enormously popular in London to tourists and residents, are a continuing part of the human experience. Smithfield has been the site of a market since the 10th Century. People come to cities increasingly to meet up, with markets providing such meeting places.

With the new Farringdon Station soon to have Crossrail (with 44 million passengers per year), and the completed Thameslink, there will be 140 trains flowing through this interchange per hour, and the station will be busier than Clapham Junction. Smithfield could be another Covent Garden, and is well-positioned to other attractions such as the Jewellery Quarter, Clerkenwell Cultural Quarter and St Pauls.

Urban Space Management, the company which transformed Camden Lock and Spitalfields Market, has put together a business plan that would turn the day-lit General Market Building halls into a new market square with 200 stalls, a ring of new shops and restaurants and small office units. Eric Reynolds, Director of Urban Space Management, is working with the Cathedral Group, SAVE Britain's Heritage and the Victorian Society to apply

for a change of use, proposing to repair the buildings and reopen them as a retail market and foodie destination.

In the meantime, Henderson Global Investors, the owners, have stated that they would leave the buildings empty if they could not implement their plans. And English Heritage and the Greater London Authority have not changed their views, having supported John McAslan & Partners' plans for office blocks, demolishing the interiors to build these.

Encouragingly, the City of London Corporation has set up a Cultural Hub Working Party and is planning a cultural quarter walk linking the Barbican, the London Museum with St Pauls and Smithfield.

Let us hope that this wonderful opportunity to have another vibrant cultural quarter in London is seen as such by those with the powers to act. As the Cathedral Group wrote, in their submission to the Public Inquiry, 'Smithfield is more than just part of London's flesh and blood. It's in the city's bone marrow'.

For more information,

www.savesmithfield.com ■

High Street Decline Continues

According to research by accountancy giant PwC, compiled by the Local Data Company (LDC), the decline of the high street accelerated in the first half of the year.

Experts suggest betting shops and discount stores gained increasing footholds at the expense of traditional retailers. Some of the changes have been put down to the rise of digital commerce. Nationally the gulf between openings and closures has widened.

The study of 500 town centres across Great Britain showed that 3,003 outlets closed in a six-month period compared to 2,597 openings, a net reduction of 406 shops. The analysis also showed the changing profile of town centres. In all, 365 goods shops of a more traditional type - such as shoe and clothes shops - pulled down the shutters.

Some councils will see relaxation of parking controls as a way to combat the decline, such as offering 20 minutes free parking. ■

All change at English Heritage

New Model approved: English Heritage re-structured and split into two organisations; a new National Heritage Protection Plan; The 2014 Heritage at Risk Register; a new project to survey Grade II buildings

Helen Marcus reports

The Department for Culture, Media and Sport confirmed in October that English Heritage will be re-structured from 1 April 2015. It will be split into two organisations: a new charity retaining the name English Heritage will run the National Heritage Collection of 420 historic sites and monuments (remaining in public ownership), while a second public body, Historic England, will continue the role of advising government on planning and heritage protection matters.

The Government will provide additional funding of £88.5m to invest in the National Heritage Collection of which it is intended that £80m will act as capital investment to restore and present the properties. The remaining £8.5 million has been allocated to fund the implementation of the new structure of the Charity.

The new public body, to be called Historic England, will be dedicated to offering expert advice, championing the wider historic environment and providing support for the heritage sector. DCMS has confirmed that there will be no changes to its current duties and powers in planning and heritage protection. Historic England has consulted on a draft Corporate Plan of the future body, *Valuing our Past Enriching our Future*. It sets out Historic England's purpose, role and values, while also outlining its strategic priorities for the period from 2015 to 2018

While conservation bodies such as the Heritage Alliance, the biggest coalition of heritage interests in England, have welcomed the announcement, they have raised a number of concerns during the DCMS consultation in the summer. They will all continue to monitor both bodies carefully; it is especially important to make sure that Historic England is adequately resourced to provide essential statutory and non-statutory services for the sector and the wider public.

All expressed concern about the inadequate financial information given in the consultation document, the short timeframe for self-sufficiency, increased competition, and whether the charity would retain the function of owner of last resort.

For more information see:

www.english-heritage.org.uk/about/whowe-are/english-heritage-is-changing/

The National Heritage Protection Plan

The National Heritage Protection Plan (NHPP) was developed as a framework for the work of the heritage sector inviting all heritage organisations to participate. It sets out how English Heritage together with partners in the heritage sector, would prioritise and deliver heritage protection from 2011 to 2015.

Its objective is to make the best use of resources so that England's vulnerable historic environment is safeguarded in the most cost-effective way at a time of massive social, environmental, economic and technological change.

Through joint working with other organisations, including the Church of England Cathedral and Church Buildings Division, The Landmark Trust and the Federation of Archaeological Managers and Employers, it is hoped to make the most of their resources.

There is also an independent Advisory Board, made up of representatives from many heritage bodies but also other organisations that have an interest in heritage. The board advises on the shape and content of the Plan.

Following on from the DCMS consultation on the new model English Heritage, EH co-ordinated a public consultation (on behalf of the sector) on what the priorities for the next plan should be. Many organisations have been contacted and invited to participate in the consultation and in workshops. ■

The 2014 Heritage at Risk Register

The Heritage at Risk Programme (HAR) was launched in 2008. Heritage at Risk 2014 published by English Heritage on 23rd October is the most comprehensive to date, recording listed buildings, places of worship, scheduled monuments, industrial sites, conservation areas, parks and gardens, protected wrecks and battlefields identified as at risk and in need of rescue.

Overall there has been a reduction in the number of sites on the Register, but more than a third of buildings that were on the Register when it first began in 1999 are still there now.

This year's focus has been on assessing listed Places of Worship. It has revealed that of the 14,775 listed places of worship in England, 6% (887) are at risk and as such are included on this year's Register. This is fewer than expected but congregations face a big challenge to bring these buildings back into a good condition. Threats such as failing roofs, broken gutters and downpipes and damage to high level stonework are a problem with most places of worship suffering from at least two of these problems. EH has committed itself to continue to work with the Heritage Lottery Fund, the National Churches Trust and a range of other charities and trusts to make sure funding and advice is directed to those most at risk.

Of other Grade I and II* listed buildings 4.0% are on the Register. ■

Survey of Grade II buildings.

The state of the majority of Grade II listed buildings is still unknown. English Heritage is therefore to set up a new project to survey Grade II buildings at risk across England with the assistance of volunteer groups. It is proposed to create a partnership of conservation groups of whom CivicVoice will be one; an application is being made to the Heritage Lottery Fund, to enable the setting up of a national programme to survey all Grade II Listed buildings and create a new national database. All communities should check that the listing details of what makes a Grade II building special are up-to-date. ■

Where to find information

National Heritage Protection Plan

www.english-heritage.org.uk/professional/protection/national-heritage-protection-plan/

Historic England's Corporate Plan Consultation

www.english-heritage.org.uk/content/imported-docs/f-j/historic-england-draft-corp-plan-2015-18.pdf

The 2014 Heritage at Risk Register

www.english-heritage.org.uk/caring/help/historicbuildings/

If you have any questions, email

nhpp@english-heritage.org.uk ■

Spotlight on the Ladbroke Association

The Association aims to encourage high standards of architectural and town planning within the Ladbroke Estate area, and stimulate public interest in and care for the beauty, history and character of the neighbourhood

The Ladbroke Association was founded in 1969, in the same year as the designation of the Ladbroke Conservation area. It all began when the local Council decided to cut down and replace the magnificent London Planes that line the southern end of Ladbroke Grove, the main thoroughfare through the Ladbroke area. A group of local residents, including the well-known architect and town-planner Robert Meadows, Sir Angus Stirling (later Director-General of the National Trust) and Thomas Pakenham (author of some wonderful books on trees and now our President), decided to form a conservation society to help protect the area from depredation. The newly formed Association was successful in opposing the proposal to fell the planes, and the trees are still flourishing.

An early example of town planning

The Ladbroke area in Kensington is an early example of town planning. Until the 1820s, it was agricultural land. It belonged to a member of a banking family called Ladbroke, who decided to develop the area for housing to meet the growing need for accommodation for people working in London. Between the 1820s and the 1870s, the entire estate was built over. Ladbroke employed Thomas Allason, a well-known landscape artist and architect, to draw up a master plan for the estate. Although the plan was changed over the years, its main features of communal gardens, crescents and vistas survived. The houses are in a variety of different styles, but always within the classical idiom and either stucco or half stucco with copious decoration. There are both large detached and semi-detached villas and more modest terraced houses.

20th century - difficult times and revival

During the 20th century, however, much of the area became unfashionable; many of the villas intended for family use were converted to crowded flats and bedsits (Rachman was one of the landlords), and German bombs left quite a few holes, too often filled in the 1950s and 1960s by undistinguished jerry-built blocks. It was against this background that the Ladbroke Association was formed, just at the time that the area was beginning to come up in

The Association was determined to promote distinguished modern architecture

the world again. Apart from saving the plane-trees, one of the Association's first successful campaigns was to prevent a huge and hideous block of flats being built on one of the remaining undeveloped bomb-sites. It was also heavily involved in the drawing up of the Council's original policy for the conservation area.

Promoting modern architecture

From the beginning, however, the Association was determined to set its face against the "pickled in aspic" approach and to promote distinguished modern architecture which would add character to the estate. It supported for instance the building of the elegant modern block of flats in the photograph (on page 11). And it deliberately called itself a conservation society rather than a preservation society.

Conservation in action

Stucco degrades only too quickly, and by the 1960s many of the previously elegant villas and terraces had lost much of their stucco decoration – cornices, string courses, decorative mouldings round windows and in some cases whole pillared porches.

Another of the Association's preoccupations has been to encourage house-owners to restore these features, and over the past ten years in particular there has been remarkable progress, although there is still much to be done. One of the Association's current exercises is a survey of the 30-odd streets in the conservation area to develop recommendations for both householders and Council planners on features to be encouraged or discouraged. In the early 2000s, it commissioned a complete photographic survey of the buildings in the area, which was the subject of an exhibition in 2007.

The communal gardens

The sixteen communal gardens and the many important trees on the Ladbroke estate are central to its character. The communal gardens are run by garden committees, but the Association aims to support them and to oppose planning applications that would harm the gardens. During the year of the Queen's Silver Jubilee it donated a tree to each of the gardens.

Extending the Conservation Area

The original Ladbroke Conservation Area covered only the grander southern part of the Ladbroke estate, which was almost entirely residential. In 2002 it was extended to take in the less affluent northern part, including a large part of the Portobello Road with its market. This has brought a whole new set of preoccupations for the Association, including a greater interest in shop-fronts and the health of local businesses.

New problems of affluence

The increasing affluence of the area has brought its own problems. People want to extend their houses in all directions, and much of the Association's efforts are directed to ensuring that extensions enhance or at least are in character with the area. The Committee meets once a month and looks at every single planning application that has been submitted in the Ladbroke area. Most cause no concern, but in perhaps half a dozen to a dozen cases a month the Association puts in a reasoned objection. It is particularly concerned to keep the symmetry of the classical forms and the gaps and vistas affording views of greenery that are an essential character of the area.

Many new owners have come in and bought decaying houses in multi-occupation, converting them back to single residences and restoring them to their former glory. Fortunately the area has not suffered from the "buy to leave" phenomenon that affects some parts of London. But more residents are now away for part of the year and can be less interested in participation in the community than before. Also, while bringing houses back into single occupation is normally good for the conservation of the building, the social mix of the Ladbroke area has always



The Ladbroke Association

Contact: Chairman Graham Child
email: chairman@ladbrokeassociation.net
website: www.ladbrokeassociation.info

Graham Child



18 Lansdowne Crescent

Age: 45

Circumstances of Birth: Started by local residents concerned at a proposal by the Council to fell some much loved plane trees in Ladbroke Grove.

Biggest Successes: 1. A major role in developing the original policy for the conservation area. 2. Complete photographic survey of the buildings in the area, 3. A systematic study of the problems caused by basements in residential areas which has influenced Council policy. 4. A survey to develop recommendations for both householders and Council planners on features to be encouraged or discouraged.

Biggest Disappointments/Frustrations: The horrific noise and vibration, dirt, damage, traffic problems and other nuisance caused by the increasing number of basement excavations, often several at once in the same street.

Present Preoccupations: 1. Discouraging unsuitable extensions that jar with the historic buildings or obscure views and vistas. 2. Encouraging residents to restore stucco decoration. 3. Promoting good new modern architecture where appropriate. 4. Promoting the preservation of local businesses and amenities which could be threatened by changes in planning rules.

Working Details: Membership between 350 and 400; family membership £15 a year; publish twice yearly newsletter. Committee of about 12, including ward Councillors (the Ladbroke area spans four Council wards). Maintains close dialogue with the local Council on planning and development issues. Monitors all planning applications, objecting to those that would adversely affect the character of the area. Welcomes approaches from members with concerns about particular planning applications, while making clear that the Committee must make its own judgements on individual cases and cannot guarantee to support members' objections in every case.

Activities: Periodic events for members, including tours of one of the communal gardens; a Christmas party in one of the interesting houses in the area; and lectures on subjects of local interest.

Special Characteristics: An early example of town planning based on a master plan - by Thomas Allason - with communal gardens, crescents and vistas, and houses within the classical idiom with stucco and copious decoration.

Last Word: Remarkable progress on restoration but still much to be done. ■

been one of its charms and that will be at risk if too many buildings are taken over by wealthy single families (and one has to be wealthy, alas, to purchase a house now in the Ladbroke area). This is an issue that troubles the Association.

The dreaded basements

The biggest problem from increasing affluence, however, is the fashion for basement development to accommodate media rooms, gyms, clothes storage, wine cellars, swimming pools, etc. The basements themselves once built hardly affect the conservation area as they are invisible. But the ordeal for those living next to the excavation of a new basement is horrific and can easily last a couple of years. The Ladbroke area was one of the first to experience the basement phenomenon.

Kensington next to buildings where planning permission had been given for a basement excavation. Over 60 replies were returned, an excellent result for a "cold" survey of this kind. On the basis of the responses, the Association prepared a report setting out what the main problems were and making recommendations on how to mitigate them. This was the first – and we believe still the only – systematic study of the problems caused by basements in residential areas. Since then, the Association has been heavily involved, in cooperation with a number of other bodies in the central London area, in pressing for a fairer deal for those unfortunate to live next to a house where a basement development is taking place. ■

Below: Stanley Crescent
 Bottom: St Peter's Church from Stanley Gdns



A systematic survey

Towards the end of the 2000s, the Association started receiving complaints from its members about the terrifying noise and vibration that the neighbours had to endure, along with sometimes serious damage to their houses. The local Council was at first somewhat dismissive, regarding this as a minority problem and the horror stories as anecdotal evidence. The Association therefore decided to do a systematic survey of the problem.

Detailed questionnaires were circulated to some 200 households in

Thames Tideway Sewer Tunnel

Ministerial approval meets legal challenge – the saga rumbles on

Joseph Bazalgette's 1858 sewer system transformed a filthy London. His sewers are still the backbone of the modern system. But he did not build separate channels for sewage and run-off, which most 20th-century sewers have. So when it rained hard, the combined contents of the sewers overflowed into the Thames.

Today with three-and-a-half times more people living in Greater London than in Bazalgette's day, and a lot more concrete and asphalt, more than 40 million cubic metres of diluted sewage is flows into the Thames a year through Combined Sewer Overflows.

Development consent granted

Earlier this month, the Secretaries of State for the Environment and for Communities and Local Government granted a development consent order for a 15-mile Thames Water's Thames Tideway Tunnel (TTT) along the length of the Thames from Acton in west London to Abbey Mills in east London, designed to eliminate this problem. Work is scheduled to start in 2016 and finish in 2023 costing over £4 billion and adding £80 annually to water bills.

The panel of five inspectors examining the application had "clearly found that Chambers Wharf [which would be used to drive the main tunnel to Abbey Mills pumping station] was not a suitable drive site for this super sewer". They agreed with Southwark Council's suggestion that the drive direction ought to be reversed, with Abbey Mills, not Chambers Wharf, used as a drive site.

However they said that "it is not the role of the examining authority to recommend on the drive direction. Our recommendation must be based on the application before us." The panel's report concludes that the case for development is "finely balanced" and that it was only able to recommend approval on the basis of changes to the application that it had recommended itself. But the decision by the Secretaries of State has overridden this verdict.

The 50,000-page application for the so-called "super sewer" affects 14 local authorities. 23 construction sites line the supersewer's route, each a major, multi-million-pound engineering project. Thames

Water admits that the project will mean an average 38,000 extra Heavy Goods Vehicles movements a year across the capital. Tunnel-boring machines will be lowered down to 65 metres at three main sites. There has been bitter opposition from councils such as Hammersmith & Fulham and Southwark council who have pledged to "continue to fight the decision". Both are seeking advice on whether there are grounds for judicial review.

It is claimed that the Australian-led consortium that owns Thames Water is interested mainly in inflating the firm's capital assets with an unnecessarily "gold-plated" scheme. Thames Water, a privatized monopoly, have paid no UK corporation tax for the past 3 years. Building the TTT will enable them to escape paying tax for another decade.

Opponents say that we do not need a supersewer; modern "sustainable urban drainage systems" (SUDs) could absorb or store water rather than flush it away, slowing its descent into the ground sewers through various absorbent methods. They are complicated, though: advocates say a London one would need around 100 local projects, which are hard to co-ordinate, especially across so many boroughs. Thames Water dismisses the idea as inadequate; architect and sustainability adviser Tom Dollard says. "We probably do need both an upgraded sewer system and a blue-green system to cope with London's population in 50 years' time,"

Legal Challenge

An application for Judicial Review has now been lodged by the recently formed Thames Blue-Green Economy, a broad group of independent experts - including engineers, politicians, lawyers, economists, financiers, journalists, architects, landscape architects, Climate Change scientists, Public Health advisors and environmentalists. They claim that cheaper, quicker, lower risk, and more sustainable solutions to dealing with London's excess rainwater can be implemented and effective immediately without waiting another 10 years, whereas the TTT project "a 19th century solution to a 21st century problem" will turn fresh rainwater into sewage at vast public expense and environmental damage. ■

Is SuDS the answer?

Planning policy on SuDS

From the government Planning Portal.

Moves to strengthen planning policy on so-called sustainable urban drainage systems (SuDS) have been announced by the Government, which has decided the planning system will be the best vehicle for ensuring these measures to reduce flood-risk are implemented and maintained.

SuDS explained

SuDS are designed to manage excess rainwater where it falls instead of the traditional approach of channeling it through drains. Examples include ponds, reed beds, drainage channels and porous driveways. (see Newsforum 66 Spring 2014)

Following the Pitt Review into the 2007 floods, ministers agreed that SuDS should become compulsory on all new developments from April 2014, as mandated by the Flood and Water Management Act.

It was intended that SuDS Approval Bodies (SABs) would be established by local authorities but difficulties emerged because councils and the development industry identified complications in having a separate consenting regime involving different parts of the local authority.

Therefore the Department for Communities and Local Government and the Department for Environment, Food & Rural Affairs have proposed a different approach building on the existing planning system, which developers and local authorities are already using. Under this approach a requirement that SuDS are provided in new development would only apply to schemes of 10 homes or more. Planning conditions should require a maintenance regime for SuDS and applications that fail to meet a policy requirement to normally deliver SuDS first over conventional drainage could be rejected. The Government hopes to have the changes in place in national planning policy by spring 2015.

Peter Eversden commented: "Perhaps if they had done it years ago we would not have needed a multi-billion pound SuperSewer !

For more information see

www.planningportal.gov.uk/general/news/stories/2014/september14/180914/180914_3 ■

Examination in Public of the altered London Plan

by Peter Eversden

The examination in public (EiP) of some of the alterations to the London Plan, published in January, took place in September conducted by Inspector Tony Thickett.

The London Forum was invited to participate in all areas of its interests on behalf of its members in the discussions. However the matters the Inspector had chosen to examine did not cover all of the changed areas of the Plan on which the London Forum had sought more evidence or on which it wanted to amend the alterations.

That was very frustrating and it means that there will be a lot of work to do for influencing the full replacement version of the London Plan which will be compiled after the election of a new Mayor in 2016. In particular, there was no discussion of the new figures for alterations for homes and jobs expected from development of London's Opportunity Areas (OA) put in by the GLA, and no supporting evidence was presented. It will be important that societies ensure the OA Masterplans in their area are developed with their Council to contain spatial policies determining what is built and where of what size, purpose and impact on character and context.

The discussion on meeting London's housing need across the GLA boundary into neighbouring local authorities was not effective. The Inspector took as the basis the fact that the wording of the Acts does not lay upon the Mayor a Duty to

Cooperate. However, the planning authorities in the Outer Metropolitan Area do have that responsibility and London may need to rely on them to meet its housing needs. That was not explored.

London Forum suggested that there could be development of homes and jobs along the five growth corridors of the Key Diagram of the London Plan, without harm to the Green Belt. The debate was too limited, as only the alterations made to the London Plan could be considered.

The Inspector dealt with the facts that London has been building only 20,000 homes annually but needs over 60,000 annually. The Mayor has set 42,000 pa as a target now but has asked the boroughs to deliver 49,000 annually, if they can. He has set out fifty actions in his Housing Strategy that could help to close the gap.

London Forum's enquiries on how many of them are feasible, supported by Government and implementable in a defined timescale have produced only limited responses.

There will be keen attention paid to the Inspector's report and recommendations but they may not be known for some time after he has produced them at the end of January 2015 because the Mayor has the opportunity to negotiate his response to that report with the Minister, Eric Pickles.

Another alteration and subsequent EiP on parking standards in London is expected in the coming months because of interference and demands by the planning minister on that subject. ■

Team London awards

Civic Societies excluded

Peter Eversden has written to Mayor Boris Johnson, drawing attention to the fact that the Team London awards for those who "improve quality of life", presented by the Mayor at City Hall in September, entirely ignore the achievements of civic and amenity organisations in London.

Providing services to those people who are deprived, disadvantaged, or suffering mental health problems is admirable.

But volunteer groups such as residents associations, community groups, civic societies and Friends of open spaces, make a difference by considering strategic planning and decision-making which are key to creating sustainable communities and making London a better place for the future for all. "It would be appreciated if their contribution to Team London could be recognised". ■

New segregated cycleways

London Forum has welcomed the GLA's proposed new cycle lanes, East/West and North/South, as a step beyond the existing cycle superhighways, representing a shift in modal split away from cars and toward people. The Forum believes they will provide a significant enhancement of the environmental amenity of London.

However it recognises that there may be adverse impacts on other transport modes particularly on pedestrians, bus users and local goods deliveries, and recommends that these be kept to a minimum. The consultation suggests that TfL are doing more work on modelling the traffic effects. London Forum has asked to be kept informed about the main impacts as they emerge.

PRACT (Paddington Residents' Active Concern on Transport, a consortium of four wide-area amenity societies,) and Friends of Hyde Park and Kensington Gardens have registered their concerns and have been actively engaged in discussions with TfL, the Mayor's Cycling Commissioner, and Westminster Council.

Details of the routes and links to related documents can be seen at

<http://tinyurl.com/puocwfg> ■

Recent Mayoral initiatives - from the GLA website

Mayor Development Corporation

The Mayor has just ended a public consultation on proposals for a new Mayoral Development Corporation for the areas of Old Oak and Park Royal. Both areas were identified in the London Plan 2011 as Opportunity Areas with their own Frameworks including the protection of Strategic Industrial Land. Significant transport improvements are being planned with linked stations for Crossrail, HS2 and the Overground.

The report can be downloaded from:

www.london.gov.uk/sites/default/files/Old%20Oak%20MDC%20consultation%20report%20June%202014.pdf

The Mayor's 2050 Infrastructure Plan

The Mayor launched London's first long-term infrastructure plan in July. It is the first ever strategic attempt to set out London's infrastructure needs over the next half century, during which time the population of London is forecast to increase by thirty seven per-cent to more than 11 million people. The public consultation closed on 31 October 2014

If you would like to know more contact: Jeremy.Skinner@london.gov.uk or Suzanne.Moroney@london.gov.uk ■

Councils and eroding democratic accountability

Councils as property developers - are they out of their depth?

Commercial sensitivity used to withhold information; Councils at risk of losing planning powers. **Helen Marcus** reports

Commercial sensitivity

Local objectors are increasingly finding Commercial sensitivity being used as an excuse for withholding vital information on Councils' activities.

We are receiving reports from London Forum members in Haringey, Camden, Barnet and Kensington, in relation to access to important documents connected to planning applications, and behind the scenes "discussions" between officers and developers.

The concern is that by the time the application is officially put in the proposal is a "done deal", with the case officer (who is also pre-application advice officer) having negotiated what he/she thought the Council might seek without knowledge of what the community might want, so that when the applicant goes through the motions of public consultation it is in effect too late to secure any changes.

Freedom of Information

One way of combating this is to put in a Freedom of Information (FOI) request. Michael Bach reports that the Kensington Society has had some success in this way following an initial refusal of information under the claim of confidentiality. The Council had to provide the information as there was no basis on which it could be refused. The Society also pointed out to the Council that since they were applying a strict 21 days (ie 3 weeks) maximum (the statutory minimum!) as a cut-off for public consultation, the 20 working day (ie 4 weeks) maximum for answering an FOI was unworkable.

Something similar happened in Brent with the redevelopment of the Willesden Library site (see Newsforum issue no. 60, 2012). The whole council-owned site (car-park, town square and library) was sold off to developers, the deal being a new library (to replace a library that had been rebuilt only 20 years ago) in return for several blocks of flats on the car park. Local campaigners had to resort to FOI to obtain necessary information and even then not all of it was forthcoming.

Please let London Forum know of your experiences. How does your council react when asked to disclose the records of discussions planning officers have with applicants? Are your Ward Councillors willing to help or press for information? ■

Pressure on Councils over appeals

In yet another move by this government to interfere with local democracy local planning authorities that have more than one fifth of their major application decisions overturned at appeal will lose planning power – "de-designated" is the Orwellian word used in the document, *Improving planning performance, Criteria for designation (revised June 2014)*

The performance of local planning authorities will be assessed in two ways:

- on the basis of the speed with which applications for major development are dealt with;
- the extent to which such decisions are overturned at appeal

Statistics released by planning consultancy Turley show successful appeals at public inquiry have leapt by 50 per cent since the introduction of the National Planning Policy Framework in 2012.

The Department for Communities and Local Government (DCLG) is now saying that any authority where more than 20 per cent of decisions on major applications are overturned at appeal over a two-year period would be put in special measures.

Furthermore Developers can choose to go over the head of the authority and submit a planning application directly to the Planning Inspectorate. Local authorities who decide ten or fewer applications for major development will be exempt.

More information can be found at <http://www.planningresource.co.uk/article/1298951/improving-planning-> ■

Landlord licensing scheme

A useful borough initiative

London Forum members might be interested in encouraging their Councils to emulate the following Barking Council initiative

A new licensing scheme aimed at improving the quality of private rented housing and how it is managed is now in force in Barking & Dagenham.

The Private Rented Licensing Scheme (PRLS) aims to reduce antisocial behaviour, overcrowding and allow much greater interaction between the Council and landlords. It is hoped it will also see improvements to the private rented housing sector in the borough. ■

Councils at risk with development deals

A survey by the think-tank Localis, *Planning, Housing and Growth / Getting Britain growing again*, has found that local authorities under increasing financial pressure are turning to property development to help balance their books in the face of funding cuts. But they lack the resources and expertise to strike the best deals or keep land under public ownership, and risk being short-changed by developers. Localis found that councils were selling assets for "less than optimal" value, and the taxpayer risks losing tens of millions of pounds on deals that could involve billions of pounds.

The Report recommended that government should put together a team of experienced council staff to help local government get the best returns from their property. They also suggested that all branches of the public sector should be forced to publish an assets register documenting what property they own. Liz Peace, chief executive of the British Property Federation, warned that some private developers "have been rather too keen to turn a quick profit from public bodies selling off the family silver at a knockdown rate" ■

Councils filming ban

Some councils had flouted guidance from the Department for Communities and Local Government in June 2013, urging them to open up their meetings to modern technology. (See Newsforum no. 64). In some cases they even called the police to evict people who tried to record proceedings. This worrying trend of increased secrecy has made it harder for local newspapers to perform their vital scrutinising role on behalf of the public on potentially contentious matters such as planning decisions.

Eric Pickles has now announced more new rules making it illegal for councils to ban such filming. Councils and other local government bodies, such as fire authorities and Transport for London, will have to allow members of the public and press to film, record, photograph or use social media to report on their meetings. ■

The Arcadian Thames

The publication of a Heritage Lottery Fund Report and the launch of the The National Federation of Parks and Green Spaces petition has raised concern about the plight of our parks. **Helen Marcus** reports

Jane Owen, editor of House & Home, wrote an article for the Financial Times headlined "Britain's green urban space is at risk of rapid decline." Referring to the Heritage Lottery Fund report *The State of UK Public Parks*, published in June, she asked "what is the hope for future greenness?" Funding is so precarious that "many parks are at serious risk of rapid decline and even being sold off and lost to the public forever."

An eighteenth century vision revived

She also used the opportunity to draw attention to the Thames Landscape Strategy for a section of the Thames dubbed Arcadia. She asked "Where are the visions for new Arcadias and public parks that inspire others to follow?"

The vision she referred to was that of Queen Caroline and Alexander Pope's Arcadia, created in the eighteenth century on the loop of the Thames. Between Weybridge, Hampton and Kew the Thames meanders through a connected landscape of parks, palaces and working communities known as the Arcadian Thames. It runs past Garrick's Villa, Hampton Court, Pope's Grotto, Ham House, picturesque cattle grazing at Petersham opposite Marble Hill, and Richmond Hill with its spectacular view.

This vision inspired the English landscape school and has influenced countless parks

and gardens in mainland Europe, as well as Central Park in New York and the plantation houses of the southern States.

The Thames Landscape Strategy

By the second half of the 20th century it had been all but forgotten with parts closed to the public or left to go to ruin. Then 20 years ago landscaper Kim Wilkie and others including David Attenborough launched an ambitious plan to restore it.

They set up the Thames Landscape Strategy, a not-for-profit partnership for the river corridor between Weybridge, Hampton and Kew bringing together a partnership of statutory and non-statutory organisations, working closely with over 220 local groups and communities. Their vision of "a 100-year blueprint for the Thames", is set out in the Thames Landscape Strategy report revised in 2012.

Jane Owen accuses the UK of being smug about its green space with urban green space being undervalued. London's Royal Parks are being increasingly used by art fairs, rock concerts and winter wonderlands to generate cash, while the Royal Botanic Gardens at Kew currently has a £5m hole in its funding. It is good to have support for open spaces from such a quarter.

w.thames-landscape-strategy.org.uk/ ■

RIBA controversy over building on Green Belt

The Royal Institute of British Architects (RIBA) caused controversy in July by saying in its report Building Better Britain: A vision for the next Government that parts of the green belt are "unloved" and could be sacrificed for housing because they are of "negligible environmental value". They point out that laws protecting green belts were created to prevent urban sprawl, but have prompted developers to jump over them and build in "genuine countryside". It recommends a review of the green belt to understand the value of that land and to identify areas into which cities could expand. It says that there are 62,000 hectares of brownfield land in England, compared with 1.6 million hectares in England's 14 green belts.

The Campaign to Protect Rural England

(CPRE) says there is enough brownfield land for 1.5 million homes, but many developers prefer to build on sites in open countryside because they yield higher profits. CPRE have launched The Waste of Space campaign, encouraging people to nominate plots, which it will compile into a national database and use to put pressure on the government to increase incentives for developers to target brownfield sites.

The government's new housing and planning minister, Brandon Lewis, said: "We are absolutely clear of the need to make the best possible use of brownfield land in a way that keeps strong safeguards in place to protect our valued countryside, and we have absolutely no plans to change these important green belt protections." ■

Save our Parks!

sign the petition

UK Parks Petition

There is growing alarm from the public, from Friends of Parks groups, and from parks managers, about the serious long-term damage being caused by dramatic cuts to green space budgets for staff and maintenance, and the lack of funding and investment by local and national government. If not reversed, this neglect will cause them to go into decline and become problem spaces abandoned by park users and plagued by vandalism.

Heritage Lottery Fund Report

The Heritage Lottery Fund (HLF) appointed a team of parks & green space experts in 2013 to research and deliver the State of UK's Public Parks report. Published in June 2014 'State of UK Public Parks' documented the alarming slide into a long-term crisis being caused by the underfunding of the UK's parks.

The Friends Groups petition

The Friends Groups movement, which now numbers over 5,000 groups, and the National Federation of Parks and Green Spaces has set up a petition aimed at bringing this issue to the fore and making recognition and commitment from the political parties and the next Government in 2015 an election issue.

More information

You can find the petition at:

w.http://chn.ge/TXdqhj

w.www.natfedparks.org.uk/parks-petition.html

Twitter: @LoveParks_Week #LoveParks
Facebook:

www.facebook.com/ukparkspetition - and also:

w.www.facebook.com/LoveParksWeek

The Heritage Lottery Fund report

The State of UK Public Parks, can be found at:

w.www.stateofukparks.org.uk/state-of-uk-public-parks-report-published/ ■

Mount Pleasant redevelopment

Controversial proposals to redevelop part of London's Mount Pleasant sorting office were given the go-ahead by Mayor Boris Johnson, in yet another instance of the Mayor's intervention overriding local democracy; Camden and Islington councils were to recommend refusal. The three-hectare site next to the sorting office is one of the largest development sites in central London, straddling the Islington/Camden border.

The scheme proposes 681 homes with shops, offices, restaurants and a public space on half of the site, with a series of hefty blocks rising to 15 storeys, which will frame narrow canyons of "public" space in their shadow. The remaining half will continue to be a postal sorting office, employing up to 3,200 people.

There has been criticism over a lack of affordable housing. The mayor's office said 163 homes will be affordable, of which 98 will be for rent and 65 will be shared ownership, but there is a distinct lack of clarity about how genuinely affordable these homes will be. Moreover it appears that Royal Mail have since slashed their quota of such housing from 20% to around 12%.

The Mount Pleasant Association (MPA) of local residents has been battling against the scheme, saying that "It's like a fortress" and "completely turns its back on the surrounding area." Designer and

local resident Thomas Heatherwick wrote to the council damning it as "lazy – cheap, bland, generic and misconceived."

However In a surprise move at the heated hearing on October 3, the MPA report that the Mayor applauded their alternative scheme produced in collaboration with Create Streets – describing it as 'very beautiful' – and urged them to press ahead with developing a planning application.

They have received funding from the GLA's Community Right to Build programme, and will now prepare a planning application that delivers what the community wants – a good quality community-led development that serves the interests of all.

Until the 17th century the area was open fields sloping down to the Fleet River, presumably the reason why it became known as 'Mount Pleasant'. However by the 1700s the name became an ironic misnomer as the area was increasingly used as a rubbish dump. It was cleared in 1794 only to make way for the notorious Clerkenwell Gaol, where inmates were forced to work treadmills and pick oakum amid overflowing sewers. It was cleared again in the 1880s for the postal sorting office. ■

Vauxhall New Bondway scheme

Lambeth Council has granted planning permission, despite fierce local opposition, to proposals for a 50-storey, mixed-use tower in Vauxhall's New Bondway scheme. It has been dubbed the "Jenga Tower" because of its blocky, overhanging design.

Plans for a smaller tower were blocked by Eric Pickles, the communities secretary, in 2011 amid concerns over a lack of public space after initially being approved by Lambeth council.

Existing buildings on the 0.29 hectare site will be demolished and replaced with two linked towers, of 24 and 50 storeys which will provide 450 flats,

including 90 affordable units, as well as high-end office space, a cinema, a gym and private gardens.

Some local residents who attended the planning meeting claimed that the tower would impede sunlight to a nearby residential block and plunge Vauxhall Park into shadow.

Of great concern is the effect it might have on protected views. Westminster Council and English Heritage had expressed fears that it would ruin views of Westminster and the Houses of Parliament. ■

Passivhaus at Hammersmith

The Hammersmith Society has sent us details of the retrofit of a Victorian house at Rylett Crescent to Passive House standards – the first retrofit in Hammersmith as far as they know. It establishes that retrofitting to Passive House standards is feasible on domestic properties even in Conservation Areas – and presumably more so on commercial properties. The Society asks does this project set a new standard or is it a one-off?

Passivhaus or 'Passive House' is an energy performance standard for a building, for which thermal comfort can be achieved solely by post-heating or post-cooling of the fresh air mass, which is required to achieve sufficient indoor air quality conditions – without the need for additional recirculation of air." It relies on exceptional airtightness with mechanical ventilation to give an excellent thermal performance. It allows the designer to minimise the 'Heating Demand' of the building and in some residential buildings specify only a heated towel rail as means of conventional heating, this heat can then be recovered and circulated by a Mechanical Ventilation and Heat Recovery (MVHR) unit.

The idea was developed in Germany in the early 1990s by Professors Bo Adamson of Sweden and Wolfgang Feist of Germany. It can be applied both to residential dwellings and commercial, industrial and public buildings.

Rosemary Pettit Chairman of the Hammersmith Society points out:

"Great care needs to be taken with the passivhaus method in respect of older buildings. The passivhaus principle relies on sealing a building completely, which removes the natural ventilation needed to allow the fabric to breathe. Also, there are aesthetic considerations, for example the appearance of double glazed windows in period properties."

For more information see www.passivhaus.org.uk/standard.jsp?id=122 ■

Round the Societies

A round-up of news from our member societies.

By **Diane Burridge**

Threats to Enfield's Green Belt

The Campaign to Protect Rural England has raised concern that solar farms may be a first step to getting housing onto greenbelt land. Agricultural land so used could then be redesignated eventually as "brownfield" and would set a precedent that planners could find hard to challenge. The Enfield Society is opposing just such a development of the Metropolitan Green Belt: a proposal for a 25 hectare solar farm on arable land at Slowman's Farm; and a proposal by Fairview New Homes Ltd to build 300 homes and a school on Green Belt land south of Enfield Road - land that currently prevents the spread of complete urbanisation joining up Enfield and Oakwood. In 2010, Enfield Council had stated that: 'residential expansion into this area of Green Belt is unjustified and will be strongly opposed.' The Enfield Society will do all that it can to 'ensure that this stance is maintained.'

Commemorating the First World War

Societies are getting involved in the commemorations for the fallen in WW1. The Isleworth Society's idea to give more recognition to the 390 names on the Clock Tower Memorial resulted in local school pupils each adopting a name from the memorial and joining this year's Royal British Legion Isleworth Remembrance Parade, wearing an appropriate sash and badge. Plans for further commemorations are being discussed with the police, local churches, and Hounslow Local Studies.

The Clapham Society marked the centenary of the outbreak of the First World War with an evening of members' contributions of letters, diaries and memories of the war from their own families. A programme of readings and pictures with music interludes was very moving and informative for those present.

Active citizens in Stanmore

The Stanmore Society ran their third annual Stanmore Village Fete this summer, adopting flower boxes and planting and watering flower beds in local streets. Such attention to the urban environment has been proved in much research to be a key ingredient to people's well-being.

Signage in Kew Gardens

The Kew Society's plans to redesign the map at Kew Plaza has received more comments in support than most other initiatives by the Society. The Society has agreed funding with the National Archives, the Royal Botanic Gardens, and the Kew Residents Association.

Peckham Town Centre

The Peckham Society has supported Peckham Vision, a citizens' action local group, which has brought 30 volunteers together to create hand-crafted models to inform the design of the redevelopment of the town centre and Peckham Rye Station. Options are being investigated as the Secretary of State for Communities and Local Government has called for modifications to the Peckham and Nunhead Area Action Plan to safeguard existing business premises in the railway arches.

Designing Forest Hill Town Centre

The Forest Hill Society, with SEE3 and members of the wider community, have been closely involved in developing design ideas for the station forecourt and visual approaches into Forest Hill, Perry Vale pedestrianisation, and pocket park opportunities, following massive changes to the Forest Hill Town Centre since the last vision and planning guidance was produced in 2003.

Highgate: a victory and a continuing threat

The Society breathed a collective sigh of relief at the end of October when a Planning Inspector rejected an Appeal against refusal of permission to build houses on the old Garden Centre in the historic heart of the village - referred to as 'Highgate Bowl'. The dismissal was so decisive that it would appear to virtually rule out any development on the site. Originally a place where drovers would pasture their animals on the way to market from outside London, part of the Bowl is now home to the Harrington Scheme which trains young adults with learning difficulties in horticultural skills and which operates a garden centre. The Society has produced a vision for keeping the Bowl in community use; see: www.highgatesociety.com.

Meanwhile, together with the Heath & Hampstead Society, they are preparing to fight an appeal against Camden Council's refusal of a proposal to demolish Athlone House, a much-loved landmark on the borders of the Heath, although the Developer had signed a legal agreement to restore the House. And they are supporting the Heath & Hampstead Society in taking the City of London to Judicial Review over their plans to build dams round the Heath Ponds.

Recognition for Kingston Society members

June Sampson, a long-standing committee member of the Kingston Society, received the Freedom of the Royal Borough of Kingston in June 2014, in recognition of all her hard and persistent work to improve the borough. As Jennifer Butterworth, the Chairman of the Society wrote: 'She is like a terrier seeking out facts supported by evidence before she puts pen to paper'.

Jennifer Butterworth, in turn, was awarded a Pioneers Prize by English Heritage for her work building up the Kingston Heritage Open Days Programme - opening sites of architectural interest and cultural significance. She ran the programme single-handedly until recently handing over to a group who are building on her excellent work.

Over-development in Blackheath

Three major developments in Blackheath are keeping The Blackheath Society busy in responding to proposals. A development in the Lewisham Gateway area proposes 800 residential units; at Kidbrooke, developer Berkeley Homes is to build over 4,700 units including 25 storey residential towers; and complete redevelopment of the shopping centre at Leigate, owned by St Modwen. Whilst some of the development is welcomed, the Society is asking for more details on the height and design of the housing units; has expressed concern about how much public green space there will be; and has emphasised the need for public transport infrastructure.

For information: www.NewLewisham.com. ■

newsbriefs

Key issues of interest and concern to note.

Basement developments: a small victory

Campaigners in Quadrant Grove, Kentish Town fighting a proposed basement extension are celebrating a victory that could deter London's underground development boom. A request for a Certificate of Lawfulness for a 350 sq ft basement bedroom with en-suite bathroom had been recommended for approval by Camden council officers under the "permitted development" rule. But objectors successfully argued against a loophole which allows homeowners to dig for extra space without full planning permission, convincing councillors on the planning committee to overturn the recommendation and refuse to grant consent. The decision will now go to appeal; if upheld it could set a useful precedent.

LSE and London's housing crisis

A team of LSE London academics has secured a £99,000 award to carry out a research project over 14 months entitled 'Housing in London: Addressing the crisis'.

They consider responses to London's housing crisis are incoherent and weakly evidenced. Their goal is to influence local, London-wide and national housing policy and achieve improvements in London's housing market, including more and higher-quality new construction, enhanced affordability and a better match between households and dwellings.

A swimming pool in the Thames?

When Sir Joseph Bazalgette's sewer was completed in 1875, floating baths opened at Charing Cross. A covered building contained a large pool with deep and shallow ends, changing cubicles, and even a bridge to dive from. The water was drawn from the Thames, filtered and heated. Admission was one shilling.

Now a Thames Baths project has been drawn up by Studio Octopi with Civic Engineers and Jonathan Cook Landscape Architects, encouraged by the growing popularity of "free swimming" in landmarks such as the Serpentine and Hampstead ponds. It will reclaim part of the river beside Blackfriars bridge to create a floating 25m pool within the river, floating on wooden and steel struts. They believe the river will be clean enough for leisure use once Thames Water's proposed super-sewer is completed.

An exhibition at the Royal Academy

The idea is on display at an exhibition at the Royal Academy: *London As It Could Be Now*. Which is slightly misleading because the super-sewer will not be completed until 2023.

Edward Bowman 1927 - 2014

Edward Bowman, Honorary President of Coin Street Community Builders, died in March aged 86. He was the bedrock upon which Coin Street Community Builders was founded and led the organisation for 27 years as Chairman from 1985. He was also Chairman of the Trustees of Borough Market during the period of the market's transformation from dying wholesale market to thriving retail market of international repute. He leaves a legacy of extraordinary achievements and contributions to the communities of central London.

A new book of interest

Played in London: Charting the Heritage of a City at Play by Simon Inglis

Simon Inglis is the UK's leading sporting heritage expert, sports historian, writer and broadcaster. He is editor of the Played in Britain series on sporting heritage, published by English Heritage. Played in London explores the legacy of sport and charts the spaces, buildings, and sports that have shaped London's cultural and urban landscape for two millennia. Inglis takes us back to London's earliest sporting days from its first century Roman amphitheatre to the 21st century Olympic Stadium at Stratford, London has always been a city of spectacle and sporting fever.

In the 12th century crowds would gather at Smithfield to watch horse racing and ball games. In Tudor times they flocked to the tiltyards of Whitehall and Westminster to enjoy jousting, while in the 17th century the Stuarts were keen exponents of a game with the familiar name of Pall Mall from the French game paille-maille (ball and mallet), a form of croquet played in an 850-yard alley.

At Hampton Court the world's oldest covered tennis court, completed in 1625, remains in daily use. Every July on the Thames there takes place the world's oldest rowing race, initiated in 1715, while the crack of leather on willow may still be heard at the Artillery Ground in Finsbury, where cricket has been played since the 1720s. In 1934 tonnes of sand were dumped on the Tower of London embankment to create a beach from which tens of thousands of Londoners would swim in the summer. Tower Beach was closed in 1971, unsurprisingly due to worries about water quality.

From more recent times Wembley, Wimbledon, Twickenham, Lord's and the Oval are known around the world. As the first city to have hosted three Olympic Games, London has also led the way in the development of athletics, boxing and gymnastics and, in the 20th century, of greyhound and speedway racing, and even of darts, once a fairground favourite, now contested in front of massive crowds at one of the capital's latest coliseums, the O2 Arena at Greenwich.

Inglis also warns about dangers of the erosion of facilities and the surrender of sporting land in the capital: the loss of 20 per cent of London's football pitches and 40 per cent of cricket wickets in the past 20 years

Copiously illustrated with original photographs and detailed maps, and based on over ten years of in-depth research, it reminds us that London possesses an unrivalled sporting heritage. English Heritage, 360pp, £25.

Professor Sir Peter Hall 1932-2014

Peter Hall, the celebrated planner, urbanist and geographer, has died. He was widely recognised as the most influential planning expert in the country and wrote or co-authored dozens of seminal works, the most recent of which, *Good Cities, Better Lives*, was published to acclaim last year. He combined a highly distinguished academic career and an international reputation with advising successive governments on planning policy.

newsbriefs

Key issues of interest and concern to note

Lords vote against plans on judicial review

The Government got its Criminal Justice and Courts Bill through the Commons but has been defeated in three consecutive votes in the House of Lords on its proposals to restrict access to judicial review. The Bill was fiercely criticized when it was published in February. The Ministry of Justice's aim, stated at the time, was "to deter claimants from bringing or persisting with weak cases". They claimed the reforms were designed to make sure judicial review ... is used for the right reasons and not abused by people to cause delays or to generate publicity for themselves or their organisations at the expense of ordinary taxpayers."

Three important amendments

Cross-bench peer Lord Pannick moved three important amendments to the Bill, restoring judicial discretion on some of the key measures proposed, which were all passed by the Lords.

- Ensuring that the judges keep their discretion over whether they can hear judicial review applications, was voted through by 247 to 181. Former Lord Chief Justice, Lord Woolf, warned that the alternative amounted to an 'elective dictatorship'.
- Passed by 228 votes to 195, would allow judges to decide whether applicants should provide detailed information about their financial resources. The bill had proposed making it compulsory, which critics said would act as a deterrent in certain complex cases.
- Granting judges the power to decide whether those who apply to the court to intervene in a judicial review case should pay their own costs. The move blocked the government's plans to make such a payment an automatic presumption. It passed by 219 votes to 186.

Lord Pannick commented that the proposed measures "ignore the fact that one of the central purposes of judicial review is to identify unlawful conduct by the government or other public bodies ... even if, on the particular facts, the error made no difference".

He said the change was unnecessary because "judges have ample powers ... to dismiss hopeless or abusive cases".

Lord Deben, former Conservative cabinet minister John Selwyn-Gummer, described judicial review as "the British defence of freedom", adding: "As a mechanism, every now and again it is annoying to ministers. That should be a judgment of its correctness."

This defeat followed repeated warnings that the proposed restrictions on access to judicial review would have a "chilling effect" on those seeking justice. But Justice Secretary Chris Grayling is likely to try to overturn the defeat when the Bill returns to the House of Commons.

Other proposals, including the setting up of a specialist planning court and cutting the time limit to apply for a planning-related judicial review, have already come into effect.

The full debate can be read at

www.publications.parliament.uk/pa/ld201415/ldhansrd/text/141027-0001.htm#14102714000824

Water source heating

Government policy

The Department of Energy & Climate Change (DECC) set out the Government's policy in 2013 in a paper *The Future of Heating, Meeting the Challenge*, investigating how low carbon heating could be delivered across the UK in the decades to come.

High Level Water Source Heat Map Rationale

DECC has now published a High Level Water Source Heat Map Rationale showing that there is a particularly important role for heat pumps and heat networks.

The Map summarises an assessment of around 40 urban rivers with the highest potential for water source heat pump deployment, for both heating and cooling purposes. It identifies areas of high heat demand, adjacent to rivers with sufficiently high flow rates. The map also provides a high level indication of locations sensitive to environmental factors, which may provide a further constraint to development.

The map has been developed for local authorities, community groups and private developers in order to highlight the opportunities for deploying this innovative technology at larger scales (i.e. for heat networks).

The aim is to raise awareness of this untapped potential and to encourage stakeholders to consider water source heat pumps as an option when planning for local, sustainable energy solutions. A more detailed water source heat map deliver is being prepared which will form an important part of the new National Heat Map currently being further developed.

The Greater London Authority study

The Greater London Authority commissioned its own study into the capacity and utilisation of secondary heat sources in London building on the Mayor's 2011 *Decentralised Energy Capacity Study* which suggests that by 2030 22% of London's heat and electrical energy could be generated by decentralised energy sources linked to heat networks. Sources are likely to be combustion of primary fuels including gas, biomass and waste. With the likely reduction in availability and viability of gas, and possibly waste, there will be an increasing emphasis on alternative sources, of which secondary heat is one.

To gain consent for actual installation, developers will need to follow all due processes required by the Environment Agency and other bodies. The licensing of individual schemes will be determined on the basis of site specific conditions.

For more information see

www.gov.uk/government/publications/the-future-of-heating-meeting-the-challenge

National Heat Map: <http://tools.decc.gov.uk/nationalheatmap>

GLA:

www.london.gov.uk/sites/default/files/031250%20%28final%29%20GLA%20Low%20Carbon%20Heat%20Study%20Report%20Phase%202_0.pdf

Dates for your diary

London Forum events

Last meeting of 2014

(Notice of this meeting is being included only in the email edition; the printed edition will not reach members in time)

Tuesday 25 November

Regenerating Town Centres

Information and advice on the Mayor's funding for town centres in Outer London; the GLA Town Centres SPG published in July; the London Plan alterations and revised policies for improving town centres considered at the public examination in September.

London Forum Open Meetings 2015

Thursday 29 January 2015

2050 Infrastructure and Transport Developments

The Mayor has published a paper on the infrastructure improvements that will be needed by 2050 and could be considered for funding. It includes Crossrail 2 and other transport improvements.

Monday 23 March 2015

Preparation for the General Election

London Forum will seek participation of politicians in this meeting to discuss the intentions of each Party for the planning system, housing, the environment, investment in London and other subjects raised by members.

Meetings are held at The Gallery,

75 Cowcross Street, EC1M 6EJ, (Farringdon station)

All meetings begin with refreshments at 6pm

for a 6:30pm start ■

Membership renewal - reminder

As you all know, London Forum relies totally on Members' subscriptions for its budget. Many Members are early payers and we are most grateful to Members who have already renewed this year. If for one understandable reason or another, you have not yet sent us your cheque our membership secretary, Diane Burridge, would be delighted to hear from you. (see contact details below)

Please also let us know if there are changes to postal or email names or addresses so that we can keep our records up to date, otherwise post may not reach the right persons.

We would like to welcome other groups to be members and your suggestions and recommendations would be valued. ■

Delivering Newsforum by email

We currently send you Newsforum by email in the form of a PDF as well as posting you a hard copy.

For most of you the PDF is the most useful form as it can be widely distributed at no cost. It also has the advantage that web links can be accessed directly.

We have reduced our costs by sending the summer edition in PDF form only. It is environmentally more friendly, saving paper, and it also saves London Forum a great deal of cost. With postage costs increasing enormously this is now becoming a major consideration.

If you do not keep your hard copy and feel you could do without it, relying on the PDF, please let us know via one of the email addresses below, giving your Society name as well as email address, so that we could reduce our postal mailing list and save printing and postage costs. ■

London Forum on Twitter

Don't forget the London Forum Twitter site.

Stories; updates on the latest news as it comes in; useful web addresses.

Do pass on the address to all your amenity society contacts.

Twitter can reach far beyond London Forum's e-bulletin list of contacts.

[w http://twitter.com/London_Forum](http://twitter.com/London_Forum)

NB - note the underscore: _ in the name ■

For information about the London Forum contact:

[w www.londonforum.org.uk](http://www.londonforum.org.uk)

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