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Chairman and Members of the Council

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Date: 19 March 2021

cc. All other recipients of the Council agenda

Dear Councillor

COUNCIL - 18 MARCH 2021

Please find attached the responses to the Public Questions on the agenda for the above meeting:

6. Public Questions (Pages 3 - 8)

To receive any public questions.

Yours faithfully

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MEETING : COUNCIL
DATE : THURSDAY 18 MARCH 2021
TIME : 4.00 PM

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This response covers all 17 questions submitted by members of the public. These questions can be found in the Council Supplementary Agenda No.1.

Councillor Haysey, Leader of the Council, responded as follows:

“Many thanks for the questions submitted. A number of these questions have requested specific information which we are not able to share at this time. We are still at an early stage in the design process and there is further work to be done on the design development. As there is some overlap in the questions that have been asked Councillors will deliver a combined response to provide all of the information that we are able to at this time.”

Councillor Williamson, Deputy Leader and Executive Member for Financial Sustainability, responded as follows:

“Significant consultation took place in the designing of the original scheme. It is with disappointment that this scheme has had to be reduced in response to the extraordinary circumstances that we have all found ourselves in as a result of the COVID 19 pandemic and the subsequent impact that this has had on public finances, alongside the impact of national government policy changes in relation to public sector borrowing. We have worked hard to keep as much of that original scheme as possible. The reduced scheme still offers a large part of the scheme that was based on that early consultation process and there will be plenty of opportunity for the public and the local creative community to engage with the revised proposals as we undertake further, extensive consultation as part of the planning process.”

“The business plan is currently predicated on a limited live performance programme of a single performance per week in the 80 seat space and income and hire assumptions are based on local

benchmarking, interpreted by expert business planners in the arts and culture industry. The inclusion of other live performances, in shared spaces or outdoor space, has not been factored in as required income in the business plan but is of course something that we are looking to maximise in the delivery programme.”

“Delay of the proposals has been considered but taking into account inflation, costs associated with maintaining the existing design and developer teams and other associated expenses, it is estimated that a 12 month delay would come at a minimum cost of £1.2mn. This would of course only make the scheme harder to deliver later down the line and whilst we all hope that the economy will recover from the COVID 19 pandemic, there is less reassurance about the future of local government finances. Longer periods of delay would pose a significant risk of having to re procure a development team at a later date, which would again add further risk and cost to the project. It is not possible to leave an area for the auditorium to be added at a later date, this space has been reallocated as part of the development of the overall scheme, which now includes the 90 senior living apartments, which have contributed to the increase in capital receipt by £700k. In response to the specific question on Northgate End, it is not possible to redesign the MSCP as the construction works are already well underway.”

“To confirm the Council hasn’t yet entered into a legally binding contract with the Developer, Cityheart. The Development Agreement (for the wider ORL scheme) and the Development Management Agreement (for the arts centre) are not yet agreed. Once these have been completed, details will be published in accordance with the Local Government Transparency Code.”

Councillor Goodeve, Executive Member for Planning and Growth, responded as follows:

“Taking the first 3 points together from question 8; the Council has prepared a number of SPDs which are compliant with relevant regulations and we will continue to ensure compliance with regulations, policy and guidance during the production of the SPD for ORL.”

“As set out in Policy BISH8 the Bishop’s Stortford Town Centre Planning Framework will form the basis of the SPD, which will inform the masterplanning of the site. The preparation of the site specific SPD will include early stakeholder engagement and follow a similar process to that of the Council’s agreed Masterplanning process as well as meeting the statutory requirements for preparing SPDs. The Masterplanning process contained in Policy DES1 not only allows the Council to involve key stakeholders earlier in the planning process, but in this case allows the Council to expand the level of public participation prior to, and during the production of the SPD.”

“On point 4; generally speaking an SPD is often constrained by the relevant policies with which it must comply, in this case however the Masterplanning approach allows us to broaden the scope to discuss and examine these wider points.”

“Finally, to address the request that DMC members be excluded from the meeting; Members of the DMC are, by definition, Members of the Council and have a right to attend and vote on all matters before the Council so long as they do not have an interest in that matter. Being a member of the DMC is not an “interest” in this context and so DMC members need not be excluded from the Council meeting this evening. In any event, the consideration of a business plan is not akin to determining a planning application, the two are separate.”

**Councillor E Buckmaster, Executive Member for Wellbeing,
responded as follows:**

“The new facilities will still provide something new for the town, yes there will be a cinema – a high end, boutique offer which differs from the current local cinema provisions by providing a different experience with the potential to enjoy a film in luxurious surroundings, whilst enjoying food and drink, but there will also be a number of spaces where a live programme can be delivered. These spaces include gallery and foyer space for live music, a flexible cinema space in the 80 seat auditorium for a range of spoken word events such as one man / woman shows, author meet and greets, director / cast talks and small community led events as well as live streaming and other digital and immersive experiences. The outdoor space will provide the opportunity for larger performances, be it music, comedy, theatre or live screening of theatre / sports events. We will also explore the demand for and possibility of using the 150 seat cinema space as flexible performance space as part of the ongoing design development. We have worked closely with other local venues and understand that there is an existing demand for audiences of 80 – 100 people. As we move ahead with the design work we will continue to engage with the local community to better understand and respond to the local demand at this level.

The design of all of these spaces is at a very early stage and will be developed alongside our expert team and with much public and statutory consultation. I would like to provide reassurance that public safety and sustainability will be built into all elements of the design process for the entire scheme. The Arts Centre is aiming to achieve BREEAM excellent accreditation. Further information will be available as the design development progresses.

Questions have been raised about other potential uses of the space, the scheme has not considered alternative options, such as a further education or digital skills college. The business case is based on proposals that are as close to the original brief for the site as possible, taking into account the financial constraints and need for commercial viability. Questions have also been raised in relation to the United Reform Church, which the Council now owns. This site has always been earmarked for demolition to enable the delivery of the scheme as a whole. The current plans for the Arts Centre do not include community space for hire but the Council is currently considering options for the provision of additional community space for hire elsewhere in Bishop's Stortford.

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