

REPORT OF THE MALTON TOWN CENTRE STRATEGY STEERING GROUP, 16 June 2008

A) WHY DOES THIS GROUP EXIST?

In February 2008, a report was presented to Ryedale District Council and Yorkshire Forward entitled "A strategy for Malton town centre." The strategy is an overview document but is based on 10 months of investigation, consultation and analysis. That includes presentations to Malton and Norton Town Councils and the Malton and Norton Area Partnership. There were 2 public consultation exercises including a well-attended 2-day event at a store on the Market Square. Written responses from these consultations on site-by-site options informed and are referred to in the document.

On 5 March, a special meeting of the Policy and Resources Committee was held to consider the report. The officer recommendation was, amongst other things, that the conclusions of the strategy "be generally endorsed" that it is treated as "an important material planning consideration" and that detailed development briefs for individual town centre sites be prepared.

For most people, including members, this was the first opportunity to see the recommendations and to consider the strategy as a whole. Initial public response was in part hostile, the speed with which the council was asked to endorse being regarded as high-handed and ignoring the need for some sort of "buy-in" by those whose actions could make or break the strategy and by those whose livelihood and well-being could be affected by the proposals. This reaction was related in part to the implications for a controversial planning application relating to the Livestock Market site.

At the meeting of 5 March, members unanimously agreed to a proposal from the Leader of the Council that the recommendation simply be that the strategy "be received as a basis for further consultation and debate". It was also agreed that a Steering Group be formed and that the 4 group leaders and Malton Ward members determine its membership.

(B) WHAT IS THE GROUP AND WHAT ARE THE TERMS OF REFERENCE?

The Group consists of the 4 group leaders and 3 Malton Ward members, with Cllr Hemesley as chairman. A substantial list of consultees is listed in the minutes of the meeting of 25 March, who were invited to attend those public hearings of relevance to them. Further consultees were added to this list for the public hearing of April 23.

3 public hearings have been held to date. They were generally well-attended and lasted 2.5 hours on average. Cllr Mrs Burr missed most of the meetings and played no part in the preparation of this report.

Declarations of personal interests were made by Cllrs Andrews, Mrs. Burr and Clark.

The terms of reference are “To examine in detail the recommendations of the WSP Group with those who have a professional commercial or public interest and to present an opinion to the Policy and Resources Committee.” These terms were in the minutes, amplified by a verbal report from the Chairman, approved by the Committee on 17 April.

(C) WHAT HAVE WE DONE?

The steering group met on 11 March and decided that it would consist of the 4 group leaders and Malton Ward members (see recommendation 1. It met on 25 March to formally agree terms of reference and an action plan, on 16 April to prepare for the second public hearing, on 14 May to prepare for the third public hearing and on 16 June to consider a draft interim report. Public hearings took place as follows:

- 3 April Livestock Market
- 23 April Supermarkets
- 11 June traffic implications

Also relevant is an officer meeting on 18 April to consider the possibilities re Showfield Lane/ Pasture Lane; a meeting of the Resources Working Party on 21 May at which the participation of County Highways was obtained, and a group leaders meeting on 3 June, at the request of Cllr Hemesley, to consider a way forward for the group. This led to the proposal that an interim report be presented seeking directions as to the nature of future work.

The formal minutes of the official meetings are available on the web-site or in hard copy form, so will not be repeated here. Generally, it should be appreciated that this is only part of a wide-ranging consultation programme, that fresh information has become available during the Group's life-span, and that certain inadequacies in the process are discussed in our recommendations. It is helpful to summarise the highlights of the 3 public hearings.

1. LIVESTOCK MARKET

This hearing went well. The topic is sufficiently compact to lend itself to this kind of approach. The key points to emerge are

- (a) the strong opposition by farming interests, and not only them, to the loss of the Livestock Market.
- (b) Stephenson's declared willingness to invest £300k in an improved market. Comment: it is not clear whether they have a fully worked out business plan.
- (c) Retail business present offered some support for option c, retaining a smaller modernised market; with option b including a basket-style food store as a second choice. There was some support for a store of this kind.

- (d) Fitzwilliam Estate's conviction that proposals for a supermarket on Wentworth Street acted as a "poison pill" for their own proposals. Officer comment is that this may not be true and particularly with a basket store there may be no conflict.
- (e) General concern about the lack of detail on traffic implications.

2. SUPERMARKETS

This hearing went badly. The subject was too diffuse to create a focussed debate, and a lot of the available time was spent on car-parking. The key points to emerge are

- (a) retail interests present were strongly opposed to ANY full-scale supermarkets.
- (b) again, concern about lack of detail on traffic and parking implications
- (c) a conviction that there wouldn't be enough car-parking space. (Comment: the information provided during and after the meeting does not appear to support that conviction).
- (d) there have been so many studies of Malton that even the well-informed public is confused by the differences between them. Repeated reference was made to the Roger Tym retail study of 2006 which identified potential locations for additional comparison stores rather than convenience stores (supermarkets to you and me).

Consultees were invited to submit written comments and those provided to the Group are attached. They are highly critical, reflecting the negative tone of this hearing

3. TRAFFIC IMPLICATIONS

This hearing revolved around a presentation from Elwyn Williams of County Highways, including the current position on the A64 junctions. It covered the ground intended but its value was diminished by the refusal of Highways to commit themselves on anything. Time and time again their response was that they will evaluate and comment on planning proposals put before them. It is a "chicken and the egg" situation. You won't get told whether your proposal is highways-acceptable until you've gone into all the detail, yet will you spend the substantial sums involved in working up the detail when there is a substantial risk that it will then be vetoed by Highways? This is outside our remit but we do comment that, in the light of changes to PPS12 which require development plans to incorporate consideration of the infrastructure requirements of proposed development (long overdue, you might think), the highways approach will have to become more proactive.

The key points to emerge are

- (a) the Highways Agency will not put money into the A64 junctions in the foreseeable future (i.e. under this government).

- (b) it falls outside County Highways normal criteria because the case is based on development need more than highway safety (!)
- (c) in this context, the poor air-quality standard at Butchers Corner could be critically important.
- (d) there is concern about the capacity of the Broughton Road junction, although apparently capacity can be increased by rephrasing the traffic lights.
- (e) With regard to the Market Square proposals there is a need to look at the effect on through traffic which is displaced by the proposal.
- (f) None of the site-specific proposals in the strategy are ruled out on highways grounds; that doesn't mean they will be ruled in.

(D) WHAT ARE THE GROUP'S INTERIM RECOMMENDATIONS?

- ON PROCESS

1. Setting up a group or working party like this without terms of reference is a bad precedent. The consequence is that expectations were created that could not possibly be fulfilled. Some members of the public thought they were going to have a vote on the strategy and even on a specific planning application, which is not within the powers granted under the council's constitution. As a result, an initiative intended by members to be a demonstration of openness has not been entirely successful.
2. This exercise has things in common with what may happen under the proposed "community call to action". Any future group like this need to be properly resourced to ensure that full reports of meetings are prepared rather than short-form conventional council minutes. Again, expectations have been aroused that, although we may have been unlucky with staff sickness, were probably always doomed to disappointment.
3. This is part of a process of community engagement which requires more openness and clarity. It is important that consultation is not just about who shouts loudest. It is also important that those who do shout loudly can at least see that their view has been heard. We recommend a proper statement of community involvement or engagement that can be adopted by the council. Within that we seek guidance as to how the Steering Group should proceed as part of the continuing process.

- ON POLICY

4. We recommend that the Council should decide whether it wishes to retain a Livestock Market in Malton. That decision should be informed by an up-to-date appraisal of the practical and realistic prospects for relocation and by an assessment of the practical consequences of retaining a market (not necessarily what we have today) on the present site. This decision on the principle drives many other decisions on the Strategy.
5. We recommend that P & R should insist on more detail as to transport assessment. This means that the committee will have to decide

whether it is prepared to fund the work. Even for an overview document, the traffic aspect is considered light-weight. One would normally expect a report of this kind to have a second volume containing all the technical data, and not only on traffic.. We have asked to see the supporting technical data but in the main it has not been forthcoming.

6. We recommend that Council decide whether in principle it is prepared to consider redevelopment of part of Wentworth Street for alternative uses. If the answer is yes then a development brief should be prepared for a range of alternative uses, not just the supermarket plus housing proposed in the strategy. The brief should incorporate consideration of the potential use to the community of any capital gain created, not just “development control” aspects. We think it unlikely that any proposal will obtain much acceptance unless it can clearly demonstrate benefits for the community as a whole.
7. We recommend that Council decide whether in principle it is willing to part-pedestrianise Market Square. In doing so it should consider the desirability of agreeing the detail with the Fitzwilliam Estate in view of the lease termination date of April 2009, and the desirability/feasibility of doing a trial.
8. We recommend that P & R invite officers to look at other alternatives for car-parking spaces including Water Lane. There is a view that we may have enough car-parking spaces but it is not always in the right place.
9. We recommend that P & R re-assess the strategy in the light of Norton as well as Malton. We accept the dangers of “paralysis through analysis” and the fact that if we try and cover everything we end up taking 15 years to produce a strategy for the next 15 years. But would taking a “whole-town” approach make a difference to the strategy? We need to know.
10. We recommend that officers consider with great care how smart our approach to the monitoring and reporting of air-quality in and around Malton town centre really is. There is the possibility that this technical work may be absolutely crucial to the prospects of securing improvements to the A64 junctions.