

Planning Inquiry Diary

Day One 13-06-09

The scene

Climb the wide, brass-rodded staircase, ankle deep in heraldic shag pile. All who enter must pass under the watchful stare from the head of the stairs of Lord Ashton in oils – late-Victorian CCTV with linked monitors on most walls.

Behind the oak panelled Banqueting Room doors, what feast is laid out for the crowded – at least 70 strong – public gallery?

The wooden, fluted classical columns with Corinthian capitals are a reminder of the Athenian model of citizen's participatory democracy. Let's hope that is what we get.

The cast

The Baddies, grey suited and male – Lancaster City Council Planning Dept' (LCC), its barrister and two consultants - sit on the left arm of the U-shaped table.

On the right arm the Goodies – English Heritage (EH) and Save our Heritage (SAVE) barristers, then closest to the public gallery our local heroes - It's Our City team (IOC) – collectively known as the Rule 6 Objectors.

At the far end, a balding, 62 year old Aberdonian, the man on whom everybody's hopes are pinned – Her Maj's Planning Inspector, Alistair Grey.

A day for the sans-culottes to speak is allotted on 30-06-09. Of 69 plebs registering to speak only two are supporting the planning application.

Let's take a vote on it now in the name of local democracy and we can all go home and save local taxpayers the £50,000 LCC rifled from 'the children and young people's play scheme', plus an undisclosed budget that had been set aside for the inquiry. It doesn't happen and opening statements begin. LCC are up first.

Paul Tucker is counsel for LCC; his legalese seems quite contemporary in this Victorian Hall. He addresses the EH brief as 'm' learned friend', the Inspector as 'Sir' and he 'awaits further instruction from his client' - the LCC. He is 'cognisant of this' and 'has sight of a caveat on that'. The wigs have gone but the lingo hasn't.

I recall feisty Tykey Tucker from the 1999 Local Plan Enquiry when he went into Rottweiler mode for his cross-examinations of the great unwashed. Dynamo's Robert Poole, however, much to Tucker's shock, knew what Tucker was talking about when he accused Robert of presenting 'otiose' evidence. Don't mess with Doctors of history.

The government's EH's brief, Mr Caws – I never discover if he has a Christian name - is definitely posh but fortunately is very easy on the ear, with a mellifluous cadence. He refers us to, 'look at para' three, little roman four'.

Mr Deakin is representing Save, half the age of Mr Caws with a slight antipodean flavour to his gentle and not quite so expensive voice. SAVE are known, in some circles, as the Provisional wing of EH.

IOC's counsel – well not exactly a barrister nor a solicitor for that matter - is local man Mr Pye, an ex-NUM rep' who would look more at home in prop-forward's kit than his sombre suite and noose. In some circles, IOC are known as the Provisional wing of SAVE.

Tomorrow LCC outlines its case. I can't go.

Day 3

I need a reliable summary of Day 2. The enquiry is proving a good place for renewing old acquaintances and making new ones. A new one, Mark Rotherham, who is writing an IOC blog, provides one.

Main points, as presented by Mr Cassidy for the LCC's case yesterday, are:

- the need for more retail capacity in the city,
- the appropriate respect shown for the listed buildings in the site by Centros's plan,
- the traffic management considerations,
- the minimising of the environmental impact.

Dominic Mullen, a traffic consultant for a Manchester based firm and hired by LCC to undertake an 'impartial and independent' assessment of the traffic impact on Lancaster, is to have his proof of evidence cross-examined by Prof' John Whitelegg for IOC, I'm really looking forward to this.

Mullen has two enemies: firstly the English language, and secondly professors with grizzly beards who present him with inconvenient facts.

He has three stabs at reading 'exacerbate' from his own proof and finally settles for 'makes it worse'. 'Irrelevant' morphs in to 'irrevelant' and he repeatedly confuses 'militate against' with 'mitigate', and 'mitigate' tautologically getting the 'against' every time.

He is, though, painting a wonderful traffic-calmed Centros centre, just like the artist's impressions that appear regularly in our critical-faculty-free Lancaster Guardian. There may be some insignificant increase in traffic flows, he concedes, but because of the on-road improvements to Bulk Road there will be no increase in congestion. When the Prof reminds him that road improvements, like new roads, significantly increase traffic flows, Mr Mullen just goes into denial. As for the on-site, 800 space, multi-story car park, this we learn is absolutely essential to sort out Lancaster city centre's long standing parking problem. John's saucy response is that, in other words you need to build an £150m shopping complex to sort out Lancaster's parking problem.

Planning regulations demand an accompanying Travel Plan for applications. The Prof wants to know why Mullen approves a plan such as Centro's that does not include one. Mr Mullen thinks it adequate that Centros will provide one after permission has been granted. Mr Mullen is setting an impressive new benchmark in gullibility.

John wants to know why the traffic assessment (TA) was not included in the proof. Inconveniently for Mr Mullen, the TA projects that the scheme will increase the number of shopping vehicles coming into the city centre by 14,208 per week – pretty precise, eh. Mr Mullen is on the ropes, his only defence is few limp jabs of jargon. John's demonstration that the even these figures are based on incorrect data, and would in fact produce an increase of 21,240 extra shoppers per week, provides the knock out punch.

When we get on to the cycling, the plucky Mr Mullen is back on his feet, and he assures all cyclists that life for them will be so much better post-Centros. As a special concession from the original plan, cyclists will no longer have to dismount before entering the site, and cycling will not be prohibited. But neither will it be encouraged, he might have added.

At the moment cyclists can currently cycle across Alfred Street car park in any direction and use what has recently been formalised as an official route by LCC when two short stretches of feeder cycle lane with vehicle barriers were installed.

But wait, there is even more good news for cyclists. Centros are to replace the old route, which was hardly ever used anyway according to Mr Mullen (news to those of us who cycle up and down Phoenix Street most days), with a new peripheral route. The Prof' is clearly concerned: he uses the route regularly as do many others. A glib, evidence-free assertion by a non-cycling out-of-towny meets a user's direct empirical evidence. Let's hope the inspector is good at weighing the value of evidence and reliability of witnesses.

Next morning, LCC clip-boarders are spotted lurking around Alfred Street car park. Cal, IOC's coordinator, responds with an emergency email to scramble all local riders to head for Alfred Street car park and make traffic across Alfred Street car park. Rumour has it that one public-spirited citizen found it necessary to make at least 4 trips across the car park that day.

Anyway, back to Centros's promised new improved peripheral route. It turns out to be twice as long – two sides of a triangle instead of one – which Mullen denies head on, the laws of geometry getting the same rough treatment as the English language. What Mullen does not tell the inquiry, and which I only learn later from Mr Pye, is that this new route passes directly across the entrance and exit to the 800 place multi-storey car park. So, as well as a constant stream of cars along Leonardgate there will be on average 8 delivery lorries per hour, service vehicles plus coach drops. Leonardgate will become a definite no-no for any sane cyclist.

More good news for cyclists: there will be a shortfall of 85 peripheral bike stands, against the very basic minimum as set by the North West Regional Authority. Only shoppers will have stands. Cycling office workers and residents will have to rely on the fair mindedness of local bike blaggers.

Mullen's evidence winds down in a tangled snarl up of stat's and jargon which even seems to confuse one of Britain's most eminent sustainable traffic experts.

I need to access Mullen's proof on the LCC library.

The day ends with talk of a site visit by the inspector. I decide to invite him on a bicycle inspection (bike provided of course) and intend to mention triangles and multi-storey car parks.

Day 4

I read, if that is the right word, Mullen's proof of evidence overnight. Proof positive that obfuscation and convolution is the scoundrel's firewall.

Today is the council's retail case, essentially a need for more - considerably more - retail floor space. Presenting the evidence is Mr Nutter another of the council's consultants. I've spoken to this young man at length. He's a very fluent, persuasive talker with a pleasant, easy manner and a keen cyclist who is looking forward to escaping from his Salford Quays base and exploring the Trough of Bowland awheel. All this makes what follows deeply disturbing.

Cross-examining him is Dynamo's own Tim Hamilton-Cox for IOC, good luck Tim.

I'd never realised how complicated shopping – sorry, retail - has become. Mr Nutter is straight into 'comparison goods projections', which I later learn are goods other than

perishables and convenience goods, such as tellies and fridges. 'Internal racking capacity needs expanding' – shelves to you and me, while 'footfalls across the bridge' are the number of people actually walking across it. His 'visual link theory', says that shoppers need an attractive route to get them from the old city to the new site otherwise they will stubbornly stay put. 'Customer leakage is on the increase in Lancaster', which sounds decidedly messy, while 'clawing back and capturing shoppers from Preston', makes it sound like war, which in a way it is.

What is startlingly new to me is the power of the 'site anchor' – sorry it's catching, - I mean the biggest box of all, Debenhams. The department store calls all the shots: the need and position of the bridge link, the positioning of all the retail units – sorry again, shops within the site, and their size, and the landscaping and route lay-outs.

It slowly dawns that Lancaster is being remodelled around Debenhams and to their spec'. Why not rename the city Debenhamopolis, or if you want something a bit snappier with market edge that might appeal to their shareholders, how about Debbyville?

Of course, Lancaster has been stuffed before by shopping. The permission for Asda's supermarket between Lancaster & Morecambe required the demolition of the beautiful interior of Kingsway public baths to justify the building of a mediocre sports centre at Salt Ayre right next to Asda.

Tim is terrier-like in his cross examination, and a terrier that has done his homework. He questions every assumption of Nutter's quantitative model. Nutter is a man who still believes in the integrity of economic forecasters, and probably fairies, for all his good news figures are predicated on year on year 4.35% economic growth. On the other hand, his projections for internet sales growth seem gloomily pessimistic.

Lancaster's retail catchment area, based on an assumed 'attractiveness of Debenhams', seems to encompass most of the northern hemisphere as far as the Arctic circle. The superstore's undoubted 'magnetism' will even boost the city's population with 'retail migrants' relocating from the storeless wastes of the blighted rural north. Shopping is the new religion he tells us and Lancaster needs a retail temple.

It emerges from Tim's questioning that our high priest of retail was commissioned because the council did not like the original consultant's - Montague Evans - retail report or the original market research done by Experian. So Nutter is giving LCC the figures and projections they need to justify the whole project. Hmm. Consultants and market researchers for courses.

Tim has doggedly exposed the flaws underlying all Nutter's assumptions –surely enough to raise doubts about their reliability in the mind of the inspector.

Three days to regroup as they say – heritage and conservation on Tuesday.

Week 2 Day 5

Scanning the Baddies' table, trying to identify Stephen Gardner, LCC's Heritage expert, I single out one man who does not quite fit the slick, corporate image of the remainder of the council, its consultants and barrister, that's to say, isn't sporting the grey, chalk stripe, two-piece below trendy, rectangular lens specs'. The man in the crumpled suite with a preservation order on it, one that he might have been married in thirty years ago, and the listed aviator goggles has heritage writ sartorially all over him.

It's EH's big day, so Mr Caws from behind his barricade of files, with the assistance of maps, magnifying glasses, rulers and a scribbling solicitor carefully unwraps his expensive voice as he prepares to question Mr Gardner's proof of evidence.

Mr Gardner, it emerges to mild surprise, shares EH's concerns about the impact of 11 of the 14 new units on the seven listed buildings within the site, buildings such as the Grand Theatre, the Georgian residences in Leonardgate, the Stonewell 'nose' and St Anne's Square. The detrimental impact, that is, that their scale, height, construction material and location would have. He concedes that they need to be redesigned. He also admits that these units would spoil views over the city from the canalside and Freehold. When asked if he will alter the plans accordingly, he pauses before looking down the table at the suits. To a man, their gaze shifts to the empty chair at the end of the table. Mr Gardner cannot make such a promise, neither can the suits, only Centros can do this. And Centros, as everybody knows, had decided not to attend way back last March.

Mr Caws has more gentle but searching questions. Mr Gardner concedes that not enough was done by the council in terms of restoration, with a view to finding alternative uses, for buildings, such as Mitchell's brewery, that were not listed but have architectural and historic value.

More concessions follow over the need to have done an archaeological determination or survey prior to granting the planning permission. The fact that Lancaster is a Roman town, indeed Leonardgate and Moor Lane, the site boundary roads, are probably old Roman roads, while Bronze Age finds have been unearthed in Alfred Street, seems to have escaped LCC's planning department. This lapse, despite directives to the contrary from Lancashire County Council archaeology dept'. A directive, we learn, that Mr Gardner was not privy to.

LCC, you will recall, has previous form in sending the bulldozers and hard hats in first, then thinking later. A couple of years ago a digger was well into demolishing a Roman tomb before the operator noticed an old stone head, which turned out to be a valuable Roman sculpture. The developer further embarrassed the Council by threatening to sell it to an American collector unless a ransom fee was paid.

Mr Gardner looks mighty relieved as the inspector calls for the close of play. And the council's case is now looking less than watertight.

Tomorrow the council's own brief, Mr Tucker, will re-examine Mr Gardner. I wonder whether it's in order to ask for overnight witness protection for the beleaguered Mr G.

Day 6

Tucker launches into a damage limitation exercise with respect to Mr Gardner's evidence yesterday, if not too much respect for Mr Gardner the man. Stephen is not for turning though, he sticks to all his reservations about Centros's plan and its damaging impact on heritage. Is this revenge by the man who seems to have been kept out of the information loop by his senior colleagues and the man who really does care passionately about conserving Lancaster's built heritage?

Tucker's tactic is to rephrase the same question in two, sometimes three different forms, in the hope of getting him to recant. The climax comes when Gardner sticks to his considered opinion that Centros's plans for the bridge link across Stonewell are not detailed enough to be able to evaluate meaningfully.

Tucker reformulates and reformulates.

Gardner shakes his head, and shakes his head. Then removes his specs, before hanging his head in a gesture that silently shouts, 'Enough'.

Under the silent and disapproving stares of our gilt-framed, Victorian elders the enquiry falls silent, too.

In the absence of a detailed bridge plan, the application as a whole looks very lame indeed, for the retail build was absolutely conditional on having the bridge link.

For the first time, Tucker's repose and fluency is shaken. On the ropes, he asks for an adjournment while he receives further instruction from his clients (LCC). While his very own witness sobs. Thirty odd years of his professional and personal integrity have taken a real battering.

Following a half hour break buzzing with speculation, and guarded optimism in the IOC camp, we reconvene. I speak to a journalist from Radio Lancashire, whose notebook jottings have stretched his grin from ear to ear.

Though, the absence of the local and regional media, who after day one, have shown little interest, is rather worrying for local democracy. One of their main functions used to be as guardians of local democracy, but gone are the days when local papers would have followed this important enquiry blow by blow. Now though they have sniffed the tears of human drama and both regional radio and BBC North West are here.

On his return, the recomposed Tucker asks for a longer adjournment, so his clients can contact Centros, with a view to gaining the developer's future attendance.

The council has decided to prostrate itself before the logoed, offshore throne of Centros's CEO.

Is Tucker oblivious to the two shiny-suited individuals sitting impassively at the rear of the public pen, the architects of the scheme, Mark Anders & Tom Hewitt, of Reid Architects. Could they shed some light, or more likely darkness, on matters?

Tomorrow Tucker will present a position statement on behalf of LCC. Perhaps he should have said a reposition statement.

Mr Gray, with one eye on the sunlight shafting in from on high, considers Tucker's request. The pipes have burst, it's foggy, the buses are on strike. Children you can all go home early.

Day 8

It's hot again and Mr Gray takes off his jacket, saying, 'Gentleman you may also remove yours'. A glance around the plebs pen indicates plenty of gentlemen's knobby knees on show.

Tucker is centre stage again, where he loves to be, as he reads out LCC's new position. From now on LCC will hold a watching brief, which means they will offer no more evidence, nor will they cross-examine any witnesses from the opposite side. He concludes by glancing down table to the empty place where a folded piece of paper has appeared overnight. In smeary black marker pen, rather than engraved silver on brass, is that elusive combination of letters spelling CENTROS.

'My clients feel badly let down that Centros is refusing to attend the enquiry and their behaviour is unreasonable', and with a wonderful rhetorical flourish, 'and I would say,

the top-end of unreasonable'. Adding, by way of a face saver, 'LCC will be asking for costs against Centros'.

One wonders what sort of territory the top end of unreasonableness takes us into – have we crossed the line into sectionable madness? In any case, Centros and LCC are supposed to be partners, how could they ever have a working relationship again? Rather like two villains who have been banged up in separate cells, each proceeds to blame the other – a case of thieves falling out?

The inspector tries to move the proceedings on, but sharp-eared Mr Pye wants to examine a couple of Tucker's assertions. Firstly, Tucker was wrong when he said, 'all the council's evidence had now been tested by the inquiry'. The man who all the goodies want in the dock, the chief proponent of the scheme and head of planning Mr Dobson will not now give evidence by virtue of LCC's new role. Secondly, Tucker was wrong when he said, 'one thing we are all agreed is the need for a retail led development'.

'Remove 'retail-led' from that statement', Mr Pye demands, which echoes right round the public gallery.

Difficult to believe Mr Pye has trained down a mine shaft rather than at the bar; perhaps he reads Rumpole.

The first witness for the opponents to the planning application is Mr Owen-John, a director of EH. This government body's job is to advise local authorities on planning and development matters. He then proceeds to itemise LCC's failures to heed EH's advice:

- the undesirability of the bridge link, which will upset the natural topography
- the clash of the new units' building material and scale with 'the fine urban grain' of the listed buildings
- LCC's refusal to extend the current conservation area to cover valuable buildings outside the Leonard Gate / Moor Lane boundary
- LCC unwillingness to explore the feasibility of incorporating existing buildings into the new site
- LCC failure to provide a thorough archaeological survey
- LCC should have insisted on a detailed rather than outline plan of the scheme
- LCC has not involved or consulted the public in this development scheme
- LCC failed to consider any developer's plan other than Centros's

It is on hearing these two last points that Mr Dobson, head of planning, mutates into Baron D'Obson du Lancaster, he who has dished out the spoils to his rapacious Knight Centros, by way of another demesne, to add to its portfolio of estates. Is this image of Norman robber barons one that the uppity serfs and ceorls of IOC would recognise? The way the public consultation was mismanaged is a key issue for IOC. Indeed, there is evidence from a respected academic that Centros were "dishonest" in their stated intentions in the consultation document and that LCC were negligent in relying on a consultation process that was nothing other than a marketing exercise by Centros. Moreover, IOC strongly objects to the way the inspector has ruled out of the inquiry an examination of the consultation process.

Ms Tuck, EH's power-dressed historic adviser, is up next to twist the heritage stiletto into Mr Dobson's wounded pride. She has images too, which are beamed large and in stereo behind the inspector's throne.

She quotes Dobson on Leonardgate, 'A drab and uninspiring street'. Then flashes before us the view up Leonardgate from St Nicholas's arcade, down past the magnificent

Centenary Church, the Georgian Town houses and beyond to the Dukes. 'Mr Dobson, when a man is tired of Leonardgate a man is tired of life.'

Dobson has dismissed Mitchell's Brewery as, 'historically of little or no value and almost beyond repair'. Ms Tuck reminds us that it is in fact the only extant example of a five-storey malt house in the UK. Moreover, that its stone brewing tower was built to install the innovatory steam-powered brewing process. An innovation that put nearly all the smaller breweries in the region out of business. Thus condemning the local drinking classes to Mitchell's ales, she might have added. Mitchell's is a classic example of the sort of small scale industry on which Lancaster's 19th century wealth was built. As for its condition, we are reminded that it was a functioning brewery well into the 1990's. Our Chief Planning Officer must share Henry Ford's view of history.

As the inspector pulls up stumps for the day, the baddies' ranks are sadly depleted, their expensive consultants gone and their eloquent mouthpiece dismissed, while opposite, only a few feet away, the goodies are positively beaming.

Next Tuesday, and to accommodate demand, Wednesday as well, the sans-culottes have their turn.

Cycling home, I imagine the inspector climbing into his lycra, before getting the miles in this weekend in the hills around his home in Durham in preparation for the cycle site visit. One which he hasn't actually confirmed, yet.

Week 3

Scrutinizing the batting order I notice Dynamo are way down the order at 57 out of 69 – tail enders so to speak, but tails can wag. Anyway, it looks like Wednesday for us. The list shows quite a mixed bag: local green politicians, profs' and academics of this that and the other, a few independent traders, names familiar on City Watch and some I can put a face to. Looks promising.

First to make the long walk from the public pen to the mic on the witness table at the far end, within cuffin' distance of the inspector's right hand, is an elderly woman, whose name I don't catch, from Lancaster Civic Soc'. Jenny Greenhalgh, it transpires, nails her colours to the wrecking ball straight off: the Civic Society sees this as a great opportunity for the regeneration and redevelopment of a rundown site full of useless old buildings. Who dare stand in the way of progress?

Well, the ever vigilant Mr Pye for one– it's week three and from now on I'm going to chance calling him Billy.

When interrogated by Billy it is clear that the witness does not represent the majority view of the Civics, in fact the majority oppose it.

She walks hurriedly back to the public paddock, before being briskly escorted out of the chamber by her gentleman handler, without listening to what her fellow citizens might have to say.

Next up is a suit from Lancaster Chamber of Commerce. He makes a lot of green noise about being a member of 'a local business ecosystem which is struggling to produce green shoots' – this hijacking of environmental discourse by business always makes me suspicious, and in the next breath he's swinging from the wrecker ball of development, too. He's pleading for the nurturing hand of superior retail and car parking so we can 'grow our businesses'. Yuk.

Once again Billy extracts an admission that the suit's view is not representative of the Chamber's majority view. Without any further ado, he departs from the proceedings, too.

The supporters' two-nil lead is soon wiped out by the next couple of witnesses both Green councillors, who as representatives of the only political party to oppose the scheme not surprisingly express strong reservations about it.

Pascal Desmond, the first real pleb', and experienced planning inquiry witness, is up next. He has 33 images of heritage and art sites, all of which will be blighted by the scheme, to support his case that, not to put too fine a point on it, the council are, 'a bunch of philistines' and 'scamps to boot'. He then manoeuvres the inspector into a sort of admission, that if he were to grant planning permission then Centros could, if they so wished, dig a hole in the middle of Alfred Street car park within three years of being granted permission and then do nothing for the next 250 years – the length of their lease. Sit on it and let it appreciate. A revelation that only serves to reassure one's faith in the absolute fairness of English Property law, whose underlying, John Lockian principles, have served the landowners most handsomely since the 17th century. Landowning as an occupation- think about it. How have they got away with it for thousands of years? Anyway, three–two to the goodies.

Plain-speaking Howard Dodgson, local Conservative Party campaigner, is forced to drive to Preston once a week to do his shopping, such is 'the poor choice offered by Lancaster shops'. This terrible state of affairs can only be rectified by rebuilding the city around Debenhams. It's his only point, but in all fairness, he makes it several times, each time with more force. Three all.

Is the inspector keeping score? If he is then there will be no Centros scheme as the next 60 odd witnesses are to a man/woman solidly against the scheme. Take note Dobo of the people's voice, something you should have done from the beginning.

Dr Guiver tells us about a substantial increase in traffic on an already over-congested city centre gyratory, possibly up to 2000 vehicles a day if we use the Carlisle experience as a comparison.

A young mother, Desna McKenzie, with a handy-sized and suitably cute infant as prop - just enough well timed bawling - echoes these concerns and those over the adverse health impact of increased pollution levels.

Mark Rotherham, an ever present observer, wheels in the support of science. A very recent academic study of fallen leaves in the city centre shows that the 14mgs psq cm of microscopic particulates are twice the EU acceptable level. Moreover, the leaf study shows that the pollution is worst at Desna's baby or small child height. Why has the inquiry not been presented with LCC's latest revised air quality study?

Many more witnesses express traffic impact concerns, and increased car dependency with an 800 place multi storey car park to fill, including Dynamo. This is the Tudor enclosures all over again. Motorists are the new sheep, car parks are the new sheep-runs, and shopping malls the new deer hunting chases. Thankfully IOC are the new Levellers, with thoughtful Cal the reincarnation of Gerrard Winstanley.

There is a lot of opposition to the Big Box retail-led nature of the scheme. Rhiannon from Single Step, a workers' cooperative, points out there is currently much unoccupied retail space within the existing city centre which could be developed.

Simon Gershon, a local independent retailer turned student, lends some academic support for this line of argument. We learn about the, 'local pound multiplier effect',

which means that a pound spent in a local independent store is likely to be returned into the local economy several times e.g. the pound you put over the counter in the local chippy will get spent in the local newsagent, who will pay for his/her haircut in a local hairdresser's and so on. The pound spent in Debenhams is more likely to go into the pocket of an outsider, such as a shareholder, a director or a multinational supplier and leave the local economy for good. He points out that LCC's claim to be promoting sustainable economic development is bogus. What LCC is actually doing is promoting economic growth. Growth entails something getting bigger, it's purely quantitative, whereas development entails an improvement and is qualitative. Too much growth is bad, it's just activity that produces unnecessary waste and pollution, so in the end it is uneconomic. Therefore LCC are clearly in breach of the Climate Charter that they have signed up to.

Noel Cass is another academic who argues the council should first be sustaining what we already have. He's particularly concerned about the consequences of the privatisation of a public –in the sense of council controlled – space. And with it the potential menace of Centros's army of private security guards who will patrol the site, and how it will become a no-go area at night as the security shutters drop. Upgrading places such as the Musicians' Coop is a backward step as the very appeal for young musicians is its relaxed, run-down ambience. Musicians need to suffer for their art. In fact the site is a great opportunity to develop local culture: invest in local artists, build a festival hall there, provide some decent green space where citizens can socialise rather than the tiny handkerchief of manicured lawn squeezed in between the proposed, multi-storey car park and Halford's loading bay that Centros are offering.

These views are coherent with a new paradigm, similar to one proposed by John Stuart Mill, where societies that no longer have need for increased economic material growth, should aspire to a steady state model where development is in education, ethics, the arts.

Dr Cass also expresses concern that the new canalside would have 'an active frontage' i.e. bars cafes and restaurants, as Centros wants 'to bring the canalside into the city'. A point that Sharon Hughes runs with, by reminding us of the current biodiversity of the canal side. It's an important bat corridor with a large population comprising four different species. It's also an important feeding station for a variety of wintering birds. Not to mention, an occasional alfresco special brew conference notwithstanding, that it's a precious, green, and peaceful place.

It's heartening to hear the voice of the future speaking so effectively against the scheme. Teenager, Ruth Jenkins who has assiduously been taking notes for IOC since day 1 immediately wins the inspector's approval by railing against the sign in the Town Hall entrance, welcoming 'Customers'. She protests that she does not come here to buy anything, she is not a customer but a citizen.

Given the strength of public feeling against the retail led nature of the scheme, rectifying this sign would be a good place for the council to renegotiate its relationship with local people.

Understandably she is concerned about the longer term impact a car dependent development will have on rising global temperatures. And this lack of a wider global awareness by LCC is forcefully echoed by Matt Wilson. Has LCC never heard of 'peak oil' or how the days of cheap oil and credit are almost history? Are they also unaware of legally binding government targets to reduce carbon emissions of 30% by 2020 and 80% by 2050?

Looking over at the impassive, bored expression of Baron Dobo and his retinue – now bolstered by the chicly attired Ms McManus from development, who would build a Hilton

Hotel in Lancaster if she could, and who was only recently stopped at the last minute from flogging off several acres of prime moorland so that Jack Straw could build a Titan prison - it would appear not. Will tomorrow's public witnesses, Dynamo included, have any impact on them?

Week 3 Day 2

Dynamo up first. Here goes.

'I am speaking on behalf of Dynamo, Lancaster & District Cycle Campaign Group. We represent both the views of our members and local cyclists whose views on cycling conditions in the district we have surveyed.

Dynamo started to campaign in 1994, when there were no facilities in Lancaster for cyclists other than roads. Today there exist the foundations for an effective and attractive network of cyclist friendly routes.

We continue to work closely with Cycling England, Lancaster City Council, Lancashire County Council and other interested bodies to promote cycling, by improving both on and off road conditions for existing cyclists, and to tap into the large suppressed demand for cycling by attracting new or former cyclists back into utilitarian and leisure cycling. However, our main focus is to improve conditions for everyday urban cycling by getting motorists out of cars and onto bikes for short journeys such as commuting, shopping or going to school.

As you probably know Lancaster was one of the first group of 6 towns to receive Cycling Demonstration Town (CDT) status for 3 years in October 2005, when it was funded to the tune on £3m – half from the Department for Transport (DfT) via Cycling England, and the rest match-funded by the City Council. In 2008, Lancaster received further funding from the DfT to continue as a CDT for 3 more years. It enjoys CDT status until 2011.

I will now demonstrate why Centros's planning application is unacceptable on grounds of incompatibility with national, regional and local transport objectives for cycling as formulated in three key documents. Firstly, PPG13 which states, 'planning schemes need to encourage sustainable development by promoting public transport use, walking and cycling so reducing the need to travel by car'. Secondly, RT regulation 17 states: 'there is a need for local authorities to provide continuous, attractive and safe routes for walking and cycling'. And finally, DfT's Local Transport Directive of 2008: 'encouraging people to cycle is a vital part of any local authority plan to tackle congestion, improve air quality, promote physical activity and improve accessibility'.

Let us look at these directives in relation to Lancaster. In 2008 Cycling England evaluated Lancaster City Council's first three years of progress as a CDT. Their evaluation made it clear that one of the three main conditions of receiving further funding was that the city centre be made **permeable** to cyclists. Indeed as I speak, the process of allowing east-west cycling through the old city centre, via a soon-to-be constructed cycle contraflow in Upper Church Street, is underway. This is a vitally important strategic move and shows that the City Council, or at very least the council's CDT team, finally recognises the imperative of city centre permeability.

The City Council's progressive view is clearly at odds with that of Centros. Centros has repeatedly refused to designate a cycle route **through** the proposed development. Their lack of commitment to promoting cycling is further revealed in Centros's rather limp and somewhat condescending statement, that cycling will not be prohibited through the site. A lack of prohibition of cycling is not at all the same as an acceptance of cycling, or an invitation to cycle, which is what we want to see from Centros. As a result of Centros's

refusal to provide a route through, cyclists from Freehold and the Ridge Estates seeking a through route to access the Millennium Bridge or the old city centre will have to negotiate a Central Street and or Central Square very likely packed with strolling shoppers – a certain recipe for conflict. Cyclists on their way to work or school or the city centre need a designated through route.

The inspector expressed concern, when Cllr Chapman was giving evidence on the need for a cyclists' through route, that if you give cyclists two white lines to cycle between they will bomb along, or words to that effect. Well, I would respond to that by saying we are cycling demonstration town and it up to us to demonstrate that such a route would work – that is whole point of CDT's: to show the way forward so that others can learn. If we look at what has happened in other parts of Lancaster it is evident that when cyclists and pedestrians are provided with a designated shared route they can negotiate their ways safely. For example, the Lune shared use path, between Morecambe and Lancaster, which is very heavily used, when it was completed some years ago users tended to be rather casual regarding lane discipline. However, nowadays traffic flows much more smoothly and with far more discipline. In other words the route itself has imposed a more co-operative approach on both pedestrians and cyclists. A second instructive example is the Lancashire Coastal Way, another shared use path which follows the Lune estuary from St George's Quay to Glasson Dock, and which is more of a leisure route than the Lune path. Here signs were erected advising cyclists to give way to pedestrians – a practice that is widely used in shopping centres on the continent – a simple but effective solution to avoid conflict and one which addresses the inspector's concern about cyclists' tearaway tendency.

Of course, as the site now stands there does exist a direct route across Alfred Street car park to connect with the Phoenix Street contraflow and beyond to the Millennium Path, as well as other useful cycle routes across the site to other destinations in the city. Indeed, in recognition of what had for a long time been an unofficial cycle route – I personally have used this route regularly for a good ten years - the City Council has recently built two stretches of feeder cycle lane with anti-vehicle barriers at the exit points of Lower Alfred Street car park, thus formalising this useful and well-used route. There was some disagreement in week one of the enquiry between the Council's transport consultant, Mr Mullen and Professor Whitelegg for IOC as to the amount of usage on this route. Mr Mullen, who lives well outside the district, glibly asserted that it wasn't used very often, while Professor Whitelegg, who does use the route, claimed it was fairly heavily used. As someone who has used the route daily over a long period I can say that what is not in dispute is that it currently serves a wide range of cyclists' needs. While some days I don't see any other cyclists, I have noticed on others that it is used by pupils commuting to and from Our Lady's High School, city centre and supermarket shoppers, work commuters and cyclists accessing the Millennium Bridge from the east for whatever purpose. In any case, as a CDT, we are not just committed to catering for existing cyclists, but attracting many, many more people onto bikes too. Therefore, the question is not merely about current use of a facility, but how closure of such a facility will negatively impact on other people's propensity to hop onto bikes.

It is the case that Centros is proposing an alternative peripheral cycle route around the site, one that proceeds down Alfred Street then back along St Leonard Gate; that is not through the site but around it. Yesterday, Aurora, a local resident, indicated she was most unhappy with this new route and I would like to build on that. This new route is unacceptable for two reasons. Firstly, it is longer; it describes two sides of a triangle as against one of the current route. Remember Lancaster is in the business of encouraging, not discouraging, new cyclists. But by far the most serious objection is this: St Leonard Gate will become as cycle unfriendly as you can possibly imagine, no matter the traffic-calming that is proposed by Centros. While there is some uncertainty about the precise number in increase of vehicles - Dr Guiver thought that 2000 extra per day might be on the high side, Professor Whitelegg suggested a 25% increase - there can be no doubt

that vehicle traffic flows along St Leonard Gate will increase substantially, and consequently discourage even the most confident cyclists. Please bear in mind, Dynamo has conducted several questionnaires of local cyclists as part of our Missing Links campaign, and in response to our question as to why other family members, colleagues and friends don't cycle, the almost universal answer is, because they are frightened of the volume of traffic around the city centre. These surveys were subsequently passed onto Jason Kennedy for the City Council's Planning Department to ponder. But it is not just the increased flows that will deter cycling, for the truly frightening aspect of the scheme in terms of perceived and real levels of danger is the fact that the peripheral route will pass across the entrance and exit to an 800 place multi-storey car park on St Leonard Gate. Not only will there be a near constant stream of cars entering and exiting, but there will be roughly 8 delivery lorries per hour as well as service vehicles and coaches parking to allow passengers to alight all adding to the danger and unattractiveness of Leonardgate. No right-minded experienced cyclist, let alone novice or child cyclists would use this stretch. So, rather than encouraging cycling in accordance with Cycling England's directive by making the city permeable for cyclists, Centros is in effect erecting a barrier to cyclists, and a formidable one at that.

If one needs further evidence of Centros's uncharitable, not to say contemptuous, attitude to Lancaster's cycling aims and aspirations, then let us examine the number of cycle parking stands positioned around the periphery of the site. The NWRA recommends a minimum of 220 while Centros proposes only 147 – a shortfall of 83. Furthermore these stands are only for retailing and restaurant customers. There is no firm commitment by Centros to provide an adequate number of stands for housing residents or office workers.

So, to underline the main thrust of Dynamo's argument: Centros's scheme, by destroying existing routes and building a longer and more dangerous one, undermines and is inconsistent with Lancaster City Council's commitment to Cycling England and the Department for Transport to develop cycling by encouraging new cyclists and its own stated aim; to double cycling levels in the district by 2011.

I would like to conclude by putting local cycling into a wider context. On day one of the Inquiry the Inspector expressed an opinion, one that Matt Wilson reminded him of yesterday and I make no apologies for reminding him of it again - that when he first looked at Centros's scheme it reminded him of the sort of city centre schemes he used to design back in the 1970's. Because this statement encapsulates so much that is wrong with this scheme – wrongs that have been so well argued by those speaking before me. Back then in the carbon carefree days it was considered acceptable to build big shopping complexes in the centre of cities, ones which attracted motorists and their cars right into their hearts. But the world has moved on since then. Now the government has committed us to 20% carbon reductions by 2020, and 80% by 2050. We now know all about the very real threats of climate change and peak oil, the soaring rates of asthma in urban children, the national obesity pandemic and the damage done to listed buildings through air pollution, all problems which travel by motor car exacerbates significantly while cycling and walking ameliorates them. All around the world - and this is especially happening more and more across Europe - politicians, policy-makers, planners and engineers are rising to the challenge of ridding our cities of cars, and of reviving them by bringing walking and cycling back in. The age of the car as a key mode of urban transport is passing, and we should make sure not to continue promoting it.

And finally to the future, perhaps the greatest success of Lancaster's tenure as a CDT has been the large number of primary school children who have enthusiastically embraced the cycle and bike maintenance training they have been offered under the Bike-it scheme. A generation up and ready to ride. A generation that will be taking sustainable transport very seriously and will want and need to walk and cycle far more

than their parents ever did. So I ask the inspector to consider very carefully what sort of city scheme would best suit their needs.

The Centos scheme, with its built-in dependency on car travel and its barrier to cycling, and which will, by 2015 – its expected operating date - be almost half a century behind the planning curve? Or a scheme that encourages human powered mobility and individual vitality by promoting walking and safe cycling to, through and around our entire city?

I was interrupted twice by the inspector but without any real consequence, as far as I understood.

Four more Green councillors: John Whitelegg, Chris Coates, Andrew Kay and Sam Richards appear this morning to put across the view from the doorsteps of their constituencies: namely that the electorate is strongly against the scheme. This is especially relevant coming from the Bulk ward councillors whose constituency includes the proposed new site.

It was getting harder to make new points as we approached the last few witnesses, but Marion Leece questioned the credibility of Centros's artist's impressions of the new site, the ones that the Lancaster Guardian prints without comment or gloss. They are fantasy drawings, in which only affluent, young shoppers, bathed in warm sunshine stroll carefreely, and almost carfreely, around buildings whose scale is impossible to judge because the existing listed buildings have been left out, along with the monster car rack.

She is followed by two unlisted witnesses.

The CEO of the Spiritualist Union steps up explaining that a local member was to have spoken, but because it was so important he had materialised. Their church was one of the buildings on Leonardgate that would be blighted and for that reason his congregation was opposing the scheme.

The second unregistered witness was the proprietor of the Shakespeare Hotel, also on Leonardgate. Most of his guests liked the Georgian ambience of that area and that is what brought them back. It was the new bridge, however, that he was most concerned about. 'Most of you', he said, 'will not know this area in the small hours before dawn, when the Sugar House and the other clubs empty their zombied contents, mostly students onto the streets. Erect a bridge and it won't be just be empty cans and vomit coming over the parapet but human bodies, too'. (I paraphrase freely.) The inspector blanched – his daughter had been a student at Lancaster Uni'.

Almost the last man in was a local geographer Robert McKittrick, who had been taking notes on most days of the inquiry. His polite, charitable and rational delivery was the very voice of sweet reason. As well as providing a brief summary of the key objections he had new points, too.

It was possible for the site to become a 24/7 trading area. Delivery lorries would turn off the M6 and head up Barton Road, accessing the site via Bowerham and Freehold. The noise of HGV'S rumbling through residential streets is bad enough in the day time, what would it be like at night? To a glowing Mr Gray, he further remarked how well the inquiry had been conducted, a triumph for local democracy. Moreover, he hoped that the LCC had listened carefully to what the people of Lancaster had had to say.

Finally, he noted the absence of any strong support for the planning application. At which point he fixes his gaze on Mr Dobson and in a canny phrase asked, 'Perhaps the inquiry will mark the rebirth of planning in Lancaster'.

For the first time in three weeks Dobo reassembled his sullen physog' into something approaching a smile. He'd been thrown a life belt, of sorts.

Thursday 1-07-09, the final day.

Only a handful of fanatics occupy the public pen for the final day. The morning is taken up by examining some of the conditions in the application and how they might be fulfilled. It is of course, largely an academic and futile exercise because the only body that could guarantee fulfilment is absent, as they have been throughout the inquiry. And most absurdly, something that all parties had known this since March.

It has cost local tax payers £50,000 and more to finance this almost theoretical application. Now, whether you are for or against the application, you can only feel let down by LCC's arrogant decision to make the application on behalf of a developer who couldn't be bothered to defend its own scheme.

The final matter is costs. LCC is, as they indicated before, asking for costs against Centros's unreasonable behaviour – a face saving move.

EH, as a government body, does not wish to pursue costs against a local government body.

SAVE, who had incurred considerable expense, are asking for costs against LCC.

Then we come finally to IOC and Billy Pye. He stresses that unlike all the other participants, some of whom are costing the tax payer £3,000 a day, all the IOC team and its supporters are volunteers working for no financial reward. While there is a strong moral case for asking for costs against LCC, for all the time and expense imposed on them, in the end it would be themselves as taxpayers who would be paying their own costs. So there would be no application for costs.

Once again IOC have conducted themselves with great dignity as they had done throughout the inquiry, and whatever the outcome, the people of Lancaster owe them a big thank you for at the very least keeping a degree of local democracy alive against those who would wish to destroy it.