

Statement

- MR BRENT SMITH

Statement of Support for David Leal-Bennett

My name is Brent Smith and I have lived and worked in Hitchin for the past 50 years. I am a retired Building Surveyor and am a Member of the Chartered Institute of Building, a Member of the Architects & Surveyors Institute and a Fellow of the Guild of Incorporated Surveyors. I was the senior partner of Pentangle Design Group (formerly Brent Smith Associates) for 25 years.

I am a director and trustee of Hitchin Town Hall Ltd and also the current chairman of Hitchin Initiative (of which I was one of its founders). I have been chairman of Hertfordshire Building Preservation Trust and also chairman of both the London and South East Regions of the UK Association of Preservation Trusts (this included being a member of the South East Region Heritage Forum which advised the South East Assembly). I was a member of the Casework Committee of the Twentieth Century Society for a number of years and am familiar with the procedures involved in the carrying out of work to Listed Buildings.

I have known David Leal-Bennett for a number of years, particularly when we were both involved in the Hitchin British Schools, but it is only through working with him on the Town Hall project that I have come to know him well and to respect his hard work and commitment.

NHDC proposed to combine the Hitchin and Letchworth museums in a new Community Museum to be sited at Hitchin Town Hall. I personally supported this idea but did not accept that it needed to involve the loss of the Mountford Hall or the Lucas Room. The town's community groups got together and opposed the Authority's plans and there was a petition against the proposals signed by several thousand people. They formed a committee to coordinate and manage this opposition.

Keith Hoskins, our town centre manager, and I were invited to one of their meetings to see if we could help to find a way forward. David Leal-Bennett was a member of this committee. I came up with an idea, which I could not share with them until I had had time to work it through and talk to the owner and tenant of an adjoining building, but they trusted us to take it forward.

My idea was to purchase and take down the pair of adjoining shops, 14 & 15 Brand Street, to allow the formation of a new entrance foyer and to allow the museum to be located in the Gymnasium and Workmen's Hall part of the complex, leaving the Mountford Hall and Lucas Room intact for continuing community use. At that time, the tenant of 15 Brand Street had recently entered into a new lease and did not want to relocate so I prepared a scheme incorporating 14 Brand Street only. This found favour with the community groups and it was decided that this would be put to NHDC. It seemed that a solution had been found which suited all parties (there were difficult access problems with the NHDC preferred scheme whereby the complex would have been entered via a narrow passageway shared with the adjoining Chinese Take-Away).

Initially Hitchin Initiative were to progress the project on behalf of the community groups but the requirements of the Authorities and lenders involved led to the formation of what became Hitchin Town Hall Ltd. The Planning, Listed Building and Conservation Area

applications for the scheme were made by NHDC's architects but with Hitchin Initiative as the applicant at that time.

The tenant of 15 Brand Street subsequently approached their landlord saying that they would prefer to give up their lease and we were able to progress the possibility of incorporating this part of the building (which is what has actually taken place).

Incorporating the Brand Street buildings increased the cost of the scheme so Hitchin Town Hall Ltd was required to inject funds into the project. It was very successful in this and raised over a million pounds in grants and loans.

David Leal-Bennett prepared a detailed business plan and financial model which showed that the funding could be supported and repaid.

We were aware the Local Authorities have to operate under a plethora of rules and regulations which the private sector do not suffer (I regularly attend the NHDC's Ratepayers Meetings and sympathise with them) but we were not prepared for the way in which they approached working in partnership with us, the inordinate time that they took to deal with matters or the incompetence of their legal department. The first version of the Development Agreement was unworkable and it took months of work and tens of thousands in legal fees to get it anywhere near being a suitable document. We were not satisfied with the final document but took a pragmatic decision to accept it as being the best that we could achieve.

Hitchin Town Hall Ltd had the full support of the community groups and of the NHDC councillors (there were three votes of the full council confirming their support for the community scheme, as I recall, all without a single vote against) but found working with the council's lead officer extraordinarily difficult. However the project went forward and Hitchin Town Hall Ltd built up an amazing team of volunteer professionals to take the project through to completion. Unfortunately there were a number of things which were not being done in accordance with the Development Agreement. We felt that these matters could be resolved but the thing that caused the rift with NHDC was the construction of the concrete wall across the stage. This was in breach of our agreement with NHDC and a breach of faith with our supporting community groups. It prevented us from further fundraising. NHDC were well aware of our need for this fundraising and the dates that we had to carry it out by, having required us to prepare the detailed Business Plan. Their lead officer knew exactly what it would do to our finances.

We had made a complaint regarding the management of the project and had requested that Mr Robinson be replaced. I do feel that, had this happened, we would not be in the position of dispute which now exists.

Part way through the process, David Leal-Bennett stood for the council and was elected. This led to a possible conflict of interest so he resigned as a director of Hitchin Town Hall Ltd. This was a blow to us but we respected his decision. He was invited to attend one Board meeting in December 2014, after his resignation, as an observer, where he voiced a strong desire for the trustees/directors to attempt mediation. Since then we have been attempting to find a solution.

I have tried to follow what has led to this hearing but, as a local resident, fail to see why so much time and money has been spent by NHDC on this matter. As I understand it, it is to deal with alleged rudeness to officers and a disagreement over the declaration of interest.

I attended Project Board meetings with David Leal-Bennett and can confirm that he was never rude or aggressive. It appeared to me that Mr Robinson did try to goad him into reaction but he was always able to keep himself under control. Discussion was robust, particularly when the meetings seemed to be all about process and not about the actual project, and I shared with him a profound level of frustration. There was never a correct time to discuss the issues which we, as NHDC's partners, were concerned about. When the project ran into difficulty we felt that the minutes of the meetings did not reflect what had actually taken place so David Leal-Bennett requested that they be recorded. This request was refused.

On the matter of declaration of interest, all I can say is that after he resigned as a director he had no further say in the decision making of Hitchin Town Hall Ltd and I fail to see why he is now being prevented from asking questions about the project.

It does seem to me that NHDC have behaved in a strangely vindictive way with regard to David Leal-Bennett and to a degree against me. There was an occasion where I was asked to stay after a Project Board meeting and was told, with NHDC lawyer in attendance, that I was not allowed to give a report to the community groups on what was said at the Planning Meeting when the scheme incorporating 14 Brand Street was approved (this being a public meeting); I was accused of leaking information to the press (which I hadn't) and asked to sign a gagging order (which I didn't); just before Christmas NHDC invited local groups to see the building and receive an update on the project, Hitchin Society (of which I have been a committee member of for over 30 years) nominated me to represent them but I was refused access and, most bizarrely of all, my name was given to the Police as the prime suspect for the theft of the contractor's site board on the building and I suffered the indignity of being interviewed under caution (made all the more bizarre with me thinking that it was a practical joke until the police officer made it clear that they were investigating the serious crime of theft and criminal damage!).

I am prepared to attend the hearing and to speak on David Leal-Bennett's behalf if I am required to do so.

Brent Smith
30th December 2015