

Full Council

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| Date: | 18 June 2019 |
| Title: | Midsomer Murders Plaques |
| Contact Officer: | Graham Hunt, Town Clerk |

Purpose of Report

1. To provide background for a decision as to whether to submit an appeal to the Planning Inspectorate against the Planning Authority's (SODC) refusal of planning permission to install 6 Midsomer Murders Plaques around the town.

Background

2. The report to Council on 25 April 2017 (as republished at Appendix a) provides a good summary as at that point and should also be read.
3. An original application for 12 plaques was submitted in May 2017, but following a meeting with SODC officers in October 2017 it was clear that the application would be refused, without an opportunity to call-in to an SODC Planning Committee. It was felt that local SODC Councillors would be more likely to approve than a Planning Inspector, but that opportunity was no longer available due to the SODC Constitution, as by then it was too late to call the application in. There was also a suggestion that fewer sites would increase the chance of approval. The application was therefore withdrawn. This was reported to Councillors by e-mail on 8 January 2018.
4. Helen Johns, as agent of Thame Town Council, submitted a revised planning application P18/S2735/LB (with an even more comprehensive Design & Access statement – as attached at Appendix b) in July 2018 seeking permission to install 6 plaques on listed buildings in Thame, highlighting the role of the building in the Midsomer Murders television series. The application generated wide and national positive press coverage.
5. The Town Council fully supported the application at its Planning & Environment Committee meeting on 6 September 2018. Cllr David Dodds had called in the application, in case SODC were minded to refuse, hoping that SODC Councillors would take a different view.
6. SODC officers confirmed that they were still minded to refuse the revised application and the application was eventually added to the agenda of the SODC Planning Committee on 24 April 2019.
7. A further update was provided to all Councillors by e-mail on 21 March 2019.
8. In spite of heartfelt representations made by Helen Johns, Tony Long and Cllr David Dodds, concentrating on all the various positive aspects, the application was still refused. Notes of the meeting are attached (Appendix c), along with the SODC Officer's report (Appendix d) and the decision notice (Appendix e).
9. Again, SODC's proposal to refuse, and the ultimate decision, generated wide and national press coverage, again generally positive, but also suggesting alternative solutions.

10. The Town Council, as the applicant, now needs to decide whether to submit an appeal against the decision by the Planning Authority to the Planning Inspectorate.
11. The Town Clerk believes that arguments against such an appeal include:
- a) The decision was based purely on planning grounds (harm to listed buildings not being outweighed by benefit); a Planning Inspector is likely to agree with planning officers
 - b) Only one in three appeals succeed
 - c) An appeal would create work for Town Council officers (though minimal as most work would be executed by Helen Johns).
 - d) An appeal would create work for SODC officers and potentially create another battle between the Town Council and SODC
 - e) In spite of the Design & Access statement being declared by a plaque expert as “the best case document I’ve ever read”, and by another as “very professionally presented”, it still did not persuade SODC Officers / Councillors
 - f) Plaques are generally associated with significant real characters / events rather than fictional ones. *{Helen Johns comment: Although real people and events are often commemorated via plaques, there are many examples where fictional characters have been commemorated, as outlined in the Design & Access Statement. In addition, the real people commemorated are often only famous for the fiction they wrote (W B Yeats’ blue plaque in Thame as one example).}*
 - g) Two of the 6 buildings are Grade II* which means the measure of harm versus public benefit is an even bigger hurdle to get over
 - h) The vote at Planning Committee was heavy – 6:1 with one abstention in support of the Officer’s recommendation of refusal
 - i) The Town Council criticises other developers who pursue appeals after SODC refusal – although those are all when the Town Council has also been opposed
 - j) SODC Officers, SODC Councillors and members of the public have all suggested an alternative use of stickers in windows, which would not require planning permission. These could be deployed on all 12 buildings. They could also include a QR code, perhaps linking to a YouTube playing of the relevant part of the Midsomer Tour – or subject to Copyright even a relevant part (or still images) of the episode itself. *{Helen Johns comment: Stickers as an alternative deployed on all 12 buildings. Some buildings can show stickers in their windows, but others can’t, due to having no windows or to the windows being inaccessible/ not easily seen (Town Hall, Kew Bookbinding as examples). The building owners were largely against stickers, and Thame Museum refused to have a sticker as a matter of principle. There were other reasons given against having stickers in Part 5: Alternatives on p.17 of the Design & Access Statement. Sadly, I do not believe that the councillors at the planning committee meeting had read this statement, or not in full, or they would have seen the points made about stickers. Unfortunately, we had no opportunity to respond following the discussion so were unable to point out that the sticker option had already been explored. }*
 - k) The existing leaflets, tours and other publicity have already been very effective in increasing Midsomer Murders related tourism in the town; the plaques would provide more, but would largely be a convenience / support to the existing collateral *{Helen Johns comment: We don’t agree with the statement that the ‘plaques would largely be a convenience/ support to the existing collateral’. The point was made by Tony, in reply to a question at the planning committee meeting, that dozens of people go round the town on their own, looking for the buildings that were used as locations. He received an email from a couple who had tried to find a building unsuccessfully. The leaflets are not always available (with the best of effort) and the Information Centre operates weekdays only. We believe the plaques serve to highlight the visitor experience and draw attention to the*

buildings where the filming took place (far from detracting from the historic nature of the buildings, the plaques focus attention on those buildings and their history in general. We have evidence from tour participants that indicates this is the case). So we suggest this point is removed. }

- l) Wide and positive national publicity has already been achieved. A further appeal is likely to be received less positively, particularly if it is ultimately lost
- m) The refusal can still be used in any script on the tours, to add more intrigue
- n) It is often best to give in gracefully rather than fight a cause to the bitter end
- o) This was, and still is, a 21st Century Thame project, with the Town Council as applicant to add weight to the proposal

12. The Town Clerk believes that arguments for an appeal include

- a) The Town Council has declared its aim, and should see it through to conclusion
- b) A lot of effort has been expended over the three years since the proposal was first suggested; minimal further effort is required
- c) There is no further financial resource required to be allocated
- d) There is separate commercial interest in assisting any appeal and an ultimate solution

13. Our agent, Helen Johns, strongly believes that the Town Council should still appeal the decision and her two page paper justifying that, in response to this report, is attached (Appendix f). Helen will also speak at the meeting.

Resource Appraisal

14. Some further support will be needed from officers to support Helen Johns, acting as our agent, in progressing any appeal.

Risk Assessments

15. The main risk is to the relationship between SODC and TTC. To instigate another battle could have (however much it shouldn't have) other impacts elsewhere on the relationship.

Legal Powers: Local Government Act 1972 s 144 – Power to encourage tourism

Recommendation that:

- i) ***The Town Council gives in gracefully and does not pursue an appeal, while encouraging 21st Century Thame to pursue other suggested or otherwise options***