

From: Peter Arnold June 2 2017
Chairman CRS
To all members



VIEWS OF THE CALTHORPE RESIDENTS' SOCIETY COMMITTEE CONCERNING PLANS FOR THE DEVELOPMENT OF THE BIRMINGHAM BOTANICAL GARDENS.

The enclosed Report reflects several months of dedicated fact-finding, analysis and discussion by a special Working Group of 25 members of the Society, each of whom freely contributed their high level professional skills to assessing current draft plans for the future of the Birmingham Botanical Gardens (BBG) and the surrounding area, shown to residents by Calthorpe Estates at BBG in November 2016. In formally receiving this Report, the CRS Committee reached the following unanimous conclusions based on the 2016 Draft Masterplan.

1. The CRS Committee is totally committed to working with all stakeholders in order to secure a sustainable future for Birmingham Botanical Gardens

2. However, in the light of this Report, the CRS Committee is unable to support the Calthorpe Estates' Draft Masterplan for the BBG and the wider area, as published in November 2016.

It is opposed on the following grounds:

- I. These plans, in their current form, are **incompatible** with the **preservation** of the **beauty, history and character** of a **Grade II* Listed Garden** located in a **Conservation Area**
- II. There is a **real risk** that an access road off Richmond Hill Road leading to a **large car park** and **retirement complex** would create a **"precedent"** for **further creeping development** across the site within the current plan. **This is a "red line" for CRS.**
- III. At the time of writing (May 2017), there is **no Business Plan available for the proposed scheme**. However, we are concerned that a **very large scale plan** would place a **potentially very large financial burden** (and **consequential risk**) upon BBG

3. The CRS Committee believes that a far better strategy would be to follow the broad path of **"Pragmatic Independence"** (summarised in **Option 3** of the Report). ***We see the particular benefits of this Option as:***

- I. **Facilitating the right balance** between the **implementation of necessary change** and the **preservation of the last "green heart" of the Calthorpe Estate**
- II. **Promoting a real opportunity for corporate and community partnership**

Although the Chairman and Vice Chairman of the BBG Trustees do not agree with our conclusions, they are willing to set up a joint working group with us, as a means of securing community engagement. We very much welcome that prospect and look forward to working together.

CRS is indebted to Professor Ron Amann and his team for preparing this judicious and eloquent Report. Ron has been a member of CRS for the past 15 years and lives on the Estate near to the Botanical Gardens. His professional background as Pro Vice Chancellor of the University of Birmingham (and, subsequently, Chief Executive of the UK Economic and Social Research Council and a Permanent Secretary in the Cabinet Office) makes him well qualified to have taken on this major task.

A copy of the Report is being delivered to all household members of CRS and is posted on our website at: www.calthorperesidents.org

We would be delighted to have your comments on this Report.

Have your say by **email** to: **membership@calthorperesidents.org**

or by post to: **Calthorpe Residents' Society, 7 Austen Place, Edgbaston B15 1NJ**

PLEASE DO NOT MISS OUR EDGBASTON RESIDENTS' FORUM

THURSDAY 6TH JULY 2017, 7.30 pm

at The Octagon, Edgbaston High School for Girls, Westbourne Road B15 3TS

This will provide an opportunity for us to bring you up to date about BBG and other matters, exchange views and help us to plan a programme of action which accurately reflects the wishes of the community.

**VIEWS OF THE CALTHORPE RESIDENTS'
SOCIETY COMMITTEE CONCERNING
PLANS FOR
THE DEVELOPMENT OF
THE BIRMINGHAM BOTANICAL GARDENS
JUNE 2017**



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A REPORT FROM CALTHORPE RESIDENTS' SOCIETY: June 2017

VIEWS OF THE CALTHORPE RESIDENTS' SOCIETY COMMITTEE CONCERNING PLANS FOR THE DEVELOPMENT OF THE BIRMINGHAM BOTANICAL GARDENS.

We know from the public meeting held at the Botanical Gardens on 21st November 2016 that the refurbishment proposed will cost many millions of pounds, that it will require a new car park catering for three hundred spaces, and that the development of a large retirement complex behind the White Swan is intended as part of the scheme in order to help with the financing. In preparing this Report on the possible consequences of such a large scheme, there has inevitably been an element of guesswork. We shall be happy for any mistakes to be pointed out and any unjustified fears to be allayed by the Gardens or by the Calthorpe Estates. However, the CRS Committee considers it essential to have this Report ready to meet more detailed proposals which may come forward, and to set down its deep concerns now, before it is too late and our residents are presented with a 'fait accompli'.

Consequently, this Report contains provisional judgements and conclusions that will need to be revisited, and possibly revised, in the light of a business plan and detailed architectural drawings which are not yet available. It provides a systematic framework, however, for interpreting and responding to these details as soon as they do become available - and for engaging further with the BBG Trustees and other stakeholders in order to find the best way forward for the Botanical Gardens.

INTRODUCTION.

A first time visitor to Birmingham, approaching by train from the South West, will look out at an urban environment far removed from the image of the city often presented in the national media. Passing a famous chocolate factory surrounded by pleasant flower beds and playing fields, the train then goes through a magnificent university campus set in extensive grounds. Beyond the university, the ground opens out even further. On the left are playing fields and gardens as far as the eye can see, and on the right, on the skyline, are a number of large white Georgian houses with huge gardens sweeping down to a canal. Proceeding in parallel with this characterful secluded canal, that is wholly devoid of any trace of economic development, the train enters a tunnel and emerges abruptly, to the cacophony of Tannoy announcements, at New Street Station - in the very heart of Birmingham. How on earth could the visitor's initial expectations have been confounded so thoroughly? The answer, of course, is that the train has just passed through Edgbaston, a garden suburb on a grand scale situated virtually within walking distance of the centre of a city of over 1 million people : a unique environment, created and preserved over the course of several centuries as a result of the vision, generosity and strong-mindedness of one family: the Calthorpes.

But the view from the train does not tell the whole story. During the last few years Edgbaston has experienced a massive wave of development: in university buildings, huge hospital facilities (with more hospitals to come), a seemingly endless succession of retirement complexes, a new recreational and high-end shopping 'Village' etc. Each development can doubtless be justified individually, and even be seen as a source of pride in its own terms. But the aggregate effect, as experienced by residents, is that of 'encirclement' and congestion. Development over-reach has begun to threaten the fundamental character of our environment.

Now that the attention of developers has turned to the very heart of Edgbaston - the wider Botanical Gardens area - it is not surprising that the prevailing mood among residents is one of real concern and, in some cases, outright anger. It is a mood best captured by the phrase, "enough is enough". Like the anguished family in Anton Chekhov's famous play

Botanical Gardens area - It is not surprising that the prevailing mood among residents is one of real concern and, in some cases, outright anger. It is a mood best captured by the phrase, "enough is enough". Like the anguished family in Anton Chekhov's famous play *The Cherry Orchard*, the residents of Edgbaston have a poignant sense that a precious asset could be swept aside by a greedy and unfeeling 'modernity'.

Lest it be thought that these expressions of feeling are merely the ravings of a group of provincial "Nimbies", it is worth considering the intense opposition in London that would be triggered off by a comparable wave of development in and around Hampstead Heath, Regents Park, Barnes Common or Dulwich Village. Nor could the good citizens of Oxford be counted upon to celebrate, with unmitigated joy, plans to develop Christ Church Meadow (their own "wider Botanical Gardens" area). Edgbaston, with the Botanical Gardens at its centre, is no less an urban jewel than those mentioned above. It, too, helps to define the city in which it is embedded in a very important way.

The Calthorpe Residents' Society (CRS) was established at the beginning of the 1970s. It currently has over 1000 members and numbers are on an upward trajectory. This paper summarises the Society's considered response to the specific challenges the Edgbaston community now faces.

THE PROBLEMS CONFRONTING THE BOTANICAL GARDENS AND THE STRATEGY ADOPTED FOR RESOLVING THEM.

Historical Context.

Since the founding of the Birmingham Botanical Gardens in 1832 there have been regular periods of acute financial difficulty that were perceived at the time as being "spirals of decline". The same was true of all the other botanical gardens that were founded in many large British cities during the early 19th century. It was clear from the earliest days, therefore, that making such private gardens pay was inherently challenging. The difference between Birmingham and all these other gardens, however, is that Birmingham is the only one that has survived up to the present day (apart from Chelsea Physic, which is on a much smaller scale). All the others over-reached themselves. As a result of over-ambitious plans and excessive debt they finally collapsed, typically being taken over by Local Authorities who turned them into public parks or used their land for housing.

Charitable contributions from rich Edgbaston families (orchestrated and led by the Calthorpes) represent only part of the explanation for their remarkable survival. In fact, some of Birmingham's leading non-Conformist families viewed the gardens as a privileged middle class haven and therefore not a priority object for their charity. The main reason for their historical survival, therefore, appears to be the admirable pragmatism of their Trustees. Almost immediately after the gardens were founded, the Trustees rejected the hugely ambitious designs of Loudon for the new glasshouses (the great man promptly returned to London in a sulk and only returned two years later). At various times the Trustees have sacrificed pieces of land when the need arose (e.g. for what are now playing fields to the south of the site; for the creation of Edgbaston Archery and Lawn Tennis Society/EALTS) - one of the first lawn tennis clubs in the world; and, more recently in 1947, to extend the land available to Edgbaston High School/EHS - and to build the present car park). They have even experimented with radical new pricing structures in order to attract a broader section of the population (the famous "penny entry fee"). But, perhaps most importantly, the Trustees have always been open to diversifying the "offer" to the public as paying customers by expanding the role in the gardens beyond the original remit of scientific interest. The consequential revenue streams derived from recreation, education and catering have played a critical role in filling holes in their finances that would otherwise have opened up. This is particularly so in the period following the last major repair and rebuilding of the glasshouses in the late 1980s - early 1990s.

It is worth touching upon this historical perspective because it makes the important point that most of the obvious alternative avenues for generating revenue, other than the gardens themselves, have already been explored. This insight provides a necessary context for assessing the underlying severity of the gardens' current financial difficulties. The current Trustees are facing a particularly difficult challenge because the low hanging

gardens themselves, have already been explored. This insight provides a necessary context for assessing the underlying severity of the gardens' current financial difficulties. The current Trustees are facing a particularly difficult challenge because the low hanging fruit have already been picked. Under these circumstances it is perhaps not surprising that they, along with Calthorpe Estates (and advised by external consultants), have come to the conclusion that incremental tinkering will not do. A real step change is needed.

The Current Financial Position.

Although we have seen figures for recent years (though not the most recent ones), it is not appropriate, for reasons of commercial confidentiality, to quote them. However, the general picture is clear enough. There is no immediate crisis. Helped by the indulgence of a very modest ground rent (currently running at £600 per annum), the 'business' just about covers its costs in terms of current income and expenditure, but it has been unable to accumulate any surplus that could be used for future capital investment. Reserves are shrinking and it has been estimated by the BBG Trustees that a real crisis will occur by 2020 unless urgent action is now taken. It comes as a shock to learn that, at present, there are only 6 full-time gardeners employed in the Botanical Gardens. Independent professional advice obtained by BBG in recent years conveys the clear message that substantial investment is required in order to refresh the "offer" to the public.

Within their limited resources, the Gardens responded to some of the less costly improvements that have been suggested: e.g. upgrading the play area and introducing tighter controls over use of the car park. But the big ticket items have not yet been pursued. Those sensible innovations that have been introduced, however, appear to have had some moderate effect. The rate of decline in Membership and visitor numbers was arrested and is currently flatlining (with a significant 'spike' in visitors during the recent Lantern festival). 115,000 customers visited the Gardens last year, but this is far short of the 200,000 the Gardens are looking for.

We understand from the many discussions we have had with our colleagues in the Botanical Gardens and Calthorpe Estates that the time has now come, in their view, to move forward with some of those big ticket items, previously postponed, in order to elevate the Gardens onto a plateau of permanent **sustainability**. In financial terms that means generating a sufficient surplus to fund a regular programme of maintenance, to have the flexibility to respond to changing patterns of market demand, and to set aside funds for major future investments: in other words, to depart from a well established historical tendency to kick the can down the road until the next crisis breaks.

That outcome is to be achieved by focussing attention and resources on a number of key revenue-generating investments : a major repair and rebuilding of the glasshouses; a fundamental reconfiguration and upgrading of banqueting and events facilities (a key revenue stream); far better parking and access for visitors; and the realisation of an ambitious vision for the gardens themselves in terms not only of scientific interest, but also of educational opportunities and increasing public awareness of the Gardens' importance in the social history of Birmingham.

The Plan and its Internal Dynamics.

The approach that Calthorpe Estates and the Botanical Gardens have adopted in facing up to this challenge is an 'holistic' one, which takes in the entire wider Botanical Gardens area. Sorting out the problems of the Botanical Gardens lies at its core, of course. But all of the leaseholders across this very large tract of land have a stake in these plans, and some of them (notably EALTS and Edgbaston Croquet Club/ECC) require substantial investment to upgrade their own facilities. Several of these stakeholders are holding leases which are just about to come to an end, or have already ended (not the Botanical Gardens itself, which currently has just under 30 years to run on its lease). The strategic insight of Calthorpe Estates, therefore, has been to use its control over leases at a serendipitous moment in order to achieve a complex interdependent solution.

Some residents have expressed concern that it is Calthorpe Estates rather than the Botanical Gardens itself that appears to be taking the lead in this planning process. But that is to misunderstand the scale and complexity of what is actually at stake here. Only

Botanical Gardens itself that appears to be taking the lead in this planning process. But that is to misunderstand the scale and complexity of what is actually at stake here. Only Calthorpe (obviously working in tandem with the Botanical Gardens) has the resources, leverage, experience and high level connections to drive forward a complex project of this scale. The question is not whether Calthorpe should play a major role or not. Nor is it a question of whether they should receive a reasonable financial reward for playing this role in supporting a charitable institution: as the landowner, they clearly should. The real question is whether that financial reward and how it has been secured is **disproportionate** in terms of the benefit to the Botanical Gardens, other stakeholders and the surrounding community.

The draft plan for the Botanical Gardens, narrowly defined, was unveiled at a public meeting held at the Gardens on 21st November 2016 and further elaborated at a Members' Forum organised by CRS on 13th February 2017. The principal features of that plan are as follows: (i) A major rebuilding of the glasshouses in order to achieve comparability - in terms of scale and design - with the much more spectacular glasshouses that existed in the late 19th century; (ii) The destruction and removal of current buildings that would detract from the heritage appeal of the new glasshouses; (iii) The reconfiguration and substantial upgrading of banqueting/events facilities in a way that separates this activity from ordinary visitors more effectively; (iv) The construction of a new entrance road off Richmond Hill Road, leading on to a new 300 space car park (the current car park next to EHS of 117 spaces would remain in being, mainly for the use of those attending special events); (v) A bold new entrance to the Gardens (to include a new high quality cafe and shop) would then lead uphill from the car park to the glasshouses, which would thus be approached gradually from a distance for the full impression to sink in; (vi) The construction of a retirement complex of 90 apartments (our best current information) on a plot behind the White Swan, which would act in financial terms as an important "enabling development" for the implementation of the plan.

It is difficult to be precise at the moment, but from what we have been told, the sequencing of the plan and the consequential flows of funding would probably look something like this: STAGE ONE: The traffic analysis report, preparation of the detailed drawings and all the formal documentation that is necessary for a major planning application of this sort (estimated cost = £0.5 million). The Botanical Gardens have made it clear that they will not be able to proceed with the application unless they receive Local Enterprise Partnership (LEP) funding to cover this initial cost (A decision on this is currently pending). STAGE TWO: The construction of the new entrance road and car park. Formal agreement for this is seen as a precondition for a successful bid by the Botanical Gardens to national charities and funding bodies; the Botanical Gardens will have to demonstrate to these bodies that they are a viable 'business' worth investing in. We have been told that a proportion of the car park revenue (yet to be determined) would go to the Botanical Gardens in order to strengthen their long term financial resilience. STAGE THREE: Following (hopefully) successful applications to national charities and other funding bodies for substantial grants, a start would be made on an extensive programme for the refurbishment and reconstruction of heritage and non-heritage assets. It seems highly probable that Calthorpe Estates, as a supportive landlord, would contribute to this process in terms of application costs, expertise and networking. STAGE FOUR; The construction of the "enabling development" . We are not clear about the timing of this since the responsibility for it lies primarily with Calthorpe Estates rather than the Botanical Gardens. However, the substantial revenue from this would, to an extent yet unknown, represent a legitimate reward to Calthorpe for their strategic leadership. Potentially, it might also be drawn upon as contingency funding if some of the bids by BBG and others were unsuccessful. It might also be a source of financial contributions (or loan guarantees) towards non-heritage aspects of the BBG's plan that can not, strictly speaking, be the object of bids to charitable bodies. Until we see the actual business plan we can not be sure about how the revenue from enabling development might be used in a variety of different scenarios.

The Role of CRS and its Strategy of Engagement.

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As we look around us in Edgbaston, we see the rapid encroachment of major development, and experience its impact on our lives. It is clear from the evidence of our own eyes that the tokenistic consultations and small scale protests of the past have had little success in achieving a more balanced outcome. The community has been marginalised and not treated as a “full stakeholder”. In order to be recognised by powerful institutions as a “full stakeholder” a much more concerted and potent critical challenge is required. This involves being well prepared and well informed. It means being pro-active at an early stage in the planning process in order to influence the outcome of the planning application by rational argument. It also means engaging with the planning authorities in a professional way within the terms of their own decision criteria.

This approach is fully in accord with the spirit of Paragraph 155 of the National Planning Policy Framework, which states: *“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area”*.

This expectation is also clearly expressed in Birmingham City Council’s own “Statement for Community Involvement (“SCI”), which sets out the Council’s policy for engaging communities in making decisions about planning applications.

There is some urgency in this. We are informed that Calthorpe Estates will soon have a key meeting with their Trustees at which a decision will be made as to whether or not to proceed with the planning application at this stage. We guess that the Trustees will not give the green light until LEP funding is assured. LEP funding, in turn, is dependent on the submission of a satisfactory BBG business plan (still not available), and that business plan can not be finalised until a basic policy decision has been made about the scale of the development and the consequential “enabling” revenue streams. Working backwards, therefore, it seems clear that the next few months are critical if we wish to shape the outcome of the proposal.

At a meeting on 31st January 2017, the CRS Members’ Forum decided on an appropriate approach to take matters forward. The basis of the strategy is to draw upon the “intellectual capital” of Edgbaston residents, many of whom are highly qualified professionals, well able to engage with BBG and Calthorpe Estates on equal terms (lawyers, accountants, architects, business analysts, urban planners, economists, environmentalists, traffic and highway specialists, senior company executives, management consultants etc.)

We succeeded in identifying 25 highly competent specialists from within our membership who kindly agreed to help out. They have been divided up into 8 different work streams. Each work stream has been given a carefully defined remit and a list of key issues in order to interrogate a specific aspect of the BBG development plan and to engage with their opposite numbers in the BBG development team and Calthorpe Estates.

Six of the work streams are directly related to aspects of the plan that have been judged to be particularly significant in terms of their potential community impact:

- Vehicle access and parking
- The scale and appearance of the buildings
- The development of the gardens themselves
- Enhanced customer facilities
- Footpaths and community access
- The “proportionality” of the overall business plan

The other two work streams focus on the acquisition of specific background information essential for our understanding of the overall picture:

- Consultation with other stakeholders
- Legal rights and obligations applying to both residents and landowners

MAIN FINDINGS AND ASSESSMENTS OF THE WORK STREAMS.

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As a result of our work during the past two months we have accumulated a considerable amount of evidence and gained many new insights - far more than we can do justice to in this necessarily condensed summary. We are grateful to our colleagues from the Botanical Gardens and Calthorpe Estates for their willingness to engage with us. Although we inevitably converge on this complex project from different institutional perspectives, we all share a powerful common interest in trying to secure the best possible outcome for the future of the Botanical Gardens. Most of us are, when all is said and done, unpaid volunteers whose prime motivation is to make a difference to our community - and for their part, Calthorpe have an honourable tradition (and powerful brand) to protect.

Vehicle Access and Parking.

This is an aspect of the plan, in conjunction with related plans for “enabling development” (discussed in the next section), which has generated the most concern among Edgbaston residents. We therefore need to give it priority in this Report by dealing with it first.

VEHICLE ACCESS

The area around the Botanical Gardens is currently a major bottleneck with known accident blackspots. Preliminary traffic analysis has been carried out by Peter Brett Associates but this is arguably out of date now. A new traffic engineering study is to be commissioned in the near future, and members of our Work Stream have been invited to help shape its terms of reference. For the moment, they have confined themselves to examining the available documentation and making a personal on-site assessment of the options for a second entrance to the Gardens, leading on to a new car park.

There are four possible options: (a) Two possible entrances off the West end of Westbourne Road; (b) The current proposal in the BBG Draft Plan for an entrance off Richmond Hill Road; (c) A possible entrance that could lead in behind the White Swan. Let us examine the comparative merits of each option in turn.

The two possible entrances off Westbourne Road (making use of existing entrances to EALTS or Pertemps) would lead to car parks which would directly back on to existing residential properties and thus raise security issues for residents. They are also clearly problematical from a traffic point of view. This is a main road that carries large volumes of traffic all day and chokes during the morning and evening rush hours. Traffic flows in and out of BBG, EHS, Birmingham City University/BCU and residential properties and side roads. Birmingham City University's' new campus on Westbourne Road, soon to open its doors, will increase the number of students and staff from 2000 to 4500. Cars and buses dropping off and picking up students from the School and University cause great congestion. Often, the traffic is moving quickly, before it begins to divide towards the bottom of Westbourne Road, where both of these entrances are situated. It would not seem sensible to add to all this existing traffic. Moreover, the lane to EALTS, which passes between two houses is too narrow for incoming and outgoing vehicles to pass and its entrance is too narrow for coaches or large people carriers to turn into or exit without bringing all the traffic on Westbourne Road to a halt. Many of the same considerations apply to using the Pertemps entrance, which is located at the beginning of a blind corner. In addition, Westbourne House, which is situated on this site, is a major safe depository of international significance, protected by high technology security systems. It would not seem an appropriate place to build an uncontrolled entrance road into a public car park.

The proposed new entrance off Richmond Hill Road will pose problems for residents, for commuters passing through the area and for visitor access, as it introduces another traffic conflict point onto the highway network. Residents will suffer large increases of traffic on Richmond Hill Road, with significant increases in currently quiet periods, when events are held. Current dangers and problems at the junction of Richmond Hill Road and Harborne Road, as presently designed, will be exacerbated by the traffic increases. If a new large retirement complex were to be connected to the same entrance, the problems would be compounded.

Road, as presently designed, will be exacerbated by the traffic increases. If a new large retirement complex were to be connected to the same entrance, the problems would be compounded.

To try to avoid the above problems, a further option is theoretically possible: namely, sealing off the bottom of Richmond Hill Road beyond the entrance to Brook Road. This could create a relatively spacious cul-de-sac off which there could be a new entrance road into the gardens. On the face of it, this would seem to inhibit the flow of traffic up Richmond Hill Road, which residents feel strongly about, and would contribute to its current atmosphere of seclusion. However, it would, as a direct consequence, increase the flow of traffic along Brook Road in both directions and still leave a difficult exit for visitor traffic from the Gardens turning into Harborne Road via the newly formed cul-de-sac.

With reference to the feedback that they collected following the public viewing of their plans on 21st November, BBG/Calthorpe will be able to show that, by a clear margin, the aspect of the plans that people present most “liked” was the creation of the proposed new entrance on Richmond Hill Road, followed by the prospect of additional car parking. But this proposal was also high (though somewhat less so) on the list of “dislikes”. Community opinion was, on the basis of this small but fairly random sample, divided. In short, there are no easy answers which would automatically command wide support. Traffic congestion, pollution and creeping urbanisation are experienced across the whole of Edgbaston, and are widely perceived as a threat to house prices. This factor is not accepted as a “material consideration” in objecting to planning applications, but it is, nevertheless, a ‘political’ reality.

In the final analysis this issue of traffic flows and their systemic reverberations across the road network of Edgbaston is essentially a technical one that can only be resolved by a thorough study carried out by professional traffic engineers. Such a study is about to be commissioned and we are to be consulted. We have pressed upon BBG and Calthorpe Estates the critical importance of having all options properly considered.

CAR PARKING

The current proposal is to convert the existing 117 space car park off Westbourne Road into one primarily used for events. This capacity would be augmented by a new 300 space car park accessed, as we have seen, from Richmond Hill Road. A new main visitor entrance to the Gardens would lead off the car park. The new entrance would be designed in such a way as to really “announce” to visitors that they had arrived, in contrast to the present inconspicuous entrance. The car park would be designed and screened with trees and shrubs: as one typically finds in entrances to National Trust properties, but to an even higher standard.

There are a number of observations to be made about these proposals. When residents first saw the artist’s impression of the new visitor entrance, a distinct tremor could be detected around the room. It was widely felt that this was a design more fitting for an entrance to Disney World than to a Botanical Gardens. Moreover, residents were somewhat bemused by the notion that the entrance itself might be a significant attraction, preferring instead the more old fashioned idea that it was the content of the gardens themselves and their general ambiance that were paramount. No doubt this is a minor issue in the overall scale of things, which can be addressed by relatively straightforward adjustments to design. Nevertheless, it indicates a lack of public appetite for any significant expenditures on an entrance that would detract from other priorities.

The major issue is whether a car park on the proposed scale is really necessary. It is certainly very large. In order for such a potential eyesore to be acceptable to the community the justification for its existence would have to be clearly explained in terms of projected usage, categories of user (would it include non-visitors?) and the benefit it would give to BBG in revenue terms. Any assessment on this would also have to take into account the opportunities for making regular and agreed use of car parking at EHS and BCU. Access to these facilities might influence the need for such a large car park (or, indeed, on the basis of a zero-based review, whether any new car park is needed at all). Having talked to representatives of these institutions as part of our systematic discussions with stakeholders, we have formed the opinion that there are some real opportunities to

indeed, on the basis of a zero-based review, whether any new car park is needed at all). Having talked to representatives of these institutions as part of our systematic discussions with stakeholders, we have formed the opinion that there are some real opportunities to explore here, which have not yet been explored.

Before embarking on the construction of such a large car park there would be a number of legal hurdles to surmount. Firstly, the proposal would have to be tested against the demanding criteria for approving an “enabling development” in a Grade II* Heritage Garden (of which, more later). If wide public use were envisaged, it would also seem to require a change to the terms of BBG’s current lease, which in Paragraph 22 lays down the principle that use of the (current) car park should be confined to visitors to the Gardens i.e. not as a public parking facility in whole or in part. The latter is an internal matter to be resolved in discussions between landlord and tenant. The former, however, represents a very significant obstacle that could well be immovable.

Any proposed enabling development in the vicinity of a Grade II* heritage asset and/or which contravenes established planning policies can expect to receive stringent scrutiny from the City Council as the local planning authority. Planning permission is unlikely to be given for either the car park or the retirement complex unless the Gardens can establish that they have received sufficient grants and funds to carry out the scheme in its entirety. In addition, Calthorpe Residents’ Society would expect the Council to put in place a Section 106 Agreement stipulating the order in which the various elements of the scheme are to be built and brought into use; and supported by a Bond with a Bank or Insurance Company such that funds will be made available to complete the refurbishment of the Gardens if BBG runs into financial difficulties. To end up with a car park and retirement complex and no Gardens would be an unmitigated disaster.

The secure possession of an entrance road and car park, facilitated by planning permission, could open up another opportunity. In due time, when the original public outcry has died down, it might be argued by the landowner that the development that has already taken place, plus the construction of a retirement complex which is linked to it, has created a “precedent” for further development across the site. The creation of a “precedent” is an important “material consideration” that under normal circumstances would almost certainly lead to a rejection of the application by planning bodies following guidelines laid down in the National Planning Policy Framework (NPPF). But in this case, the precedent would already have been created - or so it might be argued. This is the real fear that residents have, and not only those who live on Richmond Hill Road. Their deep anxiety is not confined to an entrance, as such. The prospect that really haunts them is the gradual urbanisation of the lower part of Richmond Hill Road and rear of Farquhar Road East and much of the land behind it in such a way that the Botanical Gardens gradually become entirely encircled by development to the south of the site.

In a spirit of objective enquiry (and in order to dampen down the level of rage that has been generated) we have tried to find hard evidence that would show that these fears are irrational, and thereby create a more stable platform for building our relationships with Calthorpe and BBG. We sincerely wish to work together in order to secure a win/win outcome. Instead, to our dismay, the evidence we have come across rather confirms the gut fears of the community. We are aware of the fact that in recent discussions about the renewal of leases, schools have had to agree that significant parts of their playing fields could be returned to Calthorpe at short (2 years) notice. (A knock-on effect of this is that the Harborne Youth Football Club, a large and well supported community organisation who use the West House School playing field for training and matches, could be forced off it because the truncated playing area would no longer be fit for purpose). We also note that an original plan to develop the former police dog training field (about which Planning Officers were reasonably encouraging) seems to have been ‘banked’ for a future date, while in the shorter term the more lucrative development behind the White Swan has been preferred. All the building blocks for a hypothetical pattern of future development therefore appear to be in place.

Of course, all we can identify here is a risk - not a firm intention. But our strong advice is that any future planning application needs to specifically address this perceived risk and remove or mitigate it. Without that cast iron reassurance, the application, in our judgement, is unlikely to receive public support.

that any future planning application needs to specifically address this perceived risk and remove or mitigate it. Without that cast iron reassurance, the application, in our judgement, is unlikely to receive public support.

The job of the Residents' Society is to try to find out the facts and clarify the individual choices that members and other residents might make. As matters stand at present, we would not recommend any option that contained this risk.

The Scale and Appearance of the Buildings

This section of the Report brings together consideration of the two main items of cost and new sources of revenue contained in the BBG plans. Although overall judgements of "proportionality" will, of course, be much more multi-faceted than this simple comparison would suggest, the relationship between these two items will nevertheless have the greatest impact on the total picture of "proportionality" when it finally emerges.

THE REPAIR AND RECONSTRUCTION OF THE GLASSHOUSES

Members of the relevant CRS Work Stream made an informal visit to the Gardens in mid-February to carry out a visual inspection of the glasshouses. Given that they had no access to architects' drawings and other documentation, their reported findings are necessarily circumspect and limited. However, they were able to confirm that both the glasshouses and peripheral buildings (many of which, in their opinion, had little architectural merit) were in poor condition. This appeared to be the result of the lack of a cyclical maintenance programme - presumably through lack of funds. Some of the "repair" works were not in keeping with the aesthetic character of the houses. Having said that, the glasshouses were open to the public and must therefore have been regularly inspected and deemed to be generally sound in order to gain an appropriate Indemnity Certificate.

One member of the team, who took part in the visit, has subsequently suggested that the scale and cost of work involved in repairing the glasshouses alone (excluding the much more expensive replacement of the original lantern roof configuration) could be managed in stages by means of an interest free loan from Calthorpe Estates (paid back via rental payments under a revised lease) or, alternatively, as the result of a Section 106 Agreement relating to their current Hagley Road developments. Although these are theoretical possibilities, they would be difficult to count upon in current business plan terms without a much higher degree of assurance from Calthorpe Estates and Birmingham City Council. In any event, it may not come to that because all or most of the cost of refurbishing the glasshouses, strictly defined, may be obtained as a result of successful one-off grant applications to national funding bodies. The most likely funding gap that remains is for all the ancillary expenditure on infrastructure needed to upgrade those other aspects of the business that generate sustainable revenue streams.

In our early discussions with the Botanical Gardens it seemed that there was a large degree of flexibility in the level of investment that was being contemplated: anything between £2 million - £20 million was suggested. More recently, at the presentation that colleagues from BBG gave to our whole group on 13th February 2017, it became clear that that they were aiming for a figure at the top end of that range that would restore the glasshouses to their 19th century glory and also renovate all the infrastructure required for upgrading gardening, catering, education and events. Where will the money come from? If we assume that half of this maximum level of investment would be covered by external grants (a generous assumption), that leaves a residual amount of £10 million to find. To put this in perspective, at current market rates a repayment mortgage of this amount over a 25 year period would require an annual premium of over £ half a million. This is not a trivial amount; it represents a level of debt that would be implausible for BBG alone to contemplate taking on, given the current state of its finances. It will be interesting to see what the actual figures and strategies are when we have an opportunity to see the business plan.

Our colleagues in the Botanical Gardens are rightly encouraged by the positive response they have received from official heritage bodies to whom they have turned for advice. There is no doubt that the Botanical Gardens represent in their eyes an important heritage asset of national importance. However, at the same time as hoping to support them in any

they have received from official heritage bodies to whom they have turned for advice. There is no doubt that the Botanical Gardens represent in their eyes an important heritage asset of national importance. However, at the same time as hoping to support them in any future applications, BBG have also received a friendly suggestion that they should think carefully about whether or not a full reconstruction and enlargement of the glasshouses is a key factor in the survival and sustainability of the Gardens.

If BBG were to over-reach itself financially and become insolvent, the formal position set out in Clause 5(1) of the Lease explains that the Lease would then terminate. Calthorpe could subsequently re-possess and take responsibility for the property. Clause 5(3) goes on to say that if the BBG wishes to be wound up or is unable usefully to continue its charitable purposes it must provide Calthorpes with two quarters written notice to surrender the lease.

ENABLING DEVELOPMENT

The proposed retirement complex to be situated near the White Swan is a bit of a mystery. In one version of the draft plan it appeared as an L-shaped building. In a subsequent version of the plan it had become a horse shoe, presumably to increase its capacity. We have never seen an artist's impression of the building and we do not know exactly how it would be used. We believe that it will contain 90 units (increased from a previous 60 unit design).

From the few scraps of information that we have, and from what is known more generally about current retirement complexes across Edgbaston, it is possible to conclude that the annual income to the owner of such a facility would be very high indeed - and could potentially "enable" a great deal. Just how great this potential is remains to be confirmed by the business plan when it finally becomes available. The central question to be answered is how this revenue would feed into the various aspects of the overall development that have to be "enabled" (within the Botanical Gardens, and beyond it to other potential recipients of funding across the whole site).

There is a very real issue of whether Calthorpe Estates would succeed in getting planning permission for a large building in such close proximity to a nationally important heritage site, located in a Conservation Area. The Botanical Gardens occupies listed buildings and gardens. Historic England holds the following listing (*Birmingham Botanical Gardens, Entry Number 1001200, Grade II**). (As a matter of interest, the Guinea Gardens have a separate Grade II listing as "Westbourne Road Town Gardens", Entry Number 1001375). In relation to obtaining planning permission for "enabling development" on a Grade II* heritage site, the conditions are particularly stringent. It is worth quoting them in detail.

Paragraph 132 of the National Planning Policy Framework reads as follows:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or **development within its setting**. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage sites of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens (of which BBG is one) and World heritage sites **should be wholly exceptional**.*

Paragraph 140 goes on to say that, "*Local planning authorities should assess whether the benefits for a proposal for **enabling development**, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*"

In plain English, an application for "enabling development" in the vicinity of a nationally important heritage asset will be approved only very rarely.

Against the legal background of the planning framework it is worth noting the comments of

Against the legal background of the planning framework it is worth noting the comments of Peter Wright in his official capacity as the senior Planning Officer for South Birmingham. These comments are contained in a letter dated 19 February 2015, addressed to a representative of Deloitte (who act for Calthorpe Estates) as part of a pre-planning exchange of views. A copy of it was obtained by CRS as part of a FOI request. Mr Wright notes that land lying behind Farquhar Road (i.e. the former police training field) "can provide an acceptable enabling development - subject to detailed design work. However, the residential sites shown adjacent to the White Swan and off Richmond Hill Road are not acceptable". He also expressed concern about "a large 300 space car park in the middle of the site". Perhaps anticipating a possible tactic on the part of the applicant, Mr Wright also indicated that the planning application should be a comprehensive one, stating, "We do not recommend you to press ahead with the housing proposals in isolation - these remain contrary to policy." We have been told that this position is still in force and has not been supplanted by any subsequent rulings by planning officials.

As a last twist to the tale, it is interesting to note that in May 2014 as part of the public consultation regarding Birmingham City Council's "Wider Botanical Gardens Framework," Deloitte took the opportunity to argue that the term "enabling development funding" should be replaced by a more generic reference to "other forms of value-generating development within the site" - presumably to avoid the more severe formal conditions that "enabling development" would impose. The planners rejected the suggestion.

In the light of this evidence, I think we can say with confidence that our members would prefer the line that Birmingham City Council has taken in regard to both the site for possible enabling development and the degree of scrutiny that any proposal should receive.

The Gardens Themselves

Colleagues in BBG were reluctant to meet with members of our work stream in this area until their business plan had been completed. We were disappointed about this because we were keen to hear actual gardeners articulating their vision for the Gardens. Consequently, we have had to base our assessment on published sources.

The Botanical Gardens is an Educational Charity (registered number 528981). Its principal objectives are to, "further public education in Botany, Horticulture and Zoology and provide facilities for research" as well as to "provide for the recreation of the public". As most of the readers of this Report will know, the BBG already does valuable work in hosting school visits, offering horticultural apprenticeships and providing opportunities for volunteers. Birmingham Metropolitan College is their preferred partner in the provision of Horticulture and Conservation courses.

At the "launch" of the BBG Draft Master Plan a list of guiding objectives for the future was displayed (currently available on their web site). These objectives are very sensible and comprehensive, as far as they go. But they are pitched at a high level of generality and give insufficient sense of change and innovation. What we were looking for in our enquiry was more information about some specific developments that seemed exceptionally promising.

The first of these was the proposed development of an area referred to as "The Wilderness Experience": a piece of undeveloped land to the North of the Guinea Gardens, which could be attractive to visitors because of its wild flora and fauna and which could also be used as part of the training for apprentices. The second area of interest is, of course, the Guinea Gardens themselves, and how they could be opened up to visitors to the Botanical Gardens.

The Guinea Gardens are a real hidden gem. They are very close to the Botanical Gardens but not part of them (they are a self-governing site under the umbrella of Birmingham City Council (Allotments). The Gardens have a long history and are part of the transition of Birmingham into a major city, providing in those early days cheap plots of land for newcomers from the surrounding countryside who still hankered after a rural life. They are,

Birmingham into a major city, providing in those early days cheap plots of land for newcomers from the surrounding countryside who still hankered after a rural life. They are, therefore, an important heritage asset and for that reason have received a Grade II listing. Originally there were 250 plots. Now there are 87. Many of the plots had charming brick built summerhouses (“bothies”), but on a dark day in the early 1970s the Council bulldozers arrived unannounced and demolished them. Only one remains, and another is being re-built. There is a real story to tell here about the early social history of Birmingham, combined with a pleasant visit to the Botanical Gardens.

The most important issue members of our work stream have focussed on, however, relates to the scientific side of the Gardens, which is central to its role as an educational charity. RHS Wisley is obviously on a much bigger scale than Birmingham. Nevertheless, it is sobering to read on their web site about their current development proposals which include “state -of-the-art scientific laboratories, extensive public exhibition space, activities space for lectures...as well as nationally important science and library collections”. Birmingham could never compete with this, but with a current complement of only 6 gardeners (spending most of their day, one imagines, simply keeping the show on the road) we are arguably too far behind. If we are looking for significant areas for additional investment this is certainly one of them. How might one make up some of this ground?

One way forward here might be to recognise that the Gardens are situated literally next door to one of the world’s leading research- based universities: an institution which in recent years has demonstrated great strategic boldness, and acted upon those insights. It is a university with a major Medical School and a strong commitment to developing the life sciences, exemplified by its recent purchase of 10 acres on the Battery Park site in order to build a new Birmingham Life Sciences Park. The fact that the University also has a rather beautiful Botanical Gardens is a further source of synergy. On paper, at least, it would seem that there are some important common interests to explore. A scientific and recreational partnership with the University of Birmingham could be a game-changer. (For further discussion of this subject, see section on ‘Footpaths and Community Access’, below).

Following a discussion of this Report among work stream members, and aware of the many constraints surrounding the future of the Botanical Gardens, we would wish to emphasise that the opportunity for a long term partnership, such as that described above, is not an idle thought. Notwithstanding the need to do something urgently to secure the finances of the Gardens in the short term, we believe that a formal partnership of this kind could have real merit and should be actively pursued, provided that the objective is to preserve the precious greenery of the Gardens and their scientific value (rather than exploiting yet another possible development opportunity e.g. to build student accommodation).

Enhanced Customer Facilities

In his presentation to members of CRS Working Group on 13th February, the Chair of Trustees of BBG, Martyn Liberson, made the crucial observation that if the Botanical Gardens failed to keep up with the changing tastes and demographic character of Edgbaston, (and Birmingham more generally) in the 21st century, it would fail. In that sense, “sustainability” is not only expressed by the figures on a balance sheet, but more fundamentally, by the long term relationships established with customers.

Schedule Three of the current Lease paves the way for a degree of diversity and flexibility in how the Botanical Gardens manages its business. Without prejudice to its core role as a “botanical, horticultural and zoological garden”, the Lease permits a wide range of ancillary activities including conferences, exhibitions, sales, band performances, provision of food and drink” etc. These activities are subject to a number of conditions aimed at protecting neighbours of BBG from public nuisance. Clearly, it is all a matter of balance.

Our sense from having talked to a large number of residents, as part of our stakeholder consultation exercise, is that they are willing to put up with the short term inconvenience of occasional major events like the recent Magic Lantern Festival. They recognise, realistically, that these events contribute to the financial health of the Gardens (and many people enjoy them, too). There is no public appetite, however, for a business model based

occasional major events like the recent Magic Lantern Festival. They recognise, realistically, that these events contribute to the financial health of the Gardens (and many people enjoy them, too). There is no public appetite, however, for a business model based on a capacity to hold, say, two large wedding receptions simultaneously. To create that capacity (along with all the investment that would be required) would be to skew the central purpose away from being a Botanical Gardens and move it towards being a major events and banqueting provider that happened to have a large and attractive garden attached to it.

As part of CRS's systematic stakeholder consultation with our members, the favoured model seems to be one that would give the community a sense of pride and ownership, in addition to attracting visitors from far and wide. The challenge for the community would be to double the membership. Direct links with visitors' tours could be established with the Guinea Gardens, EALTS and Edgbaston Croquet Club/ECC. Instead of a bleak events centre, often empty and of no use to visitors, residents would like to see visitors drawn in to the BBG by interesting plants, a specialist centre for urban gardening, scientifically interesting displays, family activities (the recently upgraded play area is extremely popular with families), plant sales, a National Trust style tea room, and a more family friendly Value For Money restaurant based on high quality produce.

Respecting the wishes of BBG colleagues, we have had no discussion with the current catering contractors. However, as significant users of meeting and catering facilities at the Gardens over the years, we do have a number of observations based on personal experience. Our feeling is that although the potential is considerable (some of us can remember seeing Bill Clinton and Boris Yeltsin coming along Westbourne Road to dine in the Gardens during the G8 Summit in Birmingham), that potential is not currently being realised in full. Value for money falls below expectations and the level of customer service which we have experienced is not up to the mark. A recent CRS AGM for over 200 people, held at the Gardens in order to visibly support them, underlined these points very clearly. We also sense that the lack of communication between the gardens side of the business and the events side, which we have encountered, may hint at a deeper structural issue. There is a strong current of feeling across all of our work streams, especially among those members with extensive business experience and their own personal customer experience, that significant increases in revenue (perhaps in the order of 20-25%) could be achieved by restructuring and a more imaginative commercial approach. Our conclusion, therefore is that before considering major investment in upgraded infrastructure for catering and events, an independent look might be taken at the existing management structure and level of the "offer" to customers. The engagement of an outside consultant with detailed knowledge of the subject might be a worthwhile investment. This is a critically important revenue stream for the future of the Gardens.

Footpaths and Community Access

The Draft Plan for the Botanical Gardens contains a plan for a new cycleway and footpath that would run across the site from West to East. This proposal does not form part of the core business plan for securing the future of the Gardens and would have to be funded separately. However, promotion of cycling and public health is very much on the political radar screen at the moment, both nationally and locally, and there is a real possibility that funding will be found to implement these plans. Funds available to encourage cycling, for example, were a live issue in the recent Mayoral elections in the West Midlands; all the main candidates signed up to very large increases in funding for this purpose. It is worth considering the wider implications of this proposal, which go beyond recreation and public health.

The Birmingham Cycle Revolution envisages that 5% of all trips in the city will be made by bike by 2023: by 2033, the figure will be 10%. As part of that vision, it is hoped that resources can be found from Cycle Revolution funds for the creation of a route along the Chad Valley, linking the Harborne Walkway to Cannon Hill and National Cycle Route 5. The proposed cycleway through the Botanical gardens would enter near the White Swan, cross open land and skirt the Guinea Gardens to the North, before coming to a temporary halt at the railway line; here, a new bridge (or underpass) would be needed to allow cyclists and pedestrians to cross over into the University Vale site (which already has exemplary new pathways) and onwards through the Winterbourne Gardens past King

halt at the railway line; here, a new bridge (or underpass) would be needed to allow cyclists and pedestrians to cross over into the University Vale site (which already has exemplary new pathways) and onwards through the Winterbourne Gardens past King Edward's School to the Bristol Road. Obviously, many consultations and permissions would be required before this vision could finally be realised.

Members of our team note that there would be opposition to a route that passed to the north of the Guinea Gardens because it would intrude into the Gardens themselves. It would also pose greater security problems for users because it is a relatively remote area. An alternative, therefore, is to design a southern route that would cross the former police training field and exit, (again, temporarily), into Farquhar Road East. Designs for footpaths and cycleways are flexible and, in this case, would have to be reconciled with any plans for the construction of up to 10 large villas on this land, as was envisaged originally in the BBG Draft Plan. In the fullness of time, it is envisaged that a bridge (or underpass) would be built leading into the Vale site, which would obviate the need for an exit into Farquhar Road. The estimated cost of such a bridge is £2 to 3 million. This seems like a considerable sum in relation to the fine calculations that are having to be made in relation to the Botanical Gardens. But at the present time, cycling has such political salience that major network investments of this kind have apparently become realistic.

In pursuing these proposals, it would be wise to prepare for sharp questioning on privacy issues. Strong general arguments which demonstrate, on the basis of aggregate national statistics, that new pathways increase house prices, may not be perceived to apply in this specific context. We already know, from a previous section of the Report, the high value that surrounding residents give to seclusion. As well as the rear of their back gardens, the cycleway would pass the sports areas of two large girls' schools. In order to be acceptable, it would seem that effective screening would be a key requirement: as dense as that which currently separates the Botanical Gardens from the playground to the rear of Edgbaston High School. But these are relatively minor problems for which design solutions can be found. The enhanced connectivity that this proposal promises represents a real enhancement of public benefit in an area of Birmingham that, paradoxically, has no public park.

In the previous section we discussed the possibility of a future scientific partnership between the University of Birmingham and the Botanical Gardens. The creation of this cycleway/footpath would facilitate (literally) a bridge between these two important institutions. With immediate access into the Gardens for all the students living in the Vale Halls of Residence, not to mention easy access by another 30,000 potential paying customers (perhaps at special discounts?), the financial situation of BBG could be transformed. From the University's point of view, this beautiful "wider campus", cemented by a scientific and recreational partnership, would help to create an immensely powerful "brand", adding yet more strength to their quest to attract the best students to Birmingham from across the world. In terms of physical environment, no other university campus in Britain, outside Oxbridge, could compete with this.

The "Proportionality" of the Business Plan.

Writing this section of the Report is rather like a performance of Hamlet without the Prince of Denmark. Owing to many unexpected delays, the Business Plan is not available for scrutiny at the moment. It is expected to be available in the next few weeks in order to support the application of the Botanical Gardens for LEP funding. When it is available and properly digested CRS has been promised sight of it.

The business plan is central to our understanding of the "proportionality" of the overall planning proposal. It will allow us to see accurately what the major items of investment are, together with their estimated costs. It will also reveal all the estimated revenue streams and how they mesh in with particular items of investment. Once this pattern is transparent, we can take a quantitative view about "proportionality" and risk, and also think about alternative approaches that might be possible by changing the scale of development and/or varying the balance between the various revenue streams.

Given that the actual business plan will soon be available we will refrain from using proxy measures in this Report. Instead, we will indicate below the kinds of key figures that we

Given that the actual business plan will soon be available we will refrain from using proxy measures in this Report. Instead, we will indicate below the kinds of key figures that we are looking for, and hopefully will soon receive:

A ESTIMATED COSTS

- (1) The overall cost of new investment in the Botanical Gardens, itemised in terms of (i) reconstruction of the glasshouses and other related heritage work; (ii) Upgrading of banqueting, cafe, meetings and events facilities; (iii) Investment in gardening and nursery facilities (including the number of gardeners); (iv) Creation of a new entrance and associated retail facilities for goods and plants; (v) Enhanced training and educational facilities.
- (2) Other liabilities (for example, increased rental payments to Calthorpe Estates or repayments on new loans).

B ESTIMATED REVENUES

- (1) Grants from the Lottery and other national funding bodies to preserve key pieces of heritage on site (e.g. the glasshouses and the Guinea Gardens).
- (2) Revenue from the new car park.
- (3) Revenue from “enabling development”.
- (4) Enhanced revenue from banqueting, meetings, corporate hospitality and events (a separate figure for each).
- (5) Increased visitor revenue based on new pricing structures (if relevant).
- (6) Revenue from increased membership (CRS to appeal to its members to become members of BBG).
- (7) Large individual and corporate donations.
- (8) Increased revenue from upgraded education and training facilities.
- (9) Revenue as a result of a public appeal (Organised by Friends of the Botanical Gardens).
- (10) Contributions from the Local Authority via Section 106 Orders or other means.

A SUMMARY OF THE MAIN POINTS IN TERMS OF OPTIONS AND RISKS

The aims of the Calthorpe Residents’ Society, as set out in its Constitution, are as follows:

“(i) To secure the preservation of features of beauty, history and character in the Area comprised in the scheme of management for the Calthorpe Edgbaston Estate (approved by the High Court pursuant to the Leasehold Reform Act 1967); (ii) to encourage public interest in the Area; (iii) To promote high standards of planning and architecture in the Area; (iv) To promote social interaction between residents and organisations in the Area in order to enhance the quality of community life.”

It is against this frame that we look at the options for the Birmingham Botanical Gardens and associated development.

This is a highly complex project with many conflicting considerations that are difficult to weigh in the balance. For that reason, it would be inappropriate (even if it were possible) for this Report to come forward with a single recommendation. Individual members will be influenced by how these plans affect them personally. The kind of solution they favour will also be influenced by their own knowledge, experience and values.

Our job in preparing this Report was to examine the facts and help members make that

also be influenced by their own knowledge, experience and values.

Our job in preparing this Report was to examine the facts and help members make that choice. We do that by identifying three broad options derived from key points in the Report and from the extensive consultations we have undertaken. There are, of course, many intermediate positions, but beginning in this way helps to organise one's thoughts in order to reach a personal conclusion.

We should emphasise, however, that reading this summary is no substitute for reading the whole Report.

OPTION 1 : FULL IMPLEMENTATION.

Strategies and Benefits.

This option involves the implementation of the proposals contained in the existing Draft Master Plan in their entirety:

- * New large glasshouses (on the scale of the original 19th century design) as a significantly enhanced public attraction.
- * A new 300 space car park to accommodate increased numbers of visitors, generating additional "enabling revenues" for the Gardens (plus revenue from possible supplementary use by members of the general public).
- * Large investments to support revenue-generating ancillary businesses (such as catering, events and retail).
- * A likely lease extension as a logical response to the major investments referred to above.
- * A major "enabling" development of retirement accommodation (possible financial benefits to BBG, if any, are as yet unclear).
- * Construction of a credible business case which would persuade national funding bodies to make long term investments in the Gardens.
- * New sources of revenue would also be sufficient to support improvements across the whole Botanical Gardens area (EALTS, the Croquet Club, EHS etc). (Specific figures to substantiate this ambition are not yet available).
- * In general, Option 1 holds out the prospect of the Botanical Gardens actually becoming financially viable by means of a business model that is sustainable in the long term.

Risks.

A major risk to Option 1 is that the planned changes are so bold and brash that they change the character of the Gardens and provoke powerful opposition:

- * The obtrusiveness of events and ancillary businesses begins to subvert the original scientific purpose of the Gardens and their traditional charm.
- * Having agreed to the building of a large car park and bold new visitor entrance at the initial stage of the implementation process, there is a danger that if BBG do not succeed in their large grant applications - and binding contingency plans are not in place - they could be left with no real gain in terms of significant new heritage attractions.
- * Large scale investments in ancillary businesses will entail significant commitments that may lead to BBG over-reaching themselves, without any assured financial safety net.
- * The potential for "creeping development" across the South of the site (identified in the Report), facilitated by the renegotiation of leases, would attract furious opposition far beyond immediate residents - and for that reason would be an absolute "red line" for the Calthorpe Residents' Society.

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- * Edgbaston residents, more generally, could turn their backs on such an overly commercialised operation and withdraw their support and custom from the Botanical Gardens.
- * There is a real possibility that one or several of the major "enabling" elements in the plan would fail to secure planning permission under the strict criteria applying to Grade II* Listed Gardens, thus returning the whole strategy to "square one".

OPTION 2 : A HOLDING POSITION.

Strategies and Benefits.

Under Option 2, residents are so opposed to the current plan (in terms of seclusion and traditional taste) that none of the strategies contained in Option 1 are acceptable:

- * Given that the current lease of the Botanical Gardens still has 30 years left to run, what is proposed under this option is a programme of staged incremental repairs of the existing glasshouses and other buildings.
- * An attempt is made to achieve a boost in catering and retail revenues by management improvement alone (without expensive associated investment).
- * An improvised solution to the car parking problem is pursued via informal agreements with BCU and EHS.
- * If the Botanical Gardens were to collapse, it is assumed that Calthorpe Estates would have to step in to save the Gardens under their legal obligation for listed buildings.
- * An alternative endgame would be the appearance of a rich and powerful "partner" organisation, whose substantial financial input would "save" the Gardens and preserve their essential character.

Risks.

The principal risk of Option 2 is that both BBG and the community lose control over events:

- * Given the depths of BBG's financial difficulties, no long term partner would emerge willing to take on the burden of risk on terms acceptable to the surrounding community (as exemplified by their hostility to Option 1).
- * Without a strong business plan there could be no credible application to national funding bodies.
- * Hard nosed corporate sponsors would be wary of a failing organisation that seemed incapable of helping itself.
- * Option 2 would ignore the interests and hopes of other stakeholder organisations across the wider site, who would be left to their own devices without the prospect of an holistic solution.
- * There is a high chance that if BBG were to collapse, residents would be portrayed as intransigent and narrow -minded "Nimbies", who had been the architects of their own misfortune.
- * If this misfortune were to occur, it is highly questionable whether Birmingham City Council, seriously strapped for cash, could act as a "white knight" as they did in the early 1990s. Nor could a Section 106 Agreement be contemplated linking Calthorpe's current

if this milestone were to occur, it is highly questionable whether Birmingham City Council, seriously strapped for cash, could act as a “white knight” as they did in the early 1990s. Nor could a Section 106 Agreement be contemplated linking Calthorpe’s current major developments off the Hagley Road with BBG, because of the lack of contiguity between the two developments.

- * Calthorpe Estates would thus assume responsibility for the listed buildings, but not necessarily for the Gardens themselves (which would carry the unreasonable implication of taking on responsibility for a failing ‘business’ in perpetuity). The way would then be open for, say, the creation of a very substantial and high end conference and banqueting facility with refurbished glasshouses as a showy and brand-creating centrepiece; the facility would be graced by extensive and well tended gardens.
- * It is not at all inconceivable that large swathes of residual land would then be used for extensive development, with the agreement of a Local Authority under pressure to build more homes.

OPTION 3 : PRAGMATIC INDEPENDENCE.

This would represent the continuation of a long tradition of doing what needs to be done (often, no doubt, through gritted teeth), to support an inherently insecure business: a large private garden without a large public subsidy. Option 3 entails a degree of flexibility absent in Option 2, but subject to similar concerns about insensitive proposals.

Strategies and Benefits.

- * There would be acceptance of the case for some modest “enabling development” (for example, the original scheme for up to 10 large villas situated to the rear of Farquhar Road East), but a total “red line” against any “creeping development” along Richmond Hill Road.
- * Ambitious plans for the glasshouses and related buildings would be scaled down to avoid potentially excessive debt burden.
- * Following a zero-based review, there might be a case for a scaled down car park for visitors to the Gardens and users of sports facilities only.
- * There would be toleration of more, sometimes obtrusive, popular events such as the annual Lantern Festival or live open air concerts - but no creation of a permanent capacity to hold two very large events simultaneously.
- * Investments on new infrastructure for meetings, banqueting and cafes would focus on raising quality rather than dramatically increasing quantity.
- * Significant management changes would be introduced in order to achieve a better overall grip of the constituent businesses of BBG, and a greater customer focus.
- * There would be a high possibility of corporate support based on tangible evidence of potential success and perceptions of wide community support.
- * On the back of that support, Calthorpe Residents’ Society would be able to lead an energetic drive to recruit new Members of the Botanical Gardens.
- * The possibility of a future relationship with an external “partner” would be enhanced: (a) because the Gardens, as a going concern, would be a more attractive proposition for any prospective partner, and (b) because the ability of BBG to negotiate favourable terms would be correspondingly greater.

Risks.

The risks and limitations entailed with Option 3 can be stated briefly by posing a number of awkward questions:

The risks and limitations entailed with Option 3 can be stated briefly by posing a number of awkward questions:

- * Although Option 3 may be welcomed by many residents of Edgbaston, would it really attract more external visitors?
- * It may be the way of saving the Botanical Gardens for the moment, but would it generate a sufficiently large revenue stream to really establish BBG on a sustainable level?
- * Would the total amount of revenue be sufficient to address some of the needs of other stakeholders, whose expectations have been raised by the prospect of improvements to their own businesses (as the result of an holistic solution of the kind outlined in Option 1)?

GENERAL CONCLUSIONS OF THE CRS COMMITTEE.

There are no easy answers to the complex problems currently facing the Botanical Gardens. But, inevitably, difficult choices **do** have to be made.

The submission of a detailed planning application is expected towards the end of 2017. Before that happens, there will be opportunities for CRS to influence the shape of the plans as part of the Society's ongoing engagement with the key stakeholders and decision makers. Once the plans are formally submitted, however, particular weight is given by the Planning Authority to the written comments of **individuals**.

As we now begin to form our individual views, it may be helpful for members and residents to be aware of the broad conclusions of the CRS Committee, based on all the evidence contained in the Report that it has commissioned (available, in full, on the CRS website).

In the Committee's considered opinion, Option 1 (which is based on Calthorpe Estate's Draft Master Plan for the Botanical Gardens and Wider Area), is "disproportionate" in its impact; the scale and character of proposed "enabling" development is judged to be out of balance with the central aim of supporting the original purpose of the Gardens and preserving their historic charm as an important heritage asset. Moreover, Option 1 contains a potential "precedent" for a further wave of extensive development beyond current plans which, if it were to happen, would be wholly unacceptable. For these reasons, the CRS Committee would not recommend this option to its members or to residents of Edgbaston, more generally.

Option 2 and Option 3 are both possible strategies but, on balance, the Committee prefers the latter to the former.

Option 2 (entitled "A Holding Position") is precisely that. It entails minimal change, does not promise any fundamental solution to BBG's current problems and would probably founder after a few years unless there were substantial external intervention (which is by no means assured). This, in our view, is a risky option.

Option 3 ("Pragmatic Independence"), by contrast, appears to the Committee to strike the right balance between, on the one hand, greater tolerance of change in order to increase revenues and, on the other hand, a clear and sharp focus on preserving the traditional ambiance of the Gardens and enhancing customer value. In the Committee's judgement, Option 3 provides the best opportunity to exchange thoughts and build a constructive relationship with the community.

The adoption of Option 3 would also place the Gardens in a much stronger position in any future negotiations with a prospective "partner" whose values and aims were broadly complementary. (An obvious example is the University of Birmingham - but there are other possible contenders). This would not provide an answer to BBG's immediate financial problems, but it does seem to offer the best prospect for a more fundamental long term solution. The Committee takes the view that hard-headed and realistic discussions should take place as soon as possible at an appropriately high level in order to explore these possibilities.

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Professor Ron Amann
Chairman of CRS Birmingham Botanical Gardens' Working Group
Member of CRS elected committee

Peter Arnold
Chairman
Calthorpe Residents' Society

On behalf of the Elected Committee of CRS. Agreed May 2017
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*This Report has been prepared by Professor Ron Amann and his team.
Ron has been a member of CRS for the past 15 years and lives on the Estate near to the Botanical Gardens.
His professional background as Pro Vice Chancellor of the University of Birmingham (and, subsequently,
Chief Executive of the UK Economic and Social Research Council and a Permanent Secretary in the Cabinet
Office) makes him well qualified to have taken on this major task.*

**A copy of the Report is being delivered to all household members of CRS and is
posted on our website at: www.calthorperesidents.org**

Your comments on this Report are welcomed.

By email to: membership@calthorperesidents.org

By post to: **Calthorpe Residents' Society, 7 Austen Place, Edgbaston B15 1NJ**
