

## **Judge grants permission for Judicial Review**

### ***High Court to hear Hendon resident's case against Barnet Council***

On Thursday 17 February 2022 a High Court Judge, Mr Justice Kerr, granted permission for a judicial review in the matter of Richard Lecoat v London Borough of Barnet and Middlesex University [CO/3519/2021]. The judicial review will examine the lawfulness of the Burroughs and Middlesex University Supplementary Planning Document (SPD), which supports the wholesale redevelopment of Hendon.

The claim put forward by Hendon resident and graphic designer Richard Lecoat is that the SPD, by virtue of its scope and content is, in truth, a Development Plan — a different type of planning document requiring a far greater level of public consultation, oversight and scrutiny than a Supplementary Planning Document receives — and that the so-called SPD should be treated as such or be deemed unlawful. Barnet have sidestepped the usual legal requirements, including the duty to hold a public inquiry so that members of the public can fully engage in the policies which support the development.

The judge declared the matter to be 'significant', meaning that it will now be expedited through the courts and will be heard by a senior planning judge in the High Court. Among the reasons given for granting permission, Mr Justice Kerr recorded that the substance of Lecoat's claim, that the SPD is actually a Development Plan, 'is arguable' (that is, it has potential legal merit and is worthy of being considered by the court).

This Judicial Review takes place against a backdrop of community opposition to the 'Hendon Hub', part of London Borough of Barnet's emerging Local Plan which, in the view of local residents, seeks to redevelop the Borough's historic centre in Hendon as an extension of the Middlesex University campus. The Hendon Hub plan has been resoundingly unpopular with residents, in particular the move to hand over Hendon's 100-year-old purpose-built Grade II listed library building to Middlesex University for use as a business school. Over 1000 responses were received from residents during the Hendon Hub planning application process, and 100% of those responses were objections. Despite this clear message from the community, the Tory-led Council has continued to push ahead with their development plans. Representatives of Middlesex University have, in the view of residents, similarly failed to meaningfully address the community's concerns.

Lecoat is being represented by Leigh Day solicitors, supported by a crowdfunding campaign. For more information, go to <https://www.savehendon.org>

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