

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 47

Brighton & Hove City Council

<b>Subject:</b>	<b>Maintenance of Historic Buildings</b>		
<b>Date of Meeting:</b>	<b>24 September 2009</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Jefferies</b>	<b>Tel:</b> 29-3152
	<b>E-mail:</b>	<b>tim.jefferies@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

The report provides an annual update on repair works to historic buildings in the city, including the enforcement of repairs where necessary. It includes an updated register of those listed buildings considered to be 'at risk' (Appendix 1) and an updated list of other properties where action is being taken to secure repair and redecoration works (Appendix 2).

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member endorses the updated register of listed buildings that are considered to be 'at risk' (Appendix 1).

#### 3. RELEVANT BACKGROUND INFORMATION

- 3.1 The adopted Conservation Strategy (2003) includes the council's approach to dealing with the maintenance of historic buildings. That approach and the priorities for future action were updated and approved at this Cabinet Member's Meeting on 4 July 2008. These tie in with our Corporate Plan's priorities to preserve and improve our urban environment whilst ensuring fair enforcement of the law and they represent a more pro-active approach to this important issue.
- 3.2 Accordingly, a more pro-active approach has been taken over the past year and the highest priority has been given to the register of listed 'buildings at risk', identified in accordance with criteria set down by English Heritage. Officers have worked corporately to secure the repair and/or re-use of these buildings where appropriate.
- 3.3 As a result, nine buildings have been removed from the register, as follows:
- **Kings Road Bandstand** – repair and restoration works have been completed.
  - **Patcham Place, London Road** – Essential repairs have been carried out and the building is in temporary use for short-term residential lets. A full schedule of repair and restoration works has been drawn up and funding part-identified.

Options for a long term use are being explored. The building remains 'vulnerable'.

- **The Synagogue, Middle Street** – major repair and restoration works are nearing completion.
- **64 Brunswick Street West (Old town hall)** – major repair and restoration works have been completed to re-use the building as a music school, in accordance with the planning permission and listed building consent granted in August 2008.
- **20/21 Grand Parade** – repair and redecoration works have been completed following pro-active action.
- **2 St George's Place** – Urgent works to make the building secure and weathertight have been carried out by the council in default due to inaction by the owners. Recovery of the costs incurred is currently subject to a decision by the Secretary of State. The building remains vacant with no progress on re-use and is therefore still considered to be 'vulnerable'.
- **Wellhouse in Stanmer Park** – the roof has been repaired.
- **1 Steine Lane (rear of Royal Pavilion Tavern)** – full repair and restoration works have been carried out to meet the requirements set out in the council's schedule of repairs.
- **Tarner Tower and walls, Sussex Street** – the tower has been cleaned and secured with new artist-decorated boarding. A full survey has been carried out and necessary long term repairs identified, so the tower is still considered to be 'vulnerable' at present.

3.4 In addition, two buildings that were considered as 'vulnerable' in 2008 no longer give cause for concern. These are:

- **Gardner Arts Centre, University of Sussex** – the University has decided to restore and convert the building for University use as the Attenborough Centre for the Creative Arts and has set aside a substantial budget for this work, with a proposed re-opening in time for the University's 50<sup>th</sup> anniversary celebrations in 2011.
- **Ocean Hotel, Saltdean** – the conversion and restoration of this building is progressing well in accordance with the planning permission and listed building consent and has been closely monitored by officers.

3.5 However, a further four listed buildings have been added to the register as being 'at risk'. These are:

- **The Astoria, Gloucester Place**
- **19 Brunswick Place**
- **53 Brunswick Square**
- **14 Montpelier Crescent**

Further details of these are given in the updated register of Buildings at Risk at Appendix 1. The three residential properties have been added to the register as a result of corporate working between the Conservation team and Private Sector Housing. For existing entries the previous year's priority rating is shown in brackets (where A is the highest priority and F the lowest).

3.6 In accordance with the previously agreed report, the second priority for pro-active action has been those other historic buildings in need of maintenance. Action is most typically proposed and taken under Section 215 of the Town and Country

Planning Act 1990, where buildings are considered to be adversely affecting the amenity of the area by virtue of their poor appearance.

3.7 Over the last year the following seven buildings have been successfully repaired and/or redecorated following such action, or the threat of such action:

- 10 Arundel Terrace, Brighton
- 7 Broad Street, Brighton
- 7 Castle Square (The Royal Pavilion Tavern), Brighton
- 7 Clifton Road, Brighton
- 17 Palmeira Square, Hove
- 16 Powis Road, Brighton
- 11 Vernon Terrace, Brighton

3.8 In other cases work is ongoing to secure the carrying out of repairs and formal action will be taken promptly in all cases where there is no progress. A further eight properties have been identified where such action may now be necessary and an updated list of current cases is given at Appendix 2, with the new cases shown in bold type.

#### **4. CONSULTATION**

4.1 The Assistant Director, Property & Design has been consulted on the report in respect of council owned properties. The Private Sector Housing Manager has also been consulted and made some minor comments in respect of Appendix 1, which have been incorporated into the text.

4.2 The proposals in this report do not represent matters of new policy or introduce any new schemes. Therefore it is not considered that external consultation would be appropriate in this case.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 Any enforcement action arising from this report can usually be covered within existing resources. In cases where additional costs may be incurred due to the council having to undertake repair work in default, and/or to compulsory acquire property, a separate report would be presented to this meeting for consideration.

*Finance Officer Consulted: Patrick Rice Date: 10/08/09*

##### Legal Implications:

5.2 The council has a legal duty of stewardship for listed buildings. The relevant powers open to the council to secure the repair of listed buildings at risk are Sections 47 & 48 or Sections 54 & 55 of the Planning (Listed Building and Conservation Areas) Act 1990 or Section 215 of the Town and Country Planning Act 1990 in the case of repair and redecoration works to other historic buildings.

*Lawyer Consulted: Elizabeth Culbert Date: 18/08/09*

Equalities Implications:

- 5.3 There will be no significant impact of any of the equality strands. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new policy.

Sustainability Implications:

- 5.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy. But in terms of Sustainable Consumption and Production, the retention and timely repair of existing buildings reduces construction and demolition waste.

Crime & Disorder Implications:

- 5.5 The good repair and maintenance of publicly visible buildings and structures can help to discourage anti-social behaviour and graffiti.

Risk and Opportunity Management Implications:

- 5.6 The failure to retain and maintain listed buildings could lead to significant adverse publicity for the council.

Corporate / Citywide Implications:

- 5.7 The proposals accord with the Corporate Plan priority to protect the environment whilst growing the economy and also accord with the priority of fair enforcement of the law, by ensuring that any future formal action is based upon open and transparent criteria and priorities. The Sustainable Community Strategy contains a commitment to implement the Conservation Strategy.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None considered.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The report recommendation will allow resources to be directed to those historic buildings that are most in need of repair and to ensure a consistent and transparent approach to any future enforcement action.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Register of Buildings at Risk 2009
2. Buildings in need of maintenance – current cases

### **Documents in Members' Rooms**

None

### **Background Documents**

1. The Conservation Strategy (2003)

