

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 62

Brighton & Hove City Council

Subject: Maintenance of Historic Buildings
Date of Meeting: 4 November 2010
Report of: Strategic Director, Place
Contact Officer: Name: Tim Jefferies Tel: 29-3152
E-mail: tim.jefferies@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

This report provides an annual update on the pro-active programme to ensure the re-use, repair and restoration of historic buildings in the city, including the enforcement of works 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 ongoing to secure repair and redecoration works to improve their appearance (Appendix 2). A selection of 'before' and 'after' photographs is also included at Appendix 3.

2. RECOMMENDATIONS:

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

3. RELEVANT BACKGROUND INFORMATION

- 3.1 The adopted Conservation Strategy (2003) describes 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 the Corporate Plan 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, the highest priority has been given to maintaining the register of listed buildings at risk, identified in accordance with criteria set down by English Heritage. Officers have worked corporately to seek the repair and/or re-use of these buildings where appropriate.
- 3.3 Since the last report four buildings have been removed from the register, as follows:
- **14 Montpelier Crescent** - under threat of an urgent works notice the building was sold and has been brought back into much needed residential use by the new owners. It has been made weathertight and further repairs are ongoing.
 - **27 Marine Square** – the building is now considered to be weathertight. Only the top floor remains vacant and proposals are in hand to bring it back into habitable condition.

- **Marlborough House, Old Steine** – it has been made weathertight under threat of urgent works action and its condition no longer gives cause for concern. However it remains vacant with no long term solution in place for its reuse and is therefore considered to still be ‘vulnerable’.
 - **St Peter’s Church** – in November 2009 the church was taken over by Holy Trinity Brompton and is now back in ecclesiastical use. Funds are being raised to secure repairs and at present it remains ‘vulnerable’.
- 3.4 Two buildings that were considered as ‘vulnerable’ in 2009 no longer give cause for concern. These are:
- **35 Mighell Street** – a schedule of agreed repair works are in progress to the exterior on behalf of the owner, American Express.
 - **Patcham Place, London Road** – the roof and chimneys have been repaired and the property is now in good condition and is occupied by security guardians. The council is considering options for the future long term use of the building.
- 3.5 There has also been very positive progress in respect of **19 Brunswick Place** following the authorisation of an urgent works notice. This long-vacant property, which had been subject to regular squatting, had suffered from substantial water ingress and was in very poor condition. The threat of the council carrying out urgent works in default has led to the property being sold and the new owner has carried out the necessary works to make the building secure and weathertight. Positive discussions have been held regarding the future of the building with the aim of bringing it back into much needed residential use. Planning applications are expected to be submitted shortly.
- 3.6 There has also been significant progress in respect of other buildings on the register, notably as follows:
- Number 53 Brunswick Square has been made secure and weathertight as a result of the threat of an urgent works notice and positive discussions have been held with the owner regarding the future use and restoration of the building.
 - The flint walls to the churchyard of Holy Trinity Church in Blatchington Road have been urgently repaired where in danger of collapse and other holes repaired, under threat of an urgent works notice. But the entrance pillar, gate and adjoining wall to the south side remain missing following past damage.
- 3.7 A further 3 listed buildings have been added to the register as being ‘at risk’. These are:
- Pool Valley Coach Station – previously on the list of buildings in need of maintenance due to poor appearance (appendix 2) but its condition has since deteriorated. It is vacant and not weathertight. The council has now obtained vacant possession of the premises and has agreed a lease with Max Hotels (who run the adjoining Royal York Hotel).
 - 16 Ship Street – front elevation and front railings in poor condition, basement area full of rubbish, appears to be vacant.
 - Attree Garden Temple, Tower Road – roof top finial collapsed and structure overgrown and suffering from lack of maintenance.

Further details of these are given in the updated register of Buildings at Risk at Appendix 1. For existing entries the previous year's priority rating is shown in brackets (where A is the highest priority and F the lowest).

- 3.8 In accordance with the previously agreed report (of 4 July 2008), the second priority for pro-active action is those other historic buildings in need of maintenance. Action is most typically 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.
- 3.9 Over the last year the following five historic buildings in conservation areas have been successfully repaired and/or redecorated following such action, or the threat of such action:
- 24 Atlingworth Street, Brighton
 - 4 Devonshire Place, Brighton
 - 8 Pool Valley, Brighton
 - 174 Edward Street, Brighton
 - 7 Vernon Terrace, Brighton
- 3.10 In another two cases repair and redecoration works are currently in progress. A further six 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 Head of Property Services has been consulted on the report in respect of council owned properties and comments received have been incorporated into the report. 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.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any enforcement action arising from this report can usually be covered within existing revenue budgets. In cases where additional costs may be incurred due for example to the council having to undertake the repair work in default, a separate report would be presented to the Cabinet Member Environment for consideration.

Finance Officer Consulted: Karen Brookshaw

Date: 16/09/10

Legal Implications:

- 5.2 In the case of listed buildings at risk, action would usually be taken, where necessary, under sections 47 and 48 or sections 54 and 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In the case of necessary repair and redecoration works to other historic buildings, whose condition adversely affects the amenity of the area, action would usually be taken under section 215 of the Town and Country Planning Act 1990.

Lawyer Consulted:

Alison Gatherer

Date: 14/09/10

Equalities Implications:

- 5.3 An Equalities Impact Assessment (EQIA) of the Design and Conservation service is currently being undertaken and will be finalised later in November 2010. It will cover work on the pro-active enforcement of the maintenance of historic buildings.

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 2010
2. Buildings in need of maintenance – current cases
3. Photographs

Documents in Members' Rooms

None

Background Documents

1. The Conservation Strategy (2003)

