

Subject:	Maintenance of Historic Buildings		
Date of Meeting:	7 March 2013		
Report of:	Strategic Director Place		
Contact Officer:	Name:	Tim Jefferies	Tel: 29-3152
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Ward(s) affected:	All		

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides the 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 historic buildings where significant action is ongoing to secure repair and redecoration works to improve their appearance (Appendix 2).

2. RECOMMENDATIONS:

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

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 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 the meeting of the Cabinet Member for Environment on 4 July 2008. The Conservation Strategy is due for review in 2013.
- 3.2 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 3 buildings have been removed from the 'at risk' register, as follows:
- § **19 Brunswick Place** – pressure to repair the building was brought to bear on the owner of this long-vacant HMO, as result of which the property was sold and discussions took place with the new owner over a suitable conversion and restoration scheme. Permission was subsequently granted for conversion to flats in 2011 and the works have recently been fully completed and the building carefully restored.

- § **The Old Reading Room, The Esplanade, Kemp Town** – following close working between the Heritage team and the council’s Estates Management team, the necessary render repairs and redecoration works to the frontage of this Regency structure have been successfully carried out and its appearance greatly improved.
- § **The Attree Garden Temple and wall, Tower Road** – pressure was brought to bear on the owners of this 19th century folly to carry out the necessary repairs and a schedule of works was agreed that would not only address the essential works but restore long-eroded details. This historic structure has now been fully restored, including render repairs, the reinstatement of the finial and decorative mouldings and the clearance of overgrowth. It is once again available for use by the residents of Carn Court.
- 3.4 There has also been significant progress in respect of other buildings on the register, notably as follows:
- § **Saltdean Lido, Marine Drive** – following pressure on the leaseholder from the council as local planning authority to carry out full repairs, under the threat of compulsory purchase, the lease on the building was surrendered to the council in June 2012. Some urgent works have been carried out and the marketing of a 50 year full repairing lease for the Lido complex has been agreed. The Heritage team continues to work closely with the Estates Management team with regard to the future use and restoration of the building.
- § **43 Russell Square** – following enforcement of the making secure of this vacant house the property was sold and the Heritage team has since been in discussions with the new owner over proposals to reuse and restore the building. Planning applications now have been submitted to convert the building to an HMO and basement flat with external and internal alterations.
- § **53 Brunswick Square** – the repair and redecoration of the front elevation has been enforced by the Heritage team under the Hove Borough Council Act 1976 and this enforcement work remains ongoing.
- 3.5 Six listed buildings have been added to the register as being ‘at risk’ and the Heritage team has been pro-actively engaging in discussions with the owners to the find solutions. These additions are:
- **The Former Post Office, 51 Ship Street**
 - **St Augustine’s Church, Stanford Avenue**
 - **67 Preston Street**
 - **13A and 14 Stone Street**
 - **19 and 20 The Square, Patcham**
 - **St Paul’s Church, West Street.**
- 3.6 Two of these, the Post Office building and St Augustine’s Church, were previously rated as ‘vulnerable’ but their condition has deteriorated over the past

year whilst negotiations have been ongoing to find appropriate new uses. In the case of the former Post Office discussions have been taking place with a restaurant chain over the conversion and re-use of part of the complex, to find a solution that would be sympathetic to the character of the building. In the case of St Augustine's Church, it is hoped that the conversion and restoration works approved in October 2012 will commence in 2013 once the s106 agreement has been signed and planning permission issued. Number 67 Preston Street is the subject of ongoing planning discussions over potential conversion to an HMO. Numbers 13A and 14 Stone Street were recently listed in response to demolition proposals whilst numbers 19 and 20 The Square in Patcham have recently come to the council's attention as being vacant and in disrepair. In the case of St Paul's Church the council is liaising closely with English Heritage.

- 3.6 Further details of all these properties 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).
- 3.7 In accordance with the strategy set out in originally agreed report (of 4 July 2008), the second priority for pro-active action is those other historic buildings (usually listed) that are in significant 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 and deteriorating appearance.
- 3.8 Over the last year the following thirteen historic buildings in conservation areas have been successfully repaired and/or redecorated following such action, or the threat of such action This includes eleven out of the thirteen properties on last year's list: The restored properties are:
- § 22 Atlingworth Street, Brighton
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 - § 25 Bloomsbury Place, Brighton
 - § 10 Charles Street, Brighton
 - § 26 Lewes Crescent, Brighton
 - § 8 Little East Street, Brighton
 - § 22 Montague Street, Brighton
 - § 32 Norfolk Road, Brighton
 - § 6 Palmeira Square, Hove
 - § 21 Powis Square, Brighton
 - § 9 and 19 Victoria Road, Brighton
 - § 16 York Place, Brighton
- 3.9 In another four cases repair and redecoration works are currently in progress. Twelve 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. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The Head of Property Services has been consulted on the report in respect of council owned properties. 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 to the council having to undertake the repair work in default, and/or to compulsorily acquire a property, a separate report would be presented to the Planning Committee for consideration.

Finance Officer Consulted: Jeff Coates Date: 22/01/13

Legal Implications:

- 5.2 In the case of listed buildings at risk, action may be taken, where necessary, under section 47 (compulsory purchase), section 48 (repairs notice) and section 54 (urgent works of preservation) 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 may be taken under section 215 of the Town and Country Planning Act 1990.
- 5.3 It is not considered that any adverse human rights implications arise from this report.

Lawyer Consulted: Hilary Woodward Date: 24/01/13

Equalities Implications:

- 5.4 An Equalities Impact Assessment (EQIA) of the Conservation service was undertaken in 2010 and covers work on the pro-active enforcement of the maintenance of historic buildings.

Sustainability Implications:

- 5.5 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:

- 5.6 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:

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

Public Health Implications:

- 5.8 The repair of residential buildings in poor condition can improve the health and/or well-being of existing and/or future occupants.

Corporate / Citywide Implications:

- 5.9 The Sustainable Community Strategy contains a commitment to implement the Conservation Strategy (which will be reviewed in 2013). The repair and reuse of historic buildings contributes towards the Corporate Plan 2011-15 priority of creating a more sustainable city and particularly the outcome of a healthier and higher quality built environment. The Corporate Plan includes a performance indicator that seeks a reduction in the number of listed buildings at risk.

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 2012
2. Historic buildings in significant need of maintenance – current cases

Documents in Members' Rooms

1. None.

Background Documents

1. The Conservation Strategy (2003)

