

Key Decision Required:	NO	In the Forward Plan:	NO
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CABINET

14 DECEMBER 2018

REFERENCE FROM COUNCIL

A.1 PETITION: OLD FIRE STATION, MILL LANE, WALTON-ON-THE NAZE
(Report prepared by Lisa Hastings and Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To place before Cabinet, a Petition reported at the meeting of the Council held on 27 November 2018.

EXECUTIVE SUMMARY

This report places before Cabinet a Petition, which was reported at the meeting of Council held on 27 November 2018, relating to the Old Fire Station, Walton-on-the-Naze and which has been referred to Cabinet for consideration in accordance with the provisions of the Council's approved scheme for dealing with petitions.

Cabinet can determine what action it wishes to take having regard to the Petition, which will be presented by the lead Petitioner at the meeting.

RECOMMENDATION

That Cabinet determines what action it wishes to take having regard to the Petition.

PART 2 – SUPPORTING INFORMATION

BACKGROUND

At the meeting of Council held on 27 November 2018, the Chief Executive reported the receipt of a petition submitted by Mr Steven Walker a resident of Walton-on-the-Naze. The petition is signed by 105 residents of the District and requests that the Council makes the necessary arrangements including making a preservation order to protect the Old Fire Station building in Mill Lane, Walton-on-the-Naze from demolition.

In accordance with the Council's scheme this matter would be reported and presented to the Cabinet on the basis that it had contained between 30 and 249 signatures. Mr Walker, as the lead petitioner, is invited to address the Cabinet, present the petition and outline the action that the petitioners wanted the Council to take. Subsequently, Cabinet will discuss the petition and decide what action, if any, should be taken. Mr Walker will be informed, in writing, of the Cabinet's decision and the decision will also be published on the Council's website.

Planning Issues

Officers have assumed that what is being asked for by the Petitioners is a Building Preservation **Notice** rather than an **Order**.

Building Preservation Notices are put in place by the Local Planning Authority to prevent a building being demolished or altered awaiting a decision by the Secretary of State on whether the building should be formally listed by Historic England. It is important to note that if in the end Historic England do not list the building, the Council can be liable for costs as the landowner.

Good guidance on Building Preservation Notices can be found at:

<https://historicengland.org.uk/content/docs/listing/bpn-guidance-2015-pdf/>

The process for applying for a notice is the same for recommending a building or structure be listed. The path to applying can be found here:

<https://historicengland.org.uk/listing/apply-for-listing>

With regard to planning history the 'Old Fire Station' was subsequently used as a public convenience. The land forms part of a Local Plan allocation within the emerging Plan, (MSA9) 'Former Town Hall site, Public Conveniences and depot Mill Lane' though there is some debate as to whether this site will remain an allocation in the Emerging Plan as the Strategic Land Availability Assessment (SHLAA 2018) appears to suggest this.

As far as planning applications are concerned, there was however, an historic application for the change of use to office above the convenience. More recently, an application in 2005 (05/01507/OUT) was refused for the erection of 10 flats on land adjacent to the public convenience/old fire station site. The refusal mentioned a lack of parking and flood risk.

The site is located within the Frinton and Walton conservation area. The 2006 conservation area appraisal only mentions the site very briefly.

Ownership and Future Use of the Site

The building belongs to the Council. The Council is not bound to release it to any party. The Council's plan for the moment is to remove the building to facilitate delivery of a core statutory service and to make way for a substantial regeneration scheme when that can be brought forward. Any alternative proposal will have to be very attractive and not prejudice these objectives.

The Lead Petitioner has been in contact by email with the Council's Head of Property Services (Andy White) to state that there are three entrepreneurs who are interested in leasing the building for the following:-

- (1) a community project to enable young people to develop hi-tech skills and knowledge that might enable them to gain future employment; or
- (2) dance/exercise classes; or
- (3) community rehabilitation service for older people and those recovering from surgery/illness.

Mr White continues to liaise with Mr Walker in pursuing the above.

AVAILABLE COURSE OF ACTION

There are several courses of action available to Cabinet, including:

- No action (with reasons as to why no action is proposed)
- Taking the action requested in the petition
- Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners
- Referring the petition to the relevant Overview and Scrutiny Committee
- Holding a public meeting

BACKGROUND PAPERS FOR THE DECISION

- Petition submitted by Mr Steven Walker, resident of Walton-on-the-Naze on 22 October 2018.