

# WIRRAL COUNCIL

## CABINET

10 JULY 2012

<b>SUBJECT:</b>	<b>PROUDMAN OCEANOGRAPHIC LABORATORY, BIDSTON HILL</b>
<b>WARD/S AFFECTED:</b>	<b>BIDSTON AND ST JAMES</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR ADRIAN JONES – CORPORATE RESOURCES</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to a request from the Natural Environment Research Council (NERC) to demolish the Proudman Oceanographic Laboratory on Bidston Hill.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 NERC currently holds a leasehold interest from the Council of land, extending to 2,338 sqm (2,797 sqyds) on Bidston Hill as part of the Bidston Observatory Complex. The lease was granted in 1973 for a term of 99 years and NERC currently pay a rent of £1,800pa. NERC constructed a four storey building on the site, known as the Joseph Proudman Laboratory Building, which was used for research premises for the Proudman Oceanographic Laboratory until 2005, when the research establishment transferred to new purpose-built premises within the University of Liverpool complex. Since then, the property has remained largely empty, with the exception of resident security personnel.
- 2.2 Since vacating the premises, NERC has tried to sell its leasehold interest and has identified a couple of interested parties, although neither proceeded to completion. In both cases neither party intended to use the premises for commercial use, but did propose residential schemes. In light of planning restrictions on residential development, NERC has employed agents to market the building for its existing use, but has had no interest.
- 2.3 Due to the nature of the building and its construction for a very specific purpose, NERC is not confident that the property will sell in the foreseeable future. In the mean time the building is proving very expensive to maintain, both in terms of repair and maintenance costs. As a consequence NERC has resolved that the most effective course of action would be to demolish the building.
- 2.4 In accordance with the terms of the lease, NERC has submitted a formal request to the Council, in its capacity as freeholder, for demolition of the building. As part of its proposal, NERC will continue to meet all the obligations of the lease in so far as they are unaffected by the demolition, including the payment of rent and its repair obligation. It is therefore proposed that this request be approved.

- 2.5 Members are asked to note that the Bidston Preservation Trust has notified the Council, via Esther McVey MP, of its proposal to convert the Proudman Building for use as a Taiko Drumming Centre (TDC). The trust advises that the TDC is well established but in need of suitable premises. It also advises that TDC has received recognition for the therapeutic benefits of drumming, especially for deaf children and young adults with learning difficulties. The Trust has identified the Proudman Building as being suitable and has therefore requested a 'stay of execution' before demolition in order to give it time to acquire the necessary funding.
- 2.6 As the building is owned by NERC, the Trust has been directed to NERC's agents in order that they can explore the proposal in more detail. The proposal is being developed by the Rock Ferry Community Partnership, which established the Wirral Taiko Dragon Drumming project. The Partnership hopes to instruct consultants to develop its proposal in detail and intends to contact NERC to register its proposal for the building. Consent for the demolition under the terms of the lease will not prevent these discussions taking place and is still considered appropriate.

### **3.0 RELEVANT RISKS**

- 3.1 There are no clear risks to the Council in consenting to the request to demolish the building in accordance with the terms of the lease.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 The only other option would be to refuse the request, although there are no obvious benefits in this course of action.

### **5.0 CONSULTATION**

- 5.1 No consultation has been undertaken following this request.

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 None

### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 The Council will continue to be entitled to receive a rent for the site, currently £1,800 per annum, in accordance with the lease terms.

### **8.0 LEGAL IMPLICATIONS**

- 8.1 The terms of the lease require the tenant to erect and maintain the Proudman building. The lessee is required by the lease to obtain the landlord's consent to any alterations to the structure and such consent is not to be unreasonably withheld. Accordingly, the Council would need solid grounds for a refusal of this request.
- 8.2 The consent for the demolition will need to be documented in accordance with the terms of the lease agreement.

### **9.0 EQUALITIES IMPLICATIONS**

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **10.0 CARBON REDUCTION IMPLICATIONS**

10.1 The demolition of the building will result in a reduction in carbon emissions.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 11.1 Demolition of the building will not require planning consent, but will need a 'Prior Notification' of demolition under the Building Act, which will give the authority some control over the manner of demolition and the aftercare of the site. The Proudman Building is in close proximity to the Lighthouse, cottages, former Observatory and adjoining house, which are all listed Grade 2. The perimeter wall to the Observatory complex is also listed Grade 2 and clearance and redevelopment of the Proudman Building would affect the setting of these listed buildings. In the past, redevelopment of the site of the Proudman Building has been seen as offering the potential for enabling development, should that have been needed to support works to the listed buildings on the site. New owners have occupied the lighthouse and cottage and the Observatory building, with a view to using them for residential purposes. They have not sought enabling development to assist with the costs of refurbishment.
- 11.2 Because of the site's location, close to listed buildings and the adjoining Bidston Hill Area of Special Landscape Value, it is important that any demolition proposed should be subject to an agreed scheme of site restoration.
- 11.3 The site of the Proudman Observatory was previously shown in the UDP as being subject to Policy EM11 ( a policy specific to Bidston Observatory and the Proudman Oceanographic Laboratory). In 2007, that policy was deleted (Cabinet 28th March 2007, Minute 314 refers) and is therefore no longer part of the development plan. The site is now shown as without notation and any planning applications that might be submitted for the site will be subject to other policies of the UDP, particularly those relating to impact on Listed Buildings and the Bidston Hill Area of Special Landscape Value. The advice within the National Planning Policy Framework will also be a material consideration in the determination of any planning application.

## **12.0 RECOMMENDATION**

12.1 That the Council, in its capacity as freeholder, gives consent in accordance with the terms of the lease to the demolition of the Proudman Laboratory building.

## **13.0 REASON FOR RECOMMENDATION**

13.1 To enable NERC to reduce its maintenance liability and to remove a vacant facility which could attract anti social behaviour.

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**APPENDICES**

None

**REFERENCE MATERIAL**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>