

# WIRRAL COUNCIL

## DELEGATED DECISION

|                                     |  |
|-------------------------------------|--|
| <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 provide Members with an update in respect of an application by the Bidston Preservation Trust to English Heritage for listed building status in respect of the Proudman Oceanographic Laboratory on Bidston Hill.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 Cabinet, at its meeting of 21 June 2012, considered a report which outlined a request from the Natural Environmental Research Council (NERC) seeking permission to demolish the Proudman Laboratory Building in accordance with the terms of their lease. Members deferred a decision in order that further information could be provided in respect of Planning History relating to the building, along with a proposal for an alternative use.
- 2.2 On 10 July, at a Special meeting of Cabinet, Members reconsidered the report, which included additional information that sought to address the points raised. During the meeting, Members were made aware of a letter from residents who live adjacent to the Proudman Laboratory which advised of their support for the demolition of the building. Members were also advised that the Bidston Preservation Trust had applied to English Heritage to have the laboratory building listed. Consequently Members resolved to defer a decision to await the outcome of the application for listing and requested that a further report be submitted to Cabinet once the application to English Heritage was determined.
- 2.3 English Heritage has now considered the application for listing in its capacity as statutory advisor to the Secretary of State for Culture, Olympics, Media and Sport. Having assessed the application in accordance with the statutory criteria for selection of listed buildings, English Heritage has concluded that the Joseph Proudman Building does not meet the high level of special interest required for a building of this date to recommend it for listing. The Minister with responsibility in this matter, the Minister for Tourism and Heritage, has decided not to add Joseph Proudman Building, Bidston to the List at this time.
- 2.4 Members are asked to note that the Rock Ferry Community Partnership (RFCP), which established the Taiko Drumming Project, has contacted NERC's agent to submit an expression of interest for its use of the Proudman Building. In addition, the RFCP has also requested information from the Council relating to the running costs of the building, although, as the Council has never operated the building, the group has been recommended to revert to NERC for this information. Similarly the Partnership has enquired about the possibility of a Community Asset Transfer of the building, but

again, as the building is not in the Council's control, the Partnership has been recommended to revert to NERC to develop its proposals.

- 2.5 As mentioned in the previous reports, consent to demolishing the building will not preclude ongoing discussions between the Partnership and NERC.

### **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 further consultation, other than that outlined in the report, has been undertaken.

### **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. The owners of the lighthouse and cottage and the Observatory building, propose 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/S

- 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/S FOR RECOMMENDATION/S

- 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)

| Council Meeting   | Date         |
|---|--------------|
| Cabinet – Proudman Oceanographic Laboratory, Bidston Hill         | 21 June 2012 |
| Cabinet, Special Meeting - Oceanographic Laboratory, Bidston Hill | 10 July 2012 |