

REPORT FROM: CHIEF EXECUTIVE

TO: COLNE AND DISTRICT COMMITTEE

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FORMER PUBLIC CONVENIENCES – COLNE BUS STATION

PURPOSE OF REPORT

To seek Members views as to the future of the former public conveniences on Colne Bus Station.

RECOMMENDATIONS

That this Committee considers which of the following four options is preferable to determine the future of the building, namely that the Borough Council;

1. transfers the building to Colne Town Council in its current condition for operational use or development
2. demolishes the building, repairs the retaining wall and create a green space or paved area
3. shores the building internally and leaves it standing but closed
4. instructs Liberata Property Services to offer it for sale in current condition on the open market by way of building licence to retain control over timescales for and the quality of any work carried out to redevelop the building

REASONS FOR RECOMMENDATION

To determine the future of an asset that has previously been declared surplus but is in poor condition;

1. to allow Colne Town Council the opportunity to repair the building and bring it back in to beneficial use or develop the site
2. to commit to demolish the building and the risk of building or retaining wall collapse
3. to reduce the risk of potential collapse of the building or retaining wall
4. to transfer any ongoing or current liability for the demolition or repair to a new third party owner/developer which may achieve a (small if any) capital receipt

BACKGROUND

1. Members are aware that the Borough Council's former public conveniences at Colne Bus Station have remained closed for a number of years, following concerns over its structural integrity, thought to have been caused in part by unstable ground conditions and by the apparent collapse of the sewer running beneath the adjacent masonry ramp and stairway, which in 2013 was rebuilt by United Utilities.

2. Members are also aware that the ground movement also affected the former taxi booking office, built in part above as part of the shopping precinct, and resting upon the retaining walls which form the toilet block's rear elevation. As a result, the taxi office above, now owned by PEARL 2, was demolished. United Utilities never accepted liability caused to adjacent land by the collapse or instability caused by its sewer and did not carry out any repair works to the Council's or PEARL 2's land and buildings.

3. At this Committee on the 6th February, 2014, Members resolved to transfer the structure to PEARL 2, who at the time were happy to acquire the building at a peppercorn and carry out the demolition works, required to clear the site and rebuild the retaining walls to stabilise the ground at its cost and avoid any ongoing risk of collapse. PEARL 2 would then have the option to construct a new taxi office or other retail unit on the land to recover the costs incurred in the demolition and remedial works. The transfer to PEARL 2 did not proceed and a replacement taxi office has recently been constructed above which we are advised does not rest upon the Council's structure.

ISSUE

4. Whilst the Council's building has exhibited structural issues for some time, the problem became more apparent prior to but more so following the demolition of the taxi office above and the rebuilding of the ramp/stone stairway adjacent. It therefore remained closed to avoid the risk of collapse to users.

5. The Council's Engineering and Special Projects Section inspected the structure back in 2014 and noted serious issues with the building's walls which retain the ground beneath the shopping precinct's land and buildings. PEARL 2 were given access in August 2017 for a structural surveyor to inspect the retaining wall, whom we were advised had reported that there was historic damaging structural movement but that the new taxi office build would not add any significant weight or load to the retaining wall.

6. The cost to deal with the demolition of the existing toilet block to allow for the rebuilding of the rear retaining walls, to prevent any ongoing movement or damage to the shopping precinct buildings above, was estimated in 2014 at £37,500 (this cost also included for the construction of a new external facade to the rebuilt retaining wall in stone, to match the new stone stairway walls). It did not include fees or professional costs. If Members wished to see the site cleared and used as a green space or hard surfaced/paved area following demolition an additional cost between £1,000 and £5,000 would be incurred (dependent upon the quality and design) to complete these works.

7. Should the Council wish to build anew on a cleared site, for example for alternative investment uses, an additional £60,000 was estimated to fund its construction. These costs are still considered to be current and valid but again exclude all fees and project management costs.

8. In 2014 the Council could not identify a budget to complete the aforementioned works and a claim for subsidence could not be made on its buildings insurance policy. A budget would have to be identified to carry out any proposed works to the building.

9. The building may be suitable for storage use by the Town Council (subject to any shoring works internally), if it has a potential use for it or it wishes to look at redevelopment, but it is considered that there would be little real demand for a retail unit in this location as a standalone shop, due to its location, plot size, limited passing footfall, restrictions in servicing a retail use, owner and customer vehicular access and restrictions on passing over and parking over the working bus station site apron. If the site was offered to the open market and a buyer was found then in its current condition it is unlikely to result in a capital receipt due to the estimated demolition and rebuilding costs.

10. Although the load upon the current building and retaining walls has been reduced there is still a risk of collapse and further deterioration in the building fabric with the potential risk of injury or loss to members of the public and businesses located above and adjacent to the site. If the building is retained and not demolished or repaired then the Council should at least consider shoring the retaining wall with steelwork and pinning to prevent any ongoing movement with an estimated cost between £5,000 and £10,000. This option may require further works in the future at cost to the Council.

IMPLICATIONS

Policy: The Council identifies surplus land and property for inclusion in its Disposal Programme to support its Capital Programme.

Financial: The disposal or transfer of the building may not provide a positive capital receipt however it may result in the Council not having to fund or having a reduced liability to fund any demolition works or remedial work. Costs will be incurred in relation to any option to demolish or carry out any demolition or remedial works temporary or otherwise.

Legal: No legal implications are considered to arise other than as stated in the report.

Risk Management: The Council is liable for any loss or damage arising out of any collapse or ongoing structural movement causing loss or injury to members of the public or adjacent land owners. Following demolition of the building and rebuilding of the retaining walls or following a disposal of the land the risks and liabilities for the Council will be reduced if the land is retained or cease if the building is transferred or sold.

Health and Safety: There are concerns over the structural safety and of the building if no remedial work or demolition is carried out.

Sustainability: No implications are considered to arise directly from this report.

Community Safety: See risk management

Equality and Diversity: No implications are considered to arise directly from this report.

APPENDIX

Location plan

LIST OF BACKGROUND PAPERS

None