

COMMUNITY SAFETY AND HOUSING PORTFOLIO DECISION RECORD

8 July 2011

The meeting commenced at 9.00 a.m. in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond (Community Safety and Housing Portfolio Holder)

Officers: Derek Gouldburn, Urban & Planning Policy Manager
Amanda Whitaker, Democratic Services Team

5. Emergency Works to Odeon Cinema *Assistant Director (Regeneration and Planning) and Assistant Director (Transportation and Engineering)*

Type of decision

Non-key

Purpose of report

To seek endorsement to carry out safety works to the Odeon Cinema, Raby Road, under Section 77 of the Building Act 1984.

Issue(s) for consideration by Portfolio Holder

The report set out background information to the requirement to carry out safety works to the Odeon Cinema. Despite repeated requests to carry out the works, only limited, short term measures had been implemented by the owners. The Council had applied to the Magistrates' Court in order that the Court could formally request that the owners carried out the work. The Court ordered that each of the defendants execute such work as may be necessary as to obviate the danger and that the work must be completed within 4 weeks. If works were not completed, the Court also instructed that the Council could carry out the works and seek payment of the costs from the current owners. This deadline expired on 6 May 2011. To date, the owners had not carried out the works. The property was currently secure but significant measures were required to ensure the property remained safe.

The Council's Engineering Consultancy service had prepared a schedule of works required to make the property safe and to protect the public highways

surrounding the property. The estimated value of the works was £25,234.00. Further details of the risk and financial considerations were provided, as set out in the report.

The Portfolio Holder highlighted that in considering the report, public safety was the main priority and the building was dangerous in current state. The Portfolio Holder paid tribute to the role of the Council in trying to ensure the building was safe but expressed frustration that the owners of the building had let it fall into its current state. The Portfolio Holder considered the current situation was unacceptable and referred to the attempts of the Council and others to get the building back into use. The Portfolio Holder supported the recommendations made by Officers and concluded that a Compulsory Purchase Order on the building seemed to be the long term solution. It was agreed that Officers would start to give consideration to that option.

Decision

- (i) The execution of emergency repair works in order to obviate the dangerous condition of the property and ensure the safety of the public highway, was endorsed.
- (ii) Officers were authorised to seek payment for the cost of the works from the owners and, if required, use the powers of financial recovery available to the Council to ensure payment.

The meeting concluded at 9.05am.

PETER DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 11th July 2011