

Cabinet Member (Business, Enterprise and Employment)

1st September, 2014

Name of Cabinet Member:

Business, Enterprise and Employment – Councillor Maton

Director Approving Submission of the report:

Executive Director, Place

Ward(s) affected:

St. Michael's

Title:

Petition to urge the owners of the remaining plots at Belgrade Plaza to tidy up the land and renovate the fence

Is this a key decision?

No

Executive Summary:

A petition with 229 signatures has been presented by Councillor O'Boyle to urge the owners of the remaining plots at Belgrade Plaza to tidy up the land and renovate the fence. In accordance with the City Council's procedure for dealing with petitions, those relating to planning and development issues are heard by the Cabinet Member (Business, Enterprise and Employment).

Recommendations:

The Cabinet Member (Business, Enterprise and Employment) is recommended to note the petition in light of the proposed development, and request that if no progress is made towards development of the site within three months the petition be re-considered

List of Appendices included:

Appendix A – Location Plan

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Petition to urge the owners of remaining plots at Belgrade Plaza to tidy up the land and renovate the fence

1. Context (or background)

- 1.1 A petition has been presented by Councillor O'Boyle regarding Belgrade Plaza. The petition states *"We the undersigned call on Coventry City Council to urge, cajole, shame or help the owners of the old car park on the corner of Hill Street and Bond Street to tidy up and make good the site which has been empty and derelict for a number of years. Can you also do something about the horrible fence? The whole site is bringing the city down."*
- 1.2 The Cabinet Member (Business, Enterprise and Employment) considered a report relating to the same piece of land on 22nd July 2014, and agreed to:
- (1) *Approve the assignment of the land designated for phase 3 of Belgrade Plaza (as outlined red on the attached plan) to the Downing group conditional on planning being granted for a student housing scheme*
- (2) *Delegate authority to Executive Director Place and Executive Director of Resources to enter into the necessary legal documentation to facilitate the delivery of the development on Phase 3 and securing the payment of the outstanding "third tranche" payment and to utilise this receipt to improve the public realm between Belgrade Plaza and the city centre.*

2. Options considered and recommended proposal

- 2.1 It is recommended that in light of the proposed development the petition is noted, and that if no progress is made towards development of the site within three months the petition be re-considered.
- 2.2 The wider Belgrade Plaza scheme has been a victim of the economic downturn, particularly with respect to the later phases. Beset by risks and uncertainties, there have been a number of proposals for these phases over the years, but to be fair to the landowner, the site has been secured.
- 2.3 It is considered that the appearance of the fence itself, which secures the site, is a matter of subjective judgement, and it is the case that the fence has been kept in an acceptable condition as regards its physical robustness and general state of repair. Given that it was only ever intended to be temporary, with a view to the site being developed, it is considered that the fence is acceptable.
- 2.4 As far as the condition of the land behind the fence (the site in question) is concerned, it is understood that the key issue is that neighbouring residents are able to see over the fence from particular vantage points, and have noted the growth of weeds on the land.
- 2.5 The site has, accordingly, been visited by Environmental Services, and its condition was assessed as not so bad as to warrant action being taken. In short, it was concluded that while there is some unwanted vegetation evident on the land, none of it was identified as a nuisance (such as Japanese Knotweed for instance) and that the development that is planned for the site will facilitate the removal of the growth that is on site.
- 2.6 Given the nature of the complaints, specifically unwanted vegetation, it is not normally in the scope of a Section 215 notice to require untidy land to be tidied up. This is because the notice can be complied with, only for the problem to return and for the

whole process to have to re-start. Instead, the Council tends to use other powers (as discussed in paragraph 2.5 above) to deal with overgrown land. There are exceptions to this, but it is not considered (notwithstanding the profile of the site) that the condition of the site is so bad for Section 215 to be a desirable approach to take in this case.

- 2.7 Instead, it is the case that the land has a good planning history and excellent prospects going forward. It does need a new planning permission, because the 'old' one has now lapsed, but it is not anticipated that circumstances have changed so radically as to take a different view of development proposals for the land. It is therefore welcomed that the Downing Group has taken on the land, with a view to carrying out the development, and that a scheme of public realm works is being designed with a view to improving the connection between the wider Belgrade Plaza development and Smithford Way. It is noted that the Downing Group has taken on the land subject to planning, but the risk to the scheme associated with that clause is considered to be minimal.

3. Results of consultation undertaken

- 3.1 No consultation has been undertaken.

4. Timetable for implementing this decision

- 4.1 The recommendation, to note the content of the petition, can be implemented straight away. The recommendation to re-consider the petition if there is no progress within three months can be implemented at that time.

5. Comments from Executive Director, Resources

- 5.1 Financial implications
None directly

- 5.2 Legal implications
None directly

6. Other implications

- 6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

The actions associated with the report, and other activities, will contribute to the improvement of the environment and the local economy, by virtue of tidying up a vacant plot and bringing about physical development.

- 6.2 How is risk being managed?**

None directly

- 6.3 What is the impact on the organisation?**

None directly

- 6.4 Equalities / EIA**

No formal equalities impact assessment.

6.5 Implications for (or impact on) the environment

None as a direct result of the recommendation, but the other associated actions with respect to the land are intended to bring out environmental improvement to the site through its development.

6.6 Implications for partner organisations?

None as a direct result of the recommendation, but the associated actions (including but not limited to complying with the conditions of the lease) have financial and other implications for developers and landowners.

Report author(s)**Name and job title:**

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Place

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Names of approvers: (officers and members)				
Finance:	Lead Accountant	Resources	n/a	n/a
Legal:	Senior Solicitor Julie Sprayson	Resources	07/08/14	07/08/14
Members:	Councillor Maton	Cabinet Member (Business, Enterprise and Employment)	20/08/14	20/08/14

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