

# ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

## REGENT CINEMA

Responsibility: Portfolio Holder for Environment, Waste and Planning

Report of: Not applicable

### Decision Route

Cabinet	3 October 2016	CAB 61
Scrutiny (Policy and Performance) Committee	14 February 2017	Minute No 152
Cabinet	1 March 2017	

### Scrutiny (Policy and Performance) Committee Recommendations

The Scrutiny (Policy and Performance) Committee, at its meeting held on 14 February 2017, received an update on the Regent Cinema and made the following recommendation to Cabinet:

That a report on the progress in respect of Cabinet decision CAB 61 be provided to the Scrutiny (Policy and Performance) Committee at its meeting to be held on 18 April 2017.

### Background

At its meeting held on 3 October 2016, Cabinet agreed the following in respect of the Regent Cinema (CAB 61):

(a) It was agreed that the Scrutiny (Policy and Performance) Committee's recommendations (a), (b), (e), (g), (h), (i) and (j), made at its meeting held on 13 September 2016 (Minute No 47), be approved as follows:

(a) That Planning Officers be instructed to immediately cease providing pre-application advice to the developers of the Regent Cinema. Cabinet noted that the developers had recently been advised by the Chief Executive that the pre-application advice process had been exhausted and that they should proceed with a planning application as soon as possible.

- (b) That the developer be given 3 months to submit an outline planning application and 6 months to submit a full planning application for the Regent Cinema building and, if these deadlines are not met, the Council take enforcement action in respect of the building.
  - (e) That an immediate inspection of the Regent Cinema building be undertaken by Officers to look at whether a Section 215 notice can be issued and a report be provided to a future meeting of the Scrutiny (Policy and Performance) Committee outlining the action taken. Cabinet noted that Officers had visited the site the preceding week, and that the Section 215 process could potentially take up to 5 months should the developer appeal against the notice.
  - (g) That a local Fire Officer be requested to conduct an immediate inspection of the Regent Cinema building. Cabinet noted that the request had already been made and the outcome was awaited.
  - (h) That the Director of Environment and Corporate Assets be requested as a matter of urgency to investigate if the condition of the Regent Cinema building is adversely affecting the Timeball Tower and take appropriate action. Cabinet noted that this matter was being investigated.
  - (i) That Officers be asked to investigate whether the correct level of business rates has been paid on the Regent Cinema building for its actual use over the last six years and the findings, including any action taken as a result, be reported to a future meeting of the Scrutiny (Policy and Performance) Committee. Cabinet noted that this matter was being investigated.
  - (j) That a report be submitted to a future meeting of the Scrutiny (Policy and Performance) Committee on the feasibility of the Council undertaking a Compulsory Purchase Order in respect of the Regent Cinema building in the event the developer does not take the requested actions. Cabinet noted that the Compulsory Purchase procedure should be considered as a measure of last resort and, even then, would only be taken as a measure to facilitate the acquisition of the property on behalf of a third party. Provision of the above report would be subject to the expiry of the planning application deadlines at (b) above.
- (b) It was agreed that the Scrutiny (Policy and Performance) Committee's recommendations (c) and (d) relating to heritage value and listed building status be rejected for the time being, pending the outcome of other actions. Cabinet noted that there were no restrictions on who could make an application for listed building status, and that listed building status could potentially limit the future use of the building.
- (c) It was agreed that the Scrutiny (Policy and Performance) Committee's recommendation (f) relating to enforcement action on compliance with the covenant be rejected since it was considered that it would not be appropriate to take enforcement action whilst the deadlines for submitting outline and full planning applications were outstanding. Cabinet noted that this matter would be reviewed, if necessary, at the appropriate time.