

LONDON BOROUGH OF BRENT
PUBLIC SERVICES DECIDING COMMITTEE

8th NOVEMBER 2000

REPORT NO : /00 FROM THE DIRECTOR OF ENVIRONMENTAL SERVICES
FOR INFORMATION / ACTION NAME OF WARD
GLADSTONE

**REPORT TITLE : DOLLIS HILL HOUSE – REPORT ON CONSULTATION AND
OPTIONS FOR THE FUTURE**

1.0 SUMMARY

1.1 This report reviews the recent public consultation carried out on two options for Dollis Hill House and considers the options for the future of the house

2.0 RECOMMENDATION

Members are asked to consider two options for the future of Dollis Hill House:

Option 1

2.1 Members instruct Officers to continue negotiating with Whitbread Property with a view to agreeing a 125 year lease of the property known as Dollis Hill House, together with a reasonable area for car parking, for the purpose of rebuilding the house for use as a bar/restaurant, subject to a further report to Members with final terms of the lease.

2.2 Members instruct Officers to consider any further offers and report to Members any offers that give the Council better terms than those offered by Whitbread Property.

Option 2

2.3 In the alternative, Members instruct officers to apply for planning and listed building consent for the demolition of the house and to build a café on the site and to use the remaining insurance funds for this purpose

3.0 FINANCIAL IMPLICATIONS

- 3.1 There is currently about £280,000 available from the insurance monies relating to the fire damage to Dollis Hill House. If we were to choose the demolition option, we would need about £60,000 to demolish and clear the site. Hence £220,000 is currently available to build an alternative café.
- 3.2 If the Council were to choose the Whitbread option the Council would have a financial gain. We would have the insurance monies available and Whitbread have offered a further premium. It is suggested that £40,000 is set aside as a contingency to cover legal costs etc.
- 3.3 The building is currently supported by scaffolding, which the Council has on indefinite lease and for which there is an ongoing maintenance charge of £50 per week. In addition there are inspection costs of about £2,200 p.a. Therefore a total of £4,800 p.a. is required to maintain the scaffolding and there may be additional charges for any required repairs

4.0 STAFFING IMPLICATIONS

- 4.1 None specific to this report.

5.0 ENVIRONMENTAL IMPLICATIONS

- 5.1 Both the Whitbread proposal and the community Trust option will introduce an element of car parking into the park and reduce part of the open space. In addition, the Whitbread scheme, in particular, may change the character of the park, as a large number of people are likely to be using the bar/restaurant facilities particularly in the evenings. However it could be argued that we would be reverting to a type of use that has previously been allowed in the park albeit several decades ago when there were tea-rooms in the house, and it would allow a listed building to be restored.

6.0 LEGAL IMPLICATIONS

- 6.1 All the options will require planning permission and listed building consent, the latter of which is a matter for English Heritage. In the case of the Whitbread option they would be the applicants, but if the Council chose to demolish the House clearly the Council would have to make the applications.

6.2 If the council were to apply for Listed building consent for the demolition of Dollis Hill house, in the first instance the application would have to be referred to English Heritage. The Secretary of State requires English Heritage and all Local Planning Authorities to apply three tests set out in Planning Policy Guidance Note 15 (PPG 15) paragraph 3.18. to the assessment of Listed building demolition. The second of the tests requires any applicant for Listed Building Consent to have carried out a thorough search for alternative uses and or owners that would secure the future of the building. This is set out in Paragraph 3.38 of PPG15 as follows:

“The Secretary of State will be particularly concerned to ensure that Local Planning Authorities take full account of the policies set out in PPG15, and will not be disposed to grant consent for the demolition of listed buildings in authorities’ ownership unless there is clear and convincing evidence that alternative possibilities for new ownership and new uses have been thoroughly explored”.

- 6.3 English Heritage at present take the view that Brent does not satisfy this test because we currently have an offer from Whitbread that would restore the building to Grade II listed standard.
- 6.4 The council is obliged by s123 of the Local Government Act 1972 to dispose of its property at best consideration, unless the consent of the Secretary of State for Environment is first obtained. A competitive process to select purchasers and selecting the highest bidder usually satisfies the requirement.
- 6.5 The same Act also requires the council to advertise in a local newspaper when it proposes to dispose of open space and to consider any objections. As the offer from Whitbread Property also involves car parking, it is likely that we would be covered by this section of the Act.
- 6.6 If the property is disposed of on a long lease, the council can better control the use and character of the property and seek to impose conditions on any resale. Although this could have an impact on the price offered and affect the consideration of whether or not the council were obtaining the best consideration.
- 6.7 If left in its current state and an injury occurs to an employee or a member of the public the council could be liable to pay compensation

7.0 DETAIL

7.1 At the meeting of Public Services Deciding Committee on 3rd August, Members considered a report on the marketing exercise undertaken to find a private sector partner to restore and redevelop Dollis Hill House. The marketing exercise was extensive and carried out with the aid of a property consultant and representatives of local community groups. The report dealt with a number of proposals that we had received and concluded that the only financially viable proposal was the one from Whitbread Property to restore the house and turn it into a Brewers Fayre restaurant/pub. The alternative of demolishing the House and building a small café with toilet facilities was also considered. The Committee decided to submit these two options for public consultation. The present report deals with that public consultation and options now open for the future of the house.

Public consultation

7.2 Following the decision of the Public Services Deciding Committee, your officers have carried out an extensive public consultation which has included the following:

- Leafleting of 12,000 households in the area around Gladstone Park.(a copy of the leaflet has been circulated to all Members). This leaflet invited residents to a public meeting, to choose between the two options and to write in with their views.
- Publishing an article in the Brent Magazine, which is circulated to all households in the borough. The article invited readers to choose between the two options and to write in with their views.
- Briefing of local newspapers, which carried substantial articles on this issue.
- Letters to and meetings with representatives of a number of community groups including Brent Arts Council, Dollis Hill Residents Association, Friends of Dollis Hill House and Gladstone Park Consultative Forum.
- Arranging a visit for representatives of community groups to the “Mansion House” in Reading. This is a “Brewers Fayre” restaurant/pub, which is also in a Grade II listed building set in a park.
- Discussion item at the Neasden and Cricklewood Area Consultative Forum.
- Public meeting on 18th September attended by over 150 members of the public.

7.3 A total of 864 persons returned the “voting slips” attached to the leaflet and article. The results of those voting in the consultation exercise were as follows:

	For Option A The Whitbread proposal	For Option B A small café	Total participating
Residents in area around Gladstone Park	273	366	639
Others	113	112	225
Total	386	478	864

7.4 The return from the area around the park represents a return of about 5% of the leaflets distributed and of these a majority (57%) preferred the demolition and café option. Only 225 residents outside this area participated. Of the total participating 55% are in favour of the café option. The Headteacher of John Kelly Boys School has written broadly in support of the Whitbread option

7.5 115 residents have written to the Leader of the Council indicating that the Council should consider the formation of a Trust in order to commence a programme which will restore the House using money the Council received from insurance following the fires which destroyed the house. In addition 24 residents have written in to Environmental Services stating that they prefer alternative options to the two presented. They also mostly support a Trust option.

7.6 The Brent Arts Council and Friends of Dollis Hill House have also written to the Leader indicating that they are not happy with the consultation carried out by the Council. They propose that we should consider the setting up a community based Trust to restore the House for community use. It is also suggested that we appoint a professional fundraiser using the insurance settlement from the fires to raise the additional money required.

The Public Meeting

7.7 The public meeting to discuss the options for Dollis Hill House was held on 18th September at Our Lady of Grace Junior School, a few hundred yards from the House. It was chaired by Cllr Lyon and addressed by the Deputy Director of Environmental Services, representatives of Whitbread, Dr Gordon Higgott (Historic Buildings Inspector from English Heritage) and Marianne Pitsillidou of the Roundwood Park Café. Over 150 residents, a small minority of whom were quite disruptive, attended the meeting. There was a very lively discussion with most speakers from the floor supporting the formation of a Trust. It would be fair to say that many attendees also supported that option.

English Heritage's View

7.8 Dr Gordon Higgott on behalf of English Heritage has written expressing their view on Dollis Hill House and the options facing the Council (see Appendix 1). In summary they state:

a) "English Heritage wishes to see the listed building restored and brought back into beneficial use. For that reason we do not object to the scheme by Whitbread for the repair and adaptation of the house for use as a Brewers Fayre Pub/ Restaurant". They would need to discuss details with Whitbread's architects but are prepared to be flexible about the scheme for restoration.

b) "As regards the proposed parking arrangements, we do not consider them objectionable in so far as the setting of the listed building is concerned."

c) With respect to the option to demolish the house, English Heritage refer to advice in PPG 15 (see paras 6.1 to 6.3) and state "It would appear that the Council has been successful in finding a potential purchaser and an alternative use for the building. I would comment that in the present circumstances demolition of the building would not be justified."

d) On the issue of how demolition of the house may affect the Council's bid to the Heritage Lottery Fund Urban Parks Programme for Gladstone Park, English Heritage state that "demolition of the house would diminish the heritage value of the park" and they have advised the Heritage Lottery Fund that "no decision on the award of a grant should be made until at least the submission of definitive proposals acceptable to English Heritage."

e) As far as the possibility of an alternative community use for the house funded by a charitable trust, English Heritage "has already expressed support for the conversion of the house for community use."

f) English Heritage are also concerned about the dilapidated condition of the house and consider that the need for a solution is now urgent.

Options for the Future of the House

- 7.9 Your Officers consider that the two options put forward for public consultation are still viable. However following the public consultation and the level of support expressed for a Trust by local groups, Members may also wish to review this option, once again.

The Whitbread Proposal

- 7.10 This proposal is for a Brewers Fayre restaurant and bar and would involve a £2million scheme for the complete restoration of the building and construction of an extension and car parking. The company is well known, well established and have a number of other Brewers Fayre and Beefeater restaurants operating in restored listed buildings. It was Whitbread which put forward a proposal for a Beefeater restaurant in the building in 1994, a scheme which was opposed by a number of local residents. Hence their scheme did not progress and neither did any other.

- 7.11 The advantages of the Council choosing the Whitbread proposals for a Brewers Fayre restaurant and bar include:

- a) The house would be restored.
- b) There would be a catering facility open to the public offering a wide range of beverages and food in a part of the borough, which does not have such a facility.
- c) There would be a “24 hour” presence in the park, which would improve security.
- d) Employment opportunities for local people.
- e) A considerable financial benefit for the Council.

- 7.12 The disadvantages include:

- a) The character of the park would change with a large numbers using the bar/restaurant.
- b) The need for a car park that would take away some of the open space and bring cars into the park land. However, with appropriate location near the boundary of the park and landscaping, the impact of any car park can be reduced.
- c) Adverse reaction from many local residents

Café option

- 7.13 This option involves building a small café using the remainder of the insurance funds but would also mean the demolition of the house. The option had greater support in the consultation exercise (see above) than the Whitbread proposal.

7.14 The advantage of demolition and replacement with a small café are:

- a) The character of the park would largely be maintained.
- b) Would offer a limited catering facility and toilets in the park.
- c) A small amount of local employment.

7.15 The disadvantages of this option include:

- a) The house would be lost.
- b) Adverse public reaction to the demolition.
- c) Loss of the money on offer for the house
- d) Risk to the Heritage Lottery money for Gladstone Park.

7.16 Clearly demolition of the house is a critical step, which would be contrary to listed building advice and therefore to our own UDP (paras. 3.10.5/.6 and policy BE22). As a planning authority the Council we should be setting a good example for others to follow. Further, it is likely to be vigorously opposed by English Heritage (see above) and local amenity groups. English Heritage have also indicated that demolition of the house would diminish the heritage value of the park and hence affect our bid for £900,000 to the Heritage Lottery Fund Urban Parks Programme for Gladstone Park. However, we could argue that all other options have been exhausted particularly as the Whitbread proposal is also not popular with the local community and would also be vigorously opposed by local groups.

7.17 Members should note that we do not have an operator or specific design for the café and if the Council were to pursue this option then a further marketing exercise would be necessary to find an operator and appropriate design.

Trust Option

7.18 As stated a number of groups and individuals have once again proposed a solution to set up a community based Trust that could attract funds, including Lottery money, to rebuild the house and use it for “arts” and “community” activities. Members are reminded that during 1999 the Council employed consultants, Torkilsden Barclay Leisure Management (TBLM), to study and report on this option. They worked closely with the Dollis Hill House Working Party representing community groups and their findings were considered by Environment Committee in September 1999.

7.19 TBLM concluded, “*a Trust to operate a renovated House seems the most appropriate management option. However there is a significant capital funding gap and ongoing financial viability of the Trust is doubtful without some guaranteed revenue grant. Whilst the options for attracting additional capital and revenue funding need to be explored in more depth, if such funding is not forthcoming then the restoration of Dollis Hill House is not tenable.*”

- 7.20 The Trust for Dollis Hill House is only viable if the capital shortfall of at least £700k and ongoing revenue funding of several tens of thousands of pounds is guaranteed. Members should note that this conclusion by the consultants is based on the premise that the Trust would be successful in obtaining a 65% grant from the Heritage Lottery Fund and a further grant of £300k from English Heritage. Before the Heritage Lottery Fund would give a grant the Trust would have to produce a business plan showing that the Trust operating Dollis Hill House would be an on-going concern. At present, there is insufficient evidence that the House would indeed be viable. TBLM also state that a grant of over £100k from English Heritage is unlikely, thus increasing the funding gap to £900k. In addition the costs of setting up the Trust are likely to amount to several thousand pounds. As Members will know the Council has not currently allocated any capital monies to this project but the set up costs and revenue shortfall for the first few years could be met from the remaining insurance monies.
- 7.21 Members should note the Trust option as outlined by TBLM has a very large commercial element including facilities for conferences, seminars weddings etc, which would be required to subsidise any community activity run by the Trust. These activities would clearly also require car parking close to the House, within the park.
- 7.22 If one could successfully set up a Trust, the Council would be relieved of the responsibility for the long-term management and maintenance of Dollis Hill House. The Trust could also become responsible for raising the capital funding shortfall for the renovation of the House. However it is unlikely that we would be able to find a reliable group of persons prepared to act as Trustees to take on the running of such a trust without guarantees about the capital and revenue shortfalls. Members should also be aware that if at some future date the Trust fails, Dollis Hill House would again become the responsibility of the Council and, therefore, continue to be a burden on public resources.
- 7.23 Members should note that throughout the last year while the Council has been carrying out the marketing exercise, it has been open to community groups to put forward a plan for such a Trust but no viable plan has been tabled to date.
- 7.24 It has also been suggested that the Council should use some of the remaining insurance monies to employ a full time, professional fundraiser, for a limited period to find sources that would provide capital funding to meet the shortfall. It is estimated that it would require about £30,000 to employ a fundraiser for about six months.
- 7.25 A professional fundraiser would have the expertise to search for funding from different sources and would relieve the Council of the responsibility of finding the capital shortfall required as match funding for the HLF Bid. Officers carried out some limited research last year and contacted a number of agencies. They indicated that the Dollis Hill House project is not considered to be dynamic enough to attract suitable professional fundraisers and therefore, the Council could be taking a risk in seeking to recruit an effective fundraiser. Should the fundraiser fail to raise the required funds, the Council is again left to find a solution for the future of the House and the investment from the insurance monies is permanently lost.

- 7.26 It should also be noted that further delays, while the Trust is seeking capital funding, could mean that the condition of the House will continue to deteriorate and that there may be a further delay in the consideration of our bid to the Heritage Lottery Fund Urban Parks Programme for Gladstone Park.

Conclusions

- 7.27 Three options for the future of Dollis Hill House have been examined in this report. In your Officers' view the Trust option was thoroughly considered by the Council last year and is unlikely to succeed. The other two options, the Whitbread proposal and the Café option, are both likely to be controversial but at least offer a long term solution for the future of the House.

8.0 BACKGROUND INFORMATION

Details of Documents:

- 8.1 Dollis Hill House – A Report, August 1999 Torkilsden Barclay Leisure Management

The Future of Dollis Hill House – Report to the Environment Committee, 23rd September 1999.

Dollis Hill House – Marketing Exercise – Report to the Public Services Deciding Committee, 2nd August 2000 (NB This is a confidential report hence not available to the public.)

- 8.2 Any person wishing to inspect the above papers should contact Suresh Kamath, Environmental Services, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ,
Telephone: 0181 937 5001

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HA96BZ
27 September 2000

Dear Mr Kamath

DOLLIS HILL HOUSE, GLADSTONE PARK, DOLLIS HILL LANE, NW2

Thank you for inviting me to the public meeting on 18 September to discuss the future of Dollis Hill House, and for your earlier letter of 10 August.

I write to confirm that English Heritage wishes to see the listed building restored and brought back into beneficial use. For that reason we would not object to the scheme by Whitbread for the repair and adaptation of the house for use as a Brewers Fayre Pub/Restaurant. Should the Council decide to proceed with the Whitbread scheme we would wish to discuss details with the architects with a view to securing the best possible restoration of the listed building in the context of a new use. We acknowledge the need for flexible planning on the inside of the building and would not insist upon the retention of all existing internal walls and spaces. However, we would wish to see the original entrance hall retained together with the central staircase compartment (although the configuration of the stairs could be changed). We would not object to the formation of a first-floor balcony on the south elevation in the context of the restoration of the original 'villa' elevation on this side. We would wish to ensure that the stucco porch on the west side is faithfully restored.

As regards the proposed parking arrangements, we do not consider them to be objectionable in so far as the setting of the listed building is concerned. We may have further comments on details of the parking scheme if this arrangement is to be incorporated into the application to the Heritage Lottery Fund Urban Parks Programme for the restoration of Gladstone Park (in our capacity as advisors to the Heritage Lottery Fund on such applications).

Should the Council decide not to sell Dollis Hill House to Whitbread and apply to the Secretary of State for Environment, Transport and the Regions for listed building consent to demolish the building, English Heritage would expect such an application to be justified with reference to the advice in paragraphs 3.16-19 of Planning Policy and Guidance Note 15. I attach a copy of the relevant paragraphs. One of the tests, in paragraph 3.19 (ii), is that real efforts should have been made 'without success to continue the present use or to find compatible alternative uses for the building'. It would appear that the Council has been successful in finding a potential purchaser and an alternative use for the building. I would

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therefore comment that in the present circumstances demolition of the building would not appear to be justified.

On the issue is how the loss of house may affect the Council's bid to the Heritage Lottery Fund Urban Parks Programme for Gladstone Park, I note that one of the three significant heritage benefits of the scheme would be the development of the historical associations with William Gladstone. English Heritage has advised HLF that the key to interpreting the layout of the park and the Gladstone connection is Dollis Hill House which forms the focus of the site and the *raison d'être* for the park's existence. We have not, as yet, offered advice to the HLF on the effect on the Council's application of the loss of the house. However, it follows that demolition of the house would diminish the heritage value of the park. In this context it should be noted that the park itself is not included in English Heritage's Register of Parks and Gardens of Historic Interest. We have drawn HLF's attention to the existence of the Whitbread scheme and advised that no decision on the award of a grant should be made until at least the submission of definitive proposals acceptable to English Heritage or, preferably, after the formal approval of applications for planning permission and listed building consent.

I gather that the Council may wish to reconsider the possibility of an alternative community use for the house funded by a charitable trust. English Heritage has already expressed support for the conversion of the house for community use. I attach a copy of my letter of 16 February 1998 on designs by Neil Thomson Architects for the scheme that informed the Torkildsen Barclay Leisure Management Report of 1999. My only additional comment would be that the need for a solution is now urgent. Further extended exposure of the building to the elements will hasten the dilapidation of the structural elements of the house, rendering it unsafe and making restoration more difficult and more expensive. Uncertainty about its future is likely to delay the Council's application to the HLF Urban Parks Programme. I would therefore urge that a decision about the future of the house be taken as soon as possible.

Yours sincerely

51-), -

Dr Gordon Higgott
Historic Buildings Inspector

Central and West London Team

cc. Jane Stancliffe, Heritage Lottery Fund Encs.