

BUSINESS SUPPORT
OVERVIEW & SCRUTINY COMMITTEE
23 AUGUST 2018
PETITION

Report from: Perry Holmes, Chief Legal Officer

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Summary

This report advises the Committee of a petition regarding the Conservancy Building, 17 High Street, Rochester, including a summary of the response sent to the lead petitioner.

1. Budget and policy framework

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 1.2 The petition scheme is set out in full in the Council's Constitution at:
<http://www.medway.gov.uk/pdf/4.01%20-Council%20rules.pdf>
- 1.3 Any budget or policy framework implications will be set out in the specific petition response.

2. Background

- 2.1 An e-petition regarding the Conservancy Building was launched on the Council's website and ran from 4 June to 16 July 2018. Details of the petition and a summary of the response to it are set out below.

Subject of petition	Response
<p>The Council to take local residents' views into account and not close and sell the Conservancy Board Building. This building is home to the Guildhall Museum Part 2, which accounts for about a third of the total display space and currently holds about 8,000 objects.</p> <p>869 signatories (e-petition).</p>	<p>Cabinet considered a report proposing the sale of the Conservancy Building on 10th July 2018. Paragraph 6.4 of the report set out that this e-petition had been launched on the Council's website, gave a link to the petition and confirmed that the petition would close on 16th July 2018.</p> <p>The Cabinet report contained an option not to sell the building and also the following advice and analysis set out below.</p> <p><i>"4.1 The Conservancy Building currently acts as an annex to the Guildhall Museum on Rochester High Street, with customers crossing a cobbled alleyway, Bull Lane, separating the two buildings. It is considered that the exhibits and storage from the Conservancy Building can be relocated to the adjoining Guildhall Museum and Eastgate House, which has recently undergone an extensive refurbishment. This will enable the exhibits to continue to be viewed whilst also enhancing the visitor experience at those venues.</i></p> <p><i>4.2 If the premises are sold, it is likely that, subject to the necessary planning approvals being obtained, the premises will be used for an alternative use and the council's planning department has confirmed that the premises could be suitable for residential, offices, retail, leisure, hotel or retail/restaurant use. In order to add to the desirability of the premises on disposal, it is proposed to sell the area of Bull Lane between the premises and the Guildhall, but the council will reserve any rights it needs over this area. Also this area is a public passageway and will be sold on this basis.</i></p>

Subject of petition	Response
	<p data-bbox="756 239 1331 454"><i>4.3 The presence of the Conservancy Building within the Historic Rochester Conservation Area and the fact that it is a listed building will ensure that the impressive and ornate facade is retained.</i></p> <p data-bbox="756 499 1347 714"><i>4.4 The Council wishes to maintain the museum status of the Guildhall museum and will therefore seek to identify enhancements that will enable this much loved visitor attraction to continue to thrive.</i></p> <p data-bbox="756 770 1347 1171"><i>4.5 The Council sought market interest for an external business to operate the Corn Exchange during 2017, but that process did not conclude with an acceptable solution. The sale of the Conservancy Building and re-use of some of the capital receipt to enhance priority capital works at the Corn Exchange will allow the Council to retain that building and seek a longer term management plan for it."</i></p> <p data-bbox="756 1249 1289 1352">The minutes of the Cabinet meeting record the debate that took place as follows:</p> <p data-bbox="756 1411 1353 2098"><i>"It was considered that the exhibits and facilities which were currently located in the premises, could be relocated to the Guildhall Museum and Eastgate House and that the building could therefore be considered surplus to operational requirements and could be sold. Both the Guildhall Museum and the Corn Exchange building on Rochester High Street were considered to be high priority for maintenance and capital investment and it was proposed that some of the capital receipt realised from the sale of the Conservancy Building could be used to fund those and other maintenance works identified, subject to stringent governance arrangements and Member oversight."</i></p>

Subject of petition	Response
	Cabinet therefore considered the points raised in the petition but decided to proceed with the sale of the building.

- 2.2 As mentioned above, where the petition organiser is not satisfied with the response provided by the Director the petition organiser is able to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken in response to the petition. In this case the petition organiser did not make such a request and the petition and the response to it are therefore reported for information.

3. Risk Management

- 3.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

4. Financial and Legal Implications

- 4.1 Any financial implications arising from the issues raised by the petition are set out in the comments on the petition.
- 4.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme.

5. Recommendation

- 5.1 The Committee is requested to note the petition response as set out in paragraph 2.1 of the report.

Lead officer contact

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Appendices:

None

Background papers:

None