

LCRE/DP2890

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Dear Steve

LONDON SOUTH BANK UNIVERSITY: ENTERPRISE CENTRE

Further to our recent conversation, I have as requested set out below my thoughts on the two questions that you asked in relation to the listed Georgian terraces and the obligations of your ownership.

What is the legal responsibility of a freeholder regarding Grade II listed buildings?

Whilst there is no specific legal duty on owners to keep their buildings in a good state of repair, owners of listed buildings are obliged to keep them in a reasonable state of repair. Naturally it is also in their own interest to do so in terms of continued and future usability and revenue. It should be noted that the Local Planning Authority does have powers to take action where an historic building has deteriorated to the extent that its preservation may be at risk. This can take two forms:-

1. A Section 54 Notice

This Notice requires an owner to carry out urgent specified repairs; if they do not comply, then the Council carries out the works and recovers the costs from the owner. Works are limited to the minimum necessary temporary repairs to make the building weathertight, safe from structural collapse and secure from theft and vandalism.

2. A Section 47/48 Notice

This Notice can lead to compulsory purchase of a property by the planning authority if repairs are not carried out. Works undertaken under a repairs notice are long-term repairs to put and keep a building in good repair.

The terraces have been on the Buildings at Risk register for a number of years despite the 2007 stabilisation works and it remains the Council's priority to see the buildings brought back into purposeful and long term use.

What will be the planning blight if LSBU does not proceed with the Enterprise Centre development of the Terraces?

As noted, the LPA are very keen to see the terraces brought back into use and have been liaising closely with LSBU and English Heritage. In the absence of a supportable proposal for the terraces, the buildings will remain on the risk register and ultimately a decision on what happens

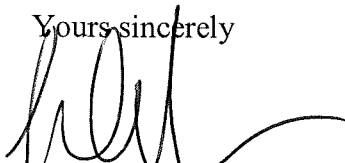


to them may be taken out of the University's hands. In very exceptional cases, English Heritage may acquire and repair a particularly important building at risk, where it is clear that the scale and complexity of problems are such that direct involvement is the best way of securing the building's long-term future.

More importantly in my view however is the potential breakdown in relationship between LSBU and Southwark Council who have supported the masterplan principle from the outset. There is a real risk of losing credibility and seriously damaging the reputation of the University by diverting from a committed process that has been set out to the local authority, key politicians and local heritage groups over the past twelve months.

Please feel free to call me should you wish to discuss this further.

Yours sincerely



Luke Emmerton