

URN: 22-264
Subject: The Star Hotel
Report to: Cabinet 29th January 2024
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SUBJECT MATTER

The Star Hotel has been vacant for several years and has been the target of anti-social behaviour and vandalism. The building is listed and occupies a prime position on the Historic Quay. It has been widely understood that there are complex legal issues relating to the ownership of the building.

Whilst a wider decision will be required over the Council's future actions surrounding the Star Hotel, this paper provides details of the costs to make the building secure and watertight, whilst an options paper for the future of the building is developed.

The activity will slow down the degradation of the building, protecting this historic asset and prevent further vandalism.

Recommendations

That Cabinet:

- 1. Note the work carried out to date.**
- 2. Agree to progress works to secure the building and make it water-tight. This includes an allocation of £81,000 to undertake these works in default.**

1.0 INTRODUCTION

- 1.1** The Star Hotel is a Grade II listed building on Hall Quay in Great Yarmouth, originally built in the 1700's ("the Property"). It was a popular hotel and has been used by local businesses and tourists for accommodation, meetings and social events. In January 2020 it was sold.
- 1.2** The new owner from January 2020 sold individual rooms of the Property on a leasehold basis. Information provided by the leaseholders indicates that the purchase price would include contribution towards renovation works to the property with leaseholders receiving an income from the letting of the room. These works were never carried out, and the property has been empty ever since.

2.0 ACTIONS TO DATE

2.1 Antisocial Behaviour Response

The first report of ASB was on 24th September 2021. Following this there have been numerous minor and major incidents which have involved, Council officers, police and fire colleagues, an indication of the work involved is detailed below:

- Rough sleeping and collection of items to the rear of the property, including human waste and drug paraphernalia.
- Break in at the property and fire started, leading to multiagency response and serious damage to the property through two floors.
- Report of young person being held against their will, police attended, and all left safely.
- Report of county lines gangs intimidating individuals
- Property being stripped of all bedroom and kitchen fittings.
- Reports of gangs in the property and offensive weapons found.

GYBC has made temporary attempts to secure the building, several times. The property Enabling Officer visits the property twice a week and the rough sleeping team monitor the property daily. This ensures all issues are captured and dealt with promptly. Whilst effective, this is a resource burden on the Council and more permanent means of securing the building are required to reduce the level of intervention needed.

2.2 Property Ownership

The Property was purchased in January 2020 by The Star GY Limited, now dissolved. There are 42 leaseholders registered on the title with a 43rd pending registration. The Property was then transferred to 36644 Ltd a Maltese registered company in 2021 (the two companies share the same director). As part of the sales process, the leaseholders were provided assurances that the renovation works would be covered as part of the purchase price. Once renovations were completed, leaseholders expected an income from the rental of the room as part of the Hotel.

The current owner is registered in Malta this brings additional complications with action against the Property and particularly the securing of any charges to the Property.

3.0 Proposals

- 3.1 It is proposed that the Council carry out enough of the works listed in the urgent work notice to secure and make the Property watertight as detailed in 4.2. Legal advice has been sought, as we are not proposing to complete all works in the notice. Our responsibility in carrying out urgent works in default is to complete enough works to stop the Property from deteriorating further and ensure its preservation for the future, while not causing excessive or unnecessary costs to be incurred. Securing it from entry and the roof from water ingress will meet this requirement while not incurring excessive costs for the Owner or the Council.

The Council could do nothing, especially where it is considered financially unviable for the Council to be involved. However, this would continue to be a drain on the Council's resources as the anti-social behaviour will continue and it could see the property deteriorate to the point of requiring demolition and at risk of destruction from fire or water damage.

- 3.2 Once the property is secure a longer-term plan for its future is required.

4 FINANCIAL IMPLICATIONS

4.1 Costs incurred to date

Works have been carried out at the Property since September 2021. These have been against clearing and securing and under emergency powers. As of 16th October 2023, works have been carried out to the value of £21,660 to prevent further access and antisocial behaviour. This amount is not secured.

4.2 Costs to Secure

Legal advice has been sought, regarding level of works in default which should be carried under the Urgent Works Notice. Whereas the Owner would be expected to complete all the work, works in default should be only those necessary to prevent further deterioration and not cause additional cost to the Owner.

Therefore, it is proposed that the works carried out in default are limited to.

Roof works

1. Provide safe scaffolding access to allow for inspection and remedial repairs to the roof to make wind and weather tight and free from collapse.
2. Allow for a structural engineer to inspect damaged areas of roof and provide report with specification for remedial repair.
3. Subject to the outcome of a structural engineer's report allow for the replacement of damaged, deteriorated or rotten roof members (rafters, purlins). These should be replaced in a like for like manner.
4. Carefully lift existing slates around damaged area and set aside for reuse. Allow for perished and missing slates to be replaced with new slates to match existing in size, dimension, colour, and texture.
5. Remove battens to the damaged area of roof and cut back to sound battens. Replace damaged battens with treated timber battens matching the dimensions of the existing. New battens should be fixed by screws and following the existing gauge.
6. Relay slates in a like-for-like manner replicating the original means of fixing. Ensure that the roof is watertight.
7. Secure the building.
8. Allow temporary boarding and metal shutters to carefully secure ground floor windows, doors and all means of access (whilst avoiding any damage to the listed fabric) to prevent unauthorised access and further damage.

It is estimated that works to this level will cost in the region of £80,000.

4.3 Legal costs

It is expected that the works in default and adhering a cost to the Property may not be prohibitive.

Should the Council decide to take further action then this would be subject to a further report detailing any further legal cost based on the action proposed.

5 RISK IMPLICATIONS

- 5.1 There are numerous risks associated with this property. Those known at this stage are captured below but these could be added to as time progresses.
- 5.2 The costs accrued so far are not secured against the property at present. Ongoing works to secure the Property, under emergency powers, will need to be accrued to ensure the Property is kept safe. Legal colleagues and officers are trying to establish whether these costs can be secured until this is confirmed, these costs are at the Council's expense.
- 5.3 Despite the appropriate notices having been served, works in default of the Urgent Works Notice, if approved, would be difficult, costly and would take a long time to be secured as a charging order against the property, as it is owned by a Maltese company.
- 5.6 If illegal access to the property continues, there are several risks to the property itself. Water ingress is deteriorating the interior and without this being rectified will cause irrevocable damage to the fabric of the property, this will also make the structure of the property unsafe internally, creating a risk of injury through collapsing floors / ceilings.
- 5.7 The fire service has stated that, due to the amount of damage to the property, they no longer know how it would act in a fire and therefore will attend a fire but will not enter the property unless there is a risk to life. The police have stated the same, the risk to their officers due to the condition of the Property means they will not attend unless there is a risk to life.
- 5.8 Risk to the lives of those entering the property. The Council is aware that people are gaining access to the property to deal and take drugs. On visiting the premises there is also evidence of people protecting their rooms and belongings in a violent manner evidenced by signs and weapons found. It is important to note that at present the property is secure and no one is believed to be in the property, however it continues to be constantly monitored to ensure it remains this way. Should access be gained to the level it was previously, there is serious concern for the safety of those involved, especially with the reluctance of emergency personnel to enter the property.
- 5.9 An Asbestos survey has been carried out at the property; a risk assessment is in place with PPE instructions for those going in. However, despite signs being erected to this affect, people gaining access illegally are risking their own health.
- 5.10 Should officers be required to enter the property to check for occupants following a break in. It is important to note that due to the asbestos present in the property, an appropriate asbestos cleaning / decontamination unit should be created for those exiting the property, followed by appropriate disposal of contaminated articles. This will cause additional costs which would be at the Council's expense.
- 5.11 The property continues to take up a lot of Council resources, both in officer time and financially. Not doing something with the property will continue to see a drain on these resources, to secure the Property and address anti-social behaviour.
- 5.12 Reputational risk to the Council. Should the Council choose not to act to ensure the preservation of the property, alongside the property falling into further disrepair, the reputation of the Council will be at risk for not taking action to protect the property which is a high profile listed building and

addressing the anti-social behaviour occurring at the Property. Equally spending an exorbitant amount of taxpayer's money to rectify this issue could be seen as reputation risk also.

6 LEGAL IMPLICATIONS

- 6.1 NP Law are working closely with officers on this project. All points are being discussed before action is taken and appropriate authority will be sought before action is taken.
- 6.2 Counsel has been appointed to assist with establishing the current status and the Urgent Works Notice and to establish if the leases are valid.

7 BACKGROUND DOCUMENTS

Town & Country Planning Act 1990

Local Government (Miscellaneous Provisions) Act 1982

Planning & Compulsory Purchase Act 2004

Empty Homes Policy – Housing & Neighbourhoods Committee – 6th December 2018

Acquisition and Disposal Policy – February 2021

Homelessness Update and Temporary Accommodation Acquisition - Housing & Neighbourhoods Committee – 10th November 2022

Area for consideration	Comment
Monitoring Officer Consultation:	Through ELT
Section 151 Officer Consultation:	Through ELT
Existing Council Policies:	Empty Homes Policy Acquisition and Disposal Policy
Financial Implications (including VAT and tax):	Section 4
Legal Implications (including human rights):	Section 6
Risk Implications:	Section 5
Equality Issues / EQIA assessment:	After an initial consideration there are no known protected characteristics for the Leaseholders or Owner. If protected characteristics become apparent an assessment will be carried out prior to further action.
Crime & Disorder:	Section 2
Every Child Matters:	No