



ARWEINYDD/LEADER

Cyng/Cllr Dilwyn Roberts, Bodlondeb, Conwy, LL32 8DU

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Dyddiad / Date: 25.1.16

Dear Messrs Saunders and Roberts,

Victoria Pier

Thank you for your recent letter in regard to the above. I welcome your apparent support for the approach being taken by my Council. Like you I have the impression that there is a growing quiet, if not silent, majority of people in the area who agree with our objectives. Those objectives are not easily implemented when dealing with a listed structure such as Victoria Pier, but you clearly understand that my Council's efforts are being frustrated by third parties.

In your letter you raise a number of questions that I will answer as best that I can:

1	Are there any unpaid Council Tax and/or Business Rates on the Pier?	No. The Pier has been taken out of the rating list for both Council Tax and Business Rates.
2	Is the Pier subject to any Crown Estate duties?	No
3	Without disclosing Mr. Hunt's address: does he have a permanent address in North Wales?	CCBC is not aware of any address in North Wales for Mr. Hunt. The address for serving correspondence and legal papers in the Court proceedings was his mother's address in Cambridgeshire.
4	Do Councillors have a view as to whether it is sensible for anyone without financial backing, towards the end of their working lives, to take on the responsibility for the future of the Pier?	CCBC has always maintained that it would only ever consider disposing the freehold or leasehold interest in the Pier to a person or organisation who had the requisite financial means to firstly safeguard the property and continue the interim property management and secondly to restore and redevelop. We would also need to be satisfied that they have strong commercial acumen and a viable business plan for the future operation and maintenance of the Pier to avoid the Council having to step in.



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5	As a 'businessman' what business is Mr. Hunt engaged in?	Not aware of any.
6	If he were to become the owner the Pier, is the Council aware of his intentions with regard to its future?	Mr. Hunt's Vesting Order application was dismissed by the High Court in October 2015. Therefore, it is extremely unlikely that the pier will return to Mr. Hunt's ownership. At present we are unclear of his intentions should that happen.
7	Has he ever intimated to the Council that if he owned the Pier, he would attempt to sell it?	No, Mr. Hunt has indicated that he would be prepared to lease it back to the Council. This is referred to in the judgement. However, on the terms offered it was reasonable for the Council not to accept them.
8	Were a private individual to own the Pier, would such an individual be able to attract funds from CADW?	CADW's website states that they offer grants as a contribution towards the costs of repairing and restoring historic assets as well as match funding towards community, local authority and third sector led projects. CADW will consider grant offers to: <ul style="list-style-type: none"> ▪ Owners for buildings that are of outstanding architectural interest, 'at risk' or where the funding will have substantial community regeneration benefits. The rate of grant allocated will usually be no more than 30% of eligible works. ▪ Third sector or community groups for projects which promote local heritage under CADW's Civic Initiatives (Heritage) Grant Scheme. The maximum grant is £5,000 to be match funded by non-public sector sources.
9	If Mr. Hunt eventually fails in all his court applications to take back his ownership of the Pier, will the Local Authority be in a position to apply for the Court Costs incurred throughout this prolonged legal process?	As stated in response to Q6, Mr. Hunt has failed in his application to take back ownership of the Pier. CCBC has the benefit of three Costs Orders (to be assessed) against Mr. Hunt (and one against his mother, Mrs. Hunt) and will review and consider methods of enforcement.

10	Mr. Justice Morgan decided to dismiss his application for ownership of the Pier, or any part of it. Is it correct that Mr. Hunt still intends to appeal this decision?	We have been advised that Mr. Hunt has lodged an application with the Court of Appeal for permission for 'Leave to Appeal'. For your information I enclose a copy of Mr. Justice Morgan's judgement.
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I note that you have copied the Town Council into your letter, and I will leave it for them to respond to your questions to them. However, I would emphasise that the Town Council has no legal interest in Victoria Pier, and are therefore an interested party rather than decision makers.

With regard to your second set of questions I would comment as follows:

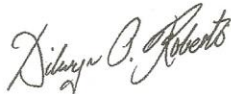
1	The County Council has voted to demolish the Pier: How much will this cost?	CCBC has secured estimates in the region of £1 million.
2	Has CADW agreed to the demolition of the Pier?	As CCBC own the Grade II listed Pier, it cannot grant itself Listed Building Consent. The process is that CCBC applies to Welsh Government (of which CADW are a consultee) for Listed Building Consent. The Minister who has responsibility for listed buildings/structures is the Minister for Natural Resources, currently Mr. Carl Sargeant. The built environment also falls within his remit.
3	Is there any truth in the rumour, of which there are many, that a local business man is prepared to demolish the Pier free of charge? It is believed by many that his sale of the 'rescued' wrought iron would make it worth his while.	CCBC has not been approached in this regard.
4	A proposal to demolish the Pier but retain the columns with lighting and a hologram of the original pavilion was put to the public. How many were in favour and how many against?	There was no public vote as part of the planning consultation. Representations were received for and against the forms of mitigation. The legacy left after the pier is demolished is an important consideration for CADW and we are considering options as part of our resubmission.

5	The Welsh Assembly has rejected Conwy County Borough Council's application to demolish the Pier; will the Council appeal this decision?	CCBC will not appeal the decision, it will instead amend its application and re-submit later this year. In broad terms, the Minister accepted the Council's application in relation to 2 out of 3 test elements. The Council's re-submission will need to alter to address the third element. Please find a copy of the decision letter enclosed.
6	To date, what are the legal costs of fighting Mr. Hunt's ownership claims?	Since CCBC acquired the Pier in March 2012, legal costs to date are in the region of £250,000 (actual direct costs).
7	Why has the Welsh Assembly interfered with a local planning arrangement; what on earth has it got to do with them.	Please see response to Q2.
8	Are there any Crown Estate revenues due from whoever owns the Pier?	No
9	Why is the Minister for Natural Resources for the Assembly, Carl Sargeant AM, getting himself involved in something which is not a 'natural resource'?	Please see response to Q2.

I trust that the above responses suitably clarify matters for you and your membership. Victoria Pier has become an extremely complex project, but I appreciate your Society's support for the Council's approach, and recognition that a resolution of the problem is critical to the town's regeneration. As you closed your letter you suggested that there is a 'stalemate'. I do not believe that to be the case at all. My officers are progressing the implementation of Council's resolution to seek the demolition of the pier. Whilst the Minister did not approve our initial application for Listed Building Consent to do so he supported our application on two of the three required grounds, and we are confident that a case can be made in respect of the third.

I note that you copied your letter to me, to County Councillors in the Bay of Colwyn. The future of the pier has significant impact upon the whole county and therefore I hope that you do not mind that I am copying this response to all Councillors. I am also forwarding a copy to CADW and HLF, both of whom have a continuing interest in the pier.

Yours sincerely,



Cllr. Dilwyn Roberts
Leader