

ADDRESS TO COUNCIL FOR MONDAY 7th DECEMBER

From Judith Harley

Lord Mayor, Councillors,

I wish to address you today on the moral and legal matters raised by the proposed demolition of Temple Cowley Pools and Fitness Centre.

Last Monday, 30th November, the City Council's Planning Department gave permission for the method of demolition of Temple Cowley Pools and Fitness Centre. The application was submitted by, and permission was given to, Catalyst Housing Limited.

According to the site notices supplied by Catalyst, the demolition is scheduled to begin "from approximately 8th December", which is tomorrow. This is despite the fact that no planning application has been submitted for development of the site, and despite the fact that the City Council still own the site.

I am asking you to, as freeholders of the site, to deny Catalyst permission to access your land to demolish Temple Cowley Pools and Gym.

The City Council has a webpage headed "Consultation on Leisure Facilities". The November 2015 update, dealing with the Sale of land at Temple Cowley, has the question "Do the City Council own the land that TCP is built on?" Under this is the answer: "Yes, the council have a freehold for the land.". This page was "last updated 19 November 2015". This ownership information is borne out by Land Registry searches which consistently identify Oxford City Council as freeholders of the Temple Cowley Pools site. For the past 12 months, since December 2014, City Councillors have repeatedly told the press and public that the site has been sold to Catalyst. This is remarkable misinformation. In case you missed it I'll repeat the City Council webpage information - an update from 19th November says "Yes, the council have a freehold for the [Temple Cowley Pools] land.".

The same City Council webpage links to "a copy of the contract between Catalyst Housing and Oxford City Council in relation to the disposal and development for residential purposes of the Temple Cowley Pool site." This document begins "Contact for the sale of freehold land with vacant possession conditional on planning permission at Land at Temple Cowley". Let me repeat the most significant part of this – "conditional on planning permission". If Catalyst do not get their planning permission they will not buy the site.

Section 10.3 of the contract states: "The Buyer shall in consultation with the Seller deliver a programme of community engagement in relation to the Planning Application". Sellers – how long do you need for this delivery? The Community awaits such engagement with anticipation. Some six months ago Catalyst held a single planning consultation. We have heard nothing further on this. No planning application for development has been submitted, and there is no indication of when such an application will be submitted, despite the fact that the contract for sale requires Catalyst to obtain planning consent as soon as practically possible. There is no guarantee that a Planning Application will be approved as any Planning Application will be robustly contested, on Planning Policy grounds, by local residents. Indeed, the contract for sale anticipates problems in obtaining planning permission, as Section 7 states: "The Buyer shall pursue a Planning Appeal unless Counsel provides a written opinion advising that a Planning Appeal would have less than a 65% chance of success". Section 10.2 states, somewhat prejudicially, "The Seller shall give all reasonable assistance to the Buyer in pursuing a Planning Appeal".

Demolition should not occur on this site without an associated planning application for development having been approved. Demolition should not occur on this site **until the ownership of Temple Cowley Pools and Fitness Centre passes from Oxford City Council to Catalyst**. If demolition occurs prior to this change of ownership then Oxford City Council would be party to the actions of persons with a potential interest in the land causing malicious damage in order to render their building uninhabitable.

Temple Cowley Pools has been recognised by the City Council as being an Asset of Community Value. Asset status reinforces the argument for not demolishing the Pools until an alternative development proposal has been submitted AND APPROVED.

Demolition is therefore not appropriate for this site at this time. It is far better to be left with an intact building, which could be brought back into public use when Catalyst's planning application fails, than a razed, unsightly 'wasteland' which would be detrimental to the Temple Cowley Conservation Area and the adjoining public Library and Primary School.

If you permit this demolition to go ahead without a specific planning application for development on the site being approved, you are showing immeasurable disdain and contempt for the many residents of Cowley and further afield who are most unhappy with the closure of this site and the way in which the City Council has ignored their democratic wishes.

Councillors – On behalf of the residents of Temple Cowley and further, I am making a perfectly reasonable, rational, and democratic request to you, as landowners of Temple Cowley Pools, to be democratically responsible and legally accountable. Will you show careful, considered judgement and deny Catalyst permission to access your land to demolish Temple Cowley Pools and Gym? According to the contract between Catalyst and the Council, the freehold will pass to Catalyst when they have obtained their planning permission. That should be the time for any demolition, not before.