

Agenda Item No: 13

Report To: COUNCIL

Date of Meeting: 13TH DECEMBER 2018

Report Title: CONSIDERATION OF A PETITION RECEIVED BY THE COUNCIL

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Summary: A petition has been submitted to the Council calling for the former Mecca Bingo Site in Ashford Town Centre to be converted in to a theatre. As the petition contained more than 1,500 valid signatures, in accordance with Ashford Borough Council's Petitions Scheme, it should now be debated at a Full Council Meeting to which all elected Members are invited. The procedure to be followed at the meeting is attached to this report, along with advice from Officers on the substance of the petition.

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CONSIDERATION OF A PETITION RECEIVED BY THE COUNCIL

Introduction and Background

1. A petition was submitted to the Leader of the Council on 25th August 2018. It was started on-line on the change.org platform and submitted by Mr Peter Morris-Kelso. Whilst the version of the petition that was submitted contains 3003 signatures, 1757 of these are classed as 'valid' under the provisions of the Ashford Borough Council Petitions Scheme as people who "live or work in the Borough", as 1757 of the signatories have supplied an address within the Ashford Borough. The citation of the petition is as follows: -

"With the departure of Mecca Bingo from the former Odeon cinema in Ashford's lower High Street, the site is now a prime location to finally give Ashford a theatre, giving the town something that could actually bring actual tourism to the town centre, instead of the outlying Eureka Park and Designer Outlet, while both attractive to those outside the town, do not encourage visiting the town centre itself.

As it stands, Ashford has nothing unique that sets it apart. Every major shop we have can be found in every town in the country. A new cinema is still just a cinema, and we already have one of those. A theatre provides unique performances every evening, from staged plays to stand-up performances, something already available in nearly every other town in Kent apart from Ashford.

Being a former cinema, half the work is already done at the Odeon, and renovating an existing building, one that has been part of Ashford's history for decades, must be a better option than razing it to the ground to make another 'shared space', in an area that has seen a steady decline in footfall over the years and more and more businesses close, leaving a swathe of empty shops in their wake. The building is already there, as is a handy car park. It really is the easiest and cheapest option, and the only one that will actually benefit the town as a whole, instead of just throwing something in that will be ignored and overlooked in a month's time.

We, the undersigned, hope that you will take our voices into consideration when deciding the fate of this historic building. To destroy part of the town's heritage and replace it with something that will be eventually ignored would be a travesty, and an insult to the history of the town, which many feel is vanishing before our very eyes."

2. As the petition contains more than 1500 valid signatures, in accordance with Ashford Borough Council's Petitions Scheme, it should now be debated at a Full

Council Meeting to which all elected Members are invited. The procedure to be followed at the meeting is detailed at Paragraph 3 of this report. Advice from Officers on the substance of the petition is contained from Paragraph 4 onwards.

Procedural Matters

3. The Council's Petitions Scheme provides for the following: -
 - If a Petition has, or acquires 1500 valid signatures, the issue will be debated at a full Council Meeting to which all elected members are invited.
 - At such a meeting, the Petition Organiser, in this case Mr Peter Morris-Kelso or someone nominated on his behalf, will have the right to speak about the petition, normally for up to 10 minutes. Reasonable advance notice will be provided to ensure that any preparation can be undertaken in time – Mr Morris-Kelso has requested to speak and was advised in writing of the date for this meeting on the 8th November 2018. Public speakers will not be allowed to take part in any debate.
 - The Chairman of the Meeting will decide upon the amount of time to allow for the debate on the Petition, and will take account of the degree of public interest in the issue, the level of support given to the Petition and the number of elected members wishing to express their views on the subject.
 - The Council accepts that it will not normally be sufficient for such a meeting merely to 'take note' of the Petition and that there should be a decision taken as to what other steps (including but not restricted to the actions specified below) should also be taken as a response.
 - Among the actions the Council may undertake are one or more of the following:-
 - Taking the action requested in the Petition
 - Considering the Petition at a Council Meeting
 - Holding an Inquiry
 - Commissioning relevant research
 - Organising a public meeting
 - Mounting a wider public consultation
 - Meeting with the Petition Organiser or representatives of signatories
 - Providing a written response outlining the Council's views on the subject
 - Referring the issue to the Council's Overview & Scrutiny Committee **OR**
 - Referring the issue to the relevant Committee
 - Consulting statutory partners and local service providers

- Instigating discussions with the voluntary and community sectors
- Make representations to Commercial or other Interests
- The Petition Organiser will be formally notified of the decision taken at the Council meeting. This will take place within 5 working days.

Members are reminded of the Rules of Debate at Full Council Meetings (outlined at Part 4, General Procedure Rules, Section 13 of the Constitution, and appended to this report at Appendix A). Of particular note are the following points: -

- **Only one speech per Member, per motion. No speech to exceed five minutes.**
- **No motion to be debated until seconded.**
- **Amendments can only change the wording of a motion – not negate the effect of the motion.**
- **Once a motion is under debate, no other motion can be moved.**

Officers' Advice

4. The following advice is intended to provide Members with the background relating to the action that the petition seeks, i.e. the renovation of the Mecca bingo hall to provide a theatre.

History to date

5. The Mecca bingo hall site was purchased by the Council earlier this year following Mecca's decision to cease business. The site was marketed but no significant interest was shown by any leisure/ entertainment investor. The Council purchased the site at what was considered a realistic price bearing in mind the condition of the existing building. The decision was made to purchase taking account of the potential 'marriage value' of linking it to the substantial, Council-owned Vicarage Lane car park to the rear to make a more substantial re-development opportunity.
6. Prior to purchase a major condition survey of the building was carried out. This concluded that the costs of a potential refurbishment or change of use would be likely to be high for a number of reasons relating to the structure of the building.

Ambitions for the site

7. The Council was well aware of the interest many people have expressed locally in having a bigger theatre/ performance venue in Ashford. But it was also aware that, in addition to the potentially very high costs of conversion, the former cinema has no theatre style stage or back of stage space that would be needed, and that conversions of former cinemas tend to not make good theatres in terms of their intimacy and acoustics.

8. The Council was also aware of other potential benefits for the town centre that would result should the existing building be redeveloped. These include:
 - the demolition of the main bingo hall to reveal the east front of St. Mary's Church, reinforcing the church's role as the iconic landmark at the heart of the town centre;
 - the creation of a pleasant pedestrian route through the site to the High Street (the existing narrow alley is very unwelcoming) - this is part of an important strategic route linking the stations and the growing commercial quarter around them to the heart of the old town centre;
 - how the potential redevelopment of the Mecca site and the car park could create a high quality development that would add to the existing charm of the town centre with its predominantly domestic scale buildings and tight-knit network of streets and pedestrian routes.
9. To explore these issues further a brief was drawn up and architects Ash Sakula selected to prepare an outline design concept. The decision was taken to progress this work to make sure that the Council's costs of holding the Mecca building (e.g. security, maintenance, business rates etc) are kept to a minimum and options explored quickly for this key site.
10. The concept design that has emerged demonstrates great sensitivity to the site and surroundings and has been welcomed by those councillors that it has been informally shared with. The design proposes considerable public benefits in terms of the quality of place created and, specifically, a new outdoor performance area/square; a route linking the stations area to the heart of the town centre; homes and studio workspace; and the conversion of the former ballroom above the foyer of the former cinema. This outline design work has not yet been shared publicly to get peoples' views as that would have been premature before the discussion of this petition and the issues it raises at Council.

Exploring the potential for a theatre in the town

11. At the same time as the architects' work on the outline design concept was underway another study, led by leisure consultants 4th Street, has been taking place. This work was specifically commissioned to examine the potential demand for a theatre in the town now and in the coming years and the issues raised in terms of capital and running costs, including public subsidy.
12. The emerging conclusions of this study can help to inform the debate on the future of the Mecca building. In summary, the consultants conclude that a theatre seating 250-300 people is likely to be the best combination of meeting demand in the area whilst being a potentially realistic capital and on-going revenue subsidy cost. The consultants emphasise, however, that as the town continues to grow, the judgement about how ambitious to be in terms of theatre size depends heavily on political ambition locally and the appetite to fund the project initially and on a continuing basis.
13. As the town grows and the range of entertainment and cultural opportunities it offers widens, the potential for a significantly sized theatre will grow. The

consultants stress the importance of working hard now to build the local leisure and cultural base as this will help to grow interest and audiences for a theatre venue in due course. Projects underway or planned in Ashford – including the Coachworks on Dover Place; the Picture House cinema; Revelation St Marys; the town centre events programme; and the Chapel Down brewery – are good examples of this. Continuing to invest in the quality of experience users of the town centre can enjoy will remain a high priority for the Council.

14. In future, if a range of uses can be accommodated, including theatre space, in one multi-use ‘performance centre’ concept it may be possible to strengthen the business case and reduce the level of public subsidy needed to operate the venue, although it is unlikely that the capital costs would be repaid.

Conclusion

15. The desire to see a theatre in the town is one shared by many people locally as the petition demonstrates. Many steps are already being taken to build the local cultural and entertainment offer in the town – with several now coming to fruition. This will help to showcase and build local skills, and generate interest and audience demand. With this stronger local base the potential for theatre provision will improve as the town continues to grow and its economy prosper. Creating a multi-purpose venue can broaden the range of events that can be put on and, in turn, improve the business case for what would be a very significant investment of public funds.
16. Whilst this ambition is very much alive and part of the Council’s medium term planning, there are a number of reasons why the former Mecca bingo hall is not the solution. There are other ambitions which can be met here – including creating space for outdoor and indoor performance space – as the Ash Sakula outline design work demonstrates. The potential to create a really high quality place here and on the adjacent Vicarage Lane car park as a mixed use development is a huge opportunity to help strengthen still further the character of the town centre and the breadth of what it can offer. The Cabinet will receive a report for decision on the future of the Mecca/ Vicarage lane site in February.
17. With the specialist consultant’s advice on future theatre provision in the town in hand, officers and members can continue to work to identify the best form of multi-purpose facility for the town and the most suitable location for it. This will be an important stream of work within the wider range of town centre work already underway on events planning and promotion; environmental improvements and master-planning. The next steps will be guided by the full public debate and consultation held over this summer into the future of our town centre. All this activity will be pulled together in Spring 2019 into an action plan which will be reported to members, widely promoted and shared.

13. Rules of Debate

13.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

13.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to the Proper Officer before it is discussed.

13.3 Seconders's Speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

13.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor.

13.5 When a Member May Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;*
- (b) to move a further amendment if a previous amendment is not carried or the motion has been amended since s/he last spoke (see 13.6 (d) and (e) below);*
- (c) if the Members first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which s/he spoke was carried) (see 13.10 below);*
- (d) in exercise of a right of reply (see 13.9 below);*
- (e) on a point of order (see 13.13 below); and*
- (f) by way of personal explanation (see 13.14 below).*

13.6 Amendments to Motions

- (a) *An amendment to a motion must be relevant to the motion and will either be:
 - (i) *to refer the matter to an appropriate body or individual for consideration or reconsideration;*
 - (ii) *to leave out words;*
 - (iii) *to leave out words and insert or add others; or*
 - (iv) *to insert or add words.**

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) *Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. A Member may, however, give notice of a further amendment (see, however, 13.7(c) below).*
- (c) *The Chairman may permit two or more amendments to be discussed together if this is likely to help the proper conduct of the business BUT each amendment must be voted on separately.*
- (d) *If an amendment is not carried, other amendments to the original motion may be moved.*
- (e) *If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.*
- (f) *After an amendment has been carried, the chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.*

13.7 Alteration of Motion

- (a) *A Member may when moving a motion of which she/he has given notice alter it with the consent of the meeting and the other signatories. The meeting's consent will be signified without discussion.*
- (b) *A Member may alter a motion which s/he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.*
- (c) *Only alterations which could be made as an amendment may be made.*

13.8 Withdrawal of Motion

A Member may withdraw a motion which s/he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

13.9 Right of Reply – Proposer of Motion Only

The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

13.10 Right of Reply – Upon Amendment to Motion

At the end of a debate on an amendment to a motion the order in which Members may speak is as follows:

- (a) the mover of the amendment may respond to comments made during the debate;*
- (b) the Chairman of the relevant Committee or Leader or appropriate Cabinet (Executive) Member, if that Member has not already spoken in the debate otherwise than in accordance with Rule 13(12) and 13(13);*
- (c) the mover of the original motion who shall not otherwise speak on the amendment.*

NB *Other than as provided for at (i) above the mover of an amendment has no right of reply.*

13.11 Motions Which May be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;*
- (b) to amend a motion;*
- (c) to proceed to the next business;*
- (d) that the question be now put;*
- (e) to adjourn a debate;*
- (f) to adjourn a meeting;*
- (g) that the meeting become a Committee of the Council;*
- (h) that the meeting of the Council be resumed;*

- (i) *to exclude the public and Press in accordance with the Access to Information Rules; and*
- (j) *to not hear further a Member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.*