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Friday, 11th December 2009

High Court ruling halts Mitchell's demolition



Protestors against the demolition of the former Mitchell's Brewery in Lancaster. Picture: NIGEL SLATER

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THE former Mitchell's Brewery has been given a stay of execution as campaigners continue their fight to save it from demolition.

A High Court injunction has forced Mitchell's to put its plans to knock down the buildings on hold – just a day after the city council admitted they were powerless to stop them.

Mitchell's had originally been told they would need planning permission to pull down the buildings in Brewery Lane, due to them adjoining another property.

However, in a dramatic U-turn by Lancaster City Council, officers said last week that the firm did not need permission – leading to fears from protestors that bulldozers would move in immediately. Around 20 campaigners entered the Mitchell's head offices last Thursday morning. Police were called to the scene in Moor Lane, but the group left the property on their own and no arrests were made.

And then just hours later, the High Court agreed to a request from charity SAVE Britain's Heritage to issue an injunction for an unspecified period to prevent the demolition.

Coun John Whitelegg said: "This is fantastic news and I am absolutely delighted. The case against demolishing the brewery is solid and wide-ranging and the injunction has now been served preventing demolition until further legal arguments can be completed."

But Mitchell's spokesman Mark Bushell said the injunction could lead to safety concerns.

"Contractors are currently in the middle of making the site safe," he said. "At present asbestos is just one of the many safety hazards faced by visitors to the building and this injunction will further endanger not only Mitchell's staff, but anyone who is intent on entering the building illegally."

"Now that the injunction has been served the building has to be left in its current perilous state."

The buildings form part of the Centros scheme for the canal corridor north, which is currently being examined by the Secretary of State. A decision is due in January.

City council chief executive Mark Cullinan said the council had taken legal advice. "The city council has determined that prior approval for demolition is not needed," he said.

"A suggestion has been made that the city council could serve a Building Preservation Notice.

"However, again based on legal advice, the council has determined that this action would be ill-advised for a number of reasons, not least that the council could be subject to a compensation claim."

Vital 48 hours

* Wednesday, December 2

4.30pm – Around 10 campaigners protest outside the brewery.

5.45pm – Lancaster City Council confirms it cannot stop the demolition.

* Thursday, December 3

9am – Around 20 people protest outside the brewery and enter Mitchell's head offices.

10am – High Court serves an interim injunction to prevent Mitchell's demolishing the brewery.

* Friday, December 4

Interim injunction is

extended to an unspecified period of time.

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