

## Princes Circus Drinking Fountain Princes Circus Shaftesbury Avenue London

Removal of condition 5 (method statement relating to connection to the water mains) of listed building consent 2020/1446/L dated 23/02/2021 for Dismantling, cleaning, refurbishment, storage and relocation of the drinking fountain to a site in front of Shaftesbury Theatre, as part of wider West End Project re-landscaping scheme.

Application number: 2022/4953/L

Application type: Approval of Details (Listed Building)

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CGCA objection, submitted online by AR on 13/12/22:

As the amenity society for the area, Covent Garden Community Association (CGCA) firmly objects to this application.

The return of the fountain to its fully functioning state was an important part of local support for the public realm scheme outside the Shaftesbury Theatre. It is very disappointing to learn that, all through the West End Project works, a water connection was not being made available to the fountain's new location, and that we have only just found out about it (through this application). This has not been an action in good faith on the part of the West End Project, and it cannot be accepted at this late stage when interventions at an earlier stage could have made it work.

Furthermore, the reasons given in the Justification Statement are not justified. We deal with them in turn:

1. The document states that "Reinstating the fountain with water would result in access to the fountain becoming unsafe with wet narrow steps which could also become icy therefore the water would introduce an unacceptable level of risk."

Unless this is a reason to refuse consent for all steps in a rainy city like London, where temperatures in any case rarely drop below freezing, then this cannot be a reason to prevent wet steps here!

2. The document states that "Reinstating the fountain with water would result in an inaccessible water supply for people with disabilities".

Unless this is a reason for refusing consent for all refurbishment of listed buildings that do not have disabled access, then this cannot be a reason for preventing the re-opening of an inaccessible listed structure here. Further, disability legislation does not seek to prevent the general population from enjoying a benefit just because some people with disabilities cannot enjoy it. You would have to refuse a lot of sports facilities if this were the case!

3. The document states that "The fountain has not provided water for a substantial amount of time".

Exactly! That was what was so sad about the fountain's previous state. And that's why local people and businesses wanted to see it returned to its former glory.

4. The document states that "There is no water supply available to the fountain".

Well, there should have been. Failure to meet this obligation is no reason to withdraw the condition. Would you accept this excuse from a commercial developer?

5. The document states that “Providing a water supply would require a fundamental redesign of both the fountain and the area as a whole. This would affect the special interest of the fountain by covering about a third of the lower part of the structure”.

Our response is “well, you should have thought of this before”. Again, would you accept this excuse from a commercial developer? The design will just have to be done as well as it can be.

6. The document states that “There is no budget for the reinstatement of a water supply, ongoing maintenance or monitoring.”

Again, our response is “you should have thought of this before”. Fortunately, Heritage of London Trust has funds available for these projects’ capital costs. And fortunately too, local businesses like to sponsor fountains’ ongoing maintenance as long as they receive credit. We have experience of this at Lincoln’s Inn Fields and are happy to share our knowledge.

7. The document states that “Proving a connection alone to a water main could be negligent if the area and the fountain were not redesigned for safe operation.”

Obviously no-one is suggesting that it should not be made safe. But the Mayor of London has run a campaign for the return of water fountains to our streets, and supplies can easily be provided safely.

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Please refuse this application and ask the West End Project team to bring forward a project to reinstate the water supply with attendant modifications to the structure and a fundraising plan.