




**Haringey Council**

<b>Report for:</b>	<b>Cabinet – 20<sup>th</sup> March 2012</b>	<b>Item Number</b>	
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<b>Title:</b>	<b>New Football Stadium and Associated Development at Tottenham, Proposed Northumberland Development Project Compulsory Purchase Order 2012.</b>
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<b>Report Authorised by:</b>	<b>Lyn Garner - Director Place and Sustainability</b> 
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<b>Lead Officer:</b>	<b>Dinesh Kotecha – Head of Corporate Property Services</b> Tel: 020 8489 2101 e-mail: <a href="mailto:dinesh.kotecha@haringey.gov.uk">dinesh.kotecha@haringey.gov.uk</a>
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<b>Ward(s) affected: Northumberland Park</b>	<b>Report for Key Decision</b>
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## 1. Describe the issue under consideration

- 1.1 On 16th November 2010, Cabinet resolved “in principle” to make a CPO to support the Northumberland Development Project scheme. This report seeks approval for the Council to use its Compulsory Purchase powers to progress the assembly of land required for the Northumberland Development Project, which, in turn, will enable Tottenham Hotspur Football Club (THFC) to implement the approved planning applications and build its new football stadium in Tottenham along with supporting regeneration.
- 1.2 If Cabinet agree to the use of Compulsory Purchase powers then notice of the Council’s resolution to use these powers will be sent to the landowners who are affected by this decision and the statutory Compulsory Purchase Order (CPO) process for preparation and making of the Order will be followed.
- 1.3 The objectives for supporting the NDP project through the use of CPO powers are:
  - To provide a focal point for the regeneration of Tottenham.

- To provide a catalyst for the long-term physical regeneration of Tottenham.
- To show tangible actions by the Council and THFC working in partnership, post the riots, to provide an opportunity to support the social, physical and economic well being of the area.
- To bring the vacant, under utilized land and buildings into use and development.
- To enable THFC to stay and invest within the Borough
- To enable a comprehensive development and regeneration of the whole of the Northumberland Development Project Site to be achieved.
- To enable London as a whole to benefit from the regeneration
- To maximize the benefits to the community and businesses within London as a whole and within the local area.
- To allow THFC to assemble the site to build the scheme.

## **2. Introduction by Cabinet Member for Economic Development and Social Inclusion**

- 2.1 Members will note that development proposals submitted by THFC were granted planning permission on 30th September 2010, with further improvements to the scheme presented to the Planning Sub-Committee on 13<sup>th</sup> February 2012. These plans provide for a comprehensive redevelopment scheme on the existing stadium site subject to a S106 agreement and referral to the Mayor of London and Secretary of State (SoS). The redevelopment proposals include a new football stadium for THFC with increased spectator capacity, a food superstore, commercial and residential development as well as associated office and public space.
- 2.2 Critically, the development proposals present an opportunity for the Council's strategic regeneration goals to be realised in what is acknowledged and recognised as part of the Borough which suffers from endemic socio-economic deprivation and environmental degradation.
- 2.3 Members are asked to support the recommendations of this report recognising the economic, cultural and community benefits of the new football stadium and associated development in the eastern part of the Borough.

## **3. Recommendations**

### **Cabinet is recommended to:**

- 3.1 Agree that, as set out in the report at paragraph 5.8, the pre-conditions for compulsory purchase set by Cabinet on 16 November 2010 have now been met by THFC.
- 3.2 Resolve to make a Compulsory Purchase Order to acquire all land and rights within the Site shown edged red on the plan in Appendix 1 for planning purposes pursuant to Sections 226 of the Town and Country Planning Act 1990 (as amended), to enable Tottenham Hotspur Football Club (THFC) to build its new football stadium in Tottenham along with associated development supporting regeneration.
- 3.3 Note that THFC shall continue to seek to negotiate and acquire all necessary land and rights by agreement from the date of the resolution (if this is decided), until the Council considers it reasonable to make the Order.

- 3.4 Grant delegated authority to the Head of Corporate Property Services, in consultation with the Head of Legal Services and the Chief Financial Officer to agree the costs of the CPO to be paid by THFC, and only following the receipt of payments from THFC, to settle and complete the acquisition of the land interests of all owners, tenants, occupiers and others with a legal interest affected by the Scheme and who are included in the "London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2012".
- 3.5 Grant delegated authority to the Head of Legal Services, in consultation with the Chief Financial Officer and Head of Corporate Property Services to prepare and implement the London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2012 and preparation for and representation at a public inquiry if one is held.
- 3.6 Note that a separate report to Cabinet is on this Agenda which concerns entering into a Land Agreement with THFC if Cabinet resolves to make a Compulsory Purchase Order, and that the CPO resolution in paragraph 3.2 is subject to a Land Agreement, which includes a further indemnity agreement, being entered into, and an appropriate parent company guarantee, Bond or cash equivalent payment being provided by THFC by an agreed date which shall not be later than the date of notice by the Council to THFC that it intends to acquire the interests and rights under a CPO.
- 3.7 Note that a further report will be presented to Cabinet, in due course, dealing with the use of the Council's S.237 of the Town and Country Planning Act 1990 (as amended) land appropriation powers in respect of the Order land and the conversion of rights of property neighbouring the Northumberland Development Project Scheme to rights of compensation, in order to implement the scheme.

#### **4. Other options considered**

- 4.1 Option A – Not to support the NDP Project with the use of Compulsory Purchase Powers.
- 4.2 The implications of this option are that THFC may not be able to acquire the land needed and therefore they will not be able to secure funding and build the new stadium and associated development and the objectives identified in paragraph 1.3 will not be achieved.
- 4.3 Option B – Deferring the decision to use Compulsory Purchase powers to allow further time for a negotiated settlement with the parties.
- 4.4 In consultation with the Council, THFC has been actively negotiating with landowners for many years, and since the Council's 16th November 2010 "in principle" resolution these efforts have intensified in order to see if an agreement can be reached to acquire by private treaty. In the majority of cases, this has been successful, with the Club owning over 90% of the site. One remaining landowner has been unable to agree terms with THFC. THFC have shown satisfactory evidence to Council Officers that a CPO is now needed as a matter of last resort and deferring any decision will adversely impact on the ability to secure funding and delivery of the scheme.

#### **4.5 Background Information**

- 4.6 The development proposals submitted by THFC were granted planning permission on 20th September 2011 for a comprehensive redevelopment scheme on the existing stadium site following the completion of a combined S106 & S278 agreement. The redevelopment proposals included a new football stadium for THFC with increased spectator capacity, a food superstore, hotel and residential development as well as associated office and public space. Since then, the Planning Sub-Committee (13 February 2012) has resolved to grant new planning permissions for parts of the NDP Scheme (subject to entering a new s106 agreement and Mayoral and Secretary of State clearance), increasing development floor space and improving the design.
- 4.7 Critically, the development proposals present an important step towards realising the Council's strategic regeneration goals in what is acknowledged and recognised as part of the Borough which suffers from endemic socio-economic deprivation and environmental degradation. A framework for the delivery of proposed regeneration in Tottenham was set out in the report to the Cabinet's meeting on 7<sup>th</sup> February 2012.

#### **4.8 Land and rights to be included in the Compulsory Purchase Order**

- 4.9 The boundary of the CPO is shown outlined red on the Plan in Appendix 1 is the Order land. All the necessary land and rights within the redline boundary which need to be acquired for the scheme, will be acquired under the CPO to provide a clean title to the land. This includes land, buildings, sub-stations, mobile phone masts, plant, equipment, cables, pipes, rights and interest under, on and over the land.
- 4.10 An ownership plan of the land within the CPO redline boundary is shown in Appendix 1A. On that plan, the land coloured green is either controlled or owned by THFC, and amounts to over 90% of the site required for the development.
- 4.11 The land coloured pink is to be acquired for the scheme under the CPO. This pink land is currently a road and includes one remaining business/landowner who has been unable to agree terms with THFC. There are also some areas of land within the redline boundary which are controlled by THFC and which are unregistered and/or over which THFC has possessory title. These will also be included in the CPO, with the consent of THFC, to provide a clean title to the land.
- 4.12 An Order Map and Schedule of Ownerships has been drafted, following a land referencing exercise, and will be finalized and published as a part of the process for preparing the Order.
- 4.13 The Council owned land is coloured orange on plan in Appendix 1A. - The terms under which the Council will transfer it's own land for the scheme is the subject of a separate report on this Cabinet's agenda.
- 4.14 If the CPO resolution is made, this will be recorded in the Local Land Charges Register and disclosed on searches.
- 4.15 The whole of the Order land may be appropriated for planning purposes under S.237 and this will be subject of a further report to Cabinet.

## **5. Planning Framework**

- 5.1 The THFC NDP scheme can bring major benefits for Tottenham, signalling confidence in the area to counteract the negative images of last summer's riots. It will complement other important elements of the Tottenham recovery and regeneration strategy being spearheaded by the Council and partners. THFC's approved plans for a new Stadium and associated development can be the first step to securing major regeneration in North Tottenham. This catalyst, if properly harnessed, can provide the Council with a unique opportunity to secure more than just a stadium development. It can encourage regeneration across North Tottenham and beyond providing a new leisure destination, plus new homes and jobs in an area where investment is key to providing opportunity for local people.
- 5.2 THFC is already a major investor in the borough. The existing Stadium draws hundreds of thousands of visitors each year to Tottenham boosting the local economy. The work of Tottenham Hotspur Foundation supports local community groups, school children, young people and the unemployed. The Northumberland Development Project (NDP) Scheme with the new larger capacity Stadium, new retail and commercial floor-space as well as new homes, public space and heritage improvements, will create hundreds of new jobs many of which will be targeted to local people. The additional 20,000+ new spectators to each football match in the new Stadium (plus participants at non-football events and conferences) will bring substantial new spending in the local economy, supporting local businesses – both those supplying direct to the Stadium as well as those in the general area.
- 5.3 The NDP Scheme has planning permission and changes to the Scheme to boost viability, subject to Mayoral and Secretary of State clearance, are likely to have consent before the end of March 2012 when a new s106 agreement should be completed. The granting of planning permission was based on a thorough assessment of the Scheme demonstrating its fit with national, London and local planning policies.
- 5.4 The s.106 agreement secures substantial economic and employment benefits for the borough generally and Tottenham specifically. Cabinet has also authorised (7th February 2012) the start of work on promoting the regeneration of the wider area and has approved 10 Transformation Principles to guide this work. This work is stimulated by the NDP Scheme investment.
- 5.5 The recommendations in this report take a further step in helping to deliver the major investment in the NDP Scheme that will bring major economic benefits for Tottenham and enable the retention in the public interest of THFC's heritage and history in Tottenham. The socio-economic, cultural and community benefits of the new football stadium and associated development in Tottenham will not only bring much needed regeneration to the eastern part of the Borough but will also promote the redevelopment of other sites in the Borough. This, in turn, will lead to net socio-economic and environmental improvements that are in the public interest of Tottenham, the borough and, indeed, London.

## **5.6 Pre-conditions to CPO Resolution**

- 5.7. On 16th November 2010, Cabinet resolved "in principle" to make a CPO to support the NDP scheme if the following pre-conditions were satisfied:

- a) THFC will have to state unequivocally that they are staying in Tottenham and intend to operate from the new stadium and are not pursuing any interest in moving to a stadium or site elsewhere and will not do so prior to their occupation and use of the new stadium;
- b) The Council will need to be satisfied that there is a legally binding delivery mechanism (a S106 Agreement) with THFC which ensures that there is a comprehensive redevelopment of the whole Site and that the new football stadium will be built on the Site and completed within a reasonable time period of any other development on the site such as the supermarket being occupied or opened for business.
- c) The Council will need to be satisfied that THFC has a viable business plan and funding strategy, together with a full and sufficient indemnity agreement and appropriate financial bond covering the costs of making and confirming any such CPO/section 237 appropriation.
- d) That an Equalities Impact Assessment (EqIA) has been undertaken of the potential impact of the proposed Compulsory Purchase Order.
- e) That the Council is satisfied that it is not providing an illegal indirect subsidy or State Aid to THFC in the use of the CPO powers or S.237 land appropriation powers.

5.8 Officers consider that these pre-conditions have now been satisfied for the following reasons:

- a) THFC has stated unequivocally that it is staying in Tottenham and intends to operate from the new stadium and is not pursuing any interest in moving to a stadium or site elsewhere and will not do so prior to their occupation and use of the new stadium; see statement from the club attached as Appendix 2.
- b) There is a legally binding delivery mechanism via the S106 Agreement with THFC agreed by Planning Sub Committee on 13th February 2012 which ensures so far as possible that there is a comprehensive redevelopment of the whole Site and that the new football stadium will be built on the Site and completed within a reasonable time period of any other development on the site such as the supermarket being occupied or opened for business. There can, of course, be no absolute guarantee of this (or indeed any other) development proceeding. It will always be subject to securing appropriate financing and other matters (such as the sale of naming rights to the stadium), it is felt that this pre-condition has been secured as far as it is feasible to do so.
- c) Grant Thornton, as the Council's independent financial advisers, have indicated that they are satisfied that THFC has a business plan and funding strategy that, subject to meeting key challenges, has a reasonable prospect of delivering the NDP Scheme. The exercise of CPO powers is subject to there being a full and sufficient indemnity agreement and appropriate parent company guarantee, financial bond or equivalent being in place to cover the costs of preparing, making and confirming a CPO, so as to ensure that there is as little financial risk to the Council as possible.
- d) An Equalities Impact Assessment (EqIA) has been undertaken of the potential impact of the proposed Compulsory Purchase Order and the Council's Officers are

satisfied that the conclusions of that report indicate that any adverse consequences of the scheme identified in the EqlA are not such as to prevent it progressing. A copy of the EqlA is attached as Appendix 3 to this report.

- e) The Council has received advice from a QC that the exercise of CPO powers by the Council is appropriate for assembling the land and acquiring rights to implement the NDP scheme, and that it is not providing an illegal indirect subsidy or State Aid to THFC in doing so. S. 237 Land Appropriation Powers will be dealt with in a separate report to Cabinet in due course.

## **5.9 Statement of Reasons for the Compulsory Purchase Order**

- 5.10 Although the Statement of Reasons document is non-statutory, this is an important document and is served with the statutory notices when the Order is made. It describes the land within the Order boundary, give an outline of the case for the acquisition and of the proposed use and development, with details of the planning position, special considerations (e.g. listed buildings) policies and views of government departments, proposals relocation and details of any related Orders such as Highway Stopping up and closures.
- 5.11 At this stage of the process, in accordance with Government guidance, a draft statement of reasons for the CPO has been prepared, and is attached in Appendix 4 to this report. A final statement will be produced and will be served on Landowners with the statutory notices when the Order is actually made.
- 5.12 Compulsory purchase is a course of last resort, and the THFC, in consultation with the Council have been using all reasonable endeavours since the November 2010 Cabinet “in principle” resolution to agree terms with the remaining interested parties by voluntary means. (Exempt statement from THFC – Appendix 5).

## **6.0 Financial issues and risk to the Council in making a CPO**

### **CPO Costs**

- 6.1 As a matter of general principle all costs associated with the decision and Compulsory Purchase Order will be met by THFC, including:

#### 1. Administrative Costs of the CPO

- time spent by Council staff and consultants in progressing the CPO and land referencing ;
- legal costs of the Council (including any time spent by external Counsel and Legal Services);
- other relevant CPO related costs, including all costs, fees and expenses relating to any public inquiry (if there is one) in respect of the CPO;

The Council will be billing THFC these costs on a monthly basis under the terms of existing indemnity.

#### 2. Acquisition and compensations costs of the CPO

- payments to include acquisition costs and disturbance payments to all affected landowners, lessees or tenants which arise from the CPO and are a natural and reasonable consequence of the property being acquired; and
- compensation payments for any statutory nuisance, severance, injurious affection, interference with, disposal or acquisition of rights or interests, which flow as a consequence of the scheme.

THFC have agreed to provide a parent company guarantee, Bond (if requested by the Council) or cash equivalent sum for these costs before the Council acquires under a CPO by an agreed date, which will be before the Council incurs the expenditure under the terms of a further indemnity, which is the subject of a separate report to Cabinet on this agenda.

### **Financial exposure**

- 6.2 There are a number of areas of financial exposure associated with a CPO which were set out in the report to Cabinet on the 16th November 2010, and which have now been covered. In June 2011, THFC and the Council entered into a “first stage” indemnity agreement, which includes a parent company surety guarantee for the CPO costs to provide financial protection for the Council in respect of the resources to be devoted in preparing and making a CPO decision and the exercise of its compulsory purchase powers. Under this indemnity agreement, THFC shall pay to the Council to credit into a separate bank account opened by the Council within 28 days the amount of CPO costs that the Council estimate will be incurred, have been incurred, paid or are due for payment or will shortly be due for payment by the Council.
- 6.3 As a further safeguard for the Council on the CPO costs, and CPO process, a “Land Agreement”, with a further “second stage” indemnity agreement for the CPO costs, is being finalised with THFC. Under this second agreement, THFC will provide a parent company guarantee, bond or equivalent cash sum based on a compensation valuation report by an agreed date, which shall not be later than the date of notice by the Council to THFC that it intends to acquire the interests and rights under a CPO. This agreement will also cover costs of transfer of land and rights acquired under the CPO, and on the disposal of the Council’s own land for the scheme. Heads of Terms for this are set out in a further report on the same agenda for Cabinet approval.
- 6.4 In terms of project management, the CPO project is being led by the Council’s Director of Place and Sustainability, with the Assistant Director Planning and Regeneration, Head of Corporate Property Services, Head of Legal Services and Head of Finance being part of the project board. A joint project team has also been set up with THFC and their professional advisors to prepare and implement the CPO.
- 6.5 Officers are satisfied that the arrangements outlined above in terms of the first and second stage indemnity agreements, mean that there is no material financial exposure to the Council.
- 6.6 In terms of risk management, THFC have agreed to continue to negotiate with and acquire all necessary land and rights by agreement during the preparation and making of the CPO, and until such time as the Council considers it reasonable to take over the negotiations and acquire the land compulsorily (which may not be until a CPO is confirmed by the Secretary of State, following a public inquiry if there is one). In



addition, the Council will not compulsorily acquire the land until after CPO costs are deposited by THFC to the Council's bank account.

- 6.7 THFC has employed professional property advisors to advise them on the CPO process and compensation issues. Under the terms of the indemnity agreement, THFC has agreed for these professional advisors to provide technical support to the Council in implementing a CPO with the advisors owing a joint duty of care to the Council and THFC. Also under the indemnity agreement, the Council can and have obtained their own independent advice and the costs of this are rechargeable to THFC.
- 6.8 THFC have agreed to meet the costs of a public inquiry, if there is one and agreed to provide Director level witnesses and expertise.

### **Insolvency**

- 6.9 The worst-case scenario is if THFC became insolvent after the CPO resolution and was unable to pay costs that may be due to the Council.
- 6.10 The impact of this risk is minimised by the indemnity agreements, with the CPO administrative costs being recharged to THFC on a monthly basis, and a parent company guarantee, bond or cash equivalent sum being provided by THFC for any acquisitions or compensation payments before the Council will incur the expenditure.
- 6.11 In the unlikely circumstance that THFC became insolvent, the Council would be under an obligation to the landowner to complete the purchase unless the CPO was withdrawn. The Council would therefore need to consider whether or not rescinding the CPO resolution was feasible at the time and the costs of doing so.
- 6.12 In terms of holding any land acquire under the CPO, the intention is to transfer all interests to THFC as soon as practicable. In order to minimise this risk the transfer will be made almost as soon as possible after the land has been acquired, and mechanisms such as holding irrevocable deeds of transfer to THFC will be explored so that the risk (if any) only lasts for the minimum possible time.

### **6.13 Comments of Chief Financial Officer and Financial Implications**

- 6.14 Since Cabinet resolved in principle to make a CPO the Council has commissioned Grant Thornton to review the THFC business plan and funding strategy and they have concluded that the revised scheme approved by Planning Committee has a reasonable chance of success.
- 6.15 However before the Council proceeds with a CPO, Cabinet needs to be assured that any risks associated with the process have been fully mitigated. This would include THFC paying to the Council the amount of CPO costs that the Council estimate will be incurred, have been incurred, paid or are due for payment or will shortly be due for payment by the Council. The Head of Legal Services and Chief Financial Officer will need to agree the final format of all related documents.
- 6.16 The cash payment by THFC must cover the full costs to the Council of not just the acquisition of land but also the costs of the CPO process and any holding costs to the Council must be paid before the Council proceeds to acquire the land compulsorily.

6.17 The making of the CPO should not commence until any outstanding sums owing to the Council by THFC under the previous indemnity agreement have been settled in full.

## **7. Head of Legal Services Comments and Legal implications**

### **7.1 Compulsory Purchase**

7.2 The Council is using its compulsory purchase powers to help implement this regeneration scheme.

7.3. The CPO is being made using planning powers pursuant to Section 226(1) (a) of the Town and Country Planning Act 1990. Section 226(1)(a) enables authorities with planning powers to exercise their compulsory acquisition powers if they think that acquiring the land in question will facilitate the carrying out of development, redevelopment or improvement on or in relation to land. It must not be certain that it will be able to be acquired it by agreement. Section 226(1A) provides that the acquiring authority must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area. In deciding whether to make a CPO using planning powers, the Council would be required to demonstrate that there is sufficient justification for acquiring the land compulsorily and that there is a compelling case for a CPO. This is set out in the draft statement of reasons attached in appendix 4 to this report.

7.4 In addition, the relevant government guidance (Circular 06/2004) states that any programme of land assembly must be set within a clear strategic framework. The guidance goes on to state that such a framework will need to be founded on an appropriate evidence base and to have been subject to consultation processes, including with those whose property is directly affected. Cabinet when making the CPO, and the Secretary of State, when considering whether to confirm it, would be required to have regard in particular to whether the purpose for which the land is being acquired fits with the adopted planning framework for the area.

### **7.5 Human Rights Act 1998 Implications**

7.6 The Act effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention. The rights that are of particular significance to Cabinet's decision are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

7.7 Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interest of the economic well being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of the 1st Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.

7.8 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the general interests of the

community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

7.9 Therefore, in deciding whether to proceed with the recommendations, Cabinet needs to consider the extent to which the decision may impact upon the Human Rights of the landowners and residents and to balance these against the overall benefits to the community, which the redevelopment will bring. Members will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.

7.10 (Exempt)

7.11 (Exempt)

## **8. Equalities and Community Cohesion Comments**

An Equalities Impact Assessment (EqIA) is attached in Appendix 3 to this Report.

The Council is required to complete an Equalities Impact Assessment (EqIA) as part of the making of The London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2012 for the purposes of meeting its obligations under the Section 149 of the Equality Act 2010. This requires the Council to have due regard to the need to:

- i. eliminate discrimination, harassment and victimisation of persons protected under that Act (protected characteristics);
- ii. advance equality of opportunity for protected characteristics; and
- iii. foster good relations between groups who share a protected characteristic and those that do not share that characteristic.

Adopting the nine step approach consistent with the Council's Service Delivery Template, the EqIA identifies that the impact on any persons or groups protected under the Act is likely to be positive and in some instances, significantly so.

This shows that there are no adverse consequences that will arise from the proposed decision.

## **9. Policy Implications**

The recommendations are consistent with the planning policies and the Council's regeneration strategy for the area. The disposal of land acquired under the CPO process to THFC and the disposal of the Council's land interests is dealt with in a separate report on this Agenda, and are consistent with corporate asset policy as set out in the Asset Management Plan.

10. **Use of Appendices** Appendix 1: CPO redline boundary plan

- Appendix 1A: Land Ownership Plan.
- Appendix 2: Statement by THFC
- Appendix 3: Equalities Impact Assessment Report
- Appendix 4: Statement of Reasons for the CPO (draft)
- Appendix 5: (Exempt)
- Appendix 6: (Exempt)

## 11. Local Government (Access to Information) Act 1985

### 11.1 Background Papers

24<sup>th</sup> February 2009 - Northumberland Development Project

30<sup>th</sup> September 2010 – Planning Committee Report on NDP Application

16th November 2010 – Cabinet Report on “in principle” CPO resolution.

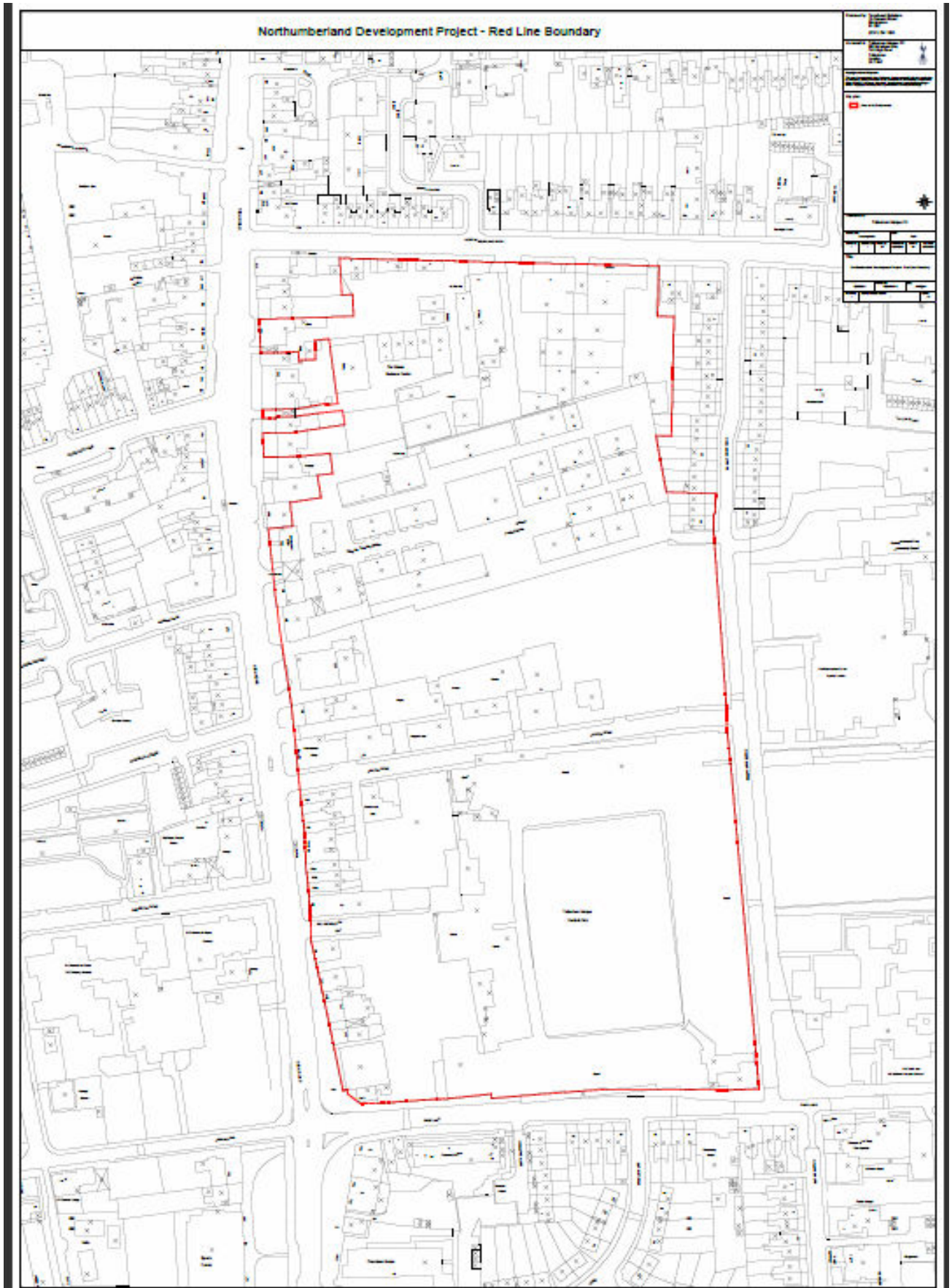
7<sup>th</sup> February 2012 – Cabinet Report “Funding and Investment Package” for Tottenham Regeneration Programme.

13<sup>th</sup> February 2012 - Planning Sub-Committee Report on variations to S.106

11.2 The report contains exempt information. Exempt information is contained in Appendix A and is **not for publication**. The exempt information is under the following category (identified in amended schedule 12A of the Local Government Act 1972):-

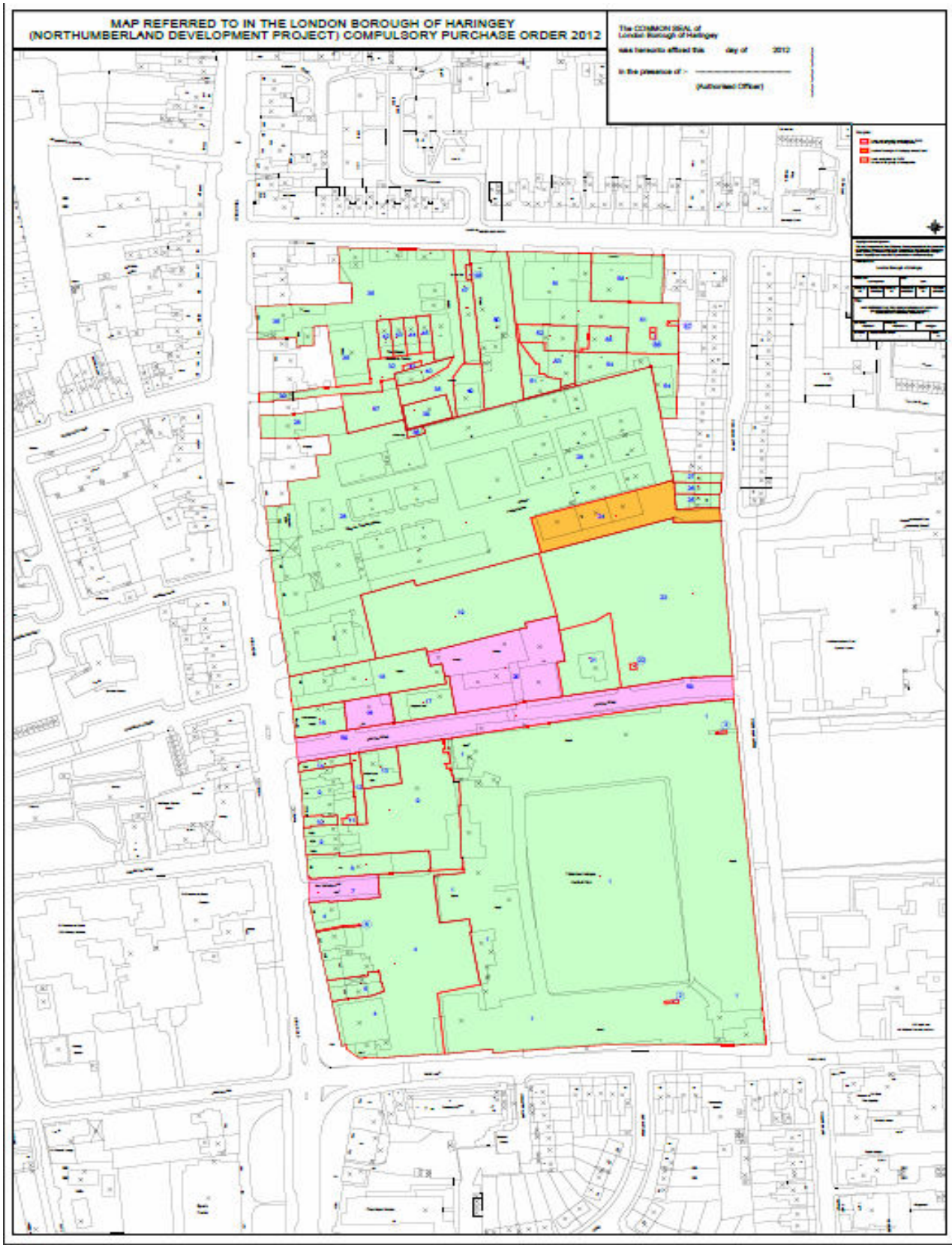
S(3) Information relating to the financial or business affairs of any particular person including the authority holding the information.

**APPENDIX 1 – REDLINE BOUNDARY OF COMPULSORY PURCHASE ORDER LAND**





APPENDIX 1A – LAND OWNERSHIP PLAN



APPENDIX 2 – STATEMENT BY THFC COMMITTING TO STAYING IN TOTTENHAM  
AND THE NEW STADIUM

**Chairman, Daniel Levy, Speech, Annual General Meeting, 13 December 2011**

As is customary, before we start on the official business I should like to say a few words to the meeting.

I am once again able to start by saying that I am delighted we have had a year where turnover has reached a record high – to which I am also able to add how delighted we are to have seen the team perform so well during this period in the Champions League, reaching the quarter finals and how delighted we are today with our current performance in the Premier League.

Everything we do at the Club is driven by the desire to have the best on pitch performance possible and I believe the position we find ourselves in today validates both our significant investment over the past years and the focus we have on assembling and retaining top talent.

Having tasted the Champions League we were obviously disappointed not to return to it immediately for a second season, and we are also disappointed to find ourselves in a difficult position in the Europa League right now, but nothing can detract from the way we are currently playing football and the sheer entertainment that we are providing for fans and neutrals alike. It is a joy to read the accolades for our style of play and long may it continue.

As I said at the time we released our figures, ten years ago we set out to create a First Team squad that could compete for the highest honours both domestically and in Europe, to deliver a new Training Centre and an increased capacity stadium. I am delighted to report on the substantial progress we have made in all these areas.

You will have seen on the screen this morning the latest photographs of the new Training Centre under construction in Enfield. It will be a truly stunning facility, the most up-to-date of its kind. We have spent much time and effort on the detailed planning and layout of this facility such that it encompasses the philosophy and procedures that we have set as our approach to player development and training. It has attracted much interest from our competitor Clubs.

We look forward to the final commissioning of the project in the summer of 2012 when it will become home to our First Team squad and the exciting talent amongst our younger Academy teams.

As you arrived here this morning you could not have failed to notice the amount of work, most of it demolition, that has been taking place around the existing stadium. No one should now doubt our intentions to seek to deliver a world class stadium here in Tottenham.

A financing package will need to include bank finance, enabling development and sponsorship. Quite clearly any significant, further investment by the Club would need to be in the context of a commitment by the public sector to fund public infrastructure works to create the environment and confidence to commit further.

These public monies would be entirely for public works, not for the stadium or any of the associated Club developments and would contribute to the general uplift of the borough,

thereby creating an area in which the Club can justify hundreds of millions of pounds of investment, secure funding and be a catalyst for further regenerative investment.

A new stadium continues to be central to delivering our ambitions for this Club and I should say, at this stage, we are encouraged by the level of support there is for our plans and for giving the area of Tottenham the focus and attention it deserves.

The major disturbances we saw in our neighbourhood in August 2011, happened on our doorstep, but made headlines around the world. There is now a real recognition of the potential our new stadium scheme has to kick-start regeneration in this area.

We, your Board, have always highlighted the need for a viable and sustainable business, operating within our means. A new training centre which will allow us to develop our own young players and bring them through to the First Team and an increased capacity stadium producing greater matchday revenue, are important ingredients in enabling us to achieve this. Early on, we recognised that football clubs would need some form of financial regulation and it was for this very reason that we set out our plans for both capital expenditure projects. We now welcome the forthcoming new system of Financial Fair Play in the game that we hope will level the playing field and endorse the way we have operated to date.

We fully support the UEFA regulations alongside the Premier League's view on Financial Fair Play and we shall be a test case in the run up to its implementation. Our hope is that the rules are accepted in the spirit of the game to ensure its integrity and values are based on fair competition.

We were delighted that Harry recovered so well from his recent heart surgery. Plaudits must go to him, the coaching and playing staff for a truly exciting season. The training ground is a place of immense self belief this season and our stadium has seen fantastic displays of our style of football. It was always Bill Nicholson's wish that our players should remember they are there to entertain the supporters and I think he would be proud of our team today.

I should like to pass on our thanks to Keith and Kevan for their invaluable support as our Non-Executive Directors. Keith has the small task of delivering the London 2012 Olympics and we wish him great success with that – he has already been responsible for much of the success and progress of the event to date.

A little later this morning we shall vote on de-listing the Company. At a time when we need the greatest flexibility and ability to raise finance, we have determined that this is the most pragmatic option. I am conscious therefore that this may be the final formal AGM, but I am delighted that so many of our shareholders have indicated that they wish to remain with us and stay part of any new private company, thereby ensuring they will continue to be part of the future of the Club.

I should therefore like to conclude my opening remarks by thanking everyone who is part of the team behind the success of the Club – Harry and the coaches, the players, all our staff, our shareholders and, importantly, all our fantastic, loyal supporters.

I am very proud to have been your Chairman for ten years and to have achieved all that we have – it is undoubtedly the result of great teamwork. Thank You.



## APPENDIX 3 – EQUALITIES IMPACT ASSESSMENT REPORT

## Northumberland Development Project

### Equalities Impact Assessment for Compulsory Purchase Order

#### Executive Summary

This note is intended to enable Haringey Council (the Council) to complete an Equalities Impact Assessment (EqIA) of The London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2012 for the purposes of meeting its obligations under the Section 149 of the Equality Act 2010. This requires the Council to have due regard to the need to:

- i. eliminate discrimination, harassment and victimisation of persons protected under that Act (protected characteristics);
- ii. advance equality of opportunity for protected characteristics; and
- iii. foster good relations between groups who share a protected characteristic and those that do not share that characteristic.

The Council's Cabinet resolved at a meeting on 16 November 2011 that approval be granted in principle to the use of Compulsory Purchase Order (CPO) powers for planning purposes pursuant to Sections 226 and or 237 of the Town and Country Planning Act 1990 (as amended) to enable Tottenham Hotspur Football Club (THFC) to carry out the Northumberland Development Project (NDP).

The CPO is primarily required to complete the assembly of the land required to enable the implementation of the NDP, which in turn, will act as a catalyst for the regeneration of North Tottenham. Although THFC has already acquired approximately 90% of the interests within the Order land (by area), it is seeking control of all interests within the application site boundary in order to implement the planning permission. The principal remaining interest to be acquired by the CPO under Section 226 is Archway Steel Ltd.

The structure of this note is consistent with the Council's Service Delivery Template, which sets out nine steps:

Step 1 (Identify the Aims of the Policy/Service/Function): The central aim of the project is to underpin the long-term future of THFC in this location by providing a new stadium with increased capacity, alongside associated residential, educational, healthcare and retail facilities.

Step 2 (Consideration of Available Data/Research/Information): The context of the development is of key significance when addressing the potential outcomes for different groups. The socio-economic baseline (paras. 12.3.4 – 12.3.38 of the Society and Economics Environmental Statement (ES) Chapter) includes the demographic data pertinent to EqIA.

Step 3 (Assessment of Impact): The use of CPO powers in relation to the NDP is considered to have three impacts. The first is upon the wider community whose daily lives will be affected by the completed development. It is considered that there are certain aspects of the development that may have impacts on specific groups:

- disability – the impact of design on accessibility;
- race – the impact of affordable housing provision on target groups; and
- age – the impact of design and housing provision on children and older people.

The impacts associated with the NDP are considered positive, sometimes significantly so and would be achieved principally through the following means:

- through the provision of additional temporary (construction and Event Day-related) and permanent (operational) employment opportunities: advancing equality of opportunity;

- by eliminating discrimination, harassment and victimisation through the implementation of the Council's Equal Opportunities Policy;
- maximising net additional employment and minimisation of employment displacement through the implementation of the jointly agreed LBH/THFC Relocation Strategy;
- through the provision of additional sporting opportunities (through an enhanced Tottenham Hotspur Foundation), the provision of additional high quality open space and public realm;
- through higher profile and improved facilities for the Tottenham Hotspur Foundation to be based at White Hart Lane;
- through the provision of up to 285 new homes;
- through reductions in deprivation and crime as a result of significant public and private investment in area;
- through careful engagement with and strenuous efforts to cater for local religious institutions/faith groups (e.g. the building of a new Kingdom Hall by THFC to facilitate the relocation of Jehovah's Witnesses from their existing Kingdom Hall on Paxton Road); and
- through the consideration of disabled access at all stages of design and the participation of THFC in a Consultative Access Group (CAG) with the National Association of Disabled Supporters (NADS), local Tottenham disabled supporters and local community and disability organisations

Step 4 (Consult on the Proposal): The approved scheme was supported by a Statement of Community Involvement (SCI), which set out THFC's pre-submission consultation activities. Section 1 (Executive Summary) of the SCI summaries these activities, which included two public exhibitions (held in November 2008 and April 2009). The SCI and overall approach to community consultation was devised in consultation with the Council.

Step 5 (Addressing Training): Training opportunities will be improved through NDP planning obligations and £1.5m of Mayoral funding.

Step 7 (Summarise Impacts identified): Young people in particular will benefit from the additional training opportunities. All age groups will benefit from the additional employment opportunities and improved open space and public realm. Disabled people will benefit from improved accessibility to all aspects of the proposals and in particular, the provision of a proportion of wheelchair accessible homes; improved open space and public realm; and an Inclusive Access Strategy. BAME groups in particular will benefit from new employment and training opportunities and also from the targeted work of the Tottenham Hotspur Foundation. Women in particular will benefit from the new employment and training opportunities created by the project. The one religious group most directly affected by the project (Jehovah's Witnesses using a Kingdom Hall on Paxton Road) have been catered for through the provision of a purpose-built Kingdom Hall on the site of the former Park Tavern PH on Northumberland Park. The new Kingdom Hall has been completed and is now in use.

Step 8 (Summarise The Actions To Be Implemented): This refers to any actions that will be implemented to address the issues raised in by the EqlA.

Step 9 (Publication & Sign Off): Along with other key EqlAs carried out by Haringey Council, this EqlA will be published on the Council's website by the Policy, Intelligence and Partnership Unit.

## **1. Introduction**

- 1.1 This note is intended to enable Haringey Council (the Council) to complete an Equalities Impact Assessment (EqlA) of The London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2010 for the purposes of meeting its obligations under the Section 149 of the Equality Act 2010. This requires the Council to have due regard to the need to:
- iv. eliminate discrimination, harassment and victimisation of persons protected under that Act (protected characteristics);
  - v. advance equality of opportunity for protected characteristics; and

- vi. foster good relations between groups who share a protected characteristic and those that do not share that characteristic

For the purpose of the Act, protected characteristics refer to persons or group who share one or more of the following characteristics: Age, disability, ethnicity/race, sex (formerly gender), religion and belief, marriage and civil partnership, pregnancy and maternity, gender reassignment and sexual orientation.

- 1.2 The Council's Cabinet resolved at a meeting on 16 November 2011 that approval be granted in principle to the use of Compulsory Purchase Order (CPO) powers for planning purposes pursuant to Sections 226 and / or 237 of the Town and Country Planning Act 1990 (as amended) to enable Tottenham Hotspur Football Club (THFC) to carry out the Northumberland Development Project (NDP).
- 1.3 The CPO is primarily required to complete the assembly of the land required to enable the implementation of the NDP, which in turn, will act as a catalyst for the regeneration of North Tottenham. Although THFC has already acquired approximately 90% of the interests within the Order land (by area), it is seeking control of all interests within the application site boundary in order to implement the planning permission.
- 1.4 The principal remaining interest to be acquired by the CPO under Section 226 is Archway Steel Ltd.
- 1.5 Section 237 provides additional powers to supplement compulsory acquisition of land ownership, including an ability to extinguish rights and restrictions preventing any relevant development programme. In the case of the NDP, these rights and restrictions relate to the rights to light claims of the parties identified at in the Schedule of Interests that will accompany the Order..
- 1.6 In preparing this note, regard has been had to the purposes of an EqIA as set out in the Council's EqIA Service Delivery Template (updated November 2011), which are to:
- Identify whether and to what extent this proposal could produce, disadvantage, or enhance opportunity for any groups with the protected characteristic defined in the Equality Act 2010.
  - Establish whether the potential disadvantage is significant enough to call for special measures to remove or reduce the disadvantage.
  - Identify and set out the measures that will be taken to remove or reduce the disadvantage.
  - Where mitigation measures are not possible, to set out and explain why.
  - To ensure that Members are fully aware of the implications the proposal may have for the Council's public sector equality duty before they decide on the proposal.
- 1.7 The structure of this note is consistent with the Council's Service Delivery Template and draws upon the material submitted within the May 2010 planning and related applications for the NDP.
- 1.8 Where relevant, reference is made to the Section 106 Legal Agreement and the planning obligations that have been negotiated between THFC and the Council.

## **2. Step 1: Identify the Aims of the Policy / Service / Function**

- 2.1 The central aim of the NDP is to underpin the long-term future of THFC in this location by providing a new stadium with increased capacity, alongside associated residential, educational, healthcare and retail facilities in order to:
- provide physical regeneration, new jobs, homes, visitors, inward investment and community facilities in an area of severe deprivation;
  - meet policy objectives for providing a catalyst for wider regeneration in the Tottenham High Road and North Tottenham area; and
  - maximise local benefits of the scheme on match days and non-match days.

**3. Step 2: Consideration of Available Data/Research/Information**

3.1 The context of the development is of key significance when addressing the potential outcomes for different groups. The socio-economic baseline (paras. 12.3.4 – 12.3.38 of the Society and Economics Environmental Statement (ES) Chapter) includes the following demographic data pertinent to EqIA:

*“The Northumberland Park ward has a relatively young and ethnically diverse population with over a quarter of residents being under 16 and just under half being under 30. The wider Tottenham area also has a younger age profile than Haringey and London. London’s population has continued to become more ethnically diverse since the 2001 Census, and this is magnified in Haringey with Black, Asian and Minority Ethnic (BAME) groups making up an estimated 52% of the population. 38% are black, 6% Asian, 5% Mixed race and 3% other ethnicity (Census, 2001). The population profile of Northumberland Park and Tottenham (east Haringey) is weighted towards younger people, with a lower proportion of residents aged 65+ compared to London (9% compared to 12%), and a higher proportion of people aged under 16 (26% compared to 20%). On average there is a similar proportion of students, retired people, people looking after home / family and permanently sick / disabled people among economically inactive residents in Northumberland Park and Tottenham compared to London. However, the proportion of economically inactive is slightly higher at the local level (Census, 2001).”*

3.2 The sources of population data for the ES and that can be drawn upon for the EqIA can be found in public datasets and survey. Ethnicity, gender, age and religion data is taken from 2001 Census 2001, which holds key information at local spatial levels and this has been supplemented where appropriate by the local authority’s own surveys, Census Mid-Year Estimates and Annual Population Survey (although this only provides district-level data). Incapacity Benefit Claimant data has also been accessed via DWP datasets, but again returns only borough-level statistics.

**4. Step 3 – Assessment of Impact**

4.1 The use of CPO powers in relation to the NDP is considered to have three impacts. The first is upon the wider community whose daily lives will be affected by the completed development. It is considered that there are certain aspects of the development that may have impacts on specific groups:

- disability – the impact of design on accessibility;
- race – the impact of affordable housing provision on target groups; and
- age – the impact of design and housing provision on children and older people.

4.2 This wider community will also benefit from the development in the ways set out either the Planning Statement Executive Summary, which sets out the context for the proposals, the proposals themselves, as well as planning and regeneration benefits that will accrue once the scheme is developed.

4.3 The more narrow impacts will be felt by those parties affected by the provisions of Section 226 and Section 237.

***Operational Employment: Advancing equality of opportunity***

4.4 As stated in paragraph 1.1 above, advancing equality of opportunity is a part of Section 149 duty under the Equality Act 2010. We describe in this section how the proposed development scheme will fulfil this duty for sections of the population that evidence show are disadvantaged on many indices of life’s chances including employment.

4.5 The provision of new jobs through regeneration projects can have significant impacts on equalities target groups (including BAME residents, young people, and women returning to work), potentially offering employment and training opportunities to help address the needs of unemployed or low-skilled residents, of which there are generally a higher proportion in areas of higher deprivation. The London Skills Survey (2002) highlighted the variations in economic status by demographic factors and by qualifications held, identifying that London residents are on average more likely to be unemployed if they hold low levels of qualification, if they have a disability or if they come from a BAME community.

4.6 The local area has high unemployment levels (JSA Claimant Count Data) and low skills attainment (Census, 2001), and the development presents an opportunity for the Club and Council to work with local agencies to improve job prospects for local people in accordance with objectives of Haringey’s planning policies and Regeneration Strategy.

- 4.7 The direct operational employment impacts of the NDP will be an increase of around 100 FTE jobs within THFC in a range of positions, including the shop, museum and management of the Stadium and non-match day events, and 330 additional match day staff, due both to increased capacity and higher levels of catering and hospitality provided (see para. 12.5.2 of the ES).
- 4.8 There will be further opportunities for employment resulting from non-football use of the stadium seven days per week, through non-match day temporary and part time employment in providing catering and hospitality for conferences and events (see para. 12.5.3 of the ES). In addition, a number of jobs will be created through the development of the foodstore to the north of the proposed redeveloped stadium. Using standard floorspace to jobs ratios, this would provide around 430 FTE jobs (see paras. 12.5.4-5 of the ES).
- 4.9 The additional employment will primarily be in the retail, hospitality and catering sector. The likely occupational breakdown of jobs in this sector, based on the current structure of the industry in London (Annual Business Inquiry, 2009), compares favourably to the local occupational base. This includes all residents in Northumberland Park (Annual Business Inquiry, 2009), the sought occupations of unemployed residents in Northumberland Park (JSA Claimant Count data), and the residents of the inner and wider impact areas.
- 4.10 There will be a very good fit, therefore, between the large number of entry level jobs in the new development and the types of jobs local unemployed people are looking for.
- 4.11 Any retail, leisure or restaurant floorspace to be provided as part of the proposed development can also be important for local employment as it provides many opportunities that are suitable for people without high level qualifications.
- 4.12 As well as having a close occupational fit with the local labour market, retail employment in London tends to have a strong local travel to work catchment. The most recent available data shows that around 13% of jobs in Northumberland Park are taken by residents of the ward, 32.5% by residents of the inner impact area (which includes the surrounding wards of Seven Sisters, St Ann's, Tottenham Green, Tottenham Hale, Bruce Grove, West Green, White Hart Lane, and Upper Edmonton) and 53% by residents of the wider impact area (London as a whole) (Census, 2001). GLA data<sup>1</sup> shows that of retail jobs in London 43% are taken by residents of the same Borough, compared to a 30% of all jobs, with higher proportions outside the West End and central London. It is outlined in the ES (para. 12.5.19) that local employment penetration of the retail jobs is expected to be significantly higher than the current average in the ward with up to 20% of jobs taken by residents of Northumberland Park ward, 50% by residents of the inner impact area and 80% by residents of the wider impact area, covering the boroughs of Haringey and Enfield.
- 4.13 Such employment is, therefore, particularly likely to benefit local residents, and as such a significant proportion of equalities target groups, for example the high proportion of BAME residents who live locally in deprived areas. In addition, research by the GLA<sup>2</sup> found that retail jobs in London go disproportionately to a number of key equalities target groups, including young people, women and BAME people. For example, 20% of people working in retail in London are in the 16-21 age group, compared to only 4% in the London economy generally, underlining the importance of retail as a route into work and a first job for many people. Since younger people are disproportionately represented in Northumberland Park compared to London, the provision of these type of job opportunities may be of significant benefit to this equalities target group. The same trend can be seen for people from BAME communities who make up around 35 per cent of the retail workforce compared to 20 per cent in the rest of the London economy. This means that the retail sector can play a very important role in addressing some of London's most pressing problems of worklessness and the regeneration of deprived areas and for addressing the needs of equalities target groups.

<sup>1</sup> GLA (2005) Retail in London Working Paper B: Retail and Regeneration

<sup>2</sup> Mayor of London (2006) Working Paper E: Retail in London

- 4.14 The 'London Divided' report by the Mayor of London suggests that black and minority ethnic Londoners account for 28% of London's working age population, but 45% of those are unemployed.<sup>3</sup> The 'gateway role' of the retail sector can provide part-time, flexible working for local residents, often those most at risk of exclusion from the labour market. In addition, the retail sector employs more ethnic minorities than the average for all industries both in London and at a National level. At the national level, ethnic minorities make up 9% of the retail workforce.<sup>4</sup>
- 4.15 These sectors typically have a strong focus on local recruitment programmes followed by clear internal training programmes and promote progression from entry level jobs to supervisory and management roles, particularly in larger retail / supermarket units. The employment structure of the sector is well suited to the area with jobs split roughly 50:50 between part and full time, around 70% of jobs at entry level and around 30% at managerial level, allowing good opportunities for career development<sup>5</sup>. Part-time jobs can be specifically beneficial to equalities target groups, for example offering suitable routes back in to work for women returning from maternity leave.

***Eliminating discrimination, harassment and victimisation***

- 4.16 In terms of operational employment legislation, The Equality Act 2010 makes it unlawful to discriminate against employees, jobseekers or trainees on the basis of any of the protected characteristics outlined in paragraph 1.1 above. Section 149 of the Act imposes a proactive duty to eliminate discrimination, harassment and victimisation. The Council's Equal Opportunities Policy commits it to use its influence on the people it does business with to ensure that they embrace the spirit of the policy and strive to uphold this duty in their delivery employment and services. In regard to this development scheme, the Council will work with the relevant agencies involved to ensure that this will be the case.

***Net Additional Employment and Displacement***

- 4.17 For relocations, 50% of jobs will be relocated to the wider impact area, slightly higher than that reported for Olympic relocations on the basis that employment in N17 studios and parts of the High Road often serves local markets or is involved in local public service or voluntary sector provision and therefore is more likely to relocate locally (para. 12.5.11 of the ES). It has also been estimated that approximately half of this will be within Tottenham / East Haringey (para. 12.5.11 of the ES). As such, the local economy would not be significantly disadvantaged in terms of the loss of SMEs and the GVA they bring to the local area, and the opportunities for employment. These assumptions are based on the *Lower Lea Valley Olympic and Legacy Planning Applications, Appendix 6 to the Environmental Statement (Relocation Strategy) produced for the LDA (2006)*.
- 4.18 In addition, for displacement of retail activity, levels of displacement of 21% and 38% respectively for the inner and wider impact areas based on Table 4.4 of the English Partnerships' Additionality Guide, which identifies these levels of displacement for "immediately adjacent areas" and "the district level" respectively (para. 12.5.12 of the ES).
- 4.19 THFC agreed a relocation strategy with the Council in September 2008, which it has been implementing since. As at May 2010, approximately 90% of the N17 Studios has been demolished. With the exception of two commercial tenants who have retired, the Club has successfully relocated the sixty tenants to premises elsewhere primarily within Tottenham or Haringey. The only party with whom agreement has not yet been reached is Archway Steel Ltd.

***Tottenham Hotspur Foundation***

- 4.20 The Tottenham Hotspur Foundation (THF), currently based at the stadium, works with a wide range of partners including central and local government departments, schools, colleges, businesses and charitable trusts to design programmes that engage with all sections of the community to provide sports, health, training and education programmes in an area of significant deprivation with a high proportion of disadvantaged equalities target groups.

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<sup>3</sup> Mayor of London (2002) London Divided: Income inequality and poverty in the capital

<sup>4</sup> Mayor of London (2006) Working Paper E: Retail in London

<sup>5</sup> Skillsmart Retail (2008) Regional Background Brief - London

- 4.21 The development will provide THF with opportunities to provide higher profile, multi-purpose 'walk-in' facilities that can be shared with partner agencies such as the PCT and will offer expanded education and training facilities. It will also be responsible for the management of the new multi-functional public space on the south podium. As such, it can offer significant benefits to community groups by offering open access to all members of the public and offer significant opportunities for younger people as part of partnerships built with local schools that can lead towards pathways for employment in the local area.
- 4.22 The NDP offers the opportunity for THF to bring its main operations together in one high profile location that has a front door to the local community via the southern pedestrian route from the High Road to Worcester Avenue.
- 4.23 The Regeneration Strategy (para. 1.46) draws on research that considers that the redevelopment of stadia can help deliver on a wide range of social agendas including health, sports participation, social inclusion, education and crime reduction<sup>6</sup>.
- 4.24 As such, THF can ensure that it continues to target its activities to address the needs of traditionally excluded groups, building on its work with looked after children, disabled young people, and black and minority ethnic and faith communities. THFC has committed space in the proposed development to continue to address the needs of all generations in the local area including older people as well as children and families.
- 4.25 THFC and the Council have agreed planning obligations whereby THF must consult with the Council to align its programmes and strategies with those of the Council. THF will develop and implement a programme of activities on the south podium to promote educational attainment, support social inclusion and encourage increased participation in sports and leisure activities among young people and families. THF will also be able to make use of appropriate facilities within the stadium to assist in the implementation of its programmes and objectives and this will include the hosting of educational visits both during the construction and operational phases of the stadium.

***Provision of New Homes***

- 4.26 The original NDP approval makes provision for up to 200 residential units that are indicatively broken down into 56 1-bedroom flats, 56 2-bedroom flats, 49 3-bedroom flats, and 39 4-bedroom flats and townhouses.
- 4.27 A revised scheme for the southern element of the project has been approved and makes provision for up to 285 residential units that would be provided as either 1-bed and 2-bed accommodation. Whilst this proposal is again submitted in outline only, it was noted during consideration of the original scheme that the NDP proposal, and specifically the proximity of the southern element to a football stadium, is less well suited to family homes and that this, together with the market for larger apartments in the current climate, is the justification for the mix that is currently anticipated.
- 4.28 It is anticipated at this stage that all of the units proposed will be available on the open market, although the broad tenure mix is still subject to ongoing discussions between the Football Club, the LPA and the Mayor of London.
- 4.29 At least 10% of the new homes will be either wheelchair accessible or readily adaptable for wheelchair use.

***Deprivation and Crime***

- 4.30 Tackling deprivation by closing the gap between the most deprived neighbourhoods and the national average is a focus of national and regional policy. This is especially the case in areas that rank amongst the 10% most deprived in England on the Government's Index of Multiple Deprivation (IMD), with concentrations of low income, unemployment, poor health, poor educational attainment, poor housing conditions, high crime and poor living environments. Multiple deprivation blocks the routes out

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<sup>6</sup> Football Foundation (2006) Football and its Communities: Final Report

of poverty and deprives the economy of workers, customers, entrepreneurs and taxpayers, with additional costs arising from higher unemployment, poor health and high crime rates. As such, the problem bears unequally on different groups in society, with people from ethnic minorities and young people disproportionately likely to live in deprived neighbourhoods and experience negative living conditions. This is set out in para. 12.3.19-21 and Figures 12.6-7 of the ES.

- 4.31 In addition, the incidence and perception of crime is considered an issue for equalities target groups as there may be a risk that equalities target groups, for example BAME communities, are disproportionately more likely to be victims of crime (Haringey's Safer for All Strategy, 2008, referenced at 12.3.24 in the ES). It is noted that the local area has higher than average recorded crime rates (ES, para. 12.3.22), and the impact of crime can be compounded by the prevalence of deprivation.
- 4.32 Though a new stadium increases the number of people attending, this does not necessarily correlate to an increase in crime, and a larger stadium can broaden the range of fans attending and allow more room for family or corporate areas. Indeed the more modern design and layout will allow for improved crowd management.
- 4.33 As crime in an area is affected as much by underlying social factors as the physical environment, it is not possible to provide a quantified assessment of the impact of a development project on crime. It is worth noting, however, that the Metropolitan Police, the British Transport Police and CAGE all supported the approved scheme.
- 4.34 The project provides a wide range of uses that will animate the newly created public areas and provide an enhanced level of natural surveillance. The provision of high quality and well-maintained public space with increased activity in terms of footfall generated by residential and commercial uses will add to the increased perception of safety and reduced fear of crime. The public spaces in the development will be well lit; overseen by CCTV and incorporate the principles encompassed in the Metropolitan Police's "Secured by Design" initiative, as well as incorporating required anti-terrorism measures.
- 4.35 A number of elements have been included in the design to ensure that the site is safe for users. The boundary to the stadium will be secure, and where this cannot be achieved using building lines or walls, bollards are proposed as the most efficient way of maintaining a barrier but ensuring that the anticipated pedestrian flows are not restricted. The site will also be covered by CCTV seven days a week to give comfort to users and to enable efficient management of the site. Safe use of the site will be made possible in the evenings and at night by ensuring that there are sufficient levels of lighting across the public realm.
- 4.36 These measures will aim to ensure a well-designed, active environment that will discourage the act of crime and improve public perceptions of safety, which can have a significant impact for equalities target groups who are at present disproportionately affected by crime and deprivation.

***Sport, Open Space and Public Realm***

- 4.37 The *Strategic Review of Health Inequalities in England*<sup>7</sup> highlighted that people living on a low income in deprived urban areas are more likely to experience worse health and be less physically active. Further research by CAGE<sup>8</sup> notes that some of the most acute effects of deprivation are felt by black and minority ethnic communities living on a low income in urban areas, with the poor quality of their local environment having a considerable impact on health and wellbeing. It notes that people living in deprived urban areas recognise and appreciate the value of local public open spaces, but they underuse the spaces that are most convenient because the spaces are often of poor quality and feel unsafe. This study concluded that only 1% of those living in social housing reported using the public open spaces on their own estates and the biggest barriers to doing so were found to be fear about personal safety, a lack of facilities and poor quality environments.

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<sup>7</sup> The Marmot Review (2010)

<sup>8</sup> CAGE (2010) Community Green: Using Local Spaces to Tackle Inequality and Improve Health



- 4.38 Barriers to using public open spaces were related to ethnicity in this CABE study, including feelings of insecurity due to the fear of personal attack or racism; exclusion due to the domination of a space by a particular group; and the presence of dogs (dog fouling or fear of dogs). In addition poor design such as high perimeter walls blocking views in and out, heavy vegetation and lack of lighting made a place feel unsafe, as well as inadequate maintenance and management leading to vandalism, litter, graffiti and evidence of drug use.
- 4.39 As such, access to well-maintained, accessible, high quality open space can have a positive impact on people's propensity to interact and undertake physical activity, especially where it can redress social inequalities in the propensity to use space.
- 4.40 Table 12.6 of the ES contains a comparison of sports facilities provision in the Council's Open Space and Sports Assessment Supplementary Planning Document (SPD) (2008) with provision as of March 2010. The ES considers the likely impact of the additional residents created by the approved scheme and concludes that, for all facilities with the exception of tennis courts (where provision is already slightly below Borough standards) provision will remain within the appropriate standards set out in the SPD. The impact of the new population will, therefore, be negligible.
- 4.41 In terms of open space and public realm provision within the wider scheme, the ES notes (para 12.5.58) that access requirements for the enhanced stadium require large amounts of circulation space on match days, which offer a major opportunity to directly address the existing open space deficiencies in the area on non-match days and provide a significant enhancement in the streetscape and environment.
- 4.42 In terms of open space and public realm provision within the housing element of the scheme, the Council's Housing SPD (2008) states that for non-family or flatted developments, communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants. Layout is submitted for approval as part of this outline application, which means that the location, size and shape of external space can be confirmed and does provide for the enjoyment of it by future residents.
- 4.43 The SPD states that the minimum area for useable communal space is 50m<sup>2</sup>, plus 5m<sup>2</sup> per additional unit over five units. By this calculation 1,450m<sup>2</sup> is required from the proposed maximum of 285 units, and 2,900m<sup>2</sup> is identified on the submitted plans for this purpose.
- 4.44 The LPA's Housing SPD states that new residential development of 5 units and over should make a contribution towards children's play space, and the Mayoral SPD suggests that 10m<sup>2</sup> of play space per child. Notwithstanding the nature of accommodation to be provided within the proposal and the number of children that it might accommodate, the application is in outline and matters such as children's play space are considered more appropriate for consideration at the detailed design stage.
- 4.45 In the context of a major open space deficiency outlined in policy and baseline research, the scheme will have a major beneficial effect at the local level (para 12.5.66 of the ES). In addition to the amenity benefits provided by the investment in new buildings, the retained listed buildings and the public realm they will also contribute to maximising economic benefits. Given the propensity for deprived communities and ethnic minorities to be disproportionately affected by under provision (quantity and quality) of open space, the provision here is expected to provide social inclusion benefits to all minority groups.

***Local Religious Institutions / Faith Groups***

- 4.46 There are two churches (one Catholic, one Church of England) in close proximity to the proposed development, and a Church of England school immediately adjacent. The Club is committed to an ongoing dialogue with both places of worship about mitigating any negative impacts of matters such as traffic, accessibility, parking and street cleaning, as well as engaging with them so that the work of the Foundation and other benefits can be brought to local schools and their parishioners.

4.47 The site contains an existing Kingdom Hall on Paxton Road, but planning permission for a new Kingdom Hall on the site of the former Park Tavern Public House at Park Lane / Sherbourne Road was granted on 20 January 2010. The building has been completed and the Jehovah's Witnesses have relocated to it.

***Disabled Access***

4.48 The Club appointed an Access Consultant at the masterplanning stage of the scheme to ensure that access for the disabled was embedded across the scheme. This commitment to inclusive design has also been demonstrated by the creation by the Club of a Consultative Access Group (CAG) with representatives from the National Association of Disabled Supporters (NADS), local Tottenham disabled supporters and local community and disability organisations. The Tottenham Hotspur FC management team are part of CAG (including Community Relations, Health & Safety and the Disability Liaison Officer) to ensure that suitable policies, procedures and practices can be developed and incorporated into management plans.

4.49 This engagement resulted in changes in the design to improve accessibility, including the provision of additional lifts beside each of the proposed external staircases in the public realm. The role, function and terms of reference for this Consultative Access Group, including the agreement of an Inclusive Access Strategy, have been secured through either an appropriate planning condition or S.106 planning obligation.

4.50 The IAS will be on an ongoing 'living' document that clarifies access/inclusive provision and is updated at post-planning at building control stages to inform the basis of a handover document on completion encapsulating management provision.

***Section 226 & Section 237 Parties***

4.51 In the event that CPO powers are implemented under Section 226, Archway Steel Ltd is the only interest where a business is still running from the premises and which will have to secure alternative premises, which will clearly be an inconvenience in the short term. THFC is aware of a number of alternative premises elsewhere in the Borough that would be suitable and, having regard to quality of the current accommodation and the access and servicing arrangements available, alternative premises may actually be operationally beneficial to the business in the long term. Other interests to be acquired under Section 226 are either vacant land or property rights.

4.52 In the event that Section 237 is used to extinguish rights to light claims over the proposed development, then those rights holder, whilst not having the ability to make rights of light claims at a point in the future, would be compensated.

***Fostering Good Relations In Society***

4.53 To comply with the Section 149 duty of the Equality Act 2010, the Council has to demonstrate due regard to all the three elements of that duty:

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations.

4.54 There are several ways in which the scheme will foster good community relations.

4.55 The development itself will represent a significant investment and therefore a significant vote of confidence in the area and its future. This will be reinforced by the proposed investment of both the Council and the Mayor of London. It is widely agreed that the implementation of the NDP will lead to the wider regeneration of the area, particularly through improvements in the physical fabric, improved housing and new employment opportunities, all of which will make a contribution towards reducing levels of deprivation, reducing prejudice between people from different backgrounds and therefore improving community relations.

- 4.56 The NDP will include a significant amount of new public space that on non-match days will be publicly accessible and available for a range of community uses.
- 4.57 One of the key components of the NDP is the incorporation of higher quality, higher profile offices and facilities for the Tottenham Hotspur Foundation. The Foundation uses sport and in particular, football as a vehicle to create life changing opportunities for children, groups and individuals within communities. The Foundation already has a longstanding and extremely effective role in anti-discrimination and community cohesion initiatives such as 'Kick Racism out of Football'; 'Give Racism the Red Card'; 'International Women's Day Celebrations'; 'Holocaust Memorial Day Celebrations'; and 'Black History Month'. The Foundation has worked with the Council and has supported these events in various ways over many years.
- 4.58 In conjunction with the Premier League, the Club implements the 'Kickz' programme in the area, which is aimed at using football to bring communities together and engage with young people. The Club also runs initiatives such as the 'Spurs Learning Centre', which brings together youngsters from local schools and from a variety of ethnic backgrounds to learn about computer and information technology. The continued presence of the Club in the area and the strengthening of the Foundation's presence should serve to foster better community relations.

## **5 Step 4: Consult on the Proposal**

- 5.1 The approved scheme was supported by a Statement of Community Involvement (SCI), which set out the THFC's pre-submission consultation activities. Section 1 (Executive Summary) of the SCI summaries these activities, which included two public exhibitions (held in November 2008 and April 2009). The SCI and overall approach to community consultation was devised in consultation with the Council.
- 5.2 In consultation with the Council's Translation and Interpreting Services team, the first exhibition material was translated into five languages (Albanian, French, Polish, Somali and Turkish) and translations thereafter were made available on request.
- 5.3 Section 2 of the SCI describes the context and objectives of the community consultation exercise. Section 3 describes the strategy in detail and Section 4 sets out the Club's post-submission activities which have included a further exhibition held in June 2010 to ensure local people were aware of the most up to date plans and able to provide informed comment to Haringey Council as part of the statutory consultation process. Section 5 lists the key meetings held with stakeholders and interested parties. Representatives of the Club sought to make themselves available for meeting requests, even with objecting parties where the prospect of reaching common ground seemed remote. Section 6 describes how the Club kept the Council informed of its community consultation activities and Section 7 and 8 summarise the feedback received. Section 9 summarises responses to the Council's statutory consultation process associated with the October 2009 applications (now withdrawn) and Section 10 how the Club has responded to consultation feedback.

## **6. Step 5: Addressing Training**

- 6.1 The NDP Regeneration Strategy contains the following three themes, as set out at Part 2 of the document:
- A comprehensive mixed-use redevelopment;
  - A Northumberland Development Regeneration Programme; and
  - The Northumberland Park Improvement Plan
- 6.2 The Section 106 Legal Agreement attached to the planning permission gives effect to a number of specific strategies within these strands and the principle of the following obligations is agreed between the two parties:
- THFC must support the Haringey Guarantee programme by procuring that the activities of the THFC Foundation are aligned with the programmes of the Haringey Guarantee and that the training and career development arrangements of the contractors and end users of the

development reflect its priorities and broader objectives. For example, this may include the provision of direct financial support for job brokerage, support for Haringey's Families into Work programme and/or the establishment of a number of non-footballing apprenticeships;

- THFC must liaise with the Council and local training agencies to identify employment opportunities and training needs within the development and secure equivalent commitments from the contractors appointed to carry out the development;
- THFC must work with the Council and other partners to target that 80% of net additional jobs within the new development are made available to residents of the local area as defined at in the first instance; and
- THFC must advertise supply chain opportunities to local businesses, which for example may include the publication of a web newsletter and the holding of workshops to inform and show local businesses how to get local contracts.

## 7. Step 6: Monitoring Arrangements

- 7.1 The Section 106 Legal Agreement contains monitoring provisions to ensure that the obligations are complied with and the intended regeneration outcomes achieved. In agreeing these monitoring provisions, regard was had to the Council's own equalities monitoring policy.

## 8. Step 7: Summarise Impacts identified

### **Age**

- 8.1 Young people in particular will benefit from the additional training opportunities. All age groups will benefit from the additional employment opportunities and improved open space and public realm.

### **Disability**

- 8.2 Disabled people will benefit from improved accessibility to all aspects of the proposals and in particular, the provision of a proportion of wheelchair accessible homes; improved open space and public realm; and an Inclusive Access Strategy.

### **Race**

- 8.3 BAME groups in particular will benefit from new employment and training opportunities and also from the targeted work of the Tottenham Hotspur Foundation.

### **Sex**

- 8.4 Women in particular will benefit from the new employment and training opportunities created by the project.

### **Religion or Belief**

- 8.5 The one group most directly affected by the project (Jehovah's Witnesses using a Kingdom Hall on Paxton Road) have been catered for through the provision of a purpose-built Kingdom Hall on the site of the former Park Tavern PH on Northumberland Park. The new Kingdom Hall has been completed and is now in use.

### **Sexual Orientation**

- 8.6 The proposals will not discriminate on grounds of sexual orientation.

### **Gender Reassignment**

- 8.7 The proposals will not discriminate on grounds of gender reassignment.

### **Marriage & Civil Partnership**

- 8.8 The proposals will not discriminate on grounds of marriage or civil partnerships.

### **Pregnancy & Maternity**

- 8.9 The proposal will not discriminate against pregnant women.

## 9. Step 8: Summarise The Actions To Be Implemented

- 9.1 The NDP Regeneration Strategy contains the following three themes, as set out at Part 2 of the document:
- A comprehensive mixed-use redevelopment;
  - A Northumberland Development Regeneration Programme; and
  - The Northumberland Park Improvement Plan

9.2 The Section 106 Legal Agreement attached to the NDP planning permission gives effect to a number of specific actions within these strands and the principle of the following obligations is agreed between the two parties:

- THFC must support the Haringey Guarantee programme by procuring that the activities of the THFC Foundation are aligned with the programmes of the Haringey Guarantee and that the training and career development arrangements of the contractors and end users of the development reflect its priorities and broader objectives. For example, this may include the provision of direct financial support for job brokerage, support for Haringey's Families into Work programme and/or the establishment of a number of non-footballing apprenticeships;
- THFC must liaise with the Council and local training agencies to identify employment opportunities and training needs within the development and secure equivalent commitments from the contractors appointed to carry out the development;
- THFC must work with the Council and other partners to target that 80% of net additional jobs within the new development are made available to residents of the local area as defined at in the first instance; and
- THFC must advertise supply chain opportunities to local businesses, which for example may include the publication of a web newsletter and the holding of workshops to inform and show local businesses how to get local contracts.

**10. Step 9: Publication & Sign Off**

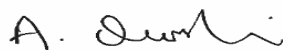
10.1 Along with other key EqlAs carried out by Haringey Council, this EqlA will be published on the Council's website by the Policy, Intelligence and Partnership Unit.

**Assessed by (Author of the proposal):**

**Name:** Abdul Qureshi

**Designation:** Property Consultant

**Signature:**



**Date:** 28th February 2012

**Quality checked by (Policy, Equalities and Partnerships Team):**

**Name:** Inno Amadi

**Designation:** Senior Policy Officer

**Signature:**



**Date:** 29 February 2012

**Sign off by Directorate Management Team:**

**Name:** Dinesh Kotecha

**Designation:** Head of Corporate Property Services

**Signature:**



**Date:** 9th March 2012

**APPENDIX 4 – STATEMENT OF REASONS FOR THE CPO (DRAFT)**

**The London Borough of Haringey  
(Northumberland Development Project)  
Compulsory Purchase Order 2012**

**Town and Country Planning Act 1990  
Acquisition of Land Act 1981**

**STATEMENT OF REASONS  
(DRAFT)**

DRAFT 5 (05 MARCH 2012)

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**APPENDICES** [not in order]

The Appendices to this Statement of Reasons will be added to the final hard copies of this document and they will also be available on the Council's website ([haringey.gov.uk](http://haringey.gov.uk)).

- X. THFC BRIEF FOR STADIUM REDEVELOPMENT
- X. DRAFT DECISION NOTICES FOR PLANNING PERMISSION; CONSERVATION AREA CONSENT; LISTED BUILDING CONSENT
- X. APPLICATIONS FOR STOPPING UP ORDERS
- X. APPLICATIONS FOR ROAD CLOSURE ORDERS
- X. ORDER PLAN
- X. DESCRIPTION OF THE ORDER LANDS
- X. EXISTING PLANNING PERMISSIONS
- X. PLANS OF THE SCHEME
- X. SUMMARY OF EQUALITIES IMPACT ASSESSMENT
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- X. KEY MILESTONES FOR IMPLEMENTATION OF THE SCHEME
- X. DESCRIPTION OF QUALIFYING INTERESTS NOT UNDER THFC OR LBH CONTROL OR IDENTIFIED AS HIGHWAY LAND
- X. PLAN DEPICTING QUALIFYING INTERESTS
- X. LBH/THFC JOINT RELOCATION STRATEGY
- X. SCHEDULE OF RELEVANT PLANNING POLICY AND GUIDANCE
- X. PLAN INDICATING TRANSPORT LINKS
- X. ORDER LAND PLANNING HISTORY
- X. SCHEDULE OF PLANNING POLICY AND GUIDANCE
- X. PUBLIC ACCESS MANAGEMENT PLAN FRAMEWORK
- X. SOS REFERRAL LETTER

## 1.0 INTRODUCTION

- 1.1 This is the Statement of Reasons of the London Borough of Haringey for the making of the London Borough of Haringey (Northumberland Development Project) Order 2012 (“the Order”). It is produced in accordance with paragraph 35 and Appendix R of Circular 06/2004 (Compulsory Purchase and the Crichel Down Rules).
- 1.2 The “acquiring authority” for the purposes of this Statement of Reasons (SOR) is London Borough of Haringey (“LBH”) using its powers under S.226 of the Town and Country Planning Act 1990 (as amended by S.99 of the Planning and Compulsory Purchase Act 2004).
- 1.3 The Order is to be made under section 226 (1) (a) of the Town and Country Planning Act 1990 (“ the 1990 Act”) as amended, as the Council have given careful consideration to all relevant issues and are of the view that the proposed acquisition will:
- 1.3.1 facilitate the carrying out of development / redevelopment or improvement on or in relation to the land; and
  - 1.3.2 contribute to the promotion and improvement of the economic, social and environmental well-being of the Borough, for the reasons set out in Section 3.
- 1.4 The schedule to the Order lists owners, lessees, occupiers and tenants of the Order Land, in addition to other parties with a qualifying interest, where known. It is intended that unless acquired by private treaty negotiations, all land and rights within the Order Land (including but not restricted to, those scheduled in the Order) will be acquired by the Council pursuant to the Order. Where appropriate, the Council will consider the grant of equivalent or alternative rights to the current beneficiaries of rights of way if reasonably required for the continued enjoyment of the property benefiting from the right. Various restrictive covenants that affect the titles that make up the Order Land have also been identified in the schedule.
- 1.5 It is further intended that any neighbouring rights of light that are affected by the proposals are commuted to a compensatable interest in accordance with S.237 land appropriation powers that the Council will be exercising once the Order land is acquired. The use of S.237 powers will be subject to a formal resolution by the Council’s Cabinet.
- 1.6 Following confirmation of the Order, the Council will either serve Notice to Treat followed by Notices to Enter and / or execute a General Vesting Declaration, the result of which will be to vest the Order Land in LBH Council.
- 1.7 This Statement of Reasons is as comprehensive as possible (as required by para 35 of Circular 06/2004) with the intention that it forms the basis of the acquiring authority’s Statement of Case for the purposes of the Rule [X] of the [X] Inquiries Procedure Rules. To simplify the documentation and avoid duplication,

additional information referred to in this SOR is either appended or cross-referenced to other relevant documents, primarily the suite of planning applications and other related applications and consents .

- 1.8 The remainder of this section provides an overview of the purposes of the Order and lists the content of the following sections.
- 1.9 The purpose of this Order is to enable LBH to acquire the land and interests within the Order Land that it has not been possible to acquire by agreement and that are required to facilitate the Northumberland Development Project (“NDP”). The background to the NDP is set out in Section 2 and the proposals are described more fully in Section 7.
- 1.10 In brief NDP is a phased, comprehensive regeneration scheme centred on the catalytic redevelopment of the existing White Hart Lane football stadium to provide a new 56,250 seat stadium; up to 200 new homes; foodstore; hotel; Club ‘megastore’ and museum; new offices for the Tottenham Hotspur Foundation; and associated public realm improvements. This project forms the first and catalytic stage of the regeneration of part of the wider area of North Tottenham.
- 1.11 Tottenham Hotspur Football Club (THFC) have obtained the planning permissions and related listed building consents and conservation consents necessary to implement the stadium redevelopment and have entered into a Section 106 legal agreement to deliver a range of related planning obligations. Copies of the decision notices for relevant permissions and consents are in Appendix 1, and further background and a summarised planning history are provided in sections 2, 9 and **Appendix X**.
- 1.12 The Order Land is situated within Northumberland Park Ward in the northern eastern corner of the LBH (described more fully at Section 3). Briefly, the Order Land is an area of 11.5ha (28.5acres) bounded to the north by Northumberland Park; to the east by Worcester Avenue; to the south by Park Lane; and to the west by High Road, including land up to the centre line of these roads. Although, centred on White Hart Lane Stadium, it includes surrounding land premises currently in commercial, industrial and residential uses.
- 1.13 North Tottenham and in particular Northumberland Park Ward is in need of significant regeneration. Both LBH and THFC believe that the new stadium and related development will provide a catalyst of sufficient size to make a long lasting, positive regeneration impact on the immediate locality and wider area. The statutory development plan allocates White Hart Lane Stadium and adjoining land for stadium expansion and supporting uses, recognising the potential of such a scheme not only to meet the Club’s needs but to serve as a catalyst for the regeneration of the wider area.
- 1.14 The principle of a mixed-use development of this kind, centred upon an enlarged stadium, serving as the focus for wider regeneration in North Tottenham, is embodied in the UDP, is supported by the London Plan and a range of adopted or emerging regeneration strategies and other planning policy documents. The scheme has wide support from all of the principal stakeholders with an interest in the scheme, relevant government departments, the local community and the wider public.

- 1.15 THFC has been assembling the land it requires to implement the NDP by private treaty since 2006 and have taken an active part in identifying alternative premises for displaced businesses. THFC has been unable to reach agreement with the last few remaining owners of these interests by private treaty, but will continue to negotiate with these owners in parallel with the CPO process in an attempt to acquire by agreement. The majority of the land is now under the ownership or control of TFHC.
- 1.16 The Order Land has been the subjected to a formal referencing exercise. The table at **Appendix X** identifies qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981. It does not indicate, however, that all of the stated interests remain to be acquired compulsorily, as THFC has in many instances agreed terms with owners and occupiers to either acquire these interests and/or facilitate relocation away from the Order Land. The corresponding plan at **Appendix X** identifies where these interests are.
- 1.17 The Order Schedule also identifies those parcels of land that are either owned by LBH or are LBH highway land.
- 1.18 The Secretary of State recognises in Circular 06/04 (Paragraph 24) that there are situations where it is appropriate to make a compulsory purchase order at the same time as seeking to purchase land by agreement.

*“Before embarking on compulsory purchase and throughout the preparation and procedural stages, acquiring authorities should seek to acquire land by negotiation wherever practicable. The compulsory purchase of land is intended as a last resort in the event that attempts to acquire by agreement fail. Acquiring authorities should nevertheless consider at what point the land they are seeking to acquire will be needed and, as a contingency measure, should plan a compulsory purchase timetable at the same time as conduction negotiations. Given the amount of which needs to be allowed to complete the compulsory purchase process, it may often be sensible for the acquiring authority to initiate the formal procedures in parallel with such negotiations. This will also help to make the seriousness of the authority’s intentions clear form the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”*

- 1.19 The Council is satisfied that THFC has made reasonable attempts to acquire outstanding interests by private treaty, including assisting business occupiers to relocate, including identifying alternative premises. The Council has made the Order to ensure that the acquisition of the outstanding interests required to enable the implementation of the scheme will be possible. Discussions will, however, continue with owners of the relevant interests, to seek to acquire the land by agreement, with a view to limiting the number of interests which need to be compulsorily acquired.
- 1.20 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 17 of Circular 06/04) which justifies the overriding of private rights in the land

sought to be acquired. It is considered that a clear and compelling case exists in this instance, as described in sections 3,4,5,6,7,8,9 and 11 of this Statement of Reasons set out below.

1.21 The remainder of this Statement of Reasons is set out as follows:

- 1.21.1 Section 2 describes the background against which this Order has been made;
- 1.21.2 Section 3 describes the Order land;
- 1.21.3 Section 4 identifies the legal powers under which this Order is made;
- 1.21.4 Section 5 describes the purpose for making the Order;
- 1.21.5 Section 6 sets out the acquiring authority's justification for exercising its compulsory purchase powers;
- 1.21.6 Section 7 describes the Proposals (the NDP) for which the Order land is required;
- 1.21.7 Section 8 summarises how THFC intends to fund the acquisition of remaining interests and the development for which the Order Land is required;
- 1.21.8 Section 9 sets out the planning permission by reference to the development plan, material planning considerations, extant planning consents and relevant planning history;
- 1.21.9 Section 10 sets out the special considerations affecting the Order land;
- 1.21.10 Section 11 provides details of views expressed about the proposals by Government departments;
- 1.21.11 Section 12 sets out additional information that is relevant to the making of this Order;
- 1.21.12 Section 13 provides details of the Orders that are related to this Order, including Traffic Regulation Orders, Stopping Up Orders and Road Closure Orders;
- 1.21.13 Section 14 describes the relationship between the Order and the Human Rights Act 1998 (Section 14); and
- 1.21.14 Section 15 provides a summary of the Equalities Impact Assessment ("EqIA") which meets the requirements of S.149 of the Equalities Act 2010; the full EqIA in support of the Order is attached at **Appendix X**.

## 2.0 BACKGROUND

- 2.1 Tottenham, which has its own distinct history and identity, was a separate borough until it became part of Haringey in 1965. Today, Tottenham is characterised by an ethnically diverse and young population.
- 2.2 By most measures, the Order Land and the area around it is in acute need of regeneration. It is an important location for investment and development, lying at the metropolitan end of the Peterborough-Stansted-London Growth Corridor, identified as a focus for nationally important economic growth since 1994.
- 2.3 LBH is of the opinion that the NDP is the key element and driver of the regeneration of the immediate locality, in particular Tottenham High Street Regeneration Corridor and Northumberland Park Ward (the “Inner Impact Area”). This is the first stage and catalyst in the regeneration and increased development of wider areas in north London and the Upper Lee Valley (the “Wider Impact Area”). This view is supported by the GLA as strategic planning authority for London.
- 2.4 The local area has high levels of income and employment deprivation, with high unemployment and relatively low economic activity levels of residents, along with a relatively low level of skills attainment and high level of health deprivation. The wider Tottenham area accounts for approximately half the population of Haringey but nearly all of the deprivation.
- 2.5 Alongside this, Haringey has a significantly high ethnic diversity, low skills attainment and high unemployment, due to a manufacturing sector which has been in significant decline for over 30 years. Even during the early 2000s when the property market was strong, private sector regeneration investment was minimal in this area and development limited.
- 2.6 Tottenham Hotspur Football Club (THFC) has been located at White Hart Lane for over one hundred years. It is at the heart of the social and cultural life of the area and contributes significantly to the local economy and local community, particularly through the activities of the Tottenham Hotspur Foundation.
- 2.7 The Tottenham Hotspur Foundation is a registered charity using sport and football in particular to improve the quality of life for young, disadvantaged people in local communities. It runs a range of specialist programmes tackling key social issues, for example improving achievement in education, building community cohesion, promoting healthy lifestyles and supporting people with disabilities.
- 2.8 It receives full backing and financial support from the Football Club, a total of £4.5 million already having been donated by the Club. The Foundation employs over 100 full and part time staff running a range of tailored programmes across North London and beyond. Some of the examples of the Foundation’s work is outlined below:

- 2.8.1 Outreach – the key element of the Foundation’s work is its outreach work, where they go out into the community with trained coaches, educators and mentors to reach a wide variety of local youngsters. These activities take place directly in the estates, schools, colleges, sports pitches and open spaces where people live and play.
- 2.8.2 Engagement – the Foundation use the Club’s players, brand and facilities as a magnet to draw people into activities that they would otherwise ignore. Working with children and young adults, the projects are designed to encourage healthy lifestyles, increase educational attainment levels in core subjects like Maths and English and promote alternatives to anti social behaviour.
- 2.8.3 Delivery – the Foundation develops and implements a range of tailored programmes often in partnership with others including local authorities, national charities, local groups, the police and schools. A total of 65 separate programmes are currently running, 25 of which are active in the Borough of Haringey. In the last 12 months, these programmes have provided approximately 500,000 sporting opportunities.
- 2.9 The Foundation currently has offices and a small IT suite/library area split across two locations at the stadium. Access is derived through the security gates on Bill Nicholson Way and its physical profile does not match the high profile or impact of its community work.
- 2.10 The current White Hart Lane stadium no longer meets the needs of THFC. Expansion is required if THFC is to maintain its position as one of Europe’s leading Clubs. The capacity of the existing stadium and the quality of the facilities that it provides for spectators fall well short of modern standards and continuing to play at the existing stadium is not a realistic option in the medium to long term. Without expansion, the position of THFC as a leading European club will be unsustainable and the benefits which the Club’s success currently brings to the Borough will be put in jeopardy.
- 2.11 THFC has investigated alternative options for a new stadium to provide the increased capacity and enhanced spectator facilities that are needed – including relocation outside the Borough. However, THFC’s preference is to carry out a redevelopment of its existing stadium, both in order to maintain its longstanding associations with the area and because the site is very suitable for a sustainable, stadium-led redevelopment scheme.
- 2.12 In conjunction with the Council, THFC’s brief for the redevelopment of their site (**Appendix X**) was included as a key element into a wider Masterplan for the NDP. This approach draws upon the examples of successful stadium-led regeneration within the UK and in London.
- 2.13 The importance of THFC to the Borough is acknowledged in the Haringey Unitary Development Plan (UDP) (adopted July 2006) which with the London Plan (July 2011) forms the statutory development plan and provides the framework for the NDP. Full details of relevant planning policy and guidance are included in Section 9.

- 2.14 In summary the UDP designates Tottenham High Road Regeneration Corridor as an area with severe economic and social problems, in need of regeneration (Policy AC3). THFC is identified as a major redevelopment site that will act as a “*catalyst for prime regeneration of the High Road*” (UDP). White Hart Lane Stadium is identified for “*Expansion, including better facilities and mixed use development, including residential and possibly a hotel*”. (UDP Site specific Proposal 13).
- 2.15 In the London Plan (July 2011) the Upper Lee Valley (including Tottenham Hale) is identified as an “Opportunity Area”, for which more detailed and supportive guidance has recently been published in the Draft Opportunities Area Framework for Upper Lee Valley.
- 2.16 The NDP has responded to this context and is supported by a Regeneration Strategy, which has been produced in conjunction with the Council and in accordance with its stated regeneration vision: “*to create economic vitality and prosperity for all through exploitation of Haringey’s strategic location in a global city, major development site opportunities and by developing the borough’s 21st century business economy*”.
- 2.17 A full planning application for the NDP proposals accompanied by related applications for listed building consent and conservation area consent was submitted by THFC in October 2009. These applications were withdrawn contemporaneously with the submission of revised proposals in May 2010 and further related applications were submitted in December 2011. The NDP applications to which these revised proposals relate are described more fully in Section 9 and **Appendix X**.
- 2.18 On 30 September 2010 LBH (as local planning authority) resolved to grant conditional planning permission; listed building consent and conservation area consent subject to referral to the Mayor of London under the Town and Country Planning Act 1990 (as amended), Greater London Authority Acts 1999 and 2007 and the Town and Country Planning (Mayor of London) Order 2008; referral to the Secretary of State for Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction 2009; and referral to English Heritage under the Planning (Listed Building and Conservation Areas) Act 1990. Those consents were issued on 20 September 2011 with the signing of a S.106 legal agreement.
- 2.19 As a result on on-going discussions and to respond to the need to improve the overall viability of the NDP, THFC submitted applications to amend the northern development within the NDP masterplan. The stadium itself remained unchanged. The Council resolved on 13<sup>th</sup> February 2012 to grant full planning permission subject to referral to the Mayor of London and Secretary of State and completion of a revised Section 106 agreement for an alternative configuration of development to the north of the stadium (“Phase 1”) (LBH Ref: HGY/2011/2350). The revised proposals retain the same sized food store, but incorporate additional Club-related space, education uses and a showroom/brand centre.
- 2.20 Council also resolved to grant outline planning permission for an alternative configuration of development south of the stadium (“Phase 3”) (LBH Ref: HGY/2011/2351) on that date, subject to referral to the Secretary of State and the completion of a revised S.106 agreement. The revised proposals are a



redesign of this part of the scheme and incorporate up to 285 new homes. Education and health centre uses and a health club are proposed replace the permitted hotel.

2.21 The referral responses on the NDP application and the more recent Phase 1 and Phase 3 applications are set out in more detail at Section 9 (Planning Position) and Section 11 (Views Expressed by Government Departments). [To be updated when GLA/SoS referrals received.]

2.22 The 13 February 2012 Planning Sub-Committee also approved revisions to the existing NDP S.106 agreement to improve the overall viability of the scheme. The resolution followed a resolution made by Haringey's Cabinet on 6 February 2012 to approve a wider funding package (comprising funds from both the Council and the GLA) to support both the NDP and the wider regeneration of Tottenham. The agenda and minutes of the Planning Sub-Committee are attached as **Appendix X**. The agenda and minutes of the Cabinet are attached as **Appendix X**.

### 3.0 DESCRIPTION OF THE ORDER LAND

#### The Order Land

3.1 The Order land is shown edged red on the Plan attached in Appendix 1 situated in North Tottenham in the north eastern part of the LB Haringey, within the western edge of the Upper Lea Valley.

3.2 The Order Land is centred on the White Hart Lane football stadium, extends to approximately 11.5 hectares (28.5 acres) and is subdivided by Paxton Road running east-west. As shown on the Order Plan in **Appendix X**, the site is bounded to the north by Northumberland Park, to the west by Tottenham High Road (A1010), to the east by Worcester Avenue and to the south by Park Lane and the Order Land extends to the centre-line of these surrounding roads.

3.3 The Order Land comprises the following buildings and areas listed in the following paragraphs, but described more fully in the Order Schedule (**Appendix X**) and Section 6 and shown on the Order Plan (**Appendix X**).

#### **White Hart Lane Stadium, Bill Nicholson Way, 748 High Road, London N17 0AP**

3.3.1 The stadium's main (west) stand containing most of the Club's administrative offices and hospitality areas

3.3.2 Open forecourt, club parking areas and access roads between the West Stand and Tottenham High Road

3.3.3 The north, east and south stands, turnstile areas and adjoining land backing onto Paxton Road, Worcester Avenue and Park Lane

#### **Public and Private Highway Land and Related Interests [TBC on final CPO plan]**

- 3.3.4 High Road
- 3.3.5 Bill Nicholson Way.
- 3.3.6 Park Lane
- 3.3.7 Tottenham High Road
- 3.3.8 Paxton Road
- 3.3.9 Access road to Wingate Trading Estate
- 3.3.10 Access road to The Gibson Business Centre
- 3.3.11 Northumberland Park
- 3.3.12 Worcester Avenue

**Properties fronting Tottenham High Road / Park Lane**

- 3.3.13 744a High Road and 1-3 (odd) Park Lane - Spurs Shop,
- 3.3.14 Land at 742 High Road
- 3.3.15 744 High Road 'Warmington House' - listed Grade II
- 3.3.16 744a High Road and related land and part of public highway
- 3.3.17 746 High Road "Dispensary" – locally listed and related land
- 3.3.18 748 High Street, Red House Coffee Palace - locally listed and related land.
- 3.3.19 750 High Road "Valentino's' nightclub"- locally listed building and related land
- 3.3.20 Rear of 750 High Road 'Rudolph's nightclub" - with a single storey rear extension to Valentino's nightclub. .
- 3.3.21 752 a 752b and 752c High Road – commercial premises and related land
- 3.3.22 754-766 (even) High Road, locally listed buildings and related land
- 3.3.23 766-772 (even) High Road, locally listed buildings and related land
- 3.3.24 774 High Road "Fletcher House" - Grade II listed building and related land

- 3.3.25 776 High Road and related land, including electricity sub-station
- 3.3.26 782 High Road and related land
- 3.3.27 784- 788 (even) High Road - two storey, late 20<sup>th</sup> century
- 3.3.28 N17 Studios
- 3.3.29 796 High Road “Percy House’; forecourt walls and railings Grade II\* structures and related land
- 3.3.30 Land to at and to the rear of 796/798 (even) High Road
- 3.3.31 Unit 1,2,3,4 and 5 , The Gibson Business Centre, 800 High Street and related land
- 3.3.32 800 and 800 a High Street
- 3.3.33 [XXX]/ 802 High Road - three storey terrace north of Dial House, comprises predominantly Grade II listed buildings.
- 3.3.34 806, 806a, 806b High Street - three storey terraced properties unlisted
- 3.3.35 Land adjoining (to the south) at 806 High Street
- 3.3.36 810/812 (even) High Road, - listed grade II\*. The latter has just benefited from significant English Heritage investment and has been externally renovated.

**Properties fronting Paxton Road [omit demolished properties]**

- 3.3.37 Paxton Hall Working Men’s Mission , Paxton Road.
- 3.3.38 1-5 (odd) Paxton Road - office building and related land at junction with High Road
- 3.3.39 9-39 Paxton Road - light industrial buildings and related land
- 3.3.40 Jehovah’s Witness Kingdom Hall, Paxton Road and related land
- 3.3.41 2, 4 and 6 Northumberland Park, - locally listed and related land.
- 3.3.42 Units 3 and 4, 6 – 8 (even) Northumberland Park and related land and electricity sub-station
- 3.3.43 10 Northumberland Park, and related land
- 3.3.44 Units 1, 2, 3, 3b, 4, 4c, 5, 6, 7, 8, and 9 at 12-48 ( even) Northumberland Park, and related land

- 3.3.45 Unit 22 Wingate Trading Estate industrial buildings by address
- 3.3.46 Stadium Business Park' - light industrial buildings
- 3.3.47 Albion Works, Paxton Way - industrial buildings by address
- 3.3.48 34- 36 (even) Worcester Avenue – residential property and related land

## **Wider Location**

- 3.4 Tottenham High Road (A1010) runs north-south immediately west of the site. The London Liverpool Street to Stansted Airport/East Anglia railway line runs north-south to the east of the site with Northumberland Park station approximately 750m east of the site. The London Liverpool Street to Enfield Town/Cheshunt line runs to north-south to the west of the site with White Hart Lane station approximately 200m from the site. A plan indicating transport links to the site is attached as **Appendix X**.
- 3.5 The LB Enfield boundary is approximately 300m to the north, with Angel Edmonton (a 'district centre') and the A406 North Circular Road approximately 650m beyond.
- 3.6 LB Waltham Forest lies approximately 1.5km to the east.
- 3.7 The designated town centre of Bruce Grove is 700m to the south, with the town centre of Seven Sisters a further 800m south of Bruce Grove. The Metropolitan Centre of Wood Green lies approximately 3km west of the site with Alexandra Palace a further 1.5km beyond.

## **Description of the Surrounding Area**

- 3.8 The area is described pictorially in the Design and Access Statement (May 2010 Application Document 2.01). The Cultural Heritage chapter within the Environmental Statement (Document 4.02) also describes the Conservation Area and historically important buildings with reference to the Tottenham Conservation Area Character Appraisal (adopted March 2009). Extracts are included in **Appendix X**.
- 3.9 The surrounding area is characterised by a diverse mix building types and uses, predominantly residential, with a high proportion of Council-owned, social rented housing, privately rented housing and houses in multiple occupation. The housing stock across all tenures is generally poor and (consistent with the eastern part of the Borough as a whole), also suffers from overcrowding.
- 3.10 The High Road is characterised in the vicinity of the site by Victorian, Edwardian and more recently constructed three/four brick buildings; many of which have ground floor shop fronts. The High Road itself is generally four lanes (with demarked bus lanes). The kerbs and footways have recently been upgraded along this stretch of the High Road by the Council and Transport for London. Some new street furniture (such as cycle stands) have been installed.

- 3.11 Although not formally designated as a town centre in the development plan the section of Tottenham High Road to the north of Bruce Grove is described by the Council as part of “Tottenham’s Town Centre” and, it performs many of the functions of a genuine town centre for example accommodating a wide variety of main town centre uses, including Council Offices, Tottenham Sports Centre and a Public Library.
- 3.12 The Northumberland Park secondary school lies immediately east on Worcester Avenue beside St Paul and All Hallows Church of England junior and infant schools. St Francis de Sales Roman Catholic infant and junior schools lie immediately to the west. Coombes Croft library lies immediately north of these schools and has recently been refurbished and extended.
- 3.13 The northern section of Worcester Avenue is effectively a cul-de-sac and is lined by two storey 20<sup>th</sup> Century terraced housing on both sides. The character of Worcester Avenue then changes as it becomes lined by high razor-topped walls associated with the secondary school along the eastern edge. A section of concrete panel wall separates the Paxton Road match day car park from Worcester Avenue southwards down to Paxton Road.

## 4.0 THE ENABLING POWER

- 4.1. The acquiring authority for the purposes of this Order is the Mayor & Burgesses of the LB Haringey.
- 4.2. Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by S.99 of the Planning and Compulsory Purchase Act 2004) provides a local authority, which for the purposes of S.226(8) of the 1990 Act includes London boroughs, with powers to acquire land compulsorily for ‘planning purposes’.
- 4.3. The Order has been made by LBH to achieve these purposes as LBH believes that the compulsory acquisition of the identified interests will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order land.
- 4.4. Specifically, LBH considers that the development, redevelopment or improvement of the Order land will contribute to the achievement of all of the following objectives:
- 4.4.1 the promotion or improvement of the economic well-being of its area;
  - 4.4.2 the promotion or improvement of the social well-being of its area; and
  - 4.4.3 the promotion or improvement of the environmental well-being of its area.
- 4.5. The principal economic, social and environmental benefits of the proposals that will contribute to the achievement of LBH’s well-being objectives are set out in **Section 6** but are summarised below.

- 4.6. The present stadium, which detracts from the setting of a conservation area and provides an unattractive edge to Worcester Avenue and Park Lane, will be replaced by a new high quality, iconic stadium (as described in **Section 7**).
- 4.7. Supporting residential and retail development to the south and north of the stadium will provide significantly improved street frontages to Park Lane and Northumberland Park respectively.
- 4.8. New public realm will be created with podium areas being publicly accessible and available for community events on non-event days.
- 4.9. A number of heritage assets including Grade II\* and Grade II listed buildings will be renovated and brought back into beneficial occupation.
- 4.10. The construction phase of NDP will create up to 3,400 person-years of employment. The operational phase will directly create approximately 1,000 temporary jobs and 370 permanent new jobs (FTE). In addition to directly created employment opportunities, the implementation of the NDP will create significant indirect and induced employment opportunities through increased spend in the area and supply chains.
- 4.11. The proposals include a further education college to provide much-needed education facilities.
- 4.12. In addition to the socio-economic benefits associated with the employment and training opportunities that will be created, the NDP will incorporate housing; convenience and comparison retailing that will be more accessible (particularly those without cars);
- 4.13. New community facilities such as the south podium, which will feature a programme of community events throughout the year on non-match days (see **Appendix X**).
- 4.14. The Order has therefore been made in accordance with the guidance contained within Part 1 and Appendix A of Circular 06/2004.

## **5.0 THE PURPOSE OF THE ORDER**

- 5.1. The Order is primarily required to complete the assembly of the land required to enable the implementation of the NDP, which in turn, will act as a catalyst for the regeneration of North Tottenham.
- 5.2. Although THFC has already acquired approximately 90% of the interests within the Order land (by area), it is seeking control of all interests within the application site boundary in order to implement the NDP.

- 5.3 The Order will also facilitate the use of S.237 powers to convert injunctable rights of light into compensable interests in respect of the land acquired by the Council. The Council resolved to use its S.237 powers as part of the resolution in principle to use CPO powers made on the 16 November 2010.
- 5.4 The principal remaining interests to be acquired by the CPO are summarised in Section 3 and listed in the Schedule of Interests/**Appendix X**.
- 5.5 In accordance with the guidance contained at paragraph 24 of Circular 06/2004, LBH has made this Order, but THFC will continue to negotiate to acquire all remaining interests by private treaty.

## **6.0 THE JUSTIFICATION FOR COMPULSORY PURCHASE**

### **The Need**

- 6.1 Tottenham Hotspur Football Club (THFC) has been located on its present site for over one hundred years and is at the heart of the social and cultural life of the area and contributes significantly to the local economy.
- 6.2 Expansion is required if Tottenham Hotspur Football Club is to maintain its position as one of Europe's leading Clubs. The capacity of the existing stadium and the quality of facilities fall well short of modern international standards and continuing to play at the existing stadium is not a realistic option in the medium to long term. Without expansion, the position of Tottenham Hotspur as a leading European club will be unsustainable and the benefits which the Club's success currently brings to the Borough will be put in jeopardy.
- 6.3 The Club has investigated options for a new larger stadium with enhanced spectator facilities – including relocation to the Olympic site at Stratford and outside the Borough. However, the Club's strong preference is to redevelop their existing stadium, to maintain their long-standing associations with the area and because the site is very suitable for a sustainable, stadium-led redevelopment scheme.
- 6.4 As the UDP acknowledges, this offers the potential not only to meet the Club's needs but also to kick-start regeneration in the surrounding area.

### **Environmental Benefits**

#### ***Improved Stadium Design***

- 6.5 The stadium currently has a spectator capacity of 36,237. Its four stands have been built at different times with the current east and west stands redeveloped in the 1980s and the north and south stands redeveloped in the early 1990s. This is manifest in different architectural treatments that are only unified loosely through similar scale and mass. The result is a building that is impressive only by virtue of its relative size and does not make a positive contribution to setting of nearby Listed Buildings of the High

Road Conservation Area. The current stadium is generally between 22-24m high, which is broadly equivalent to 7-8 residential storeys.

- 6.6 The heart of the development will be a world class stadium providing an unparalleled spectator experience, that would be the most energy efficient of its kind

### ***Improving the Links of the Stadium to the High Street and Urban Form***

- 6.7 Key design objective has been to ensure that the large scale building sits within its site, respecting the boundaries of the urban block and responding positively to the edges of the site. In this context placing the stadium on the High Road is important.
- 6.8 This has been achieved by a compact and efficient form of development, that responds both to the edges of the urban block in which it sits and to the design of the stadium itself. It recreates well mannered streetscapes and seeks to mitigate the scale of the stadium.
- 6.9 The design response has been to seek to reinforce the High Road as the key urban feature, placing active uses along the frontage and retaining as much of the historic context as possible on the eastern side of the High Road. A key design response has been to incorporate the new main west stadium entrance parallel with the High Road and provide useful and desirable accommodation activity along the High Road frontage. The aim is to ensure that the stadium-related development is seen as a continuation of the High Road rather than an interruption, inactive on all but match days.

### ***Heritage and Listed Building Issues***

- 6.10 THFC and the Council are very mindful that the proposals underlying the CPO will result in the loss of a number of buildings and architectural features that are listed or locally listed, most notably Grade II listed 774 High Road 'Fletcher House.
- 6.11 The proposals will also result in the loss of several building which are considered to make positive contribution to the Tottenham High Road Conservation Area affect the setting of other listed buildings
- 6.12 Heritage Statements that accompanied all the applications for planning permission, listed building consent and conservation consent application, specifically address the heritage, townscape and conservation impacts of the wider scheme. In particular they assessed the loss of the listed buildings, but also the townscape benefits and the positive impacts of the new stadium and the replacement of buildings that currently detract from the Conservation Area. These impacts were a key consideration in determining the applications and the subject of extensive discussions with GLA/Design for London, to whom the applications were referred, and with English Heritage, Commission for Architecture and the Built Environment (CABE) and local Conservation organisations as statutory consultees.



- 6.13 There was widespread support for the 2009 planning, listed building and conservation area consent applications for the Northumberland Development Project (NDP), because of the social, economic and regeneration benefits that the scheme will deliver. However, consultees made a number of comments on the design of the development and questioned whether the scheme offered best “*conservation balance*”. In response, the Club withdrew the application, made a number of amendments to address these comments whilst ensuring that the principal characteristics of the development remain unchanged and resubmitted the application in May 2010.
- 6.14 The readjustment of the layout and design of the stadium has resulted a more acceptable “*conservation balance*”, by retaining the listed and locally buildings of most merit and provide them with a new coherent setting, removing buildings identified as detractors in the Conservation Area and those of little positive merit.
- 6.15 To encourage the economic and physical regeneration process to extend beyond the site, the Club is committed to maintaining and working to secure the long term beneficial use of a number of Listed Buildings in key locations outside the site.
- 6.16 A significant benefit in heritage terms is that the proposals will ensure the restoration of a number of these listed buildings that will be brought back into beneficial use, supporting their long-term maintenance. The original objections to the proposals from the Mayor and English Heritage in listed building and heritage issues have been overcome and both now fully support the proposals.
- 6.17 In summary, the proposals have responded directly to the comments and observations of key consultees and achieve the high standards of design aspired to through the policies of the Development Plan and in Government planning policy.
- 6.18 The revised scheme enables an even more favourable conservation balance than before and successfully reconciles the needs of development with the principle that the most valuable heritage assets should be retained (and their value enhanced) wherever possible.
- 6.19 Although some loss of heritage assets is unavoidable, this is more than outweighed by the substantial community benefits that the development would secure, providing the clear and convincing justification that Policy HE 9.1 of PPS 4 requires for the losses that are needed for the development to proceed.

***Public Realm and Open Spaces***

- 6.20 The redesign of the stadium reflected in the May 2010 application resulted both in the retention of most listed buildings and allowed the re-planning of the open spaces/public realm around the stadium to provide a series of interconnecting spaces of the highest quality.
- 6.21 The proposed public realm is linked to the High Road and has been designed to work well for the movement, gathering and safety of fans. It makes the most of its ability to mark the centre of the area and has been

designed to provide useful and attractive links between the schools, the High Road and the stadium. The new public realm responds to where it is needed and to the functions it must perform on match days, while being cognisant of the opportunities presented on non-match days.

- 6.22 Open spaces to the south of the new stadium have been comprehensively re-planned to provide environmental and townscape benefits for the conservation area and for the setting of the retained .
- 6.23 A courtyard is proposed in the south western part of the site, to provide an intimate setting for listed and locally listed buildings which are now to be retained.
- 6.24 A new podium plaza is proposed to the east. This would be a much larger, major new civic space suitable for a host of open air activities both on match days and at other times. A new Club Museum and Club Shop would be provided beneath the podium plaza, fronting onto the courtyard.
- 6.25 The Public Access Management Plan Framework (PAMPF) attached at **Appendix X** describes each of the different publicly accessible areas and how they will be used, managed and maintained.

### **Transport Benefits**

- 6.26 In order to ensure that the environmental effects of the increased capacity of the stadium are managed effectively the development is supported by a transport strategy to promote the use of public transport in preference to the private car. A series of travel plans have been prepared for each element of the development that are designed to ensure sustainable transport choices and to make full and effective use of the already available public transport infrastructure.

### **Economic Benefits**

- 6.27 Northumberland Park Ward is among the most deprived neighbourhoods in England according to the Government's Indices of Multiple Deprivation 2007 (IMD). It is in the top 10% of UK wards in terms of low income and high unemployment, in the top 20% for poor health, housing and living environment and crime rates (18 per 1000 in 2006) are significantly higher than the London average ( 13 per 1000) According to the 2001 Census, just under half the population in Northumberland Park is white and a similar proportion is under the age of 30.

### ***Job Creation and Retention***

- 6.28 The local area has high unemployment levels (JSA Claimant Count Data) and low skills attainment (Census, 2001), and the development presents an opportunity for the Club and Council to work with local agencies to improve job prospects for local people in accordance with objectives of Haringey's planning policies and Regeneration Strategy.

- 6.29 The proposals will result in the redevelopment of properties within a site identified for employment use on the development plan. Working in partnership with the Council, THFC agreed a relocation strategy with them in September 2008 (attached as **Appendix X**), which it has been implementing since. As at February 2012, approximately 95% of the N17 Studios has been demolished. With the exception of two commercial tenants who have retired, the Club has successfully relocated the sixty tenants to premises elsewhere primarily within Tottenham or Haringey.
- 6.30 Direct operational employment is expected provide an additional 100 FTE jobs within the Club in a range of positions, including the shop, museum and management of the Stadium and non-match day events, and 330 additional match day staff, due both to increased capacity and higher levels of catering and hospitality provided.
- 6.31 There will be further opportunities for employment resulting from non-football use of the stadium seven days per week, through non-match day temporary and part time employment in providing catering and hospitality for conferences and events.
- 6.32 In addition, it has been estimated using standard floorspace to jobs ratio that:
- 6.32.1 430 FTE jobs will be created through the development of the foodstore;
  - 6.32.2 70 FTE jobs created indirectly associated with the provision of new housing;
  - 6.32.3 370 FTE net additional permanent jobs created;
  - 6.32.4 340 FTE construction jobs created;
  - 6.32.5 1,000 temporary match day jobs created;
  - 6.32.6 250 FTE jobs associated with the 500,000 additional visitors annually created indirectly;
  - 6.32.7 60 FTE jobs<sup>9</sup> created because of the spin-off effects of the new foodstore in its role as an anchor for this part of Tottenham's Town Centre.
- 6.33 The additional employment will primarily be in the retail, hospitality and catering sector. The likely occupational breakdown of jobs in this sector, based on the current structure of the industry in London (Annual Business Inquiry, 2009), compares favourably to the local occupational base. This includes all residents in Northumberland Park (Annual Business Inquiry, 2009), the sought occupations of unemployed residents in Northumberland Park (JSA Claimant Count data), and the residents of the inner and wider impact areas.
- 6.34 There is a very good fit between the large number of entry level jobs in the new development and the types of jobs local unemployed people are looking for.

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<sup>9</sup> Excluding employment opportunities provided in the foodstore itself.

- 6.35 The proposed mix of uses accords with the UDP objective that the development should serve as a catalyst for regeneration. As well as securing all of the employment and economic activity associated with the existing stadium and maintaining the work of the Tottenham Hotspur Foundation locally, the new stadium would directly provide additional employment opportunities and would indirectly create additional local employment, particularly through increased visitor spending. Moreover, because development would be carried out in phases, enabling the Club to continue to play on site throughout the development process, the economic and social benefits associated with the Club would be maintained throughout the development.
- 6.36 A new health centre and health club will be provided in the south eastern part of the site providing between [X] and [X] FTE jobs.
- 6.37 It is an important objective of the development to increase activity in and around the stadium on non-match days. The Club Museum and the hotel in particular would help to support non-match day use, whether by visitors to the stadium itself or by those using the extensive hospitality, banqueting and meeting room facilities within the stadium for other events and conferences.

**Social Benefits**

- 6.38 The proposals include a range of new facilities available to the community:
- 6.38.1 the scheme includes a health centre and club; and
  - 6.38.2 the new south podium plaza would become a place to hold events for the whole community to participate in.
- 6.39 The proposed foodstore is both needed and in a suitable location as this section of Tottenham's Town Centre is least well served by main food shopping facilities at present and where there is the greatest need for an effective anchor in order to underpin other shops and services in the interests of improving access to modern shopping facilities for local people.
- 6.40 The new foodstore has the potential to act as an anchor for this part of "Tottenham's Town Centre" and the new activity that it would bring to the area would provide the opportunity of other shops and services to benefit from the linked shopping trips that would arise, adding to the catalytic effects of the development.
- 6.41 Because the site is highly accessible by public transport with clear, legible walking routes and safe crossing points on all of the main routes between the site and the principal bus stops (as well as White Hart Lane station) the proposal will cater effectively for those without access to a car as well as to car borne shoppers, making the site a very suitable location for the range of town centre uses proposed.

- 6.42 It is proposed to put in place a management regime that would encourage community participation in a programme of events that would support the Council's educational, social and leisure strategies.
- 6.43 The new housing would have mixed tenure and help to promote a mixed, inclusive community as well as bringing substantial new spending power to the area, benefiting local shops and services.
- 6.44 To help local people and local businesses to take advantage of the opportunities that the development would create, a series of measures are proposed to support local employment and training and to encourage property owners to invest in their premises. In this way the economic vitality and the physical appearance of the area, particularly of key frontages in the Town Centre and Conservation Area, would be enhanced.
- 6.45 New offices for the charitable Tottenham Hotspur Foundation will be included in the northern part of the development. The Foundation is a registered charity that uses sports and football in particular to improve the quality of life of young, disadvantaged people in the local community. It runs specialist programmes to tackle key social issues, such as improving achievement in education, building community cohesion, promoting healthy lifestyles and supporting people with disabilities. The enhanced facilities for the Foundation would allow its activities in the local area to be expanded, including in supporting educational attainment and pathways to employment. ( See Appendix xx)

#### **Conclusions on Regeneration Benefits**

- 6.46 The stadium-led regeneration development would embody high quality architecture and urban design and contribute positively to the character and appearance of the area. The economic and social benefits associated with the development would also contribute both directly and indirectly to the character and appearance of the town centre, in particular bringing added vitality and securing much needed investment in some of the best and most valued buildings.
- 6.47 The mix of development includes main town centre uses (the stadium, hotel, offices, and retail) together with housing that together would animate substantial new civic spaces to create vitality on match days and non-match days.
- 6.48 The scale of change requires some heritage assets to be removed but the scheme would secure the renovation of eight listed buildings and four locally listed buildings and ensure that where heritage assets have been at risk they will now be brought into new uses to secure their long term futures. Although the development would involve the loss of a number of buildings that currently make a positive contribution to the Conservation Area, the loss is clearly outweighed by the overall benefits of the development, both in conservation terms and in terms of the wider economic, social and regeneration benefits that would be secured.
- 6.49 The key operational requirement for the location and design of the stadium has been that it must allow the phasing of the construction to ensure that no interruption in playing occurs. Continuity of playing is important because a ground share during the construction period would not be possible. Moreover,

because development would be carried out in phases, the economic and social benefits associated with the Club would be maintained during the development.

- 6.50 The benefits encompass design, townscape, conservation, society and economics. They would be secured in the context of one of the most deprived boroughs in the country, where the Council's regeneration objective is to "transform" Tottenham.
- 6.51 This set of benefits is substantial and would be regulated in the interests of the community as a whole through planning conditions and planning obligations to secure their delivery.
- 6.52 The proposals would be an enormous step towards achieving the Council's regeneration objectives. The benefits to the community would be substantial. They would decisively outweigh the loss resulting from the proposed demolitions. If the Club were to relocate to a new stadium away from the Borough, the adverse consequences, not just in economic but also in social and cultural terms would be very significant.
- 6.53 The following section will show that the NDP complies with the Haringey UDP objective for a stadium-led mixed use development focussed upon the site of the existing White Hart Lane Stadium as a catalyst for wider regeneration in the interests of the surrounding area as a whole. It would comply with the strategic policies of the London Plan and relevant development management policies of the Haringey UDP and other local policies. It would also be consistent with the requirements of Government planning policy and with other material considerations. In particular, the scheme would embody sustainable economic development for the purposes of PPS 4 and should therefore be accorded favourable consideration in the planning process.
- 6.54 Circular 06/2004 requires that a compulsory purchase order should only be made where "*there is a compelling case in the public interest.*" For the reasons set out in the Statement, the Council believes that this case is proven.
- 6.55 The Council is of the view that in pursuing this Order, it has carefully considered the balance to be struck between individual rights and the wider public interest; the use of compulsory acquisition is justified in order to secure the economic, social, physical and environmental regeneration and associated benefits that the proposals will bring.

## 7.0 DESCRIPTION OF THE PROPOSALS

7.1 The four principal components of the proposals (the “Stadium”, “Northern” and “Southern Developments” and the associated new public realm), (see Drwg. No. A600 as **Appendix X**) are summarised below.

### The New Stadium

7.2 The principal component within the scheme and its raison d'être is a new football stadium to replace the ageing White Hart Lane stadium, which at 36,237 has one of the smaller capacities in the Premier League. In order to maintain its position as one of the leading clubs in the most successful football league in the world and in order to meet pent-up demand for additional season tickets, the Club has resolved that it needs a new, larger stadium.

7.3 The Club's original brief for the stadium included the following necessities:

- 7.3.1 a capacity of 56,250;
- 7.3.2 a tight atmospheric stadium bowl with minimum crowd sound loss; venue which would provide a great experience for players and spectators alike;
- 7.3.3 a secure and safe venue accessible to all types of spectator;
- 7.3.4 five star plus hospitality located above a Directors suite in the west stand;
- 7.3.5 approximately 7,000 hospitality boxes at a “Box Level”;
- 7.3.6 secure parking under a “Lower Concourse Level”;
- 7.3.7 a visually striking and instantly recognisable stadium;
- 7.3.8 a sympathetic roof form which relies on gravity surface water drainage;
- 7.3.9 avoidance of overshadowing residential properties on Worcester Avenue to the north east;
- 7.3.10 minimise excavation and therefore resulting arisings;
- 7.3.11 compliance with the new Guide to Safety at Sports Grounds 5th Edition (2008);
- 7.3.12 compliance with Premier League and UEFA Champions League venue requirements;
- 7.3.13 back of house facilities which maximise income on both match days and non-match days;
- 7.3.14 a development capable of being built in two phases around the existing stadium (and thereby allowing continuity of play at White Hart Lane); and
- 7.3.15 a truly sustainable development.

- 7.4 The brief reflected the physical, planning and legal site constraints that have influenced the proposals overall and in particular, the design of the stadium. For instance, in order to minimise the footprint of the stadium, many of its ancillary uses have been accommodated in the both the northern and southern developments and within some of the retained heritage assets.
- 7.5 Externally, the stadium will be oval in form with its longest axis running north-south. It has an undulating roof line, which in conjunction with its plan form maximises seating capacity and viewing quality in each of the four stands. General admission entrances will be positioned at each of the four 'corners' with the principal entrance (including the players' entrance) in the centre of the west stand and a further VIP entrance in the centre of the east stand. Internally, the seating auditorium is rectangular. Seating will be broadly subdivided into three tiers (lower, middle and upper) separated by rings of hospitality suites.
- 7.6 Unlike the nearby Emirates Stadium, which is broadly comparable in shape and size, the proposed new stadium sits at grade within, rather than on top its podium. Vehicular access to stadium would be via Worcester Avenue.
- 7.7 Although the Club initially sought a capacity of up to 60,000, pre-submission consultation feedback on the October 2009 scheme led to two significant design changes taken precedence over headline stadium capacity.
- 7.8 The first was the desire to further improve the atmosphere within the stadium by tightening the bowl geometry at the northern and southern ends. This initially reduced the potential capacity to 58,247.
- 7.9 The second modification was to remove the hospitality suites from the south stand and effectively create a single bank of seating at one end creating a 'spion kop'<sup>10</sup>, which has further reduced the capacity to 56,250 based upon the proposed seating configuration. It is this capacity that has been tested by the Transport Assessments, Environmental Impact Assessment and other technical assessments.
- 7.10 The majority of the stadium will be clad in a diamond pattern aluminium shingle cladding. Although providing a dramatic impact overall, the relatively small cladding modules will provide architectural interest close-up to the stadium. The cladding will follow the line of the upper tier and therefore undulate around the perimeter of the stadium. The bottom line will also undulate more gently around the perimeter to emphasise the double height west and east stand entrances and also the lower tier general admission entrances in each of the four corners. The aluminium cladding will have a mid-sheen lacquer applied which will glow in sunlight but not cause excessive glare. The cladding has been used successfully at the new terminal building at Farnborough Airport. A glazed terracotta rainscreen in the Club's corporate dark blue is proposed from ground level to the underside of the aluminium cladding. The exposed roof surface will be clad in a light grey coloured, high performance single ply membrane and the 10m leading section closest to the pitch will be clad in clear polycarbonate solid sheeting or multi wall cladding increasing daylight into the stadium bowl and onto the pitch.

## **Southern Development**

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<sup>10</sup> Colloquialism from the steep hill near Ladysmith, South Africa: scene of the Battle of Spion Kop in the Second Boer War (Wikipedia)



- 7.11 Although originally granted outline permission as part of the 2010 application, English Heritage, the Georgian Group, the Victorian Society, the Tottenham Conservation Area Advisory Committee and SAVE all objected to the proposed demolition of two Listed Buildings and a number of unlisted buildings within the Conservation Area, suggesting that an alternative approach involving less extensive demolitions might equally enable the Club's needs and the benefits of the development to be achieved.
- 7.12 The Mayor of London asked for further information on this issue. CABE, whilst acknowledging that a case for demolition could be made, nonetheless advocated design changes in this part of the site.
- 7.13 Following further consultation with the GLA and others the revised proposals were submitted in December 2011 that replaced the crescent-shaped residential building in the 2010 proposals with four separate blocks orientated in a north to south direction to provide 285 rather than 200 new homes. The replacement buildings would incorporate a college, health centre and health club uses on the lower floors, to be aligned with the proposed podium along Park Lane.
- 7.14 The ground floor office for the Tottenham Foundation originally proposed in the southern development would be relocated to the revised northern development, but the club museum and shop would be retained in its original position.

### **New Housing**

- 7.15 The southern development (as approved as part of the main NDP scheme in September 2011) will comprise 200 new homes in the form of town houses, maisonettes and apartments, of which 44% will be suitable for families<sup>11</sup>. Three existing homes are proposed for demolition meaning a net increase of 197 homes.
- 7.16 The indicative mix of unit sizes is in accordance with the LBH's adopted Housing Supplementary Planning Document on the basis of a 50/50 split of private and affordable housing<sup>12</sup> and a tenure split of 70/30 (social rented/intermediate). The indicative mix is as follows:

<b>No. Bedrooms</b>	<b>No. Units</b>	<b>Percentage</b>
1	56	28%
2	56	28%
3	49	24.5%
4	39	19.5%
<b>Total</b>	<b>200</b>	<b>100%</b>

- 7.17 The new housing will be provided in four separate buildings orientated in a north-south access to incorporate a college, health and health club uses on the lower floors, above its own podium, which would enclose 121 residential car parking spaces, cycle parking, waste and recycling facilities. A series of three storey townhouses will line the podium along Park Lane. Access to the residential parking would be from Park

<sup>11</sup> Three bedrooms or more with direct access to high quality private amenity space.

<sup>12</sup> Based upon habitable rooms

Lane. Access to podium level adjacent the residential building is via staircases and lifts at the eastern and western ends.

- 7.18 On non-event days, the south podium will be the focus of a series of community activities.
- 7.19 Revised proposals for the Southern Development were approved by Planning Sub-Committee on 13 February 2012, subject to referral to the Mayor of London. The housing component of the revised proposals incorporates up to 285 new homes. The new homes will comprise one and two bed units and will all be for market sale or rent. No affordable housing is included for two reasons. First as part of the wider strategy of improving the overall viability and therefore deliverability of the NDP and secondly, as part of a deliberate policy objective to reduce the proportion of social rented housing in this part of the Borough. The full justification is set out in the Planning Sub-Committee report attached as **Appendix X**.

#### **Replacement Club Shop, New Museum and Cafe**

- 7.20 The west facing frontage will contain a café and the “Spurs Store” entrance. It has been designed primarily to create an enhanced setting to the four retained heritage assets.
- 7.21 The lower levels of the podium broadly divide into two components. The western component contains a 3,610m<sup>2</sup> (GEA) replacement Spurs Store. The store will accommodate the new “Spurs Museum” (570m<sup>2</sup>). The Club does not currently have a museum and this facility is intended to provide an additional visitor attraction on non-match days.

#### **Northern Development**

##### ***New Foodstore***

- 7.22 The 2010 NDP scheme incorporates a new foodstore of 22,009m<sup>2</sup> (GEA) with a net sales area of 7,201m<sup>2</sup>.
- 7.23 The amended scheme for the Northern Development approved on 13 February 2012 comprises a foodstore, with gross internal area of 23,470 m<sup>2</sup> (GEA), comprising 12,229m<sup>2</sup> at ground floor and 11,250m<sup>2</sup> at first floor); a second floor of 5,666m<sup>2</sup> (GIA) for stadium-related or showroom/‘brand’ centre use, a third floor of 3,238m<sup>2</sup> (GIA) for educational use or stadium-related use and a fourth floor of 3,055m<sup>2</sup> (GIA) for stadium-related use., part of this space may be used for the new offices for the Tottenham Hotspur Foundation. The net sales area of the foodstore remains at 7,201m<sup>2</sup>.
- 7.24 The foodstore will front onto Northumberland Avenue with its main customer entrance towards the western end of the foodstore elevation, and have active uses along virtually its entire length, including a customer café in the north western corner. A taxi drop-off area and waiting room would be included in the north eastern corner.
- 7.25 The foodstore is generally laid out on two levels. A 401 space car parking will occupy the ground floor along with a customer café/restaurant, entrance lobby and escalators to the first floor. The sales floor will be at

first floor level with checkouts orientated east-west along the northern elevation. Warehousing and back of house facilities are located along the southern edge of the building.

- 7.26 A new second floor has been introduced in the previous ceiling void above the food store sales area to create 8,517m<sup>2</sup> of Club-related offices and hospitality ancillary to the stadium. A new 2,602m<sup>2</sup> 'Sky Bar' has been introduced at third floor level in the centre of the southern edge of the roof and will be linked to the stadium by an enclosed bridge. The remainder of the building roof will now be green.
- 7.27 The lower levels of the southern elevation will now be conjoined to the stadium by stadium podium. Access to the podium on both event days and non-event days will be by a series of staircases and lifts.
- 7.28 Vehicular access and egress from the car park will be from Northumberland Avenue (opposite Bennetts Close) and also via a separate access and egress points on the High Road through existing openings. The foodstore will be serviced from Park Lane to the rear of properties along Worcester Avenue and is combined with the main stadium service access.
- 7.29 An accommodation schedule for the whole development is attached at **Appendix X**.

### **Associated Facilities**

- 7.30 The proposals include the reinstatement of existing and where necessary, the installation of new telecommunications masts and equipment within and around the stadium.

### **Public Realm**

- 7.31 The design of the proposed public realm, has met the challenge of reconciling the requirements of Access for All under the DDA, event day considerations such as crowd movement and counter-terrorism, with the non-event day use of the space and its relationship with retained heritage assets and the Conservation Area corridor.
- 7.32 The public realm will be arranged over two planes: at ground (grade) level along the eastern and western edges of the site and at podium (approximately 4.5m higher) in the areas between the stadium and the northern and southern developments. The podium level will be accessed by a series of staircases and six 33 person lifts (four serving the south podium and two serving the north podium). Seating will line the edges of the podium. There are also three ramps providing access for emergency vehicles (two serving the south and one serving the north podiums) and an alternative means of access for able-bodied pedestrians.
- 7.33 The south podium will also include two 'kiosks' either side of a flexible play/sports space. The kiosks will act as ticket booths as well as providing lift access below to the Spurs Shop (in the case of the western kiosk) and car parking (in the case of the eastern kiosk).
- 7.34 The public realm around the four heritage assets that are now proposed to be retained (Nos. 744-750 High Road) has been integrated with the ground floor uses of those buildings. New planting is proposed to the rear of the 'northern cluster' (Nos. 790-814 High Road, which includes a number of listed buildings; some Grade II\*). No.790 High Road (Dial House), which is Grade II\* will receive a new defensible rear curtilage.

## **8.0 RESOURCES FOR LAND ACQUISITION, DELIVERY AND IMPLEMENTATION OF THE PROPOSALS**

### **Resources for Land Acquisition**

- 8.1 THFC has already assembled approximately 90% of the interests within the Order Land by private treaty. It is seeking to acquire the remaining interests by private treaty. THFC and the Council are proposing to enter into a Land Agreement in relation to the sale of the Council's remaining land interests within the Order Land. THFC has indemnified the Council from any costs associated with the making of this CPO through two CPO Indemnity Agreements.
- 8.2 The Council is confident therefore that there are sufficient available resources to complete the acquisition and land assembly process.

### **Resources for Delivery and Implementation**

- 8.3 THFC has acknowledged publicly that the NDP in its approved form was unviable. It has been working with the Council and the Mayor of London to find ways of improving the overall viability of the project and this has resulted in three principal elements:
- 8.5.1 THFC has submitted a full application to revise the 'Northern Development'. The revised proposals are described in detail in Sections 7 and 9 of this Statement of Reasons but in essence increase the amount of commercial floorspace above the food store approved as part of the original NDP scheme. The Council resolved to approve this application on 13 February 2012, subject to referral to the Mayor of London and the Secretary of State. [TBC]
- 8.5.2 THFC has submitted an outline application to revise the 'Southern Development'. The revised proposals are described in detail in Sections 7 and 9 of this Statement of Reasons but in essence increase the number of new homes (from 200 to 285); remove any obligation to provide affordable housing and to increase the amount of commercial floorspace at lower levels. The Council resolved to approve this application on 13 February 2012, subject to referral to the Mayor of London. [TBC]
- 8.5.2 The Council approved a wider package of funding (in conjunction with funding from the Mayor of London) at its Cabinet meeting on 7 February 2012, which included an alternative source of funding for some of the non-essential infrastructure elements associated with the NDP. At the 13<sup>th</sup> February 2012 Planning Sub Committee that resolved to approve the revised Northern and Southern Development schemes, Members resolved to approve an amended S.106 agreement, which effectively reduced the cost burden on the project by approximately £16m.

- 8.4 The Council has received independent advice from Grant Thornton LLP, who have carried out a review of THFC's business plan and funding strategy. The advice confirms that with this package of viability improvements in place, THFC would have a viable and deliverable project.
- 8.5 THFC has taken various steps to enable it to raise the capital necessary to implement the project, including de-listing itself.
- 8.6 Whilst there will always be a degree of uncertainty associated with a project of this size and complexity, the Council is as satisfied as it can be that THFC will have sufficient resources not only to assemble the Order Land but also to implement the proposals to which this CPO will relate.

## 9.0 THE PLANNING POSITION

### Planning History

#### *The October 2009 Applications*

- 9.1 The planning history associated with the Order Land is set out in detail at **Appendix X**. It is summarised in the following section.
- 9.2 Following a series of pre-application meetings between THFC's representatives, LBH, TfL and the GLA, between Nov 2008 and June 2009 and a presentation to the Mayor and Deputy Mayor, officers from the GLA issued a pre-application advice note on the proposals on 12 June 2009.
- 9.3 A full series of planning applications and listed building consents were submitted relating to proposals for the demolition of the existing stadium and other buildings, and a mixed-use redevelopment of the site to provide a new 56,250 capacity stadium, 434 residential units, a food store, a hotel, a club shop, a museum, offices, new public realm and other associated works. (see Appendix xx)
- 9.4 As proposals of strategic importance the applications were referred by the Council to the GLA in Dec 2009. The Mayor agreed with his officers' conclusion that, on balance, the proposals did not comply with the policies of the London Plan, and that the following issues needed to be addressed to ensure compliance with the strategic planning policies:
- 9.4.1 Transport matters raised by TfL.
  - 9.4.2 A financial assessment to justify the amount and tenure of affordable housing and if necessary, changes to the provision.
  - 9.4.3 Concern over the demolition of some locally listed buildings.
  - 9.4.4 Possible changes to the residential mix.

- 9.4.5 Space standards within the new residential units.
- 9.4.6 The provision and quality of children's play space.
- 9.4.7 Alterations to the design of the supermarket.
- 9.4.8 Additional information in relation to access/equal opportunities.
- 9.4.9 Additional information in relation to climate change mitigation and adaptation.

9.5 In response to the comments received from the GLA and others during the statutory consultation process THFC agreed with the Council to revise the proposals. In order to allow full consultation on these revisions it was further agreed to withdraw the 2009 application at the same time as submitting a new suite of application documents, taking account of the views expressed by English Heritage and CABE.

### **The May 2010 Applications**

9.6 In May 2010, a revised hybrid (part detailed and part outline) application was submitted for the demolition and comprehensive mixed-use redevelopment to provide a 56,250-seater football stadium, retail uses, including a supermarket (with net retail area of 7,201m<sup>2</sup>); a 150-room hotel, a museum, offices and 200 residential units. Associated facilities, included the construction of new and altered roads, footways, public and private open spaces, landscaping and related works; with details of the 'external appearance' and 'scale' of the proposed residential and hotel buildings reserved for future consideration.

9.7 Following the Council's Planning Sub-Committee resolution to grant permission on 30 Sept 2010 these revised proposals was also referred to subsequent referral to the GLA and the Secretary of State for Communities and Local Government. On July 2010 the Deputy Mayor, responded that, with the exception of transport issues, the development could be supported in principle, but that the following issues would need to be addressed to ensure full compliance with policies of the London Plan:

- 9.7.1 the transport implications;
- 9.7.2 the location and quantum of children's play space;
- 9.7.3 inclusive design and access;
- 9.7.4 the energy provisions of the scheme and
- 9.7.5 air quality.

9.8 On 25 November 2010, the Mayor reviewed subsequent revisions to resolve the outstanding strategic issues and concluded that he was content to allow LBH to determine the application in accordance with its resolution of 30 September 2010 to grant permission for the development, subject to the satisfactory completion of a legal agreement. Follow completion of the Section 106 legal agreement planning permission for the NDP scheme was granted on 20 Sept 2011.

### **Northern Development Revisions Application**

- 9.9 The amended scheme for the Northern Development approved on 13 February 2012 comprises a foodstore, with gross internal area of 23,470 m<sup>2</sup> (GEA), comprising 12,229m<sup>2</sup> at ground floor and 11,250m<sup>2</sup> at first floor); a second floor of 5,666m<sup>2</sup> (GIA) for stadium-related or showroom/'brand' centre use, a third floor of 3,238m<sup>2</sup> (GIA) for educational use or stadium-related use and a fourth floor of 3,055m<sup>2</sup> (GIA) for stadium-related use., part of this space may be used for the new offices for the Tottenham Hotspur Foundation. The net sales area of the foodstore remains at 7,201m<sup>2</sup>.
- 9.10 On 13th Feb 2012 LBH planning committee resolved to grant permission subject to conditions and subject to s106 legal agreement, plus Mayoral Direction and reference to Secretary of State. [to be updated as necessary]

### **Southern Development Revisions Application**

- 9.11 Again in December 2011 an outline application, with all matters other than layout and means of access reserved for future consideration was submitted that proposed a reconfiguration and redesign of the approved southern element of the NDP. The reconfiguration creates more homes and support more jobs by replacing the approved 15,000m<sup>2</sup>, 150-bed hotel with a college, health centre and health club uses, and providing 85 residential units in addition to the maximum of 200 already consented. The redesign requires replacing the hotel along Worcester Avenue and a single curved residential building running the length of Park Lane with four new buildings.
- 9.12 On 13th Feb 2012 LBH planning committee resolved to grant permission subject to conditions and subject to s106 legal agreement, plus Mayoral Direction and reference to Secretary of State. [to be updated as necessary]

### **Section 106 Agreements**

- 9.13 The original NDP scheme was subject to a series of planning obligations secured through a Section 106 agreement:
- 9.13.1 Highways, transport and parking improvements on and off-site.
  - 9.13.2 Environmental improvements.
  - 9.13.3 Refurbishment and reuse of heritage assets.
  - 9.13.4 Support for wider area energy scheme.

- 9.13.5 Employment and skills training.
- 9.13.6 Regeneration, inward investment and community projects.
- 9.13.7 Provision and funding of public space and toilets .
- 9.13.8 Area and street management.
- 9.13.9 Affordable Housing (50% provision).
- 9.13.10 Education financial contribution.

9.14 As a result primarily of the need to improve the overall viability of the scheme, but also to pick-up the amendments to Phases 1 and 3 of the scheme, a revised S.106 agreement was also approved at Planning Sub-Committee on 13 February 2012. The key changes are summarised in the report to Planning Sub-Committee attached as **Appendix X**.

### **Planning Policy Considerations**

#### ***National Planning Policy***

#### Planning Policy Statements (PPSs) and Planning Policy Guidelines (PPGs)

9.15 Relevant national planning policy is contained within the national Planning Policy Statements (PPSs) and Planning Policy Guidelines (PPGs). Of particular relevance to the development are:

- 9.15.1 PPS1: Delivering Sustainable Development.
- 9.15.2 PPS 3: Housing.
- 9.15.3 PPS4: Planning for Economic Development .
- 9.15.4 PPS10: Planning for Sustainable Waste Management.
- 9.15.5 PPG13: Transport.
- 9.15.6 PPG17: Planning for Open Space, Sport and Recreation.
- 9.15.7 PPS22: Renewable Energy.



9.15.8 PPG24: Planning and Noise.

**Draft National Planning Policy Framework**

9.16 The consultation draft National Planning Policy Framework (NPPF) (July 2011) proposes to consolidate and streamline a wide range of policy statements, circulars and guidance documents into a single concise document. It is currently at consultation stage with adoption targeted for mid 2012. This introduces a “*presumption in favour of sustainable development*” approach at the heart of the planning system, for both plan-making and decision-taking. Local planning authorities should plan positively for new development, and are encouraged to approve all individual proposals, wherever possible.

9.17 While this guidance is not yet formally part of the planning policy, it sets out the general thrust of Government Policy and is a material consideration. It will make a significant difference to planning in England, in particular by consolidating and streamlining all the existing national policy documents;

**The Development Plan**

9.18 The statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 is :

9.18.1 the London Plan (July 2011); and

9.18.2 the Haringey UDP (saved policies) (adopted July 2006).

**Strategic Policies of the London Plan (July 2011)**

9.19 This provides strategic planning policy for all London Boroughs for the next 20- 25 years. Whilst it does not contain any specific policies for the Order Land, it does contain a range general policies which are material to the regeneration objectives of the Scheme:

9.20 The London Plan promotes London’s role as a World City and the stadium redevelopment would be consistent with London Plan Policy 2.1 (“*London in its Global, European and UK context*”) which aims to retain and extend t London’s global role as a sustainable centre for uses including culture and business.

9.21 The proposals support the strategic objectives of Policy 2.2 (“*London and the Wider Metropolitan Area*”) which requires the Mayor to work with local authority partners and others to align approaches and planning policy frameworks to lobby for timely and sufficient investment especially in growth areas and corridors. The aim is to realise the potential of and address the challenges - especially population and economic growth, infrastructure and climate change. Identified priorities include ensuring adequate transport and other infrastructure, “optimum development” of growth areas, shared infrastructure, promotion of public transport improvements to enhance access to key destinations, as well as integration of strategies to ensure appropriate skills training and other barriers to work are overcome.

- 9.22 The Proposals would also be consistent in principle with London Plan Policy 2.3 (*"Growth Areas and Co-ordination Corridors "*) which seeks to identify and develop linkages across and the capacity of nationally recognised growth areas. These growth areas include the London – Stansted – Cambridge – Peterborough Growth Area which includes the NDP site. The NDP also lies within the Upper Lee Valley Opportunity Area in which strategic Policy 2.13 (*"Opportunities Areas and Growth Areas"*) applies. This policy promotes partnership working to realise the areas' growth potential through intensification of use, provision of necessary and social infrastructure and optimal mixed use. Draft Supplementary Planning Guidance has recently been published for the Upper Lee Valley Opportunity Area and is considered below.
- 9.23 The proposals are also consistent in principle with Policy 2.4 of the London Plan (*"The 2012 Olympic Games and their legacy"*) which recognises the potential for new or improved stadia to bring forward significant regeneration benefits.
- 9.24 A development on this, sub-regional, scale would also be consistent with Policy 2.7 (*"The Outer London Economy"*) which seeks to increase economic growth above long-term outer London economic trends. This is to be achieved by strategic partnership working to identify and bring forward developments.
- 9.25 The GLA have accepted that the site is an appropriate location for a large stadium and that its design is appropriate in accordance with Policy 7.7 (*"Location and Design of Tall and Large Buildings"*).
- 9.26 Individual elements of the development (such as the foodstore education and housing) are also supported by strategic development plan policies. The foodstore contributes to the overall regeneration benefits of the development and is supported by London Plan Policy 4.7 (*Retail and Town Centre Development*); the educational facilities are supported by Policy 3.18 (*"Educational Facilities"*) and the housing is supported by London Plan Policy 3.8 (*"Housing Choice "*).
- 9.27 By achieving the optimum amount of housing on the site consistent with good design and providing affordable housing in line with local requirements the proposal also complies with the requirements of London Plan Policies 3.5 (*"Quality and Design of Housing Developments"*) and 3.11 (*Affordable Housing Targets*)

#### **Policies of the Haringey UDP**

- 9.28 At a local level, the concept of a large-scale stadium-led mixed use development is embedded in the planning strategy of the Haringey UDP.
- 9.29 Much of the site is expressly allocated for a stadium-led development also including a mix of other uses, including housing (Proposal SSP13). The allocation includes the part of the site that fronts Tottenham High Road that falls within the North Tottenham Conservation Area but does not make any specific proposals for that part of the site.

- 9.30 The majority of the rest of the site is shown within one of two Defined Employment Areas (DEAs) where Policies EMP3 and EMP4 apply to protect existing employment locations for employment generating uses and allow redevelopment where it would result in an increase in the number of permanent jobs and wider regeneration benefits. These designations relate primarily to the 'N17 Studios' (also known as the 'Wingate Trading Estate').
- 9.31 Policy AC3 describes the redevelopment and expansion of the Tottenham Hotspur Football Club stadium as "a catalyst for prime regeneration" in the Tottenham High Road corridor.

#### **Other Plans and Strategies**

##### ***Haringey Core Strategy ('A New Plan for Haringey 2011-2026') Submission DPD and Proposals Map (Revised consultations, September 2011)***

- 9.32 The Draft Core Strategy and Revised Proposals Map are subject of an ongoing Examination in Public, as the policies are at an advanced stage. The plan identifies the key challenges for Haringey: population change; housing; worklessness; health inequalities; climate change; high quality design; equality and inclusion; transport and time and safety, all of which have been met in the proposals.
- 9.33 The proposals lie wholly within White Hart Lane and Northumberland Park Area, for which Area Priority plan for focuses on issues including :
- 9.33.1 improving White Hart Lane Station with local involvement;
  - 9.33.2 achieving maximum local benefit from new developments, specifically the redevelopment of Tottenham Hotspur Football Stadium;
  - 9.33.3 delivering employment advice and training opportunities; and
  - 9.33.4 developing community capacity.
- 9.34 THFC is allocated as an area of change and the plan identifies the major opportunities in the Northumberland Park area for redevelopment and for the expansion of THFC to include a new stadium, hotel, club shop, museum, supermarket and new homes and the training and employment opportunities for residents from the scheme. These local priorities are addressed through the strategic policies in the Core Strategy, specifically; Housing; Transport; Conservation; Managing Growth; Employment; Open Space and Biodiversity; and Town Centres.
- 9.35 The part of the High Road included in the proposals is not designated as Town Centre, but lies within Conservation Area.

##### ***Haringey Site Allocations Development Plan Document (May 2010 consultation Draft)***

- 9.36 [TBC]

***Development Management Development Plan Document (May 2010 consultation Draft)***

9.37 [TBC]

***The Tottenham Draft Planning and Regeneration Vision and Key Objectives (July 2011)***

9.38 [TBC]

***The Draft Upper Lee Valley Opportunity Area Planning Framework (ULV OAPF) (November 2010)***

9.39 The Opportunity Area is a strategic sub-regional designation for an area of around 3,884 hectares of north London running from the M25 in the north to Lea Bridge Road in the south. It covers four local authority boundaries and proposes five overarching development principles. These are:

- 9.39.1 opening up the Lee Valley Regional Park;
- 9.39.2 creating a new industrial geography ;
- 9.39.3 housing and mixed-use development in the growth areas;
- 9.39.4 new sustainable low carbon mixed-use communities; and
- 9.39.5 connecting existing communities to opportunities.

9.40 Growth within the opportunity area is focused in four areas, including the A1010 corridor, within which Northumberland Park and Tottenham Hotspur are allocated as a “growth area”.

9.41 Of particular relevance is the objective to improve employment premises, focussing on key sites and business sectors. The employment land included within the proposals is shown as Locally Significant Industrial Land which is identified for release ( fig 2.12). The masterplan for THFC is shown as a proposal and estimated to provide 1370 new jobs and 200 new homes.

**Early Minor Alteration to the London Plan**

9.42 The Mayor has published for public consultation proposals for early minor alterations to the London Plan on 6th February. These deal with changes to Government policy and other developments which happened too late to be included in the London Plan (July 2011). Several are relevant to the proposals:

- 9.42.1 Provision to change to the Plan once the final National Planning Policy Framework is published.

- 9.42.2 Change policies 3.8-3.13 (affordable housing) to include the Government's new 'affordable rent' product within the definition of 'affordable housing' .
- 9.42.3 A new approach to setting targets for affordable housing in development frameworks, based on the London Housing Strategy its indicative rent guidelines for the new affordable housing product ( revised policy 3.11).
- 9.42.4 Revise Policy 3.12 to give a clear preference to on-site provision, with off-site next and money payments in lieu third.
- 9.42.5 Revised cycle parking standards.

### **Regeneration Strategies**

- 9.43 Tottenham High Road and the Northumberland Park Ward are indentified as a priority for regeneration in a series of planning, regeneration and neighbourhood renewal strategies produced by LB Haringey, including the Haringey City Growth Strategy, the Tottenham High Road Strategy, Narrowing the Gap: Haringey Neighbourhood Renewal Strategy, Haringey Employment Partnership Employment and Skills Strategy and the Haringey Regeneration Strategy. The High Road Strategy identifies the redevelopment of the stadium as a major opportunity to support wider regeneration and the Regeneration Strategy describes redevelopment as a major gateway project for the Borough.

### ***Haringey's Regeneration Strategy (2008)***

- 9.44 This contains a number of key priorities which seek to position key developments in the Borough to ensure they create jobs for local people; reduce worklessness; and ensure mainstream services are provided. In terms of major place-making schemes, Haringey is considered to include several major projects, in particular by "maximising gateway opportunities centred on Tottenham Hotspur FC to the north of the High Road". Such projects are considered pivotal in maximising the potential of cultural landmarks, and ensuring that those neighbourhoods in Haringey that suffer long term poverty and deprivation are linked and integrated to create places in which people want to live and stay.
- 9.45 In addition to protecting the employment opportunities that existing on the site, the Club will be creating a significant number and range of employment opportunities though the construction and operation of the scheme
- 9.46 A full schedule of all relevant planning policies is attached as **Appendix X**.

### **Key Consultees**

- 9.47 There has been consistent support from most consultees since the initial NDP application in 2009 for the redevelopment and the wider area regeneration as summarised below.

- 9.48 Mayor of London - strong strategic policy support both in the London Plan and more recent Draft Upper Lee Valley OAPF; whilst generally supporting the urban design and architecture of the scheme, also expressed reservations about detailed design; they no longer have any outstanding objections to the proposals following referral of the applications to them and some design modifications.
- 9.49 LB Enfield – sees significant regeneration benefits, including for Enfield residents.
- 9.50 English Heritage – the proposals respond directly to the comments received on early applications. They now give in principle support to the proposals, as the needs of the Club can be met on site.
- 9.51 CABE - whilst commending many aspects of the masterplan and of the detailed scheme design, expressed reservations in particular about the approach adopted to the southern part of the site and about the potential residential quality of the housing and of “Stadium Square”. Their design comments on the initial schemes have addressed and the proposals are now welcomed.
- 9.52 Tottenham Conservation Area Advisory Committee expressed in principle support.
- 9.53 The Victorian Society acknowledged the need and in principle support for the development and the opportunities that it offers for Haringey.
- 9.54 The local community expressed substantial public support.
- 9.55 Section 10 (Special Considerations) of this Statement of Reasons deals specifically with impact of the Proposals on heritage assets. The remaining planning issues are summarised below.

## **Planning Issues**

- 9.56 Although the consultation process on the earlier NDP application revealed widespread support for the principle of the development and for the benefits of the scheme, it also identified a series of planning issues. They may be summarised as follows.

## **Principle of Development**

- 9.57 Policies in PPS1, PPS3 and the London Plan encourage development on previously used land to encourage sustainable development criteria and to promote regeneration in areas of need. Objective 6 of the London Plan (2011) emphasises the need to make London a more attractive, well-designed and green city. London Plan Policy 1.1 (Delivering the Strategic Vision and Objectives for London) states the objective of managing growth and change to realise the vision for sustainable development in London.
- 9.58 The UDP and Draft Core Strategy seeks to: focus high density development in appropriate locations; promote provision for mixed community by achieving a balance between housing, jobs and social infrastructure; and, maximising the use of previously developed land whilst considering the principles of sustainable development.

- 9.59 The general thrust of national, regional and local policy is to secure sustainable patterns of development and regeneration through the efficient re-use of previously developed urban land, concentrating development at accessible locations and transport nodes
- 9.60 The Government has recently issued a presumption in favour of sustainable development which requires that Local Planning Authorities plan positively for new development, and are encouraged to approve all individual proposals, wherever possible.
- 9.61 The redevelopment of the stadium site in an efficient manner to met the needs of THFC and as a catalyst for the regeneration of the area accords with guidance in PPS1 and PPS3 as well as the objectives of the London Plan and Haringey's UDP. .

### **Tall buildings/view**

- 9.62 London Plan (2011) policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor.
- 9.63 The proposal contains tall buildings, which are defined within paragraph 7.25 of the London Plan as those that are significantly taller than their skyline. The NDP proposals are for a major new stadium and a number of tall buildings in the southern development ( Phase 3). The May 2010 application included an assessment of the impact of the tall buildings on the retained heritage assets and in granting permission both the GLA and LBH considered this impact to be acceptable , when the principle of tall buildings on this site was established. The matter was reviewed as part of the consideration of the in the southern development.

### **Loss of industrial land and employment**

- 9.64 The site for the northern development was originally allocated in the Haringey UDP as a Defined Employment Area, earmarked fro the protection of employment-generating uses. The vast majority (90%) of the old industrial units have, however, been demolished and some 70% the tenants relocated within two miles of the site, or elsewhere within the Tottenham area under a strategy agreed between Haringey Council and Tottenham Hotspur Football Club.
- 9.65 As such, there is little or no industrial employment to be lost from the site or the area. The GLA have concluded that current proposals are expected to deliver sufficient, albeit non-industrial, employment to outweigh any loss of jobs and opportunities from the site.

### **Affordable Housing and Housing Mix**

9.66 The amount of housing varied between the three submissions, reducing from 434 (Oct 2009) to a maximum of 200 (May 2010) to respond to consequential scheme amendments arising from the retention of four additional heritage assets; secondly, to provide an improved mix of units; and thirdly to enable higher amenity standards to be achieved. The latter reason partly in response to the Mayor's Interim Housing Supplementary Planning Guidance (April 2010).

9.67 The housing component of the revised NDP scheme that underpins the CPO is 285 new homes. This will make a significant contribution to the annual London-wide target of 32,210 homes between 2011 and 2021 (Policy 3.3) and Haringey-wide target of 820 new homes per annum (LP Table 3.1) . It also responds to the Haringey UDP indicative housing capacity of 500 new homes across the allocated site (Policy SSP13 and Table 4.1).

9.68 The 2007 Housing Needs Assessment for Haringey identifies some significant housing issues:

9.68.1 20.9% of household are living in unsuitable accommodation (mainly overcrowding);

9.68.2 just under half of households are owner-occupied with around 30% living in social rented accommodation;

9.68.3 all 19 Wards within Haringey have a shortage of affordable housing; the acutest need is for larger, family housing although the greatest numerical need is for two bedroom homes; and

9.68.4 the mean average gross annual income is £33,301.

9.69 Haringey's adopted Housing Supplementary Planning Document (SPD) (October 2008) provides guidance on the mix of both market and affordable housing. The SPD recommends the following mix for market housing:

No. Bedrooms	Percentage Mix
1	37
2	30
3	22
4+	11

9.70 The SPD recommends the following mix for affordable housing:

No. Bedrooms	Percentage Mix
1	19
2	26
3	27
4+	28



9.71 The revised NDP scheme indicative is based upon the averages of these mixes as it assumes an approximate split of 50% market and 50% affordable by habitable room:

No. Bedrooms	Percentage Mix
1	28
2	28
3	24.5
4+	19.5

9.72 Unit sizes have been designed to meet the standards laid down in the Mayor's Interim Housing Guidance

9.73 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be included within the 60%.

9.74 While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

9.75 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit or other recognised appraisal methodology is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified. Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation.

9.76 Policy SP2 of Haringey Council's emerging Core Strategy DPD, which was subject to an Examination in Public in June/July 2011, requires sites capable of delivering ten or more units to meet a borough-wide target of 50%, based on habitable rooms; with a tenure split of 70% social rented and 30% intermediate housing. However, the strategy goes on to clarify that the Council would seek to achieve the maximum reasonable proportion of affordable housing by negotiating legal agreements on all suitable sites. In particular, affordable housing should be provided on site so that it contributes to the local and strategic objective of creating more mixed communities and avoids creating concentrations of deprivation. As previously noted, this is particularly relevant to the current application site and its locality.

9.77 All the homes proposed in the revised scheme would be available for sale on the open market, although the broad tenure mix of the scheme was still subject to negotiation between the THFC, the Council and the GLA. The lack of an affordable housing contribution would quite clearly be contrary to the London Plan,

unless it can be justified on the basis of a robust appraisal of financial viability, submitted to and independently reviewed on behalf of both planning authorities; especially given that the approved scheme proposed 50% of the 200 units as affordable housing on a 70:30 split of social rented to intermediate tenure and of which 44% were three or four bedroom units suitable for family occupation. THFC has provided viability information which has been independently assessment on behalf of the Council.

9.78 The Council recognises in justification of its emerging Core Strategy policy SP2 that there may be physical or other circumstances where an off-site provision of affordable housing would be preferable or of superior quality to that which could be provided on site. It notes, however, that off-site provision misses the opportunity to create mixed and balanced communities and would therefore, only be acceptable where the Council is satisfied that the preferred unit mix and tenure cannot be provided on site.

9.79 The Council goes on to indicate that where it considers it appropriate to provide the affordable housing off-site, a higher proportion of affordable housing would be sought to reflect the fact that the development achieved 100% private housing on the initial site. Both sites should be considered for the purpose of calculating the affordable housing to be provided, in order to ensure delivery of 50% affordable housing by habitable room across the two sites. Since the ratio of affordable housing to market housing provided on site would be 1:1, the Council would request 100% of the habitable rooms delivered on an alternative site to be affordable.

#### **Open Space/Play and Recreation Space**

9.80 The proposal meets or exceed the open space requirements of GLA/CABE Open Space Strategies Best Practice Guidance (2009) as well as the requirements of the Haringey Housing SPD. They also meet the play space and recreational requirements of Haringey's Haringey Local Open Space and Recreations Standards SPD (June 2008) and the GLA's Supplementary Planning Guidance on Providing for Children and Young People's Play and Informal Recreation (2008).

#### **Density**

9.81 The net residential density of the proposals is over 400 units/ha. This is consistent with the London Plan Table 3.2 Sustainable Residential Quality density matrix range of 200-700 units/ha for a scheme in an urban setting with a public transport accessibility index of 4 and similarly consistent with the Haringey SPD, which mirrors it.

#### **Car Parking**

9.82 The approved NDP scheme proposals incorporate 130 car parking spaces at a ratio of 0.65 spaces per unit. This is consistent with both London Plan and Haringey UDP standards. [TBC for revised scheme.]

9.83 The revised NDP proposals therefore comply with the policies of the London Plan, the Haringey Unitary Development Plan and Government policy for housing,

#### **Transport**

- 9.84 Detailed match day (event day) and non-match day transport assessments supported by a series of travel plans for each element of the development accompany the revised NDP application and have been the subject of extensive, detailed discussions with Transport for London, London Borough of Haringey and other stakeholders such as transport operators and neighbouring London Boroughs over an extended period.
- 9.85 The assessments demonstrate that the transport network can accommodate the development with limited interventions (in terms of highway junction improvements, new crossing facilities, enhanced footways, new and relocated bus facilities etc) subject to rigorous transport plans backed up by robust planning conditions and obligations.
- 9.86 The transport strategy for the proposals, based upon making full use of existing infrastructure and capacity and encouraging closer integration of transport and is wholly in line with the strategic policies of the Mayor of London set out in the London Plan (including Policies 6.1, 6.2, 6.3 (others ??) ) and with the policies of London Borough of Haringey for the local area
- 9.87 When the Mayor of London provided formal “Stage One” comments on the application, Transport for London had not concluded its assessment of the comprehensive transport information submitted with the application and so reserved its position on most transport issues, leaving the Mayor to identify potential conflict with the London Plan under a number of headings.

#### **Retail development/the impact on local town centres**

- 9.88 The proposed foodstore would be situated on the edge of the rather ill-defined Bruce Grove/Tottenham High Road (district) town centre, as indicated in Annex 2 (table A2) of the London Plan. The GLA consider that the linear and almost continuous parade of retail and other town centre uses along that stretch justifies its description as a part of the town centre in emerging policy documents.
- 9.89 The Council’s 2008 Retail Study, commissioned to provide the evidence base for its local development framework, identified a need for additional retail floorspace within the borough and established that residents in the vicinity of proposals travelled further afield for their main weekly food shopping, with no large supermarkets or food superstores in the locality except a Sainsbury store located north-west of the site, close to the borough boundary, and three small food stores in Bruce Grove to the south.
- 9.90 The principle of a major retail development of the site was accepted by the granting of planning permission for the stadium and NDP. Both the GLA and LBH consider that there have been no material changes within the town centre, by way of recently available large sites, or the arrival of an alternative major retail operator in the area since planning permission was granted, to affect the likely impact of the proposed store on existing local centres.
- 9.91 The test of appropriateness for the proposed foodstore is provided by PPS4 ‘*Planning for Sustainable Economic Growth*’; which aim to encourage sustainable economic development. The GLA confirm that the retail element meets and is justified on all of the grounds in PPS 4:

- 9.91.1 It is easily accessible in terms of public transport and the potential for linked trips by surrounding residents without access to a car to travel further afield.
- 9.91.2 It would fulfil an established need for an anchor foodstore in that area of Tottenham.
- 9.91.3 It fulfils the sequential location test by reason of its position on the edge of an established district centre and the lack of an alternative, suitable and available site within the existing centres.
- 9.91.4 It would support the regeneration objectives of the locality with the creation of 430 jobs (or a net equivalent of 370 jobs).
- 9.91.5 It is unlikely to impact adversely on the vitality and viability of other town centres in the relevant catchment area.

9.92 The GLA have confirmed that retail proposal is also supported by London Plan policies 2.15 (*Town Centres*), 4.7 (*Retail and town centre development*) and 4.8 (*Supporting a successful and diverse retail sector*).

**Inclusive design and access**

9.93 London Plan (policy 7.2) requires all new development to meet the highest standards of accessibility and inclusion; to exceed the minimum requirements of the Building Regulations and to ensure from the outset that the design process takes all potential users of the proposed places and spaces into consideration, including disabled and deaf people, older people, children and young people. This, together with the Supplementary Planning Guidance '*Accessible London: achieving an inclusive environment*', underpins the aim of accessible design and inclusive environment across London.

9.94 The Access Plans that supported the NDP applications have demonstrated to the satisfaction of the GLA and LBH that the principles of inclusive design and accessibility have been integrated into the proposed development, best practice standards such as BS8300:2009 have been complied with, and how inclusion would be maintained and managed. Key matters:

- 9.94.1 DDA routes for pedestrians, cars and emergency vehicles, as well as the position of entrance points into the residential, health centre/college and health club uses. This is especially welcomed.
- 9.94.2 The statement recognises that shared vehicle/pedestrian spaces, such as that proposed on Worcester Avenue, could disadvantage blind and partially sighted people; it therefore makes provision for clearly designated 'safe space' for pedestrian use.
- 9.94.3 Residential units would be designed to Lifetime Homes standards, 10% wheelchair accessible.

9.94.4 'Blue Badge' parking spaces near to the lift cores.

9.94.5 High priority to pedestrian and cycle accessibility, linking an internal network of footpaths and cycle ways to the existing network off- site.

#### **Other Detailed Planning Issues**

9.95 More detailed comments on matters concerned with planning standards for open space and formal recreation provision, education provision, and detailed aspects of scheme design were also set out by consultees and the general public.

#### **Foodstore Elevation**

9.96 The Mayor of London commented the May 2010 submission that the Northumberland Park elevation of the proposed foodstore lacked interest over part of its length. The proposals have addressed this and extend the "live" frontage , adding greater architectural interest at street level and on the upper floors.

#### **Foodstore Roof**

9.97 The Mayor of London and CABE expressed disappointment that more use had not been made of the space above the foodstore, arguing that the full potential of the site was not being achieved. The proposals respond in two ways. First, more efficient use is made of the area to accommodate Club offices, accessed from the stadium podium. Secondly, a "sky bar" has been introduced at roof level, accessed from the stadium by a bridge spanning the podium, creating additional architectural interest to the north of the stadium and providing a new facility to attract activity connected with the use of the stadium on match days and non-match days.

9.98 The remainder of the building roof will be greened. The hotel and residential buildings will similarly accommodate green roofs.

#### **Sustainability**

9.99 The Mayor of London in his Stage One comments on the May 2009 application noted that it complied with the strategic policies of the London Plan for combating climate change and for renewable energy, subject to the need for additional information on certain issues

9.100 Since then the Government has published PPS 4 which requires Local Planning Authorities to give favourable consideration to proposals for "sustainable economic development" (Policy EC10.1) identifying five criteria relevant to all economic development proposals (Policy EC10.2). They concern:

9.100.1 whether the development has been planned over its lifetime to minimise carbon dioxide emissions and minimise vulnerability to and increase resilience to climate change;

9.100.2 accessibility and traffic management;

- 9.100.3 design quality and whether opportunities have been taken to improve the character of the area;
- 9.100.4 impact on physical and economic regeneration and social inclusion; and
- 9.100.5 impact on local employment.

9.101 Dealing briefly with each in turn.

9.102 The sustainability appraisal submitted with the application describes the approach that has been taken in the context of the specific strategic and local policies of the London Plan and Haringey UDP. The Mayor of London has commented specifically that the development would comply with the policies of the London Plan in this regard.

9.103 The transport strategy for the development is based upon the accessibility of the site and incorporates measures to optimise the use of non-car modes for trips associated with every aspect of the development on match days and non-match days. The foodstore is a particular feature of the development that would contribute to more sustainable travel patterns, avoiding the need for people living locally to undertake long trips to shopping facilities outside the area and increasing the opportunity for linked shopping trips with local businesses, adding to the regenerative effects of the development by providing an anchor for "Tottenham's Town Centre".

9.104 The development would have a substantial positive impact on the physical and economic regeneration of the area and support national and local policies to promote social inclusion.

9.105 The development would have a significant positive impact on local employment whilst ensuring that as far as possible any business displaced from the site are successfully relocated within the local area.

9.106 The development is sustainable economic development for the purposes of PPS 4 and should therefore benefit from the favourable consideration that PPS 4 requires to be given in such cases.

9.107 A full assessment of the Proposals against relevant development plan policies, national Planning Policy Guidance and Statements and Supplementary Planning Documents is attached at **Appendix X**.

## SPECIAL CONSIDERATIONS

### **The Policy Context**

10.1 The London Plan sets out a series of design principles and promotes world class architecture and design. In summary the policies require that the buildings and structures should:

- 10.1.1 Maximise the potential of sites;
- 10.1.2 Promote high quality inclusive design;

- 10.1.3 Respect local context in terms of scale, composition and orientation
- 10.1.4 Respect the amenity of surrounding buildings, particularly important for tall buildings
- 10.1.5 Provide high quality space
- 10.1.6 Be adaptable to different activities and land uses; and
- 10.1.7 Provide for or enhance a mix of uses.

10.2 Specifically Policy 7.1 (*Building London's Neighbourhoods and Communities*) highlights the need for good quality environments in local communities and access to services, infrastructure and public transport. Layout, tenure and mix should reflect the wider context of development and improve access to infrastructure, employment opportunities, commercial services and public transport. Development should enable people to live healthy, active lives, maximise the opportunity for cultural diversity, inclusion and cohesion, and contribute to a sense of place, safety and security. Places should be designed to meet the needs of communities and neighbourhoods.

10.3 Policy 7.4 (*Local Character*) requires developments to have regard to form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings, improving connections. Development should build on the positive aspects of an area where character is ill-defined and reflect the surrounding historic character.

10.4 Policy 7.5 (*Public Realm*) require public spaces to be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context , and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

10.5 Policy 7.6 (*Architecture*) states that architecture should make a positive contribution to the public realm and streetscape and incorporate the highest quality materials and design appropriate to its context, reflecting surrounding proportion, scale and orientation Buildings should not cause harm to the amenity of surrounding buildings, be adaptable and meet the principles of inclusive design.

10.6 Policy 7.7 (*Location and Design of Large and Tall Buildings*) provides the location of large and tall buildings should be considered as part of a plan-led approach to changing or developing an area, identifying appropriate location. Relevant criteria for making planning decisions are that they should be located in areas of intensification with good access to public transport, in areas, where the character will not be adversely affected by the scale mass or bulk of a large building , relate to the form and character of the urban grain and surrounding buildings , have an active ground floor, help to enhance the permeability of the area and make a significant contribution to local regeneration.

10.7 The London Plan sets out a suite of policies for heritage assets and archaeology (Policy 7.8) and heritage led regeneration ( policy 7.9), where the emphasis is upon the re-use (where possible) of heritage assets in a way that supports economic development and regeneration and allows development to be accommodated in a sustainable manner.

10.8 Policy 7.8 protects local heritage assets and the historic environment and development affecting such assets should respect their form, scale and materials

10.9 A similar approach is set out in the saved policies of the Haringey UDP which promote good design both in general (Policies G1, G2 and UD4 ) and in terms of specific design and amenity considerations (Policies UD3 and UD6). The policies also encompass the built heritage, largely replicating national policies for heritage assets such as Listed Buildings and Conservation Areas whilst also establishing a local list of unlisted buildings of particular interest (Policies CSV1 to CSV7).

10.10 Relevant national planning policies are set out in PPS 1, PPS 3, PPS 4 and PPS 5

### **The Proposals**

10.11 Changes to the design of the original development in response to the comments made. They focus upon the southern section of the development and on the design of the stadium as it addresses the High Road. The changes have altered the development mix. In particular, the amount of residential accommodation has been significantly reduced, but the amount of accommodation given over to economic development has been sustained – and in certain cases slightly increased – so that the regeneration and economic development benefits of the development are largely as before.

10.12 The principal planning implications of the changes to the design are in respect of the conservation balance offered by the development. There are also some implications in respect of planning standards (i.e. compliance with strategic and local policies for residential space standards, open space and formal recreation provision) which we deal with later (under the heading “miscellaneous”).

### **Effects on Designated Heritage Assets**

10.13 The proposals involve the demolition of one Grade II listed building (774 High Road, “Fletcher House”) and the following unlisted buildings within the Conservation Area that are either “locally listed” or otherwise identified as contributing to the character and appearance of the area: 742 High Road; 752 a, b and c High Road; 754-766 High Road; 806a High Road; Paxton Hall; and 2-6 Northumberland Park.

10.14 The following buildings that are identified as detracting from the character and appearance of the Conservation Area are also proposed to be demolished: 734-740 High Road; 744a High Road; 768-772 High Road; 776 High Road; and 778-788 High Road.



- 10.15 One Grade II listed building (744 High Road, "Warmington House") is to be retained, refurbished and brought into permanent use directly as part of the revised NDP scheme.
- 10.16 Three locally listed buildings identified as contributing positively to the character and appearance of the Conservation Area are to be retained, refurbished and brought into permanent use directly as part of the scheme. They are: 746 High Road ("The Tottenham and Edmonton Dispensary"); 748 High Road ("The Red House Coffee Palace"); and 750 High Road ("The White Hart").
- 10.17 A series of other heritage assets, including listed buildings and locally listed buildings in the ownership of the Club are also to be the subject of repairs, refurbishment and other improvements in conjunction with the NDP scheme. They are as follows:
- 10.18 796 High Road (Percy House), a Grade II\* listed building, which it is proposed to repair and refurbish so that the building can be actively marketed and put back into use on a long-term basis.
- 10.19 797 High Road, a Grade II listed building, where it is proposed to carry out structural repairs, weather and damp-proofing, mechanical services improvements and presentational improvements (e.g. to boundaries and internal joinery).
- 10.20 800 High Road, also a Grade II listed building, where similar works are proposed.
- 10.21 802 High Road, again a Grade II listed building, where once again, similar works are proposed.
- 10.22 810 High Road, a Grade II\* listed building which has already been the subject of a programme of repairs and improvements funded by English Heritage (working with the local Building Preservation Trust). The Club would build on the investment already made so that the building could be used for a period of at least seven years for the Tottenham Hotspur Foundation during the development period and then offered to other occupiers after that time.
- 10.23 820 High Road, a Grade II listed building, where works are proposed including the reinstatement of the 19<sup>th</sup> century shop front.
- 10.24 822 High Road, also a Grade II listed building, where repair and refurbishment work is proposed.
- 10.25 It is proposed that these works would be secured by appropriate Section 106 Planning Obligations .

10.26 The applicant had previously proposed the creation of a new Townscape Heritage Initiative so that the benefits of the development for the Conservation Area as a whole could be optimised. The Tottenham Townscape Heritage Initiative (TTHI) would be operated by the Council in consultation with English Heritage in accordance with a set of objectives that would be derived from the Tottenham High Road Conservation Area Appraisal 2009 with initial funding to “kick start” the initiative provided by the Club.

10.27 The revised NDP scheme secures more direct conservation benefits than before, not least because the long term futures of four buildings previously proposed for demolition will now be secured. The applicant considers that there is still value in the concept of a TTHI and is willing to commit funding to the start-up stage.

**The Conservation Balance**

10.28 The statutory Development Plan promotes large-scale change on and around the site in the interests of social and economic regeneration and embodies proposals for a stadium-led mixed use development encompassing the parts of the site fronting Tottenham High Road, within the North Tottenham Conservation Area. As Conservation Principles acknowledges, change to heritage assets and their settings is inevitable and the challenge is to accommodate change in ways that sustain heritage value in the interests of future generations.

10.29 That broad approach is translated into a sequence of development management policies in PPS 5 which require a “*clear and convincing*” justification to be made for the loss of any heritage asset, with the loss of Grade II Listed Buildings allowed only exceptionally (Policy HE 9.1) where, inter alia, the loss is necessary to deliver substantial public benefits that outweigh that loss (Policy HE 9.2(1)).

10.30 Following a detail assessment of the significance of 774 High Road (Fletcher House) and a number of unlisted buildings as part of the planning applications, demolition is accepted the optimum design response, if as the majority of statutory and non-statutory consultees accept, the principle of a stadium on this site, its size and its siting within the site is established.

10.31 Similarly, an assessment of the significance of the heritage assets that are to be retained and in varying degrees refurbished and restored to permanent uses was also consider the effects of the development upon the character and appearance of the Conservation Area as a whole.

10.32 Together, these assessments demonstrated that:

10.32.1 the effects of the development on the Conservation Area as a whole are positive;

10.32.2 the “conservation balance” offered by the development is favourable; and

10.32.3 the loss of heritage assets is justified, if the development is to be delivered.

10.33 For the purposes of PPS 5, that leaves whether the benefits of the development in the public interest are substantial and outweigh that loss.

**The Benefits of the Development**

10.34 In this case the benefits of the development are best considered by reference to the planning policies and objectives for the area which embody support for the redevelopment of the existing stadium because of the role which a scheme of an appropriate character and scale can perform in contributing directly to the regeneration of the area and as a catalyst to further investment in wider regeneration over time.

10.35 The Club is an important element and potent symbol for the area, giving Tottenham a place on the national and international stage. The heritage of the Club is intrinsically linked with the heritage of the site that has been its home for over a century. It is a significant benefit of the development that it enables the shared heritage to be maintained and to do so in a way that leads to an overall benefit in conservation terms. The revised NDP scheme will also generate significant cultural heritage benefits through the retention, refurbishment and reuse of a number of heritage assets.

10.36 The stadium and the mix of uses associated with it would not only secure the existing social, economic and cultural relationship between the Club and the surrounding area but add to the Club's economic development contribution by creating new employment through a mix of mutually supporting uses that would also create spin-off benefits for local businesses by anchoring "Tottenham's Town Centre".

10.37 The new south podium will provide a major new civic space connected to the surrounding area by high quality public realm. It would provide a new, active public focus for the community managed actively in the interests of the community.

10.38 A planning obligation to regulate the management of the south podium in the interests of the community is proposed. A draft programme of events for a typical year has been prepared and is included in Appendix C. It shows the enormous potential of the new public space to host activities catering for the interests of every section of the community whilst also supporting some of the important educational, social and cultural initiatives being pursued by the Council and its partners.

10.39 The development will create a platform for the work of the Tottenham Hotspur Foundation in Haringey to be put on a new footing. The new accommodation proposed for the Foundation as part of the scheme will enhance its capacity to undertake programmes in all of its core areas. In addition it is proposed to establish a consultative panel consisting of representatives of the Foundation, the Council and other stakeholders to oversee the Foundation's work in Haringey and ensure that its activities are targeted effectively in Northumberland Park Ward and in other areas of need close to the site.

10.40 Finally, so that local people closest to the site can participate in the new stadium it is proposed to give priority in the allocation of 5,000 tickets for each home game to local residents.

10.41 The proposals therefore comply with the policies of the London Plan, the Haringey UDP and Government policy for design and heritage.

## **10.0 VIEWS EXPRESSED BY GOVERNMENT DEPARTMENTS**

11.1 On 30 September 2010 LBH (as local planning authority) resolved to grant conditional planning permission; listed building consent and conservation area consent subject to referral to the Mayor of London under the Town and Country Planning Act 1990 (as amended), Greater London Authority Acts 1999 and 2007 and the Town and Country Planning (Mayor of London) Order 2008; referral to the Secretary of State for Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction 2009; and referral to English Heritage under the Planning (Listed Building and Conservation Areas) Act 1990.

11.2 The Secretary of State has decided not to recover jurisdiction of the application. His letter is attached at **Appendix X**.

11.3 [Update to include Phase 1/3 referrals]

## 11.0 ADDITIONAL INFORMATION [LBH TBC]

- 12.1 The Council intend to set up a website for all the information related to the CPO and scheme. As documents are published they will be added to the website. The weblinks will be on this page. In addition the following will be given as contacts: Planning contact for NDP Scheme (name, address, tel, e-mail), (CPO Property contact), (Legal contact)]

## 12.0 RELATED ORDERS

### Road Closure Orders

- 13.1 There are a number of roads within the NDP site that require a Road Closure Order to enable the scheme to proceed; they are listed in Section 3 of this Statement of Reasons. LBH approved a Stopping Up Order on 30 September 2010. [TBC re potential additional area]

### Statutory Undertakers Orders

- 13.2 The Order Lands also include land owned by statutory undertakers, as set out in the Land Referencing Schedule (**Appendix X**) and Order Plan (**Appendix X**). It is intended that the Order will include this land, providing statutory undertakers with a separate and additional power to make representations on the Order to the Minister responsible for their undertaking, in accordance with Section 16 of the Acquisition of land Act 1981 (as amended).

## 13.0 HUMAN RIGHTS [LBH TBC]

- 14.1 The Human Rights Act 1998 requires *inter alia* a public body to act in a manner that is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (the “Convention”).

- 14.2 Articles 1, 6 and 8 of the First Protocol are relevant to compulsory purchase. Article 1 provides:

*“Every natural of legal person etc...[TBC]*

- 14.3 Article 8 provides:

*“(1) Everyone has the right to respect etc...[TBC]”*

- 14.4 Article 6 provides:

*“In determining his civil rights and obligations etc...[TBC]”*

- 14.5 This Order has been made pursuant to S.226 of the Town and Country Planning Act 1990 (as amended by S.99 of the Planning and Compulsory Purchase Act 2004), which provides the Council with compulsory purchase powers. In making the Order, the Council has followed the procedures set out in the Acquisition of Land Act 1981.
- 14.6 The Order has been made as the Council believes there is a compelling case in the public interest to exercise its compulsory purchase powers in order to meet the purposes described in this Statement
- 14.7 If persons with a qualifying interest object to the making of the Order, an inquiry will be triggered. The inquiry will be conducted by an inspector appointed by the Secretary of State and will be conducted in accordance with [X] Rules. The inquiry will afford such persons with the opportunity to present their objection to the inquiry. If the Secretary of State confirms the Order, appropriate compensation may be claimed by affected parties, i.e. those whose property or rights have been acquired, or whose possession of land has been disturbed
- 14.8 Accordingly, if the Order is confirmed, the compulsory acquisition of the Order land will not conflict with Articles 1, 6 and 8 of the First Protocol of the Convention.

## **14.0 EQUALITIES IMPACT ASSESSMENT**

- 14.1 An Equalities Impact Assessment (EqIA) of The London Borough of Haringey (Northumberland Development Project) Compulsory Purchase Order 2012 for the purposes of meeting its obligations under the Section 149 of the Equality Act 2010 has been completed and is included in Appendix 3. This requires the Council to have due regard to the need to:
- 14.1.1 eliminate discrimination, harassment and victimisation of persons protected under that Act (protected characteristics);
  - 14.1.2 advance equality of opportunity for protected characteristics; and
  - 14.1.3 foster good relations between groups who share a protected characteristic and those that do not share that characteristic.