

Report for: CABINET

Title: **White Hart Lane Station Land Transfer to Network Rail Infrastructure Ltd**

Report authorised by: Helen Fisher, Interim Director for Housing, Regeneration and Planning

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Ward(s) affected: Northumberland Park

**Report for Key/
Non Key Decision:** Key

1. Describe the issue under consideration

- 1.1 This report seeks Cabinet approval to appropriate two parcels of land that sit within the new White Hart Lane (“WHL”) Station redevelopment area in order to dispose of them to Network Rail Infrastructure Ltd. (“Network Rail”) at nil consideration. The parcels of land need to be transferred to Network Rail for the redeveloped station to operate. Network Rail will then lease the land to Rail for London (“RfL”), a subsidiary company of Transport for London (“TfL”) which will operate the new station.
- 1.2 Without this Cabinet approval the new station will not be able to open as planned in summer 2019. The new station is being delivered with over £25 million of investment from public sector partners in order to transform it into a highly accessible, attractive, visible and efficient new station for the local community.
- 1.3 The two parcels of land must be appropriated from being held in the General Fund for planning purposes into the General Fund for general purposes so that the Council can legally dispose of it for less than best consideration. This will be in accordance with the General Disposal Consent 2003 issued by the Secretary of State for disposals where the land is valued at less than £2 million and the Council considers that the disposal will help it secure the promotion or improvement of the economic, social or environmental well-being of its area. This report sets out the economic, social and environmental benefits of delivering the station redevelopment.

2 Cabinet Member Introduction

- 2.1 Our emerging Borough Plan 2019 - 2023 has identified four top priorities for the next four years within the priority areas of housing, people, place and economy. These top priorities are; housing Haringey's people, building and retaining wealth in our community, tackling serious violent crime, and reducing inequality and making Haringey a fairer place.
- 2.2 Public investment in public infrastructure such as White Hart Lane Station will help the Council to deliver these priorities; by attracting further investment into the area to deliver new social and affordable homes, by improving public spaces and services that local people benefit from, by enhancing visibility and quality of public spaces to tackle crime through passive surveillance, and by creating fully accessible amenities so that those requiring step-free access are not excluded.
- 2.3 Once complete, the station redevelopment works will include; a brand new, double-height ticket hall on Love Lane with a striking terracotta design, the creation of new, well lit station entrance on Penshurst Road providing direct access between Love Lane and Penshurst Road, new, step-free London Overground ticket gate lines and station facilities, the erection of 20 cycle spaces and three disabled car parking spaces, and works to forecourt areas and public realm enhancements. Crucially the station will have step-free access between the ticket hall concourse and both the northbound and southbound platforms.
- 2.4 The recommendations in this report will enable the new station to open to deliver these substantial benefits to the local community.

3 Recommendations

- 3.1 It is recommended that Cabinet agree to:
 - a) The appropriation of two freehold land parcels, one of which is known as "land on Love Lane" (shown edged red on the plan attached at Appendix 1) and the other of which is known as the "UKPN site" (shown edged red on the plan attached at Appendix 2) from being held in the General Fund for planning purposes to the General fund for general purposes; and
 - b) The transfer of these land parcels to Network Rail Infrastructure Limited for a sum of £1.00 for the purposes set out in paragraph 6.1 this report and based on the draft Heads of Terms attached at Appendix 3 of this report; and
 - c) Give delegated authority to the Assistant Director of Regeneration to agree the final Heads of Terms for the transfer.

4 Reasons for decision

- 4.1 These recommendations are being made to enable the redeveloped WHL Station to open in summer 2019. The redeveloped station will deliver a range of

economic, social and environmental benefits to the local community. The station redevelopment has been delivered using over £25 million of public funds and will continue to attract further investment into North Tottenham.

5 Alternative options considered

5.1 The following alternative option has been considered:-

Option 1 – Don't undertake the land transfer

5.2 The Council could refuse to undertake the land transfer and require that the station be operated under a new legal structure that does not stipulate that Network Rail own the land.

5.3 This option has been discounted as Network Rail have been clear from the outset that they must own the land to enable RfL to operate it legally. This arrangement has been in place since the 2012 Mayor's Regeneration Fund funding agreement between the various parties. The Council would risk damaging its relationship with Network Rail if it does not honour this arrangement and it would lead to the Station being unable to open in summer 2019 and impact on delivery of the benefits to the local community.

6 Background

Economic, social and environmental benefits of WHL Station redevelopment

6.1 The redeveloped station will deliver a range of economic, social and environmental benefits including:

- Improved accessibility due to step-free access between the ticket hall concourse and both the northbound and southbound platforms via two new lifts;
- A safer environment created through the station design and public realm improvements such as lighting, introduction of passive surveillance and new public access through the railway arches;
- Improved east-west connectivity, overcoming the separation caused by the railway line by creating a new station entrance on Penshurst Road that will provide an unpaid link to Love Lane;
- Attraction of further investment into the local area through the regeneration of North Tottenham, which is set to deliver a significant amount of social and affordable housing;
- Increased capacity for the station will mean that it will be able to safely accommodate increased visitor numbers expected on event days at the new THFC Stadium and will also encourage more people to use it on non-match days, both of which will benefit the local economy;
- High quality station and public realm design and materials, including a new landmark station entrance on Love Lane, will make a positive contribution to the local character of the area and create a benchmark for future development of the surrounding public realm and buildings;

- Promotion of sustainable transport modes through the improved access and quality of this public transport amenity encouraging the use of public transport by local residents, businesses and visitors;
- Increased use of other sustainable transport modes such as walking and cycling through an enhanced pedestrian environment and access to the station, including increased cycle parking provision;
- Reduction in regulated CO2 emissions by 20% through the use of renewable technologies will deliver a more energy efficient station; and
- Enhancements in the biodiversity and visual amenity of the public realm due to an overall increase in the number of trees.

Land Valuations

6.2 The land valuations for the two land parcels are as follows:

Land on Love Lane

The valuation for the land on Love Lane (“former Jones Baker Engineering Company”) was completed by commercial property consultants GVA on 13th December 2018 (see report at Appendix 4) and has been approved by the Council’s Commercial Property team. The land was valued at £160,000.

UKPN site

The valuation for “part of land owned by UKPN, Penshurst Road, N17” was completed by commercial property consultants GVA on 13th December 2018 (see report at Appendix 5) and has been approved by the Council’s Commercial Property team. The land was valued at £75,000.

Funding Position

6.3 The Council has been working with the GLA, TfL and Network Rail to deliver White Hart Lane Station since 2012 with the Mayor’s Regeneration Fund (MRF) package for Tottenham. TfL have provided the majority of the over £25 million funding for the scheme. The Council was allocated £3.86 million in 2012 to, amongst other things, undertake land assembly on the basis that this land would then be transferred to Network Rail Infrastructure Limited at nil cost to them.

6.4 The Council subsequently acquired for planning purposes the “land on Love Lane” and the “UKPN” site for £202,000 and £75,000 respectively. A third land parcel known as the “Garages site” is also to be transferred to Network Rail. The Garages Site (garages now demolished) is owned by the Council for housing purposes and sits within the HRA. Permission for this disposal has already been granted in a delegated decision made by the Strategic Director of Regeneration, Planning and Development on 4th August 2017 and is subject to different legislation from the other two sites so does not require any further decisions to be made.

6.5 In 2016 it was decided between the GLA and the Council that the Council’s allocation of the MRF funding should be included as part of the North

Tottenham Housing Zone funding, linking the improved transport infrastructure to the delivery of increased numbers of affordable housing across North Tottenham. Since this decision was made and before the funding agreement for the North Tottenham Housing Zone had been completed, the GLA introduced a new capital funding condition in July 2018 known as the resident ballot requirement.

- 6.6 The new funding condition now means that in order to receive the Housing Zone funding, the Council must be able to evidence a positive vote in a resident ballot in favour of redevelopment of the Love Lane Estate to deliver the High Road West Regeneration Scheme. The Council has committed to undertaking a ballot of the Love Lane Estate in 2019. If a positive vote in favour of redevelopment is confirmed then the Council will have met this funding condition and therefore be able to access the funding for the land assembly costs for the WHL Station redevelopment from the GLA.

7 Contribution to strategic outcomes

- 7.1 The recommendations in this report will enable the redeveloped WHL Station to open on time in summer 2019. The new station will contribute to four of the Council's emerging Borough Plan priorities (Housing, People, Place, Economy) through the economic, social and environmental benefits it will bring to the local area, as set out in this report, and also through supporting and improving the wider investment context for North Tottenham.
- 7.2 In particular it will contribute towards the Place Priority helping to deliver on all of the four outcomes, including Outcome 11: 'A Cleaner, Accessible and Attractive Place, part (a) Provide safer and accessible public spaces for everyone, especially children, young people, and people with disabilities'. Within this outcome, the Council is committed to 'invest with partners £20m in maintaining the highways network over the next five years, making it safer and more accessible for cyclists and pedestrians, and those with disabilities.' The WHL Station redevelopment will provide step-free access to the station from the public highway and will make a new pedestrian route running east-west under the railway.
- 7.3 The Council also commits to working 'with partners, including urban designers, police, and local communities to design out crime and improve safety.' The new station was designed in consultation with the local community to have better access and lighting for passive surveillance as well as ticket barriers to reduce fare dodging and abuse of the station facilities and public realm. The station was designed in partnership with crowd safety experts to ensure that local services such as the police and fire brigade can operate to increase safety on THFC Stadium event days.
- 7.4 The recommendations in this report also contribute to delivering the strategic outcomes in the current Corporate Plan, particularly supporting Priority 3 - A clean, well maintained and safe borough where people are proud to live and work, and Priority 4 - Sustainable Housing, Growth and Employment.

8 Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 8.1 The report is recommending that the Council dispose of two sites (the UKPN site and “Land at Love Lane” site) for £1. The Council bought these sites, £75k and £202k respectively, as part of the land assembly process for the White Hart Lane Station redevelopment. The original financing of the acquisitions was predicated on the Council being reimbursed its acquisition cost through grant received from the GLA under the Housing Zone initiative.
- 8.2 For the reasons set out in the report, the GLA funding will not be available to refund the Council its acquisition costs at the point that the land needs to be transferred to Network Rail Infrastructure for £1.
- 8.3 Once the GLA Housing Zone funding is secured, the grant will reimburse the Council its acquisition costs. The delay in receiving the reimbursement from the grant will have a very minor cash flow effect on the Council’s interest budget. There is a risk that the Housing Zone funding will not materialise for this scheme in which case an alternative financing solution will need to be found.

Legal

- 8.4 The Council has the power to appropriate land under section 122 of the Local Government Act 1972 for any purpose for which the council is authorised under any enactment to acquire land by agreement any land which belongs to the council and is no longer required for the purpose for which it is held immediately before the appropriation;
- 8.5 The Council can dispose of these two parcels of land under section 123 of the Local Government Act 1972 but must obtain the best consideration otherwise the consent of the secretary of state is required.
- 8.6 The Council is selling under value and may rely on the General Disposal Consent 2003 issued by the Secretary of State where the land value is less than £2m and the Council considers that the disposal will help it secure the promotion or improvement of the economic, social or environmental well-being of its area.

Procurement

- 8.7 There are no procurement comments required for this report.

Equality

- 8.8 The Council is subject to the Public Sector Equalities Duty (“PSED”) set out in section 149 of the Equalities Act 2010 which obliges the Council in performing its functions “to have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it”
- 8.9 The protected characteristics under the legislation are age, sex, ethnic origin, sexual orientation, disability, religion or belief, pregnancy or maternity and gender reassignment, marriage and civil partnership
- 8.10 It is anticipated that this particular decision, the transfer of a package of land from Haringey Council to Network Rail, will have a direct positive impact on those with protected characteristics under Equality Act 2010 that will be using the Station and the surrounding public realm.
- 8.11 This decision will deliver the benefits of the Station redevelopment as set out in this Report, including step-free access to the Station, creation of high quality, inclusive design public space and improved transport connections with the rest of London. This will improve access to education, training and employment opportunities in other parts of London for local residents.
- 8.12 This report outlines a good range of measures which will improve the integration, reliability, quality, accessibility, frequency, attractiveness and environmental performance of the public transport system. This decision has no direct negative impact or disproportionate impact on any residents with protected characteristics.

9 Use of Appendices

9.1 The following appendices are included:

- Appendix 1 – Site plan of Land on Love Lane
- Appendix 2 – Site plan of UKPN site
- Appendix 3 - Exempt Draft Heads of Terms
- Appendix 4 – Valuation report for disposal of Land on Love Lane by GVA dated 13th December 2018
- Appendix 5 – Valuation report for disposal of UKPN site by GVA dated 13th December 2018.