

**PROPOSED DISPOSAL OF LAND
WEST OF RAMMEY MARSH, ENFIELD**

Presented by the Deputy Chief Executive

EXECUTIVE SUMMARY

Some Members may recall from June 2018 a report requesting the Ramme Marsh West site to be declared at that time as no longer required for Park purposes (Paper E/567/18) and seeking approval for the site be disposed on the open market. To initiate this process the Authority proceeded to include the site in the London Borough of Enfield's call for sites process. The Ramme Marsh West site is approximately 5.78 hectares (14.28 acres), and now benefits from an allocation under Draft Strategic Policy E1 for the development of employment space in the Draft New Enfield Local Plan. The site which sits to the north of Mollison Avenue lies adjacent to land owned by Transport for London and the London Borough of Enfield (see plan attached as Appendix A to this report). All three sites are included in the draft allocation. Officers have been in discussions with London Borough of Enfield officers on a collaborative effort to dispose of the joint land interests and this report seeks Member approval to terms provisionally agreed in a Memorandum of Understanding and to additionally proceed with procuring preliminary work to undertake baseline surveys, investigate access and assess the development potential. This work will support the allocation of the site within the new London Borough of Enfield Local Plan.

RECOMMENDATION

Members Approve: (1) that the Authority enters into a Memorandum of Understanding with the London Borough of Enfield on the terms proposed in paragraph 4 of this report.

BACKGROUND

- 1 The Ramme Marsh West (RMW) site shown in yellow on Appendix A to this report was acquired in December 1993 for a sum of £10,000 from the Borough of Broxbourne. The site was acquired in its present form of rough grassland and since acquisition has been subject to minimal management. Due to its lack of access and limited potential as open space it has been closed to the public since acquisition. It lies adjacent to the M25 motorway and it is not contiguous with other land in Authority ownership, has no express access rights benefitting

the Authority within its title and is closed to the public. In view of its restricted value as open space available for the public to enjoy, Members were asked in June 2018 to (at that time) declare the site as no longer required for Park purposes and therefore surplus to the Authority's requirements and to authorise steps be taken to dispose on the open market.

- 2 Appendix A plan shows the Authority's ownership of the RMW site in red and is 14.28 acres and lies adjacent to Transport for London (TfL) land of 9.19 acres shown in yellow and London Borough of Enfield (LBE) land of 3.67 acres (in blue). The Site which totals approximately 27.14 acres has since June 2021 formed part of an allocation within the emerging LBE Local Plan under reference SA52: Land West of Rammey Marsh (Regulation 18 version) – see Appendix B to this report. The site has been identified as part of a wider site for employment uses under the Strategic Policy SP E1: Employment and Growth. As a result, officers have been in discussion with LBE officers on collaboration to jointly dispose of the land interests. It should be noted that futile attempts were made to engage with TfL before the two parties decided to proceed at least to the first stage.
- 3 The joint sites benefit from an allocation under Draft Strategic Policy E1 for the development of employment space in the Draft New Enfield Local Plan. The current allocation pro-forma proposal states that the subject "redevelopment should provide at least 70,200 sqm of new employment floorspace (light industrial, general industrial, storage and distribution, and related sui generis) floorspace".

The entire site allocation under reference SA52 extends to circa 27.14 acres (10.98 hectares) including the TfL land. Therefore, on a pro-rated basis the land in the control of LBE and LVRPA has the potential to deliver up to circa 45,300 sqm (circa 500,000 sqft) of employment space. However, it should be noted that this is a high-level estimate and a more accurate assessment of the site's capability will form an output of the proposed capacity Study.

The Regulation 19 version of the emerging Local Plan is expected to be published in Winter 2023, with submission for Examination in Public (EIP) expected in 2024, with adoption anticipated in 2025.

MEMORANDUM OF UNDERSTANDING

- 4 LVRPA own circa 14.28 acres, equivalent of 79.55% of the land. LBE own 3.67 acres, equivalent of 20.45% of the land.

The purpose of the Memorandum of Understanding (MoU) is to provide a framework with respect to preliminary work to inform a possible joint disposal of this site. It will provide the basis for the collaborative working during the site preparation and investigation stage. This work is required to better understand the potential development capacity and value of the site; to identify site issues (access, ground conditions, utility provisions etc and begin to identify and cost solutions that can be implemented prior to development; and start to prepare the pack of material that will be used for procurement of a developer or site promotor.

The overall objective:

1. to maximise the value of both parties land on a basis that meets the tests of Best Consideration that apply to both LVRPA and LBE; and

2. any joint disposal subject to necessary approvals would be subject to and at the point of allocation in the new LBE Local Plan.
- 5 LBE and LVRPA will be looking to support the allocation of the site within the new LBE Local Plan and at the EIP by demonstrating that the site is suitable and available for development, noting that the site is currently designated as Metropolitan Open Land and as Green Belt. In the event that the draft allocation is confirmed, a development partner is likely to be procured. In anticipation of this process, both parties are seeking to support the initial Local Plan evidence base and the potential marketing of the opportunity thereafter, having to identify the need to establish greater clarity.

The proposed preliminary works to be undertaken are listed below.

1. **Highways design work**
To identify a workable means of accessing the site and the likely cost, timeframe and other considerations of these works. The purpose of the study will be to assess potential access and egress from land within the redline boundary plan, from either the subject site or the public highway, to support the proposed development.
2. **Ground Conditions (desktop)**
To identify ground conditions and contamination, and provide a high level remediation strategy (if applicable).
3. **Utilities/Services (desktop/ site survey)**
To provide a survey plan of utility and service provision to the site and its surround area including water (potable), drainage, gas, electricity and telecommunications.
4. **Topographical (site survey)**
To produce a measured topographical plan of the site showing levels and boundaries and other topographical features.
5. **Development capacity/net developable area of site**
High level design work to illustrate and calculate the likely net developable area and the development capacity of the site.

The preliminary work above will therefore undertake baseline surveys, investigate access and assess development potential. The works will be jointly procured, with the Authority taking the lead on the procurement and consulting with LBE throughout.

The costs of the preliminary work are to be shared as follows:

LVRPA = 75%

LBE = 25%

6 **Intellectual Property**

All survey, investigation and consultancy work shall be jointly instructed with both LBE and LVRPA as client.

The intellectual property rights created in the course of the Project shall be held by LVRPA, which shall grant a non-exclusive, irrevocable, free licence to LBE.

7 Term

For an initial period of 12 months, to be renewed subject to mutual agreement.

ENVIRONMENTAL IMPLICATIONS

- 8 It is thought that the site was originally part of a sewage treatment plant and as such may be contaminated, but no ecological assessments or ground investigations have been undertaken which would confirm this. The RMW site falls outside of the adjacent site of Metropolitan Importance for Nature Conservation.

FINANCIAL IMPLICATIONS

- 9 If the Authority disposes of this land then there would be financial implications. The capital receipt achieved on any proposed disposal will be included as part of the capital programme funding plan to support the overall programme going forward. Members would also need to give such approval to apply to the Secretary of State for this purpose under S22 of the Lee Valley Regional Park Act 1966 (the Park Act).
- 10 The Authority may derive a greater financial benefit from any disposal of its interest in the joint approach with LBE as the adjacent landowner. Part of the TfL site may be required but it is not currently viewed to provide an added benefit/capital receipt unless the preliminary transport studies conclude otherwise.

HUMAN RESOURCE IMPLICATIONS

- 11 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 12 The Authority is able to dispose of any area of land whether in whole or in part when it is no longer required for Park purposes. This must be a properly applied test under Section 21 of the Park Act and all of the facts should be taken into consideration when making a decision to dispose of land. If Members make this initial decision then officers will market the site and a report will come back to Members outlining any offers received and requesting a decision for disposal. Any disposal will require a formal Member decision under Section 21 of the Park Act and Members will again consider the circumstances at the time of that decision and subject to Member approval the Authority will also be required to obtain consent from the Secretary of State. Under Section 22 of the Park Act the Authority is required to obtain approval for the use of any capital receipt obtained under Section 21 of the Park Act.
- 13 The Authority sought written advice from Counsel on its powers to dispose of its property interests for the purposes outlined in its Land & Property Strategy. Members should note that in some cases it may be necessary to take more specific legal advice based on the circumstances of the disposal. This will be considered again when the report requesting a decision to dispose of this land is brought back to Members. At the time of writing this report officers consider that the advice from Counsel is sufficient. It confirms that the Authority can sell land that is not currently required for any of the Authority's functions. The previous report set out the position in that there was no requirement for this land

for any of the Authority's functions at that time. It will be necessary for Members to re-consider this at the time any disposal is being considered in a future report.

RISK MANAGEMENT IMPLICATIONS

- 14 The site may be contaminated land although no investigations have been carried out to confirm this. In addition the site has suffered in the past from trespassing horses illegally grazing on Authority and neighbouring land. The land has Green Belt status and this designation will need to be considered before any consent for commercial or residential development would be achievable.

EQUALITY IMPLICATIONS

- 15 There are no equality implications arising directly from the recommendations in this report.

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PREVIOUS REPORTS

Executive	E/567/18	Proposed disposal of Rammey Marsh West	21 June 2018
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APPENDICES ATTACHED

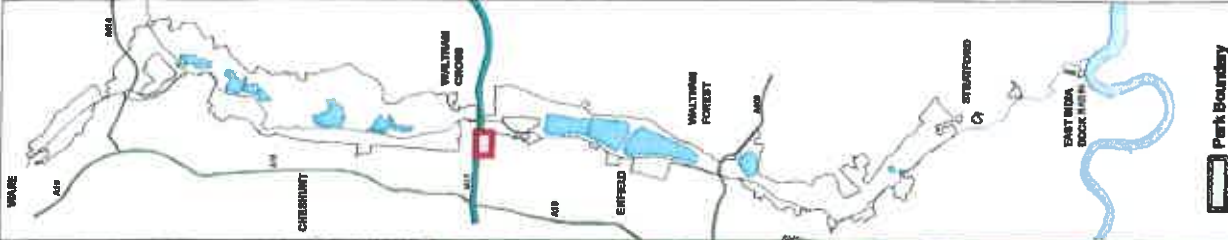
Appendix A Plan showing the site to be considered for disposal including adjacent land owned by LBE and TfL

Appendix B SA52: Land West of Rammey Marsh

LIST OF ABBREVIATIONS

TfL	Transport for London
the Park Act	Lee Valley Regional Park Act 1966
RMW	Rammey Marsh West
LBE	London Borough of Enfield
LVRPA	Lee Valley Regional Park Authority
MoU	Memorandum of Understanding
EIP	Examination in Public

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Rammey Marsh West - Ownership Context

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07.09.23

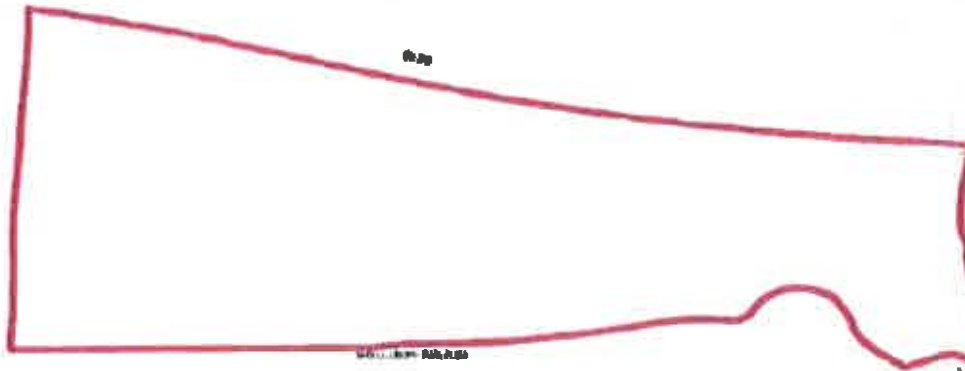
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SA52: Land West of Rammev Marsh



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metres

Existing Site Information

Address	Rammev Marsh Mollison Avenue,
Site Area	12.01ha
Existing Use(s)	Open land

Site Considerations

Flood Zone	1
PTAL	1a
Heritage Considerations	None
Impacts an Archaeological Priority Area	None

Proposal

Land Use Requirements	<ul style="list-style-type: none"> Redevelopment should provide at least 70,200 sq m of new employment floorspace (light industrial, general industrial, storage and distribution, and related sui generis) floorspace.
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Implementation

Timeframe for Delivery	0-5 years	5-10 years	10+ years
	-	X	-