 <p><b>LEE VALLEY REGIONAL PARK AUTHORITY</b></p> <p><b>EXECUTIVE COMMITTEE</b></p> <p><b>23 NOVEMBER 2017 AT 11:30</b></p>	<p><b><u>Agenda Item No:</u></b></p> <p><b>9</b></p> <p><b><u>Report No:</u></b></p> <p><b>E/526/17</b></p>
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**PROPOSAL TO DISPOSE OF SITE AT LANGLEY AND MILE NURSERY, CROOKED MILE, WALTHAM ABBEY**

Presented by the Director Corporate Services

**EXECUTIVE SUMMARY**

Members will be aware of the Land and Property Strategy adopted at the Authority meeting on 19 January 2017. As part of this Strategy the Land and Property Review Working Group, together with officers, have identified a number of sites deemed no longer required for Park purposes and considered for potential disposal. The site at Langley and Mile Nurseries (shown edged in red on the plan attached as Appendix A to this report) is 1.2 hectares (3 acres) in area and at present subject to 2 leases, both of which are due to expire at the end of October 2018. These leases are also contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954 so enabling the Authority to dispose of the sites with vacant possession at the end of the tenancies.

**RECOMMENDATIONS**

- Members Approve:
- (1) to declare the site shown edged red on Appendix A to this report as no longer required for Park purposes and surplus to Authority requirements; and
  - (2) to authorise that the site be disposed on the open market and any provisionally agreed terms reported back to Members for approval.

**BACKGROUND**

- 1 The site shown edged red on Appendix A to this report was acquired as part of the larger 56 hectare area of land known as the Wake Estate in 1969. The sites known as Langley and Mile Nurseries were used as glasshouse businesses at the time of acquisition and have continued to be leased out commercially throughout the Authority's ownership albeit for different uses than originally. This site has therefore never formed part of the adjacent open space land and consequently has never been open to the public.
- 2 The site is 1.2 hectares (3 acres) in area and is one of a number of sites

considered by the Land and Property Review Working Group for disposal as part of the Authority's Land and Property Strategy adopted in January this year.

- 3 At present the site is the subject of 2 leases both due to expire at the end of October 2018. Both leases are contracted out of the provisions of the Landlord and Tenant Act 1954 and are therefore not secure tenancies.
- 4 An Informal pre-application view has recently been received from Epping Forest District Council which has indicated that the principle of residential development would be considered. This advice would indicate that the site has the potential to attract a substantial capital receipt on the open market compared to its value if restricted to its current commercial uses.
- 5 Any application for outline planning permission submitted prior to marketing would have to be accompanied by a series of studies. These would include topics as diverse as a flood risk assessment, design and access, transport and traffic, habitats including bat surveys and landscape (including a tree protection plan and method statement).
- 6 Should Members approve the recommendations in this report officers will seek to procure the services of external surveyors to take the site forward. This will involve producing a site appraisal which will include a planning appraisal that takes account of the current advice mentioned in paragraph 4 above and researching the market to establish the site's potential. A marketing strategy will then be applied in order to achieve best consideration when advertised on the open market. Completion of disposal and the receiving of a capital receipt would likely be timed to coincide with the termination of the current leases, subject to all the necessary consents being received.

#### **ENVIRONMENTAL IMPLICATIONS**

- 7 The site has at no time been incorporated into any open space and has been subject to the commercial leases mentioned in the report.

#### **FINANCIAL IMPLICATIONS**

- 8 There are financial implications arising directly from the recommendations in this report. Any potential disposal would result in the loss of income from future renewals of the commercial leases at present totalling £30,500pa from a pro-rata amount of part of the financial year 2018-19 and onwards. The capital receipt received from disposal will be reinvested into the Authority's capital programme for future investment in the Park's venues and open spaces.
- 9 All further financial matters would be the subject of a separate report to Members should the site be marketed and terms agreed for disposal.

#### **HUMAN RESOURCE IMPLICATIONS**

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

#### **LEGAL IMPLICATIONS**

- 11 There are legal implications arising directly from the recommendations in this report. 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 Lee Valley Regional Park Act 1966 (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.

### **RISK MANAGEMENT IMPLICATIONS**

- 12 There may be risk management implications arising directly from the recommendations in this report. The site is likely to suffer from surface contamination from the uses currently engaged. It is recommended that preliminary ground investigations are carried out by external consultants so as to inform potential bidders and reduce the scope for re-negotiating the price after acceptance of an offer.

### **EQUALITY IMPLICATIONS**

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

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### **BACKGROUND REPORTS**

Draft Corporate Land and Property Strategy 19 January 2017

### **PREVIOUS COMMITTEE REPORTS**

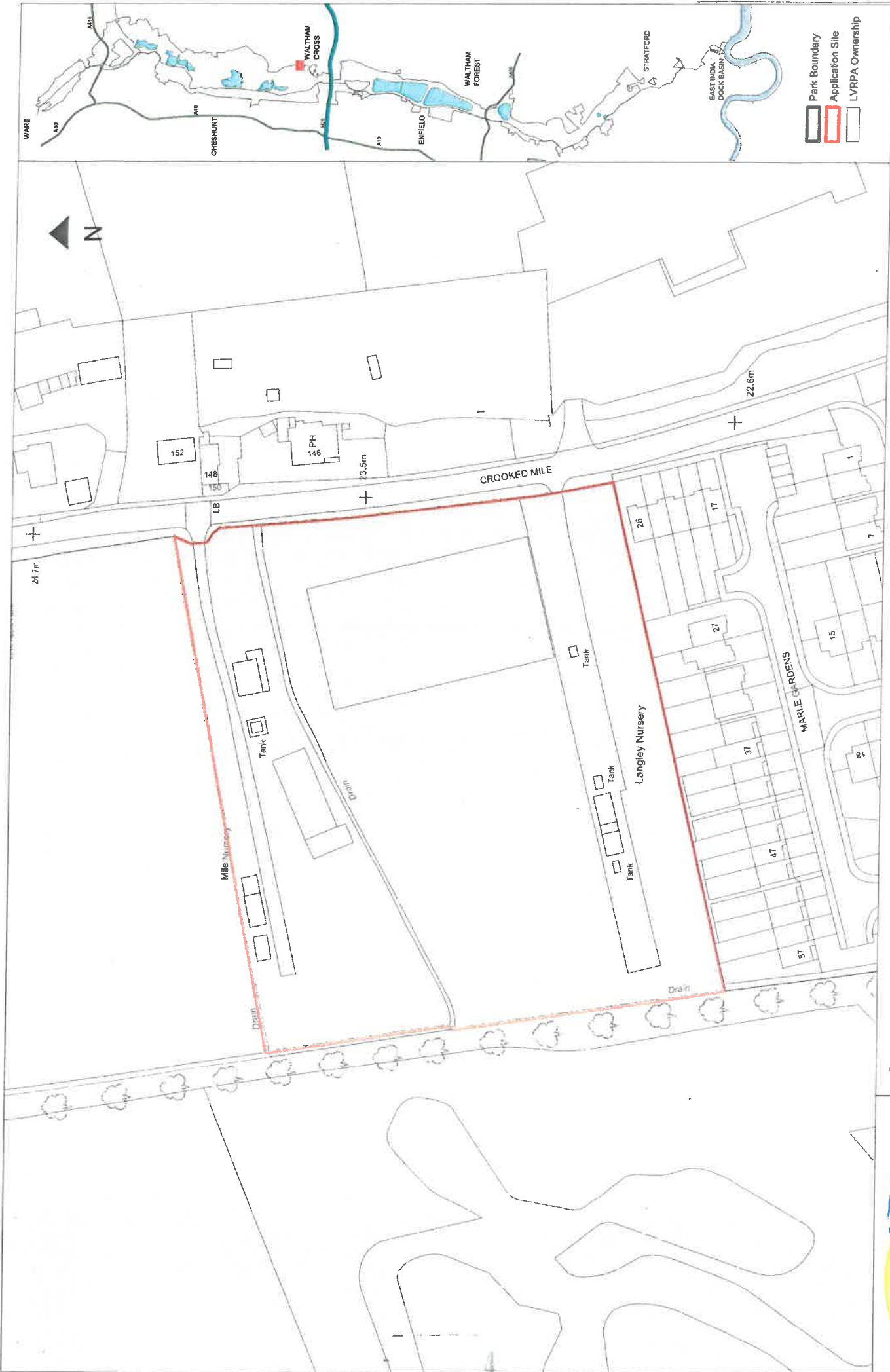
Executive	E/507/17	Langley and Mile Nurseries, Crooked Mile, Waltham Abbey	22 June 2017
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### **APPENDIX ATTACHED**

Appendix A The site to be considered for declaring surplus to Authority requirements is shown edged in red

### **LIST OF ABBREVIATIONS**

the Park Act Lee Valley Regional Park Act 1966



Appendix A - Land at Langley and Mile Nurseries Crooked Mile Waltham Abbey

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08.06.17

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T:\User Specific Files\Committee\2017 Maps\Langley & Mile Nurseries- Crooked Mile, Waltham Abbey v1 (SA) 080617-PT

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