



LEE VALLEY REGIONAL PARK AUTHORITY

EXECUTIVE COMMITTEE

21 JUNE 2018 AT 11:30

Agenda Item No:

5

Report No:

E/567/18

**PROPOSED DISPOSAL OF SITE AT
RAMMEY MARSH WEST, ENFIELD**

Presented by the Director of Corporate Services

EXECUTIVE SUMMARY

Members will be aware of the Land & Property Strategy adopted at the Authority meeting on 19 January 2017. As part of this Strategy the Member Land & Property Review Working Group, together with officers, have identified a number of sites which may potentially be deemed as no longer required for Park purposes and considered for potential disposal. The Ramme Marsh West site is approximately 4.86 hectares (12 acres) in area and was acquired as rough pasture adjacent to the M25 motorway from the Borough of Broxbourne in 1993 at a cost of £10,000. 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 are asked to declare the site as no longer required for Park purposes and therefore surplus to Authority requirements and authorise steps to be taken to dispose on the open market.

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) subject to (1) above 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 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 unfenced and 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.

- 2 The site is 4.86 hectares (12 acres) in area and is one of a number of sites considered by the Land & Property Review Working Group for potential disposal as part of the Authority's Land & Property Strategy adopted in January 2017. The site is part of a potentially larger site when combined with adjacent ownerships of the London Borough of Enfield and Transport for London (TfL) and it may be in the Authority's interests to discuss with these neighbouring landowners the future potential of the combined sites as a whole. Their ownerships are shown hatched blue and green respectively on Appendix A to this report.
- 3 The site at present is designated as Green Belt where there is a presumption against development. Officers from the Authority have made representations to Enfield Council as the local planning authority seeking to remove this designation. However both the National Planning Policy Framework (2012) and the London Plan (2012) accord significant protection to Green Belt land. Its release can only be justified in exceptional circumstances. This policy is retained in the latest drafts of each of these documents.
- 4 In summary the Authority's strategic policies included in the adopted Park Plan aim to protect the openness of the Regional Park and explore opportunities to enhance degraded land. Proposals seek to protect and enhance landscape and the adopted Plan's proposals designate this site as a Landscape Investment Area. Furthermore the adopted proposals seek to retain the land for both active and passive recreation and improve habitats.
- 5 The Authority's draft strategic policies included in the Park Development Framework and landscape strategy retain similar protections for landscape and the site is designated as an 'Urban floor with Marshland'. The draft landscape guidelines whilst seeking opportunities to restore the site's natural flood plain character also recognise that if new development goes ahead on this site then adequate landscaping is included in any scheme to screen and soften its visual impacts.
- 6 In the past the land along with adjacent properties owned by the London Borough of Enfield and TfL has suffered from illegal horse grazing which has had a historic financial cost to the Authority in resolving. This trespass has happened on at least 2 occasions since acquisition and the site due to its vulnerability from access across third party land from the highway is at a continuing risk of a repeat trespass.
- 7 The London Borough of Enfield have submitted a bid to the Government's Road Investment Strategy for a scheme involving an extension of Mollison Avenue northwards across the eastern side of this site to extend over the M25 motorway connecting to its eastern carriageway via a slip road. This is required to take pressure off Bullsmoor Lane which is already at capacity and maintain good access to the industrial areas along Brimsdown employment area. The location of a high level bridge could lead to significant environmental concerns for the adjacent site of Rammey Marsh East. The Government's final decision will be known in 2019.

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 Rammeley Marsh West 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 if the adjacent landowners shown edged blue and green on Appendix A to this report agree to collaborate to explore the potential of all 3. ownerships combined as a single offering to the open market.
- 11 The Authority's interests will be protected financially from any future increase in value of the land edged red on Appendix A to this report by an overage provision inserted in any proposed terms of sale. The Authority will bear its own costs in the proposed marketing of the site and legal completion of the documentation.

HUMAN RESOURCE IMPLICATIONS

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

LEGAL IMPLICATIONS

- 13 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.
- 14 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. This report sets out that there is no current requirement for this land for any of the Authority's functions. It will be necessary to confirm this again at the point a decision is taken for disposal.

RISK MANAGEMENT IMPLICATIONS

- 15 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

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

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BACKGROUND REPORTS

Corporate Land & Property Strategy

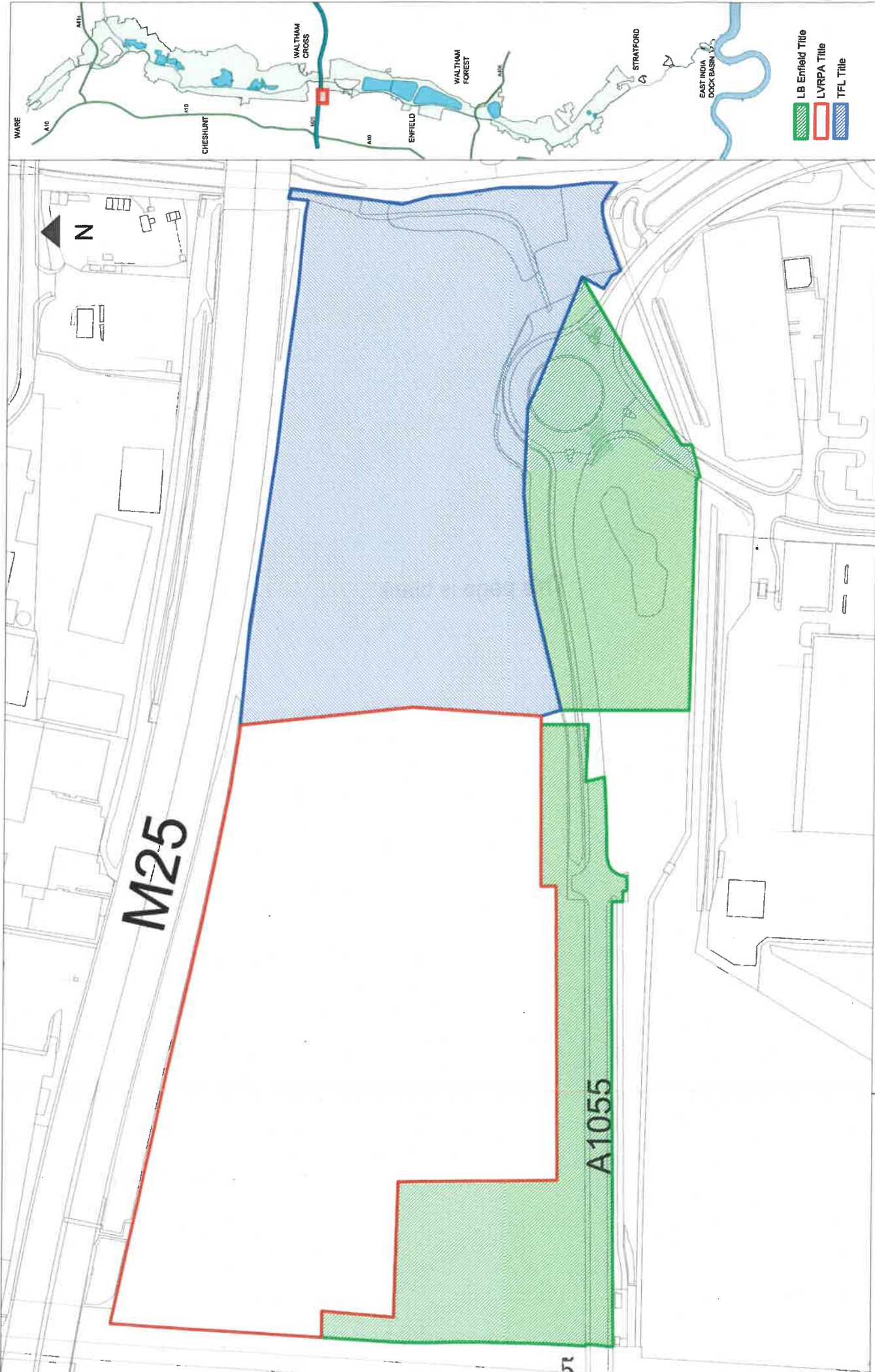
19 January 2017

APPENDIX ATTACHED

Appendix A Plan showing the site to be considered for disposal shown edged in red

LIST OF ABBREVIATIONS

TfL	Transport for London
the Park Act	Lee Valley Regional Park Act 1966



Appendix A – Proposed disposal of land at Rammey Marsh West, Enfield

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Produced by: Corporate GIS (SA)

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