




Report to:	Strategy and Resources Committee	Date	28 September 2015
Report title:	Acquisition of part of Mile Road for Proposed Pocket Park		
Report from:	Gerald Almeroth, Strategic Director - Resources		
Ward/Areas affected:	Wandle Valley Ward/Hackbridge Town Centre		
Chair of Committee/Lead Member:	Councillor Ruth Dombey/Councillor Simon Wales		
Author(s)/Contact Number(s):	Alex Fitzgerald (Head of Asset Management) 020 8770 6148 & Sally Blomfield (Area Renewal Programme Manager) 020 8770 4185		
Corporate Plan Priorities:	<ul style="list-style-type: none"> • A Green Council • A Smart Council 		
Open/Exempt:	Appendix C is exempt on the basis of Paragraph 3, Schedule 12A of Local Government Act 1972		
Signed:		Date:	16 September 2015

1. Summary

- 1.1 This report deals with the proposed purchase of land currently in Thames Water's ownership (part of Mile Road, the area of land on which the Hackbridge Pocket Park has been developed, and the area of land adjacent to the All Tile Ceramics shop which Thames Water currently lease to the shop as a private parking area) and the access rights to the advertising hoardings at 13 London Road, Hackbridge. The Plan in Appendix A identifies the parcels of land. Thames Water has agreed to sell the land, including the fee earning elements, to Sutton for a nominal sum. The income from the acquisitions will be used to ensure the ongoing maintenance of the Pocket Park which was constructed on Mile Road in 2015 following a successful grant funding application by BioRegional to the Greater London Authority (GLA) in 2013.

2. Recommendations

- 2.1 It is recommended that Strategy & Resources Committee agree to:
- a) Authorise the Executive Head of Asset Planning, Management and Capital Delivery in consultation with the Head of The South London Legal Partnership to complete the legal agreements for the purchase of that part of Mile Road in Hackbridge from Thames Water for a nominal sum (as shown edged on the Plan in Appendix A).

3. Background

- 3.1 Hackbridge is identified in Sutton's Core Strategy (adopted in 2009) as one of the Borough's 'Centres for Regeneration and Growth'. It is anticipated that there will be comprehensive redevelopment in the Hackbridge Neighbourhood as it becomes an exemplar sustainable neighbourhood.
- 3.2 Since 2009 a broad range of projects have been delivered to achieve the Vision to create Hackbridge as a Sustainable Suburb including improvements to the town centre; improvements



to the identity of the centre and quality of public realm; and improvements to access to the Wandle Valley Regional Park. The Hackbridge Area Renewal Programme was considered by the Executive Committee on 6 July 2010. The Committee agreed to the need to implement transport improvements to help facilitate east/west movements to surrounding open spaces and particularly wanted to focus on improvements across the railway bridge (Minute 495/10).

- 3.3 Since 2013 the Hackbridge Programme has been overseen by the Beddington and Hackbridge Members' Steering Group with formal decisions being taken by appropriate committees.
- 3.4 In 2013 BioRegional were successful in securing grant funding (£40k) from the GLA's Pocket Parks programme¹ to deliver a pocket park on Mile Road in Hackbridge which will eventually become one of the key gateways into the Beddington Farmlands part of the Wandle Valley Regional Park (WVRP). BioRegional also secured match funding from UK Power Networks (£10k), public realm grant funding from the St Helier, the Wrythe and Wandle Valley Local Committee (£10k), and an additional £16k from a variety of other sources to help deliver the pocket park.
- 3.5 Bioregional commissioned Adams and Sutherland Architects to design and deliver the scheme. The pocket park plans were developed in consultation with a stakeholder board which included local residents. The WVRP Trust were also consulted on the proposals given their role in the development of the gateways into the Regional Park.
- 3.6 The work was completed in late Spring this year. It turned the area from a fly-tipping site into a small community garden (see the before and after photos in Appendix B). Timber planters with seating were installed. The concrete surfacing was replaced with a resin finish. The fly-tipped area was cleaned and replanted with firs and other hardy plants. Boulders were installed to deter illegal car parking blocking the entrance to the park. The project has been warmly welcomed by the community.
- 3.7 The level of council involvement in the Pocket Park Project was limited as this was a project run by a third sector organisation on private land. However, planning permission was required due to the change of use proposed and was granted by the council in December 2014. In addition, there was oversight of the project by the Beddington and Hackbridge Members' Steering Group who raised issues over the long term maintenance of the park and how to secure its long term future retention.

4. Issues

- 4.1 Future maintenance - whilst Thames Water supported the grant funding application to the GLA for the Pocket Park and indicated that as land owners they would be happy for the scheme to be implemented on their land, they added a caveat to this to make clear that they would not be liable for any future maintenance of the park.

¹ The Mayor defines pocket parks as "small areas of inviting public space for all people to enjoy, providing relief from the hustle and bustle of the city. These spaces should have trees and greenery; they should be open to all; they should have places to sit and relax and for people to come together; and they should contribute to making the city friendlier, greener and more resilient."



4.2 Long term control over the future of the pocket park and securing this gateway to the Regional Park - as the pocket park has been constructed on private land the council cannot guarantee its long term security. It has been received well by the local community and provides an excellent gateway into the Beddington Farmlands area of the Regional Park. The long term aspiration of Hackbridge residents, as set out in their draft Neighbourhood Development Plan, is that this gateway become the key entrance point into the Regional Park not only for local residents but for those arriving by train at Hackbridge station. This will have the additional benefits to ensure the vitality and viability of Hackbridge town centre which people will have to pass through on their way to the park.

5. Options Considered

5.1 Two possible ways forward were identified to address the issues set out above:

a: Purchase Mile Road including the area of the pocket park and use council monies to maintain the area.

or

b: Negotiate with Thames Water to secure not only the pocket park land but also the parcels of land in Thames's ownership which bring in revenue so that this money can be used for maintenance purposes.

5.2 Accordingly, officers negotiated with Thames Water and have secured Thames Water's agreement to sell both the land and income rights for a nominal sum. With the acquisition of part of Mile Road the Council will also acquire the rental income from the letting of parking spaces to the adjacent premises as well as income from the access to the advert hoarding on the adjacent building. The details are set out below:

5.3 Officers also negotiated with Thames Water that each party are to be responsible for their own costs for dealing with the sale of the land.

- The Council will acquire the lease which has been granted for a period of 10 years from 9 March 2008 to William Forsdick of All Tiles Cereamic, 13 London Road, Hackbridge, SM6 7HW for the use of parking of private motor vehicles visiting 13 London Road only. The parking area is shown edged red on the attached plan in Appendix A. The current rental income being received is [1/para 3] per annum. The tenant is responsible to keep the surface of the parking area in good repair and condition. There is a mutual break clause in the lease allowing the tenant to terminate the lease giving 3 months notice in writing and also allowing the landlord to terminate the lease giving 6 months notice in writing.
- The Council will also acquire the licence which has been granted to JC Decaux (UK) Ltd for the purpose of inspecting, maintaining, repairing, and changing or renewing the advertising poster on the advertising panel which projects from the flank wall of 13 London Road, Hackbridge. The licence is subject to the lease for the parking spaces and can be terminated by either party by giving 1 months notice in writing or if the licensee is in



arrears which remain unpaid for 28 days. The licence fee current being received is [2/para 3] per annum.

6. Impacts and Implications

Financial

- 6.1 The estimated income of [3/para 3] generated will be sufficient to secure the maintenance of the pocket park. An income budget will be set up so that the income can then be used to fund the maintenance costs of the pocket park.
- 6.2 The purchase of the land will be for a nominal fee, any costs incurred to acquire the land will be met from within existing resources.

Legal

- 6.3 Section 120 of the Local Government Act 1972 permits the Council to acquire by agreement any land whether situated inside or outside its area for the purpose of any of their functions under that or any other enactment or for the benefit, improvement or development of their area.
- 6.4 Whilst the Seller has disclosed an existing lease and licence agreement over the land, a full analysis of the title will need to be carried out prior to acquisition of the land to identify any additional issues such as covenants on title, easements burdening the land, and any other rights of third parties.

7. Appendices and Background Documents

Appendix Letter	Title
A	Site Plan
B	Site Photos - Before and After Pocket Park Delivery
C	Schedule of Exempt Items

Background Documents

The Mayor of London's pocket park prospectus, available by download at http://www.london.gov.uk/sites/default/files/PocketParks_Brochure.pdf

Audit Trail

Version	Final	Date: 12.08.2015
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Consultation with other officers

Officer	Comments Sought	Comments checked by
Finance	Yes	Sue Hogg
Legal	Yes	Rowenna Warburton
Parks	Yes	Mark Dalzell