

LONDON BOROUGH OF ENFIELD
(LEESIDE ROAD AND WILLOUGHBY LANE)
COMPULSORY PURCHASE ORDER 2017

TOWN & COUNTRY PLANNING ACT 1990
AND
ACQUISITION OF LAND ACT 1981

STATEMENT OF REASONS

Definitions used in this Statement of Reasons

Act: Town & Country Planning Act 1990 (as amended)

Developer: Barratt London Limited, a wholly owned subsidiary of Barratt Developments PLC

ECHR: the European Convention on Human Rights

Guidance: Guidance on Compulsory Purchase and the Crichton Down Rules for the Disposal of Land acquired by, or under the threat of, Compulsion published in October 2015 by the Department for Communities and Local Government

NPPF: the National Planning Policy Framework

Order: the London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order 2017

Order Land: the land included within the Order and is shown on the plan labelled 'LBE 1' appended to this Statement

Council: the London Borough of Enfield

LBH: the London Borough of Haringey

Lee Valley Heat Network: a district heating network supplied via the Edmonton Eco Park Energy from Waste plant and provide a heat service to residential and commercial developments in and around the borough of Enfield

Leeside Road Junction: the principal vehicular access into Zone 1 shown on the drawing Labelled 'LBE4' appended to this statement

Meridian Water: the area shown outlined red on the plan labelled 'LBE 2' appended to this Statement

Scheme: the Council's proposals for regeneration of Meridian Water

Tear Drop Site: land to the east of the Great Western Mainline railway track part of which is included within Zone 1 to be used as construction and access land in as part of the development of Zone 1

Zone 1: the first development phase of the Scheme for which planning permission was granted on [] 2017 within the area shown outlined red on the plan labelled 'LBE 3' appended to this Statement

AAP: the Edmonton Leeside Area Action Plan

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1 Introduction

- 1.1 This document is the Statement of Reasons of the Council of the London Borough of Enfield (the **Council**) for making a compulsory purchase order entitled the London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order 2017 (the **Order**) which is to be submitted to the Secretary of State for Communities and Local Government for confirmation.
- 1.2 The Council has made the Order pursuant to Section 226(1)(a) of the Town & Country Planning Act 1990 (the **Act**). In this Statement of Reasons, the land included within the Order are referred to as "the Order Land" which is shown on the plan LBE 1 at Appendix 1 to this Statement. The Council is the local planning authority for Zone 1 and part of the Order Land. The London Borough of Haringey (**LBH**) is the local highway authority where it is proposed that access to Zone 1 will be located, as explained below. LBH is also the local planning authority for part of the Order Land.
- 1.3 If confirmed by the Secretary of State for Communities and Local Government, the Order will enable the Council to acquire the Order Land compulsorily in order to facilitate the first phase (**Zone 1**) of the Meridian Water regeneration project (the **Scheme**).
- 1.4 It may be necessary for the Council to make further CPO's to facilitate later phases of the Scheme if all the land required for those phases cannot be acquired by private treaty negotiations.
- 1.5 This Statement of Reasons has been prepared in compliance with "Guidance on Compulsory Purchase and the Crichel Down Rules for the Disposal of Land acquired by, or under the threat of, Compulsion" published in October 2015 by the Department for Communities and Local Government (the **Guidance**).

2 Background

- 2.1 Meridian Water is one of London's most significant regeneration opportunity areas. It comprises approximately 85 hectares of under-used brown field land located in the south east of the borough and is one of the largest developable areas in London. It is located within the Central Leeside growth area and the Mayor of London's Upper Lee Valley Opportunity Area (the largest opportunity area in London) and along the London-Stansted corridor.
- 2.2 It has been designated as a housing zone by the Mayor of London and is one the Mayor's key regeneration priorities. Its regeneration has been a longstanding objective of the Council and it is the largest priority area for residential led mixed use development in the Council's Core Strategy November 2010.
- 2.3 The Council aims to regenerate Meridian Water comprehensively over a 20 year period to provide 10,000 new homes, over 6,700 full time jobs, 10,000 temporary construction jobs, schools, community facilities, health services and open spaces, within a new character area. These proposals for Meridian Water are referred to in this statement as "the Scheme". The Scheme will be brought forward in phases and Council considers that each phase of the Scheme will make a significant contribution to the improvement of economic, environmental and social wellbeing of its area.

- 2.4 The first phase of the Scheme is referred to as Zone 1 where it is proposed to provide up to 725 new homes, retail, leisure and community uses, transport and infrastructure improvements, public open space and recreational facilities. Zone 1 is shown outlined in red on the plan LBE 3 at Appendix 3. Outline planning permission for the development of Zone 1 (with all matters reserved except for access) was granted by the Council on [date of planning permission] 2017.
- 2.5 The Scheme, including Zone 1, will be implemented by Barratt London Limited (the **Developer**) who was selected following an OJEU compliant procurement process between April 2015 and June 2016.
- 2.6 On 6 September 2016, the Council resolved that it is willing in principle to use its compulsory purchase powers if necessary to bring forward the Scheme. Subsequently, the Council passed a resolution on the 26th April 2017 to make the CPO as proposed in this statement. On the [date order is made] 2017 the Council made the Order which relates only to Zone 1.

3 **Location and description of the Order Land**

- 3.1 The Zone 1 site, including part of the Order Land, is within the Council's administrative area within the ward of Lower Edmonton. It comprises land situated on the west side of the West Anglia Mainline railway previously owned by National Grid and occupied by gas holders now removed, and part of the land to the east of the West Anglia Mainline railway known as the "Tear Drop" site. The majority of Zone 1 is already owned by the Council having been acquired from National Grid in 2 April 2015.
- 3.2 The southern boundary of Zone 1 is also the boundary between the Council's administrative area and the administrative area of LBH. To the south of the Zone 1 site are Leaside Road and Willoughby Lane which are highways maintainable at the public expense within LBH.
- 3.3 The existing access to the land on the west side of the railway formerly owned by National Grid is via Willoughby Lane, which in turn is accessed from Leaside Road. It is proposed that access to the Zone 1 development will be directly from Leaside Road as shown on drawing LBE 4 at Appendix 4 (the **Leaside Road Junction**).
- 3.4 The Order Land comprises in total approximately 0.15 hectares land located along the southern boundary of the former National Grid land. None of the Order Land is occupied by any residents or businesses. The Order Land is unregistered and the Council has been unable to trace the owners despite making diligent enquiries.
- 3.5 Investigations into the history of this location have revealed that Leaside Road appears to have been realigned in the early 1990s. The records of LBH show that the highways maintainable at public expense (parts of Leaside Road and Willoughby Lane) do not include Plot 1 even though it comprises the embankment on which Leaside Road has been constructed. It might have been expected that Plot 1 would form part of the highway maintainable at public expense, and it seems likely that it was omitted due to a referencing or registration error at the time of the road realignment. However, it has not been possible to obtain from LBH any records relating to this realignment to determine this position conclusively.

3.6 The Order Land comprises three plots which are identified on the Order Map and described as follows:

3.6.1 Plot 1 comprises an area of approximately 820 square metres, which forms an embankment adjacent to Leaside Road and Willoughby Road.

It is necessary to acquire Plot 1 so that the Leaside Road Junction can be constructed as the preferred access to the Zone 1 development. The land will be treated as available for development or landscaping as part of the Zone 1 development or potentially dedicated to LBH as highway maintainable at public expense.

3.6.2 Plot 2 is an area of approximately 550 square metres of Willoughby Lane which is public highway and at present provides the existing means of access into the land acquired from National Grid. The surface of Plot 2 is currently within the ownership of LBH as highway authority, but it is not known who owns the sub-soil. The Order will not affect the status of Plot 2 as a highway maintainable at public expense.

The part of Willoughby Road comprised in Plot 2 which provides the existing vehicular access into the former National Grid land will no longer be required for that purpose after construction of the Leaside Road Junction. The Zone 1 planning permission requires the existing access into Zone 1 to be prevented for vehicles and for the land to be laid out and landscaped in accordance with a scheme to be agreed within the local planning authority - a condition has been imposed on that planning permission to that effect. As a method of discharging this condition, an application has been made under section 247 of the Act to LBH as highway authority to stop up the highway. The application has been accepted by LBH and is awaiting statutory consultation in accordance with the Act. Once stopped up, Plot 2 will be laid out and landscaped. Acquisition of Plot 2 is required to enable the stopping up, landscaping and associated works to be carried out.

3.6.3 Plot 3 comprises approximately 180 square metres of land within Zone 1 adjacent to the existing access to the former National Grid land from Willoughby Lane. Prior the Council's acquisition of the National Grid land, Plot 3 was used by National Grid as though it was within its ownership. As part of the conveyancing process it was established that Plot 3 was not part of National Grid's title. As details on ownership could not be established, so it was omitted from the transfer. It is considered by the Council likely to be a historic conveyancing error.

The Plot is needed to enable the Zone 1 development to be implemented as the land will be developed to create a pedestrianised and landscaped area as part of the wider gateway into Zone 1. It also forms part of the area shown as pedestrianised adjacent to the Leaside Road Junction.

4 **Description of the Scheme and Zone 1**

4.1 The Scheme comprises a comprehensive residential led mixed use development of a large underused brownfield area to provide 10,000 new homes, 6,700 full time jobs, 10,000 temporary construction jobs, schools, community facilities, health services and

open spaces. It is envisaged that the regeneration will come forward over a 20 year period. The first phase of the development will take place in Zone 1.

- 4.2 The Zone 1 development for which outline planning permission was granted on [date] will comprise: up to 725 residential units, new station building, platforms and associated interchange and drop-off facilities including a pedestrian link across the railway, a maximum of 950 square metres retail (A1/A2/A3) floorspace, a maximum of 600 square metres of community (D1) floorspace, a maximum of 750 square metres of leisure (D2) floorspace, associated site infrastructure works including ground and remediation works, roads, cycle-ways and footpaths, utility works above and below ground, surface water drainage works, energy centre and associated plant, public open space and children's play areas, and various temporary meantime uses without structures (such as landscaping and open space).
- 4.3 The residential element of Zone 1 will provide much needed affordable housing in an accessible location whilst avoiding unnecessary development on greenfield sites.
- 4.4 The new station will be developed by Network Rail who will also be constructing a third track on the line. This will improve transport accessibility to the area, providing more frequent and convenient transport links for residents. In addition, the Scheme will deliver enhanced cycle and pedestrian links across Zone 1 with a comprehensive package of sustainable transport benefits to new residents, as well as travel plans and pedestrian environment enhancements to improve accessibility in and around the Meridian Water and the wider lower Edmonton area.
- 4.5 Zone 1 will provide a station square (which will link into the wider Meridian Water public realm in future phases) which will create the beginning of a new local centre and character area that will grow as Meridian Water is developed over the next twenty to thirty years. Other features include a new community centre and a package of sustainability measures including connecting to a district heating network, (the **Lee Valley Heat Network**). Further improvements to local open spaces, as well as contributions towards education and child care provision will be secured by section 106 agreement.
- 4.6 Zone 1 includes land on the Tear Drop Site, which will provide vehicle access/servicing arrangements to the proposed new station. All of the proposed residential, retail and commercial floorspace will be located on the former National Grid land on the west side of the railway line.
- 4.7 The preferred point of vehicular access to the proposed Zone 1 development will be from the Leaside Road Junction. A portion of the works required for this new junction lie within LBH and therefore the consent of LBH has been obtained for the works by way of an agreement under section 8 of the Highway Act 1980. The Leaside Road Junction was selected as the most appropriate means of access having regard to constraints such as the West Anglia Mainline railway track and the North Circular road. This access will be capable of accommodating long articulated vehicles (HGVs up to 16 metres) during the construction of the development and vehicles including HGVs servicing an existing National Grid pressure reducing station site. A second vehicular access to the north of Zone 1 is proposed to enable emergency vehicles only to access the Zone 1 development at this stage.
- 4.8 Part of Willoughby Road comprising Plot 2 is proposed, although not required, to be stopped up once the new access to the Zone 1 development has been constructed. An

application has been made to LBH as highway authority to stop up this land under section 247 of the Act. Once stopped up it will be landscaped.

4.9 The Zone 1 development will include the provision of a new station, to be known as Meridian Water Station, which will effectively be a relocation of the existing Angel Road Station. It is anticipated that the new station will be operational by the end of 2018, to align with improvements to the West Anglia Main Line. The station will include a new pedestrian link, with 24 hour free access, connecting the land to the west and east of the railway line. The station design will allow for step and step free lift access across the station. The station will be constructed by Network Rail. Designs are currently being prepared.

4.10 The intention is for construction to commence on Zone 1 in autumn 2017.

5 **Planning Policy relevant to Zone 1**

5.1 The Council adopted and emerging planning policy is supportive of the Zone 1 development, which is also consistent with regional and national policies.

5.2 **Core Strategy**

5.3 The Core Strategy was adopted by the Council on 10 November 2010 and is part of the development plan. It sets out the spatial planning framework for the long term development of the borough for the next 15-20 years. Core Policy 2 states that the Council will plan to meet the housing growth targets as set out in the London Plan for the fifteen year period from 2010/11 to 2024/25 and will plan for the provision of approximately 11,000 new homes.

5.4 The Meridian Water area corresponds with the Place Shaping Priority Area Meridian Water as designated in The Enfield Plan: Core Strategy 2010-2025. Core Policies 37 and 38 deal specifically with Meridian Water. Policy 37 states:

“At Meridian Water... ..the potential of a new sustainable urban mixed use community has been identified to play an important role in the delivery of planning and regeneration objectives, bringing forward in the region of 5,000 new homes and 1,500 new jobs.”

5.5 Policy 38 states:

“Based on the evidence of initial growth scenarios in the Meridian Water Place Shaping Priority Area, the objectives of new development will be to create a new community by 2026 with up to 5,000 new homes, 1,500 new jobs and all the necessary infrastructure to support the community and attract families and new employers to the area.”

5.6 There are justifications and explanations of these policies in paragraphs 9.9 to 9.11 of the Core Strategy.

5.7 Although this is currently the Council's only adopted statutory development plan policy that specifies housing and development targets at Meridian Water, planning policy and framework agreements produced since 2010 (which do not yet form part of the Development Plan) take account of the growth in population in the borough as well as

pressure on housing demand generally in London, and therefore have considerably higher targets than the Development Plan for housing units and job creation at Meridian Water.

5.8 The Council is preparing a new Local Plan which will incorporate updates to the Meridian Water proposals. Consultation on the Issues and Options stage of the Local Plan will take place later in 2017, with the Proposed Submission stage expected in mid-2018. The Core Strategy will remain in force as the Local Plan is prepared, although the Local Plan will assume greater weight in decision making as it progresses, and on its adoption will supersede the Core Strategy.

5.9 **Area Planning Policy – Edmonton Leaside Area Action Plan (formerly known as Central Leaside Area Action Plan)**

5.10 The Edmonton Leaside Area Action Plan (**AAP**) was produced in November 2013 and approved by full Council on 19 November 2014 as a draft for submission to the Secretary of State. The primary purpose of the AAP is to articulate in greater detail how the Core Strategy and relevant Development Management Document policies will be implemented, and to provide a more detailed policy framework to guide new development in the area.

5.11 The AAP went to public consultation between January 2015 and March 2015 and received 22 representations. The AAP was not submitted to the Secretary of State, and so has not been adopted. This is because significant changes, particularly with regard to Meridian Water, necessitate an update of the AAP. The key changes are:

5.11.1 higher population growth rates and projections;

5.11.2 updates to the London Plan and housing supply targets;

5.11.3 the Council securing Housing Zones status (and associated funding) from the Mayor of London for Meridian Water and its recognition as one of London's leading regeneration projects;

5.11.4 the application first phase of development comprising 725 homes as well as a new rail station i.e. Zone 1;

5.11.5 selecting Barratt London Limited as preferred development partner to act as master developer to drive forward the delivery of the Scheme;

5.11.6 setting more aspirational long term objectives to boost housing provision and employment growth at Meridian Water to 10,000 homes and 6,700 jobs respectively;

5.11.7 the Council making significant progress with site assembly having already acquired over [23] hectares of land;

5.11.8 supporting an acquisition strategy; and

5.11.9 actively supporting the Mayor of London's Crossrail 2 Growth Commission report in promoting the route via the Lee Valley as a growth corridor.

5.12 The AAP has now been updated to address these recent changes. It sets more ambitious targets supported by evidence modelling, most notably the objectives to boost housing provision to 10,000 homes and 6,700 jobs. The Council's Cabinet approved a new

submission draft at its meeting on 14 December 2016 which was subsequently approved by full Council on 25 January 2017. The timetable includes a statutory consultation which shall commence on March 2017. Representations received from the publication stage will be formally submitted to the Secretary of State with the final submission version of the AAP. The Secretary of State will appoint a Planning Inspector to conduct an Examination in Public to determine the soundness of the document. The Examination is expected to take place in August 2017. Once the public examination process is concluded, and depending on the nature of the comments in the Inspector's report, the Council will be able to adopt the document as a statutory development plan. Adoption is scheduled for late autumn 2017.

- 5.13 Chapter 14 of the submission draft of the AAP provides policy support for the Council's approach to land assembly at Meridian Water. Specific recognition is given on the importance of a comprehensive regeneration and the use of CPO powers to enable effective delivery of the development. It also highlights at paragraph 14.4.4. the importance of Zone 1 where it states the:

"Phase 1 development is the first step in the Meridian Water development, and will support the unlocking of the wider potential of Meridian Water and Edmonton Leaside. Development is expected to commence in 2017".

5.14 **Meridian Water Masterplan**

- 5.15 The Meridian Water Masterplan was adopted by the Council as Planning and Urban Design Guidance on 17 July 2013 and is a material consideration in the determination of all planning applications in this area. The delivery target and specific scope of the development set out in the Masterplan is no longer what will be developed, since this has been overtaken by a number of changes referred to above which it is intended will be addressed in the revisions to the AAP (considered above). In particular the Council has revised its approach to land acquisition and ambitions for Meridian Water. However, certain principles and aspirations set out in the Masterplan (for example quality of design, strengthening communities and economic growth) are still applicable and therefore relevant to the Order justification. However, on adoption of the AAP, the Masterplan will be superseded.

5.16 **Meridian Water: Investing in Enfield's Future**

- 5.17 The Meridian Water Regeneration Framework, titled "Investing in Enfield's Future" was endorsed by the Council's Cabinet on 10 February 2016 and forms the interim strategic approach to achieving sustainable development and long term growth for Meridian Water and taking the wards of Upper Edmonton and Edmonton Green out of the bottom 10% most deprived wards in England.

- 5.18 The Framework sets out the aims and aspirations for the future development of Meridian Water over a 40 year timespan. The Action Plan, appended to the Framework, serves as a matrix to help measure performance of the development against six themes or "action areas" ranging from lifestyle to sustainable infrastructure and energy.

5.19 **The London Plan**

- 5.20 The Mayor of London's revised London Plan was formally adopted in July 2011 and has been subject to subsequent updates. It provides a strategic spatial strategy within Greater

London and forms part of the Council's development plan. The Plan sets out a number of objectives to: optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change; and secure a more attractive, well designed green city.

- 5.21 The adopted Plan Policy 3.3 identifies the need to provide an annual average of 42,000 additional homes across the capital each year. In the 2015 revision of the plan, paragraph 3.16b entitled 'London's housing requirements' states that "the central projection in the Strategic Housing Market Assessment (SHMA) indicates that London will require between approximately 49,000 (2015-2036) and 62,000 (2015-2026) more homes a year." The Mayor has stated that the next London Plan will aim to at least 50,000 homes per annum. A significant number of new homes are needed in Enfield over the coming years and decades in order to meet existing and future housing need. The minimum delivery target set for Enfield by the London Plan is 798 per annum, with Meridian Water playing a key role in contributing to this.
- 5.22 Policy 2.13 of the London Plan refers to "opportunity areas" that have been identified on the basis that they are capable of accommodating substantial numbers of new homes and employment and seek to ensure the area's potential is optimised. The Upper Lee Valley (in which Meridian Water is situated) is identified in London Plan Policy 2.13, supported by London Plan Annex One, as an opportunity area.
- 5.23 In October 2015, the GLA designated Meridian Water one of twenty new Housing Zones in London, unlocking funding for key infrastructure and enabling works, including the station, remediation and a boulevard.
- 5.24 The next update to the London Plan is due to be made in 2017, with examination in 2018 and adoption in 2019.
- 5.25 **Upper Lee Valley Opportunity Area Planning Framework**
- 5.26 The Upper Lee Valley Opportunity Area Planning Framework (**ULVOAPF**) (adopted July 2013) covers circa 3,900 hectares shared between the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney. The headline objectives for the Upper Lee Valley include:
- 5.26.1 Over 15,000 new jobs by 2031
- 5.26.2 Over 20,100 new well designed homes by 2031
- 5.27 Meridian Water, roughly in the centre of the Opportunity Area and at the junction of three London Boroughs, is identified as a Growth Area. Chapter 7.2 specifies the following principles for Meridian Water:
- 5.27.1 Realising the scale of opportunity and the opportunity of scale;
- 5.27.2 Delivering 5,000 new homes; and
- 5.27.3 Facilitating economic growth: delivering at least 3,000 new jobs of varied types.

5.28 The ULVOAPF is currently being updated, and it is expected the updates will include the increased development potential and aspirations for Meridian Water as discussed above.

5.29 **National Planning Policy**

5.30 The National Planning Policy Framework (NPPF) (March 2012) sets out the Government's policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental and that planning authorities should seek opportunities to achieve the promotion of these dimensions. The Council's proposals for Meridian Water is in accordance with the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of brownfield land in order to create sustainable development in line with economic, social and environmental objectives to improve people's quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link between land use and transport are all in line with the NPPF aim of sustainable development.

6 **The Council's Power to Acquire Land Compulsorily**

6.1 Section 226(1)(a) of the Act enables the Council to acquire land compulsorily in order to facilitate the carrying out of development, redevelopment or improvement on or in relation to land in its area. Section 226(1)(a) is subject to sub-section (1A) which provides that the Council must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic and/or social and/or environmental well-being of its area.

6.2 Section 226(3) enables the Council to acquire any land adjacent to land falling within sub-section (1) which is required for the purpose of executing works for facilitating the development or use of land within the Council's area. The Council considers that the development of Zone 1 will achieve the objects in sub-section (1A) and that the acquisition of Plot 3 (which lies within the Council's area) is necessary in order to facilitate the development of Zone 1. Plots 1 and 2 lie adjacent to the Zone 1 application site within LBH and the Council considers that they are required for the purpose of executing works for facilitating the development of Zone 1.

6.3 Since the Plots comprised in the Order Land are not registered and the Council has been unable to trace any person having any interest in them, it has not been possible to acquire the Order Land by agreement.

7 **Need and justification for the use of Compulsory Purchase Powers**

7.1 The Council has a longstanding aspiration to secure the regeneration of Meridian Water. Meridian Water comprises one of the largest areas of underused and brownfield regeneration land in London, with large areas of derelict land alongside industrial accommodation of varying age and quality. In the context of a significant and worsening housing shortage across Greater London, the case for comprehensive, residential-led redevelopment is compelling. The Scheme is the borough's largest residential led mixed use development and lies within the Central Leaside Strategic Growth Area. It offers a

huge opportunity for transformational change through its waterside setting in the heart of the Lee Valley Regional Park and potential for superb public transport accessibility. The change will be such that it will enable Meridian Water to determine its own character and density, whilst securing good quality residential environments and public realm. The Scheme will bring forward retail and leisure uses, and provide new educational, health and community facilities. The development of new economic sectors can unlock economic growth and thousands of new jobs.

- 7.2 Zone 1 is the first phase of the Scheme. It is important to bringing forward the development potential of the Meridian Water area as acknowledged in the AAP (see paragraph 5.13 above). The use of the compulsory purchase power in section 226(1)(a) of the Act to acquire the Order Land will facilitate the carrying out of the development comprised in Zone 1 which accords with the development plan and emerging planning policy.
- 7.3 The Council is satisfied that the development which will be facilitated by the Order will contribute to the achievement of the objects specified in s226(1A) of the Act, in short, the promotion and improvement of the economic, social and environmental well-being of Enfield. The Council is also satisfied that Plots 1 and 2, which lie adjacent to but outside the Council's area, are required to execute works for facilitating the development of Zone 1 within s226(3).
- 7.4 Zone 1 is set to deliver significant benefits by bringing a vacant brownfield site back into beneficial use, providing up to 725 homes, commercial floorspace, community facilities and a new railway station as described in more detail in paragraphs 2 and 4 above.
- 7.5 The proposals for Zone 1 comply with existing and emerging local planning policy and the NPPF. The Council has selected a master developer to deliver Zone 1 and the wider Scheme and is satisfied that the Developer has sufficient resources and track record to undertake the development. The Council does not consider that the purpose of the Order could be achieved more effectively by any alternative means.
- 7.6 Compulsory purchase will enable redevelopment to take place in a timely fashion in order to derive the wider public benefits compulsory purchase the Scheme will secure and the realisation of the Council's objectives. This is considered to be necessary and justified in the public interest.

8 **Implementation of the Scheme**

- 8.1 **The Council has appointed Barratt London Limited (the Developer) as its development partner for Meridian Water.** In order to implement the Scheme, the Council has entered into a master developer framework agreement with the developer on [date of MDFA] 2017, a contract that governs the overarching relationship with the Developer, including mechanisms for securing the implementation of the Zone 1.
- 8.2 The Developer is a wholly owned subsidiary of Barratt Developments PLC, one of the UK's leading residential development companies.
- 8.3 The Council, having taken professional advice, is satisfied that the development comprised in Zone 1 is viable, the Developer has the financial resources to carry it out.

8.4 An additional funding package has been secured with key stakeholders including the GLA and Network Rail relating to funding for a third railway track and a new Meridian Water station (the station forming part of Zone 1) – both of which will increase train frequency to the area and enable the potential for Crossrail 2 in later phases of development.

8.5 In order to implement Zone 1 the conditions attached to the planning permission and the section 106 agreement will need to be complied with. These conditions and planning obligations have been developed in consultation with the Council and it is satisfied that these can be discharged and/or complied with in a timely manner. The stopping up of the highway at Plot 2 discussed above at paragraph 3.6.2 has been agreed in principle with LBH subject to public consultation and is not considered to be an impediment that would prevent or delay implementation of Zone 1. The stopping up of Plot 2 is not the only option available in any case, as the condition allows for the possibility the land remains designated as highway, but for pedestrian use only.

9 **Efforts to Acquire by Agreement**

9.1 The Council owns the majority of the land required for the Zone 1 development having acquired it by private treaty agreement from National Grid in 2 April 2015. The remaining interests required to proceed with the Zone 1 development comprise three unregistered plots as described at paragraph 3.6. Extensive investigations have been undertaken to try to identify the owners of these plots including searches with the Land Registry, Land Charges Department and the Gazette. Historic plans of the area have been examined as well as information pertaining to the construction or realignment of Leaside Road. Site notices have also been erected at the Order Land. Despite the Council's diligent enquiries the owners of these plots have not been traced and therefore it has not been possible even to attempt voluntary acquisition.

9.2 In the circumstances, the only course available to the Council is to exercise its powers of compulsory purchase.

10 **Other Considerations**

10.1 **Highway Land**

10.2 Plot 2 comprises Willoughby Road which is highway maintainable at public expense with LBH. The Order will not affect the status of Plot 2 as highway which will be stopped up by means of the separate procedure in s247 of the Act. The effect of the Order in relation to Plot 2 will be to enable the Council to acquire all interest in that Plot.

10.3 To facilitate construction of the Leaside Road junction, LBH and the Council entered into an agreement dated 29 July 2016 under Section 8 of the Highways Act 1980 which will enable the Council to construct the new junction using powers under Part V of the Highways Act 1980 (delegated under section 278 if carried out by the Developer or another party on the Council's behalf). There are no further consents required to carry out the works to the Leaside Road Junction.

10.4 A planning application may be required in respect of the future landscaping works on Plot 2. Indicative designs for this landscaping have been created, consistent with the design of the access to the Zone 1 development. The Council does not anticipate that there will be any reason to refuse planning permission to landscape Plot 2 and so it does not consider that this will be an impediment to implementation of the Scheme.

10.5 **Utilities**

10.6 A gas main runs under Plot 2 (Willoughby Lane) into the land formerly owned by National Grid. National Grid will retain a Pressure Reducing Station adjacent to Zone 1. The Council has been working closely with National Grid to ensure the development of Zone 1 takes into account their requirements. The requirements to safeguard National Grid's apparatus are not considered to be an impediment to delivery of the Scheme. National Grid has also been consulted on the Order.

10.7 The Order does not seek the extinguishment of any rights of National Grid or any statutory undertakers.

11 **Human Rights Considerations**

11.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the ECHR. Articles 6 and 8 and Article 1 of the First Protocol are potentially relevant to the compulsory purchase of land:-

11.1.1 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations. The statutory procedures applicable to compulsory purchase, which include the right to object and provide for judicial review, are sufficient to satisfy the requirements of this Article.

11.1.2 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. Since the Order Land is not occupied, this Article is not engaged in this case

11.1.3 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and subject to the conditions provided for by law.

11.2 If the Order is confirmed, and if any person can show that they held an interest in any of the Order Land, that person will be entitled to compensation which will be assessed in accordance with the relevant statutory provisions sometimes referred to for short as the Compulsory Purchase Compensation Code.

11.3 The reference in Article 1 of the First Protocol to "the public interest" means that, in deciding whether to make and confirm a compulsory purchase order, a fair balance must be struck between the public benefit sought and the interference with the rights in question.

11.4 In making this Order, the Council considers that there is a compelling case in the public interest to enable the Zone 1 development to proceed here in order to secure the economic regeneration, environmental and public benefits which the Zone 1 development will bring.

11.5 Since Plots 1 and 3 are not currently used for any purpose and Plot 2 is highway land, and since no one who has any interest in the Order Land has been identified (apart from LBH

in relation to Plot 2), the Council considers that the public interest to enable the Zone 1 development to proceed outweighs any possible interference with convention rights.

11.6 The Council is of the view, therefore, that the Order is compatible with the ECHR.

12 **Public Sector Equality Duty**

12.1 The Council has had due regard to the considerations listed in section 149 of the Equality Act 2010 and has taken this into account in the assessment of the Order.

12.2 The Order by enabling implementation of the Zone 1 development will have a positive impact on equalities in general, assisting to regenerate an area which will assist taking the wards of Upper Edmonton and Edmonton Green out of the bottom 10% most deprived wards in England. To ensure that this is the case an Equalities Impact Assessment has been prepared by the Strategic Planning team to support the AAP submission. The Zone 1 planning application was also subject an equalities impact assessment.

12.3 However, additional regard has been given to any potential impact upon the protected characteristics outlined by the Equalities Act 2010 Section 149 and the provisions contained therein. It is considered that due regard has been given to the impact of the Zone 1 on all relevant groups with the protected characteristics schedule.

13 **Conclusion**

For the reasons set out in this statement, the Council considers that there is a compelling case in the public interest for the making and confirmation of the Order.

14 **Details of contacts at the Council**

14.1 All those owners and occupiers affected by the Order, who wish to speak to the Council's agents regarding the purchase of their interests are requested to contact:

[]

14.2 If any person affected by the Order wish to discuss it with an officer of the Council, he/she is requested to contact:

[]

15 **List of documents**

15.1 In the event that it becomes necessary to hold a public inquiry into the order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- The Order, Order Schedule and Order Map;
- Report to Committee and Decision Notice and Section 106 Agreement relating to the planning permission reference: 16/01197/RE3
- Cabinet report and minutes of authorising the making of the Order;
- National Planning Policy Framework 2012;

- London Plan
- The Upper Lee Valley Opportunity Area Planning Framework
- The London Borough of Enfield Core Strategy
- Edmonton Leaside Area Action Plan
- Meridian Water Masterplan
- Meridian Water Regeneration Framework: Investing in Enfield's Future

15.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

Civic Centre
Silver St,
Enfield
EN1 3XA

15.3 Documents relating to the Order can be downloaded from the Council's website via the following link:

<https://www.enfield.gov.uk/> []