MUNICIPAL YEAR 2019/2020 REPORT NO. PL 19/154 P

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF:

Cllr Guney Dogan Cabinet Member for Environment & Sustainability

Agenda - Part: KD Num: KD5046

Subject: Four Hills Public Realm

Improvements

Wards: Chase

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

- 1.1 The aim of the Four Hills Public Realm improvements project is to create a more desirable environment for the Four Hills Housing Estate through the construction of rain gardens, wildflower swales and natural play features which will enhance the space for residents.
- 1.2 Rain gardens and other SuDS features will be used to reduce surface water runoff in Enfield Town catchment and improve the quality of water discharging into Saddlers Mill Stream.

2. RECOMMENDATIONS

- 2.1 To approve the proposed public realm improvements as described in this report at the following locations (see Appendix 1):
 - Four Hills Estate (location 1)
 - Blossom Lane (location 2)
 - Wetherby Road (location 3)
- 2.2 Accept funding from the Thames Regional Flood and Coastal Committee (as shown in Table 1) and seek additional funding both internally and externally from partner organisations identified in this report. Delivery of the scheme will be on a phased basis as funding is secured.
- 2.3 To delegate authority to the Head of Highway Services to authorise the placing of orders through any of the Council's existing relevant term contracts or to invite and evaluate tenders/quotations and, where suitable tenders/quotations are received, to award contracts for the works as part of the delivery of the Four Hills Public Realm Improvements in compliance with the Council's procurement rules.

3. BACKGROUND

- The Saddlers Mill Stream watercourse flows beneath Enfield Town in 3.1 an underground culvert. The catchment is highly urbanised with a large proportion of impermeable areas which can generate significant levels of surface water runoff during extreme rainfall events. If the capacity of the underground drainage system were exceeded, the resulting flooding would follow an overland flow route that approximates the original line of the watercourse. This could result in several hundred properties in the Enfield Town area being flooded. Modelling has shown that the most effective way to mitigate this flood risk is through installing at source sustainable drainage measures throughout the catchment. Enfield Council's Watercourses team have identified that using existing Council owned housing land to construct Green Infrastructure Sustainable Drainage Systems (GI SuDS) such as rain gardens and swales is an effective way to attenuate surface water runoff and reduce flood risk. The approach of retrofitting SuDS to existing housing estates is supported in Enfield's Local Flood Risk Management strategy. The Four Hills Estate is the largest housing site in the Enfield Town catchment making it one of best opportunities to implement GI SuDS.
- 3.2 The Four Hills Public Realm Improvements focuses on landscaping and amenity enhancements on Blossom Lane, Wetherby Road and the green space adjacent to Lavender Hill. These include:
 - The delivery of rain gardens (on Blossom Lane) and wildflower swales (on Four Hills Estate and Wetherby Road) to reduce the risk of surface water flooding and improve biodiversity
 - Reconfiguration of the current footpath layout on Blossom Lane to improve access to Gordon Hill Station
 - Use excavated material to construct natural play features on the green space adjacent to Lavender Hill
 - Improve pedestrian access by constructing a new footway and resurface existing surfacing on the Four Hills Estate
- 3.3 Local residents were consulted on the proposals on 26th October and 6th November 2019 (see appendix 2 for consultation document). Concept designs were sent out and comments from 20 residents were received:
 - 19 were positive about the scheme (95%)
 - 1 were negative about the scheme (5%)
 - 2 responses asked for no public seating directly outside flats (10%)
 - 4 requested improved accessibility along Blossom Lane (20%) The consultation results are being used to inform the final designs. In response to the consultation all proposed informal seating in the rain gardens directly in front of flats on Blossom Lane have been removed.

- 3.4 The consultation identifies inadequacies in the footway along Blossom Lane the existing route is convoluted and encourages pedestrians to walk in the carriageway for long sections. The design improves the footway running along Blossom Lane by providing drop kerbs and a shared surface where the footway crosses the car park entrances.
- 3.5 The first part of the works will involve constructing rain gardens on Blossom Lane directly in front of the housing estates (see location 1). Rain gardens will be formed by converting existing asphalt surfacing into green planted areas, creating shared front gardens for residents. The rain gardens will help to alleviate existing drainage capacity issues and reduce the likelihood of localised flooding on the estate, which has occurred several times over the past few years.
- 3.6 Wildflower swales will be created on the green areas on the Four Hills Estate (see location 2) and on the green space in front of Wetherby Road (see location 3). Roof runoff will be diverted into wildflower swales and will be slowly released back into the drainage system providing surface water storage in the Saddlers Mill Stream catchment. Swales will be planted with a mix of wildflowers and grasses improving biodiversity on the estate and producing a more interesting environment.
- 3.7 All excavated material from the creation of wildflower swales will be retained on site and used for landscaping improvements. The design includes the creation of play mounds and play on the way features on Lavender Hill. These features will enhance the existing playground.
- 3.8 Below is a table summarising the funding secured:

Table 1: Funding summary

Funding	Source Amount	Amount	Secured	Spend Profile				Location
				201	2019/20		0/21	1
				Q3	Q4	Q1	Q2	
London Strategic SuDS Pilot	Thames RFCC	£150k	Yes			8 8	819	1, 2 & 3
Major Works	LBE Housing	£100k	Yes					1 & 2
Section 106	LBE	£50k	Yes			R TI		1 & 2
LBE Capital Funding	LBE Highway	£50k	Yes					1, 2 & 3

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Do Nothing: The scheme aims to reduce surface water flood risk in the Enfield Town catchment, which is exacerbated by the impermeable nature of the area. To do nothing will lose the opportunity to create a more resilient drainage system and improve the public realm. This would also mean the loss of opportunity to access external funding.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Reduced surface water flood risk as highlighted in Enfield's Local Flood Risk Management Strategy (2016).
- 5.2 Improved water quality in Enfield's rivers by removing harmful pollutants from the drainage system.
- 5.3 Enhanced biodiversity, aesthetics of the housing estate and amenity by planting a wide variety of species.
- 5.4 Improved accessibility and renew footways to ensure DDA (Disability Discrimination Act) compliance.
- 5.5 Improved public understanding and perception of urban drainage issues and sustainable drainage.
- 5.6 Inspiring more Green Infrastructure SuDS development and collaborative approaches to public realm projects across the borough.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

The total cost of the proposed public realm capital work is £350k. This is funded from existing approved capital budgets and grant as detailed in Section 3.8, Table 1. The relevant 2020/21 capital budgets form part of the 2020/21-2029/30 approved 10-year capital programme

6.2 Legal Implications

- 6.2.1 The Council has power under section 1(1) of the Localism Act 2011 to do anything individuals generally may do providing it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way.
- 6.2.2 Under Section 111 of the Local Government Act 1972 local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions.

- 6.2.3 In addition, the Flood Water Management Act 2010 gives Lead Local Flood Authorities (LLFAs) various responsibilities relating to the management of local flood risk in order to provide preventative measures to mitigate against damage that can be caused by floods in the local area. The public realm improvements mentioned in this report will assist with allowing the Council to meet their obligations and comply with its duties under the 2010 Act.
- 6.2.4 The Council will need to ensure that any procurements carried out under this proposal comply with the Public Contracts Regulations 2015 (where applicable) and the Council's Contract Procedure Rules.
- 6.2.5 The Council will need to ensure that the terms and conditions of any grant funding which it is in receipt of are acceptable, and officers should liaise with Legal Services in this regard. The proposal represents a Key Decision as overall it involves expenditure of £250,000 or more. Officers will therefore need to comply with the governance process in respect of Key Decisions.
- 6.2.6 The receipt of grant funding by the Council does not appear to be in breach of EU State Aid rules as set out in the Treaty for the Functioning of the EU (TFEU) Article 107 (1) as the Council is not an undertaking engaged in economic activity.

6.3 Property Implications

There are no property implications to this report as there are no properties or leases involved.

7. KEY RISKS

- 7.1 The following key risks relate to not implementing the project:
 - Loss of opportunity to reduce flood risk downstream and compliance with an action in Enfield's Local Flood Risk Management Strategy
 - Loss of attraction of up to £150k of external funding to Enfield
 - Loss of opportunity to increase biodiversity and wildlife habitat
 - Loss of opportunity to cooperate with the local community

8. INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION

8.1 Highways and Housing

The proposals have been discussed with the Housing Grounds Maintenance Officer. It has been agreed that although the proposals will require a change in the pattern of maintenance activities, the overall cost of future maintenance will not be significantly increased and can be accommodated within the current H.R.A. budget.

9. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

9.1 Good homes in well-connected neighbourhoods

By reducing flood risk, improving the public realm and improving infrastructure for walking and cycling this project contributes to the aim of creating good homes in well-connected neighbourhoods.

9.2 Sustain strong and healthy communities

This project has potential to significantly improve the green environment in the Four Hills area. Making it easier for residents to walk and cycle improves quality of life and supports independent living. Additionally, increased walking and cycling can lead to increased passive surveillance with associated community safety benefits. Reducing flood risk and pollution also helps to sustain strong and healthy communities.

9.3 Build our local economy to create a thriving place

Improving infrastructure for walking and cycling encourages residents to use local businesses and supports the local economy.

10. EQUALITIES IMPACT IMPLICATIONS

An equalities impact assessment has been conducted on the proposals ensure that the scheme remains fully accessible by all members of the community and supports the council to meet the Public-Sector Duty of the Equality Act 2010. It should also be noted that the any contracts awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

11. PERFORMANCE AND DATA IMPLICATIONS

The implementation of the scheme will satisfy actions derived from the Local Flood Risk Management Strategy by reducing surface water runoff rates (Objective 4) and helping to protect existing properties from flooding (Objective 5).

12. HEALTH AND SAFETY IMPLICATIONS

The scheme will be designed in accordance with the Construction Design and Management Regulations 2015, and industry good-practice standards, to be safe for members of the public.

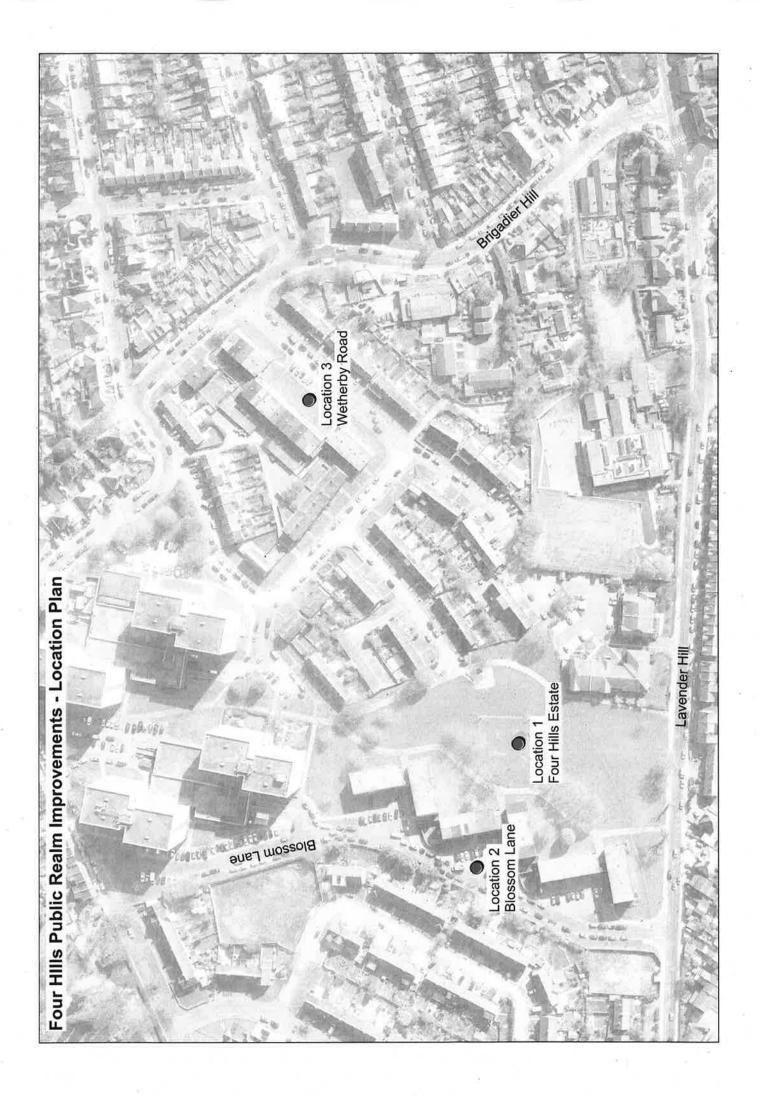
13. PUBLIC HEALTH IMPLICATIONS

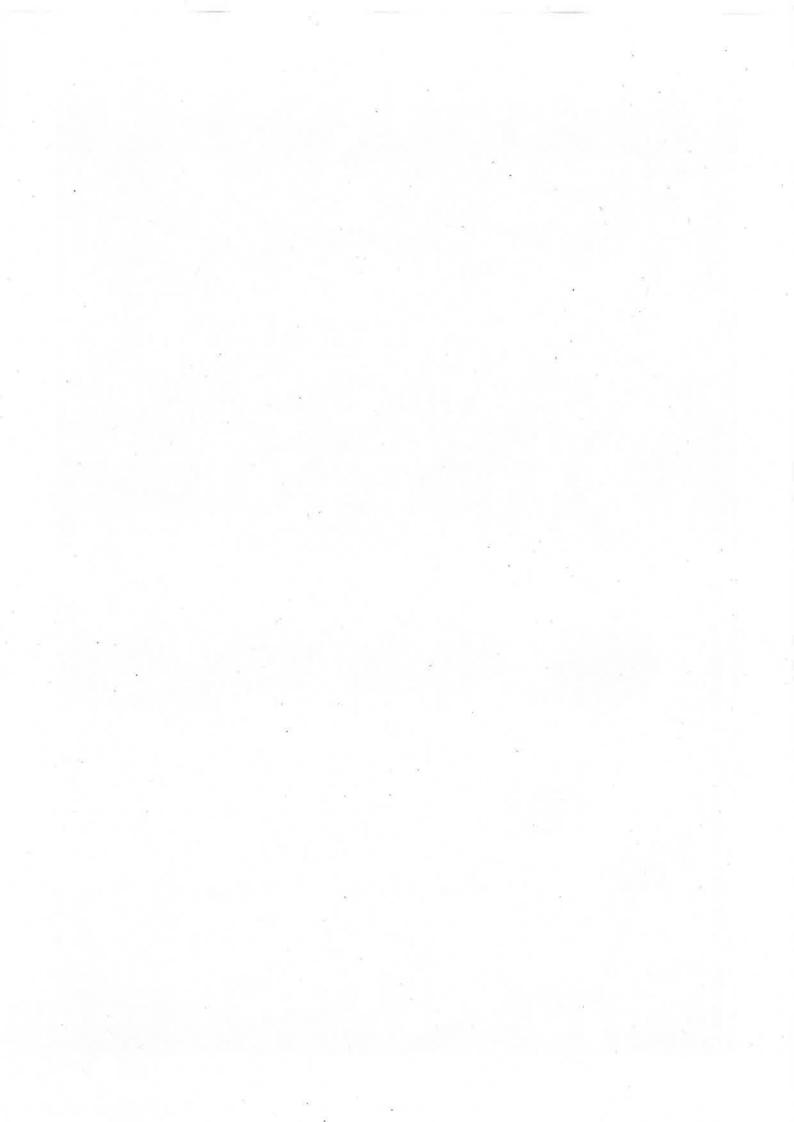
- 13.1 These improvements to the environment will reduce risk of flooding, improve the environment and encourage local residents to walk thereby increasing the physical activity on offer in Enfield.
- 13.2 This is in addition to the less tangible but still significant public health gains that will be accrued through maintaining and increasing green infrastructure.

APPENDIXES

- 1. Location Plan
- 2. Four Hills Public Realm Improvements Consultation Document







Four Hills Estate – Public Realm Improvements Design Consultation

We are looking to improve the landscape, enhance trees and planting around the Four Hills Estate and create a more desirable public realm.

Please have your say on our concept design (on the back of this leaflet). Would you like to see:

- Community growing areas
- More planting
- Natural Play areas
- Seating areas



Figure 1: Visualisation of possible Four Hills improvements

If you have any queries please contact:

Marcus.Gayle@Enfield.gov.uk

020 8132 0966









Concept Design





Figure 2: Visualisation of possible Four Hills improvements

Four Hills Public Realm Improvements

Artistic Impressions



Rain gardens on Blossom Hill



Wildflower swales on Four Hills Estate

Concept Design



Natural Play/Amenity Features





nformal seating area







Community Growing Areas

Wildflower

Rain Gardens



Olympic Park swale

ENFIELD Council



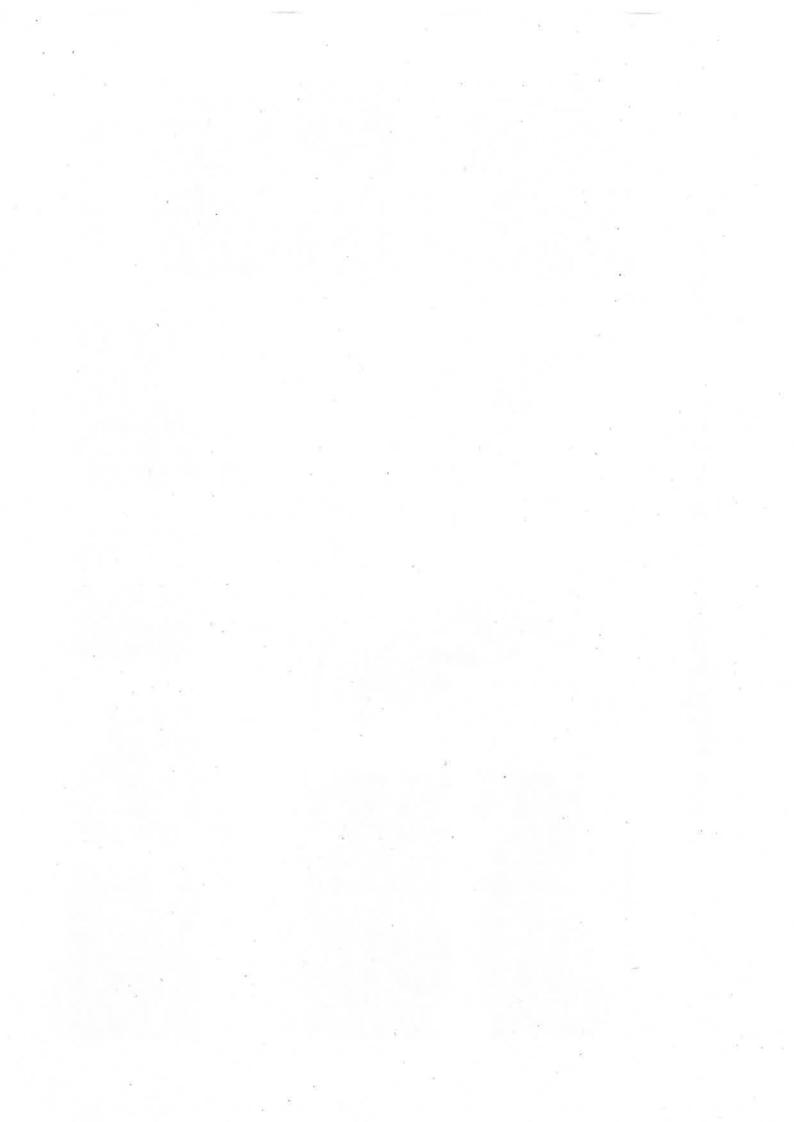


Rain gardens delivered by Enfield Council

Award winning Australia Road scheme











MUNICIPAL YEAR 2019/2020 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF:

Cllr Nesil Caliskan

REPORT OF:

Executive Director - Place

Agenda – Part: 1	KD Num: 4798
Subject: Meridian Wa Fund	ter Station Land
(40)	
Wards: Upper Edmor	nton -

Contact officer and telephone number: Paul Gardner 020 8132 2577

Email address: paul.gardner@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The Greater London Authority (GLA) has made a grant offer towards the cost of the Meridian Water station through its Land Fund programme which was established to address land and infrastructure cost barriers to the delivery of homes in London.
- 1.2 In addition to the direct output of the station itself (which was delivered in June 201), the required output for the grant is the delivery of 1,528 homes in a period between 2022-2028. The construction of these new homes in Enfield has been made possible due to the new rail station.
- 1.3 The remaining of the funding package for the station is made of up Community Infrastructure Levy (CIL), Developer Contributions and direct funding by Enfield Council itself.
- 1.4 Entering into the Funding Agreement and receipt of the grant will reduce the capital cost to the Council, and ongoing finance payments associated with this expenditure and consolidate the partnership with the GLA.

2. RECOMMENDATIONS

It is recommended that the Leader:

- 2.1 Delegates authority to the Programme Director of Meridian Water in consultation with Director of Law and Governance and Executive Director of Resources to agree the Funding Terms for the Land Fund.
- 2.2 Delegates authority to the Director of Law and Governance to enter into the Land Fund Agreement with the GLA

3. BACKGROUND

3.1. Meridian Water Station

- 3.1.1. In July 2017 Cabinet authorised entering into an Implementation Agreement with Network Rail for the delivery of a new Station at Meridian Water (KD 4470).
- 3.1.2. The high-quality new station located at the heart of Meridian Water replaced the inaccessible and under-used Angel Road and will serve as a major catalyst for the regeneration of this part of Enfield.
- 3.1.3. The station was built between September 2017 and May 2019. Opening on 3rd June 2019, the station was ready to be used for the successful summer Field Day Festival that was held in the Drumsheds in Meridian Water on 7/8 June 2019, at which 30,000 people attended over 2 days.
- 3.1.4. Services were subsequently increased in September 2019 with an additional daily service of 2 trains an hour in both directions alongside the Lee Valley line to Stratford via Tottenham Hale.
- 3.1.5. The new station has successfully delivered on its design objectives set out in the 2017 Cabinet Report.
- 3.1.6. On 17th August 2019, the Chancellor announced that Enfield Council had successfully been awarded £156 million of Housing Infrastructure Fund (HIF) toward Strategic Infrastructure Works (SIW) which include £40m towards further rail upgrades to enhance the services and frequency of trains to and from Meridian Water.

3.2. Land Fund Objectives and Outcomes

- 3.2.1. At the time of the original Implementation Agreement, the GLA had offered to making a funding contribution to the station via a Housing Zone part-grant and part-loan. However, this grant was conditional on entering into an agreement with a Master Developer which would provide the contractual obligation for the delivery of housing unit outputs. When negotiations faltered with Barratt in 2017, and they withdrew their bid in October 2017, it was no longer possible to secure the grant and in March 2018 this funding stream was closed (see Confidential Schedule attached).
- 3.2.2. Subsequently, an alternative source of funding became available that would allow Enfield Council to secure the same amount of grant originally offered towards the building of the station. In 2019 an application was made to the GLA's Land Fund through the submission of a Business Case for a grant contribution towards the capital cost of the station.
- 3.2.3. On 11 February 2020, the Mayor of London's Executive Director of Housing and Land approved the provision of £6m grant funding from the Land Assembly Fund to the London Borough of Enfield to contribute to the new Meridian Water's train station.

- 3.2.4. The GLA Land Fund grant will be used to offset incurred expenditure on the Meridian Water station. The loan element of the original Housing Zone offer is no longer required as the station has already been built and the expenditure incurred.
- 3.2.5. While the direct output of the money (the new station) has already been delivered and is in successful operation, the objectives of the Land Fund are about using GLA investment to address land value and infrastructure challenges in order to unlock and accelerate the delivery of housing in London.
- 3.2.6. As set out in detail in the Land Fund Business Case, the geographical, environmental and physical nature of the Meridian Water lend it particularly well to the needs of an intervention by the Land Fund and its core objectives of:
 - Getting more Homes Built
 - Increasing the Proportion of Affordable Housing
 - Accelerating the Speed of Building
 - Capturing More Value Uplift for the Public Benefit
- 3.2.7. The Land Fund application gave specific housing outcomes that would be delivered over the next 8 years. A summary table of those outcomes if below:

Phase/Location	Market Units	Affordable Units	Total Number of Units	Timescale for Delivery
Meridian One	400	400	800	2021-2026
Phase Two	437	291	728	2023 – 2028
Total	837	691	1,528	

- 3.2.8. The business case for the Land Fund intervention is that the grant will contribute to the cost of delivery of the new Meridian Water Station that will enable and accelerate delivery of at least 1,528 new homes within the first six years of the scheme. The Business Case sets out in tabular form the number of units to be delivered in each year for each site.
- 3.2.9. Meridian One refers to the Willoughby Lane site that constitutes the first phase of residential development at Meridian Water. Vistry Partnerships (formerly Galliford Try) signed a Development Agreement with Enfield Council for the development of this site in December 2019. Outline planning permission is in place for 725 units. Vistry intends to deliver part of this through the discharging of Reserved Matters in 2021, and to resubmit a revised planning application for a second tranche of development (with higher density) in 2020. Start on site is due in June 2020 for the commencement of enabling utility diversions and remediation, with home construction starting in early 2021 and the first homes being delivered in 2022.
- 3.2.10. Phase Two refers to the land in the centre of Meridian Water, currently the Orbital Business Park and what is known as the Ikea Clear site. The unit outputs detailed

above are for part of Phases 2a and 2b, specifically four blocks: two in the south of Phase 2, one of which fronts the canal, and the other two in the area bounded by the new Brooks Park, the Central Spine Road and the Leeside Road link road extension. Outline planning permission for Phase 2 residential development was submitted in August 2019 and is due for determination in March 2020. Currently different models for the delivery of this phase are being considered. Any of these models of delivery would be consistent with the required outputs. However, it should be noted that the current masterplan for this area is only indicative, and subsequent detailed planning applications bought forward either by the Council or a developer could be quite different to what is currently shown in the outline planning permission. This wouldn't invalidate the funding condition outputs provided that the minimum number and tenure split were still achieved.

- 3.2.11. The tenure split is important because the affordable units (both London Living Rent and Intermediate or Shared Ownership products) cannot be "double-funded" by GLA grant. It is anticipated that applications will be made for GLA grant funding for all affordable units on Phase 2. Therefore the Business Case explicitly states that the eligible outputs for this funding agreement are the 837 market homes (not the 691 affordable units) across the two phases.
- 3.2.12. The summary table below specifies which type of GLA grant funding will apply to which units.

Summary Table					
	No. of Units	GLA Funding Intervention			
U.		Affordable Homes Grant			
Affordable Units (45%)	691	Programmes/ Section 106			
		Homes for Londoners Land			
Non-Affordable Units (55%)	837	Fund			
Total	1,528				

3.3. Timescales

3.3.1. The timetable for this funding agreement is set out below:

Target Milestone	Date/ Deadline
Agree HOTs	15/02/2020
Enter into Funding Agreement	March 2020
Funding to be drawn down	31/03/2020
Time period for delivery of housing outputs	2022-2028
Time period to secure developers' contributions	Until 2039

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. Do not accept GLA Land Fund Grant.

Since the station has been built, and all other potential sources of funding have been exhausted, this is the last opportunity to secure a major public grant contribution towards the cost of the station. The result would be that this cost would have to be borne by the Council, this option is therefore dismissed.

5. REASONS FOR RECOMMENDATIONS

5.1 Reduces the direct capital cost to the Council

The station was forward funded by the Council on the basis of a financial model whereby this cost would be recovered over time from grant funding and developer contributions. Receipt of this Land Fund grant would replicate the grant funding that would have been provided through the Housing Zone grant before this funding stream expired. The injection of funding for the station would improve the capital cost position both for the project itself and for Meridian Water as a scheme.

5.2 Consolidates the partnership with the GLA

The Land Fund constitutes the first major injection of funding by the GLA into the Meridian Water project. Entering into the Funding Agreement with the GLA commits both parties to the delivery of the housing outputs specified. This means that the GLA has a stake and ongoing interest in the successful delivery of these outputs, providing another incentive for it to support the Council on a wide range of enabling workstreams from securing the Housing Infrastructure Fund to gaining Planning Consents.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

See Part 2 Report

6.2 Legal Implications

MD: 06/02/20

- 6.2.1 Section 1 of the Localism Act 2011 provides the Council with the power to do anything an individual may do, subject to a number of limitations. This is referred to as the "general power of competence". A local authority may exercise the general power of competence for its own purpose, for a commercial purpose and/or for the benefit of others. This general power of competence provides sufficient power for the Council to enter into a grant funding agreement with the Greater London Authority.
- 6.2.2 The transfer of funds by way of grant from the Greater London Authority to the Council does not give rise to incompatible State Aid to the Council, Network Rail/TfL, rail operators nor any developer.
- 6.2.3 Funding will be contingent on delivery by the Council of certain outputs by defined milestone dates. Furthermore, the grant agreement will contain rights of termination and repayment in the event that the Council does not meet such milestone dates or otherwise breaches the conditions set out in the grant agreement.

6.2.6 All legal agreements entered into in consequence of the approval of the recommendations set out in this report must be approved in advance of commencement by the Director of law and Governance.

6.3 Property Implications

There are no Property Implications.

7. KEY RISKS

7.1 **Risk:** Failure to meet housing output targets

Impact: GLA would claim proportional clawback of grant

Mitigation: Proposed outputs are relatively conservative estimates of what the project is expected to deliver. In addition, flexibility is being negotiated (e.g. a 6-month tolerance around housing output milestones) within which clawback wouldn't be triggered.

7.2 Risk: Risk of default on Funding Agreement

Impact: Potential clawback of full grant amount

Mitigation: Likelihood of risk deemed extremely low. Scrutiny of funding agreement by legal team before entering into agreement to ensure that there are no onerous clauses that would be difficult to meet. Ongoing monitoring of funding agreement by Meridian Water team and Finance to ensure compliance.

8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

8.1 Good homes in well-connected neighbourhoods

Funding for the station would ease debt overall on the Meridian Water project improving the overall financial model and thereby improving the viability for the delivery of more homes, and a higher percentage of affordable homes at Meridian Water.

8.2 Sustain strong and healthy communities

Easing the impact on revenue accounts of the Council by accepting the funding will benefit the wider Council budget, and all of its service intervention including in the areas of health and well-being.

8.3 Build our local economy to create a thriving place

The station itself is a significant catalyst to the local economy. The contribution of the Land Fund grant into Enfield constitutes a significant investment from the London Assembly into a deprived and previously poorly served part of the borough. By improving the overall financial position of Meridian Water, the grant strengthens

the viability of the regeneration project to invest in the local economy and contribute to a more vibrant and prosperous neighbourhood.

9. EQUALITIES IMPACT IMPLICATIONS

n/a

10. PERFORMANCE AND DATA IMPLICATIONS

n/a

11. HEALTH AND SAFETY IMPLICATIONS

n/a

12. HR IMPLICATIONS

n/a

13. PUBLIC HEALTH IMPLICATIONS

n/a

Background Papers

None

