



## London Borough of Enfield

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<b>Title:</b>	Report for approvals associated with the Enfield Town Liveable Neighbourhood project
<b>Report to:</b>	Cabinet Member for Public Spaces, Culture and Local Economy
<b>Date of Report:</b>	28 July 2023
<b>Cabinet Member:</b>	Cllr Chinelo Anyanwu
<b>Directors:</b>	Executive Director – Sarah Cary Director for Planning & Growth – Brett Leahy
<b>Report Author:</b>	Richard Eason Richard.Eason@enfield.gov.uk
<b>Ward(s) affected:</b>	Town, Grange Park, Southbury Ward
<b>Key Decision Number</b>	KD 5308
<b>Implementation date, if not called in:</b>	<u>TBC</u>
<b>Classification:</b>	Part I Public

### Purpose of Report

1. The purpose of this report is to set out the next steps for the Enfield Town Liveable Neighbourhood project and to approve spend of the CIL and S106 funding that is allocated to this project and to agree alignment of future TfL allocations that are anticipated.

- I. Notes that the Enfield Town Liveable Neighbourhood project has continued to be developed and that TfL continue to support the delivery of the project.
- II. Notes the allocation by the Capital Finance Board of £4m CIL to the Enfield Town Liveable Neighbourhood project.
- III. Approves the alignment of future external grant funding that Transport for London agree to allocate to this project, along with S106 allocations.
- IV. Approves the packages of work to be delivered first (proposed Phase 1 of the works), using the funding already secured whilst delegating authority to the Director of Planning & Growth to make adjustments to this subject to ongoing discussions with TfL.
- V. Delegates authority to the Director of Planning & Growth for ongoing procurement and expenditure associated with continued delivery of the project.
- VI. Delegates authority to the Director of Planning & Growth for approving future agreements entered into with any 3<sup>rd</sup> party landowners affected by the project proposals, including but not limited to Transport for London and The Old Enfield Charitable Trust.
- VII. Notes that a future Key Decision report will be brought forward to approve the implementation of specific designs, once the statutory consultation process is complete for sites that require statutory consultation to be undertaken ahead of the implementation.
- VIII. Approves the implementation of the proposed Art Trail and further meanwhile works on Fountain Island, where statutory consultation is not required.
- IX. Approves the implementation of changes within the market square area, should an agreement with The Trust be reached and Planning Application granted.

## **Recommendations**

### **Background and Options**

1. A bid for funding for this ambitious and transformational project was successful in 2019. With the commencement of the pandemic and the funding challenges that created for TfL, the Liveable Neighbourhood programme was

paused. Despite this, the Council continued to explore how the project might progress, should future funding become available. In September 2022, TfL announced it was restarting the Liveable Neighbourhood programme, enabling the continuation of five projects across London. The Enfield Town project was one of these.

2. Since the original submission, the scope of the project has evolved, with a masterplan approach taken. This has involved establishing a longer-term vision for the Town Centre that goes beyond the scope and budget of the original bid. The intention being to then take an incremental approach to delivery, as available funding allows. The pandemic, and more recently the challenges associated with increases in inflation, have confirmed that this is the most viable approach – enabling shorter-term action, that is aligned to a longer-term vision. Taking into account the wider scope and inflationary pressures, total cost to deliver the full town centre improvements as shown in Appendix A, is anticipated to be circa £17m.
3. At the time of this report, whilst TfL have not fully committed to the full amount of funding they suggested would be available prior to the pandemic (£6m), they continue to demonstrate commitment to the project. Enfield Town is one of only 5 Liveable Neighbourhood projects that TfL have approved for re-starting. TfL have also provided further funding in FY23/24 to enable the project to continue towards implementation.
4. The project is following the TfL ‘gate’ process to enable it to progress through a series of TfL approval points. There are 6 key gates as described below:
  - a. Stage Gate 2 (Feasibility stage; now completed)
    - 1) Design selection process, including Phase 1 and Phase 2 engagement with the community
    - 2) Stage Gate 2 submission to TfL – approved.
  - b. Stage Gate 3 (Concept design stage – approaching completion)
    - 1) Feedback incorporated and designs developed further – complete
    - 2) Traffic modelling completed and assessed by TfL – complete and approved
    - 3) Phase 3 engagement - completed

- 4) Phase 4 engagement - completed
  - 5) Formal Stage Gate 3 submission to TfL – being collated and submitted next
- c. Stage Gate 4 (Detail design stage – next stage)
  - d. Stage Gate 5 (Implementation)
  - e. Stage Gate 6 (Monitoring)
5. To implement the entire scheme, full funding will be required from TfL and other funding sources such as S106. The TfL investment will enable the changes to the highways networks and signalised junctions that are required as part the scheme, as well as implementation of the remaining off-highways elements of the project. However, ahead of clarification of TfL ‘build’ funding there is currently available ‘build’ funding in the region of £3.8m (CIL) which enables some initial improvements to be made. These improvements stand-alone with or without future investment. This report therefore sets out the proposed aspects of the project for delivery as part of this first phase of works (referred to as Phase 1 of the works). Discussions with TfL are ongoing as to the sequence of works which may take place after Phase 1. These discussions could lead to some adjustments to Phase 1, however the individual project areas proposed are detailed in Table 1.

Table 1 – proposed priority sites (Phase 1 of works)

Ref	Title	Description	Rationale for progression
01	New public square at Little Park Gardens (LPG)	Creation of new public square (by Natwest Bank) with motor vehicle access altered to the western end of LPG (by the bus station)	New and enhanced public realm, creating places to rest, things to see and do, and increased greenery along the high street, whilst reducing motor vehicle dominance by altering access to the car park
02	New pedestrian crossings at the Church Street / Sarnsfield Road junction	This will include the widening of the footway on the western side of Church Street (including some removal of on-street car parking) and the installation of new	This aspect of works brings forward further pedestrian improvements and links the new public square with the library green

		signalised pedestrian crossing points across Church Street and Sarnsfield Road.	
03	Library Green to Town Park connection	New signalised pedestrian crossing over Cecil Road, realigned to provide direct connection between Library Green area and Town Park entrance	Enabling more effective integration of Enfield Town Park into the town centre, creating better connections and access.
04	Development of meanwhile improvements on Fountain Island	Further improvements to Fountain Island ahead of more substantial improvements as part of a future phase of works	Ongoing incremental improvements will help with activation of this space
05	Implementation of a town centre wide art and cultural trail	Range of small scale art installations either woven into the public realm or installed within the public realm spaces	This project delivers on the design principle of celebrating the heritage of town centre and helps bring smaller scale changes across the breadth of the town centre.

6. Discussion is ongoing with the Old Enfield Charitable Trust, who own the Market Square. Previously, the Council and the Trust have collaborated on developing design ideas as shown at Appendix A. The next step is to continue discussions around how such designs could be implemented. Subject to any future agreement, the aim would be to bring forward improvements to the Market Square as part of Phase 1 works. However, any changes to the Market Square would also be subject to the planning application process which would determine the final outcome and timeline for this aspect of the project. This report approves the entering into a legal agreement with the Trust, if that is the outcome of ongoing discussions.

7. This project has been subject to extensive community engagement. Four main phases of the engagement have been carried out to date, with proposed statutory consultation stage to be carried out for future elements where new and/or amended traffic orders are required to implement highway aspects of the project.

8. In the Autumn of 2019 Phase 1 engagement focused on the vision for the future of the town centre and established 5 community led design principles that Enfield Town:
- Is safe for all.
  - Has a vibrant economy.
  - Is a great place to be.
  - Offers transport choices; and
  - Celebrates its heritage.
9. Phase 2 of community engagement in Autumn 2020 presented specific highways proposals and included design workshops on public realm. Feedback received shaped the design presented to the public in Summer 2021, forming Phase 3 of the community engagement. Engagement reports were submitted by the Council to TfL as part of Stage Gate 2 submission (Gateway 2 approval has been now provided).
10. More recently, Phase 4 of community engagement took place in the Summer/Autumn 2022 and included presentation of the combined plans (highways and public realm elements of the scheme) which incorporated further feedback from the last engagement phase. This has now led to a freeze on the design to enable detailed design to take place prior to statutory consultation. It is this design that forms the Gate 3 submission to TfL.

**Risks that may arise if the proposed decision and related work is not taken**

11. Several risks have been identified if the proposal(s) are not approved:
- Lost funding opportunity – If the project does not continue with the available funding, then TfL are likely to close the project from their perspective, resulting in a loss of any future funding potential.
  - Loss of benefits from the project – this project has the potential to deliver a range of benefits for Enfield Town which will be lost if the project does not continue.

**Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

12. The following are top risks and mitigation considered if the proposal(s) are approved.

Risk	Action
Cost control	It is already acknowledged that the project will be delivered incrementally as funds allow. Inflationary pressures remain uncertain however each aspect of the project will have a contingency budget allocated and the future scope reviewed should delivery costs continue to escalate.
Disruption during construction	Traffic management arrangements will be designed to minimise disruption and ongoing engagement will take place with the emergency services and transport operators. The needs of local residents, people working in the town centre and visitors to the town centre will all be considered. Church Street and Cecil Road form part of the Strategic Route Network (SRN). Continuous discussions will be held with key stakeholders throughout the development of the traffic management plans.

### **Preferred Option and Reasons for Preferred Option**

13. Despite the challenges of Covid-19 which resulted in financial uncertainties and prolonged Stage Gate 2 submission assessment, the project has successfully progressed through Feasibility and Concept Design stages, including extensive community engagement throughout.

14. The project continues to align with the initial objectives, and now more than ever, it is important that this transformational project is progressed to deliver a range of benefits. The project fully aligns with local, London and national policy on investing in town centres and enabling increases in active travel and as such the preferred option is to enable this project to continue through to the implementation of Phase 1 works and beyond, subject to further TfL funding.

15. Once greater clarity on the funding position is established, a future Key Decision report will consider implementation of future stages of the project but progression now with the funding available is in line with the incremental delivery approach previously described.

16. Following other options have been considered:

- Do nothing/No longer progress the scheme: This is not recommended as this project delivers a range of benefits for the Borough.
- Progress with different set of measures for Phase 1 works – careful consideration has been given to the areas selected, with a priority focus on pedestrian improvements, coupled with public realm improvements. Alternative areas that were considered include both Fountain Island (full re-development as per the designs) and also the improvements planned along Church Street. Whilst these measures bring benefits to the town centre, they are building on current provision, rather than introducing new aspects to the town centre. Other aspects of the project, such as junction improvements, need to be delivered as a collective package and are therefore not viable within the current budget. The remaining funding from TfL would be required to implement these.

### **Relevance to Council Plans and Strategies**

This project contributes towards the objectives of the Council corporate plan as described below.

17. **Clean and green spaces** – this project will include the delivery of improved public realm, including additional greenery and longer-term contribute towards greater levels of sustainable transport.

18. **Safe, healthy and confident communities** – this project will help contribute towards a safer Enfield Town and through increasing transport choices help enable healthier lifestyles

19. **Thriving children and young people** – this project will help improve the town centre for all generations and the full masterplan includes items such as a sensory garden and other opportunities for informal play.



20. **More and better homes** – this project will help create improved connections with current and future active travel routes, enabling more transport choices for local neighbourhoods to travel into the town centre in a sustainable way.

21. **An economy that works for everyone** – this project will contribute towards developing a town centre that is vibrant, healthy and inclusive.

## **Financial Implications**

### Summary

22. This report is requesting approval to spend £4.6m from the capital programme for Phase 1 of the Enfield Liveable Neighbourhoods scheme. All works will be funded by a combination of the TFL grant funding and CIL. The budget for these works is already included within the 2023/24 capital programme and this report is seeking approval to spend against that budget.

23. Estimated spend for 2023/24 is £780k funded through TFL grant (£670k) and CIL (£110k), with £3.75m estimated from 2024/25 funded from CIL. There is the possibility of further TFL grant which if agreed will reduce the CIL requirement.

24. Total programme of works across all phases for the Enfield Liveable Neighbourhood scheme is estimated to cost £16.8m over 4 years. Future phases of the programme where spend incurred goes above the £4.6m requested in this report are dependent on the availability of funding and subject to further approvals.

### Revenue Budget Impact

25. It is expected there will be no impact on the revenue budget because of the approval of spend on this scheme. All expenditure incurred on this programme are expected to meet the criteria for capitalisation in line with the Councils capitalisation policy. Therefore, all costs will be charged to capital with no impact on the revenue budget.

26. Expenditure which does not meet the criteria for capitalisation, as set out in the Councils capitalisation policy will be charged to revenue. Should costs be charged to revenue, grant and CIL funding can be applied to neutralise the impact.

#### Capital Budget Impact

27. There is currently an allocation of £5.9m in 2023/24 and £5.7m in 2024/25 in the capital programme for the Journey and Places programme. All costs detailed within this report are included within this allocation and will be funded from TFL grant and CIL.

28. Table below sets out the amounts for the programme in the capital programme and how they are funded:

	<b>2023/24</b>	<b>2024/25</b>	<b>Total</b>
<b>Expenditure</b>	£0.78m	£3.75m	£4.53m
<i>Funded by:</i>			
<b>TfL Grant</b>	£0.67m	£0.00m	£0.67m
<b>CIL</b>	£0.11m	£3.75m	£3.86m

29. No other known impact on the capital programme.

#### Borrowing/Debt Impact

30. The programme of works is fully funded through TFL grant and CIL funding. The Council will not be using borrowing to fund this programme, therefore there is no impact on borrowing and no change to debt because of this scheme.

#### Taxation

31. VAT costs will be charged on expenditure which we cannot reclaim through the TFL grant. The Council can recover VAT input tax through its normal VAT

arrangements, no significant VAT implications identified. No other Tax implications identified.

#### Accounting Treatment

32. Cost will be accounted for in compliance with the Councils capitalisation policy. Any costs that cannot be capitalised will be charged to the revenue budget.

33. All the costs identified will contribute towards the enhancement of the highways and transport assets and therefore meet the criteria for capitalisation.

#### Risks

34. The main risks on the programme are shown below with mitigations:

#### Risk Mitigation

35. TFL withdraw their funding leaving a funding gap Project will be delivered incrementally as funding is agreed. Therefore, should funding reduce or be withdrawn the project can be paused.

36. Costs exceed funding available. A contingency has been included within the cost estimated and the future scope will be reviewed should costs be higher than expected.

#### **Legal Implications**

37. Section 106 of the Town and Country Planning Act 1990 provides that planning permissions may be granted subject to planning obligations, agreed between a developer and the local planning authority, which are set out in a separate legal agreement, often referred to as a 'Section 106 Agreement'. Obligations often take the form of financial or in-kind contributions towards the provision or improvement of infrastructure if a need is generated by the new

developments. Financial contributions must be spent as set out in the planning agreements.

38. The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area to facilitate the delivery of infrastructure needed to support development in their area. The Community Infrastructure Levy Regulations 2010 (as amended) governs the way in which CIL funds are spent which would be on infrastructure priorities identified by the Council.
39. Section 23 of the Road Traffic Regulation Act provides the Council (as local traffic authority) with powers to establish crossings for pedestrians on roads for which they are the traffic authority
40. Section 6 of the Road Traffic Regulation Act provides the Council (as local traffic authority) with powers for regulating traffic, both vehicular and other (including pedestrians) as may be necessary to implement the works referred to in this report.
41. Section 62 of the Highways Act 1980 provides the Council (as Highways authority) with powers to carry out, in relation to a highway maintainable at the public expense by them, any work (including the provision of equipment) for the improvement of the highway.
42. Any works outlined in this report that constitute 'development' as defined in the Town and Country Planning Act 1990 will require planning permission and consequently an application seeking such will be required to be submitted to the Local Planning Authority.
43. Any agreements reached with third party landowners will need to be in a form approved by the Council's Director of Law and Governance.
44. Any contracts awarded in connection with the recommendations included in this Report must be procured in accordance with the Council's Contract

Procedure Rules and, where applicable, the Public Contacts Regulations 2015

45. The recommendations set out in this report and within the Council's powers and duties.

The legal implications inserted into this report were provided by JH (Legal) based on version circulated on 25th April 2023.

### **Equalities Implications**

46. Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. The needs of diverse groups when designing and changing services or budgets need to be considered, so that the decisions do not unduly or disproportionately affect access by some groups more than others. The Public Sector Duty Act 2010 requires Local Authorities, in the performance of their functions, to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

47. The EqIA process is a continuous throughout the development of the project, from its conception to its utilisation. The latest EQIA report can be found in Appendix B.

### **Environmental and Climate Change Implications**

48. Table 3 provides an overview of environmental and climate change considerations.

Table 3: Overview of Environmental and Climate Change Considerations

Consideration	Impact of Proposals
Energy consumption	<p>Neutral</p> <p>There are no changes proposed to the current service delivery arrangements.</p>
Measures to reduce carbon emissions	<p>Mixed</p> <p>Transport generates a significant amount of greenhouse gas emissions (33% of UK CO<sub>2</sub> emissions in 2018). The proposals will enable:</p> <ul style="list-style-type: none"> <li>• Increased levels of active travel by making journeys safer and more appealing</li> <li>• Reduced private vehicle trips by making alternatives equally appealing</li> </ul> <p>There may be some increase in carbon emissions from the embodied carbon in the construction works, which will be reduced through the use of low carbon and re-used materials. The Excess Materials Exchange has some materials available that could potentially be incorporated.</p>
Environmental management	<p>Neutral</p> <p>The main impact will be in the implementation of the project and the resultant embedded carbon.</p>
Climate change mitigation	<p>Positive</p> <p>Mitigation will be in place with the implementation of trees and SUDs and the promotion of mode shift.</p>

### Public Health Implications

49. This scheme aligns with the Enfield Transport Plan 2019-2041 and the Enfield Healthy Streets Framework. The Enfield Town project is looking to maximise the health and environmental benefits by creating a more pleasant and green environment, increasing physical activity through encouraging walking and/or cycling as an everyday transport mode for those who are able to. The positive effects of increased physical activity on health and wellbeing are well documented; it can help prevent and/or ameliorate a range of lifestyle related conditions, including obesity, Type 2 diabetes, heart disease, stroke, some

cancers, musculoskeletal issues, and poor cognitive and mental health. Prevention of lifestyle related conditions can also lead to significant cost savings within health and social care services.

50. Achieving a modal shift towards active travel can also help reduce the health damaging effects of motorised transport including road traffic injuries, air pollution, community segregation, and noise. Creating an environment where people actively choose to walk and cycle as part of everyday life, has the potential to reduce health inequalities. This is due to the fact that income or wealth would become a less significant factor in a person's ability to travel within the borough and gain access to healthcare, employment, social networks, etc. Therefore, improving active travel in the Borough is likely to benefit those who are less prosperous and therefore likely to own motorised transport. Active travel can also be more cost-effective than other initiatives that promote exercise, sport and active leisure pursuits. Climate change been named as one of greatest threat to human health in the 21st century<sup>1</sup>. Reducing motorised traffic and promoting forms of active travel can help lower local greenhouse gas emissions that contribute to climate change and will lead to improvements in health of residents and the environment in the long run.

### **Property Implications**

51. The majority of the works will fall within the public highway and therefore no property implications arise in these locations. However, there are four specific locations where the land is currently outside of the public highway and either inside the direct control of the Council or it is in the control of a third party. The project team will need to work with the Property team to address the actions specific to each location listed below:

- The Market Square is owned and operated by the Old Enfield Charitable Trust. If the Council and the Trust can reach agreement as to the future design and operation of the Market Square then the form of agreement made between parties will need to cover the property related issues of a

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<sup>1</sup> <https://www.who.int/news-room/fact-sheets/detail/climate-change-and-health>

Licence covering both access and to carry out works, as well as the more fundamental issue of ensuring that the intended benefits and outcome from Council investment in the Market Square is preserved for the long term.

- The forecourt and service road area to Enfield Town Station is not owned by the Council but has a hierarchy of parties with a legal interest, all of which will need to provide their formal agreement to works in the same vein as that described above for the Market Square. These are: Adriatic Land 3 (GR1) Limited (freeholder), Rail for London Limited (leaseholder), Arriva Rail London Limited (sub tenant), and the owner of the unregistered freehold land which will need to be investigated but which may still be Network Rail Infrastructure Limited.
- A small parcel of land comprising part of the existing crossing point located south of the Dugdale (the exit from the service road) is owned the Council but has been leased to the operator of the Palace Exchange Shopping Centre. For the proposed works to proceed, consent will first be needed to be gained from the tenant. Whilst there is no obligation for the tenant to give consent, it is anticipated this should be forthcoming given the small amount of affected land, the fact that the works will be restoring the original line of the kerb to what it was prior to the development of the Dugdale/Thomas Hardy House, and also because the subject lease includes the general provision:

*“3.13 Good Estate Management*

*...*

*3.13.2 To support... town centre management initiatives promoted by the local authority from time to time and approved by the Tenant acting reasonably, so long always as the same are not materially detrimental to the interests of the Tenant or the occupier's [sic] of the Demised Premises.”*

52.A small section of the works falls within Little Park Gardens (bus turning circle). It is a plot leased to TfL and it is envisaged that its prior consent, necessary to carry out minor works in this location, should be forthcoming given the coincidence of both parties wanting the same outcome.



## **Crime and Disorder Implications**

53. Project aims to improve perceived and actual safety through improved public realms and enabling mode shift which aim at increased footfall. This in turn helps increase natural surveillance. The project also proposes to improve CCTV across the town centre.

## **Other Implications – Procurement**

54. Any procurement required in relation to this project must be undertaken in accordance with the Council's Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015), this includes the use of the London Tenders Portal as necessary. If the procurement is over the relevant threshold, Procurement services must be engaged/consulted to ensure compliance to the CPR's and to support the development of an appropriate procurement strategy to deliver Value for Money and ensure that the sustainable and ethical procurement policy is complied with.

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## **Appendices**

Appendix A – Enfield Town proposed improvements

Appendix B – EQIA

## **Background Papers**

None

**#Departmental reference number, if relevant: PL2223\_020**

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