

Appendix C – Fact sheet summary

Land to the rear of 71 Holden Road North Finchley N12 7DR

Fact Sheet summary

Introduction

The woodland site is owned freehold by the Council and is situated at the rear of Holden Road within the London Borough of Barnet (LBB) and approximately 1km west of Finchley High Street. The woodland site is bounded to the east by 71 Holden Road and currently landlocked. The area under consideration is approximately three quarters of an acre. It is designated as open space, but not managed.

(LBB) who own the land has no direct access as it is land locked and therefore cannot be maintained.

The Land contains a mixture of native English woodland trees and recent imports probably seeded from ornamental trees. Some trees are dead, damaged or at the end of their lifespan.

Proposal

It is proposed to grant a long lease of 150 years so the woodland can be managed as part of a new development. This would include clearing rubbish that has been dumped, removing dead and damaged trees together with any species incompatible with an English Woodland. A variety of new trees would be planted that are native English trees to enhance the ecology of the area. This work would be carried out by specialist ecological consultants. The area would be monitored to prevent antisocial behaviour which has been evident in its currently unmanaged state.

Benefits

There are a number of benefits from the proposal:

- It removes the liability of the land from the (LBB) and hence the rate payers.
- Provides the council with a cash sum to use for other initiatives in the Borough.
- The land will be managed through an agreed Woodland Management Plan to improve its ecological contribution. This would be part of the Section 106 Planning Agreement.
- The Council will be given a right of access to the remaining woodland which they currently have no access rights.
- A number of apartments in the new development would overlook the woodland and hence provide some natural supervision.
- The area can be used by the residents of the apartments as an area for quiet enjoyment.

A condition of the 150 year lease will protect the area from development.

Overall there is an improvement to the woodland as a result of this proposal. This is an opportunity to find a solution to a liability that (LBB) has, without any obvious downside and to ensure that the woodland will be conserved for many years to come.

Current position

On the 15th of December 2014, the Assets Growth and Regeneration Committee (ARG) considered and approved a decision relating to the disposal of the rear of 71 Holden Road North Finchley N12 7DR on a long lease subject to planning, a maintenance plan and advertising in the local paper.

The decision was taken and as a result of advertising and representations have now been received, which are being brought to the Assets and Capital Board (ACB) for consideration on the 30th of July.

The (ACB) will then be requested to consider the representations and confirm it is in order to present to (ARG) on the 7th of September.

Why is the land being sold?

The sale of a long leasehold for 150 years of an area of Public open space will enable the Council to retain an element of control over the management of the woodland. The capital receipt which will be generated will be available for delivering the Councils corporate objectives, without any loss of visual amenity.

Has the correct legal procedure been followed?

Under Sec 123 (2a) of the local Government act 1972 as the land is held as public open space , the proposed disposal was advertised for two consecutive weeks in a newspaper circulating in the area in which the land is situated with any objections to the proposed disposal being considered by the Council. Under s. 123 Local Government Act 1972 s. 2A "a principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections.

There is also a legal obligation to consider any objections to the proposed disposal which may be made to them. Each of the objections have been dealt with by way of a formal response. In addition in accordance with the Local Government Act 1972 the representations in respect of the Woodland Area, to the Rear of Brookdene 71 Holden Road London N12 7DR are to be considered by the London Borough of Barnet, at its next (ACB) Assets and Capital Board meeting.

What will happen to the money raised from the sale?

A capital receipt of £ 500,000 will be generated which will be available for delivering the Councils corporate objectives.

Has there been a Public consultation?

There will be a statutory public open space consultation; however the Committee has approved the granting of a two year call option to purchase the public open space at the rear of 71 Holden Road on a 150 year Lease which is subject to planning.

Are the Public excluded from the woodland area?

The public are not excluded but the land is land locked and access can only be gained through the brook.

Will any development take place?

A condition of the 150 year lease which is to be granted will protect the area from ANY development. No development will take place.

Recommendations

That the (ACB) consider the representations received following the advertising under Section 123 of the Local Government Act 1972 in relation to the disposal of the rear of 71 Holden Road, North Finchley, N12 7DR

That, following consideration of the representations, the Committee determine whether or not they wish to make representations to the Assets, Regeneration and Growth Committee