

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER IN
CONSULTATION WITH CABINET MEMBER(S) (EXECUTIVE FUNCTION)**

Subject	Land at Brunswick Park, Brunswick Road, N11 – Drainage Easement – variation
Officer taking decision	Director of Economic and Community Development
Cabinet Member(s)	Cabinet Member for Resource Cabinet Member for Performance, Partnerships & Best Value
Date of decision	18 January 2005

Summary	To report a variation to a previously agreed Easement on land at Brunswick Park.
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Officer Contributors	Siobhan O'Donoghue, Principal Valuer, Economic and Community Development
Status (public or exempt)	Public
Wards affected	Brunswick Park
Enclosures	None
Reason for exemption from call-in (if appropriate)	N/A

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Serial No. VAL/DP/04/05

1. RELEVANT PREVIOUS DECISIONS

- 1.1 Policy and Implementation Committee 2000 – Agreed the transfer of the residential care homes and day centres to Ealing Family and Barnet Community Homes.
- 1.2 Delegated Powers Report 25 February 2002 – Agreed the grant of a drainage easement across Brunswick Park to both Ealing Family Housing Association and Barnet Community Homes for the purpose of providing foul and storm water drains to serve the new care home built on the site of Apthorpe Lodge.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 The corporate plan commits the Council to ‘plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community.’ The proposal in this report does this by assisting Ealing Family Housing Association, in the provision of the new care home.

3. RISK MANAGEMENT ISSUES

- 3.1 I have considered whether the issue involved are likely to raise significant levels of public concern or give rise to policy considerations. It is not considered that the issues will raise significant levels of public concern.

4. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 4.1 Ealing Family Housing Association have agreed to pay the Council's reasonable fees costs and expenses, including the cost of advertising required under Section 123 Local Government Act 1972.
- 4.2 The property implications are set out below.
- 4.3 There are no staffing or ICT issues.

5. LEGAL ISSUES

- 5.1 None.

6. CONSTITUTIONAL POWERS

- 6.1 The delegated power of the Director of Economic and Community Development under the scheme of delegation approved pursuant to the provisions of the constitution.

7. BACKGROUND INFORMATION

- 7.1 The former Apthorpe residential care home and day centre was transferred to Ealing Family Housing Association on 2 April 2001 as a going concern. Apthorpe Lodge has now been redeveloped with a new care home and day centre. The connection of a new foul and storm water drains was required to the existing drains and sewers in Brunswick Park.
- 7.2 Terms were agreed with Ealing Family Housing Association to authorise the subject works to be done in February 2002. However, the Easement was to be granted to both Ealing Family Housing Association and Barnet Community Homes and the title search reveals that Apthorpe Lodge is only registered to Barnet Community Homes Ltd who are a subsidiary of the company.

7.3 Therefore, a variation to the previously agreed terms is necessary to change the name of the Grantee from Ealing Family Housing Association and Barnet Community Homes Limited to Barnet Community Homes Ltd.

8. LIST OF BACKGROUND PAPERS

8.1 None.

9. CONSULTATION WITH CABINET MEMBER(S)

9.1 The Cabinet Members for Performance, Partnership and Best Value and Resources have been consulted and agreed the action taken

10. OFFICER'S DECISION

I authorise the following action:

10.1 That the grant of the drainage easement be in the name of Barnet Community Homes Limited.

Signed

David Stephens
Chief Valuer and Development Manager for Director of Economic and Community Development

Date

18 January 2005