

	<p>Assets, Regeneration and Growth Committee</p> <p>7 September 2015</p>
Title	Member's Items
Report of	Head of Governance
Wards	All
Status	Public
Enclosures	None
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Summary

The report provides detail of the Members items submitted for the Assets, Regeneration and Growth Committee to consider at its meeting of 7 September 2015.

Recommendation

That the Assets, Regeneration and Growth Committee's instructions are requested in relation to the item submitted by Members.

1. WHY THIS REPORT IS NEEDED

1.1. THE FOLLOWING MEMBERS ITEMS HAVE BEEN RECEIVED:

Member's Item in the name of Cllr Pauline Coakley Webb:
Brookdene Nature Reserve (land to the rear of 71 Holden Rd, N12)

I ask that the ARG committee re-consider declaring the Brookdene Nature Reserve surplus to requirements and the granting of a two year call option to HGS Properties (Brookdene Holden Road Ltd) to purchase the public open space at the rear of 71 Holden Road on a 150 year lease subject to statutory consultation, planning etc., as detailed in reports discussed at the 14 December ARG committee meeting.

I ask for the committee to re-consider this as new information has emerged which was not available at the time of the original 'in principle' decision, and which calls into question the original decision.

That information is as follows:

- 1) The western part of the Council-owned woodland plot adjacent to Dollis Brook is both Metropolitan Open Land (MOL) and a Site of Local Importance for Nature Conservation (SLINC) - the report to the ARG Committee in December 2014 that first proposed the sale did not mention either the MOL or SLINC status of the western part of the site. It should for councillors to decide if this is relevant and the information should have come to the committee in December 2014
- 2) The report to that committee also did not acknowledge that there was well-established informal public access to the site. In fact the report stated that "The land is landlocked and not capable of being accessed for maintenance or the public except by fording the brook, which is not practical." (Paragraph 1.1).
- 3) Paragraph 3.4 stated that ' fording the brook or constructing a bridge was considered' and 'providing a bridge would provide access for maintenance at a cost '
- 4) No mention was made of allowing public access, yet following on from the large number of responses to the consultation, the council has responded that:

"There will be no change to the public access rights however as was stated in the original report to committee the site is bounded on three

sides by private ownership and the brook to the rear and public access is restricted.

"The documentation submitted with the application indicates that it is an objective of the developer to facilitate both communal access from the development to the woodland area and also wider access from other members of the public.

"Access is currently gained by walking through the brook, but an access across the river through a new bridge would be sought. It is likely that members of the general public would access this site not through the development but from the west using the Dollis Valley Greenwalk."

Given that 'restricted' is not the same as 'inaccessible' and that this area is used and appreciated by local residents, clearly expressed in the responses to the consultation, the future of the land should take onto account resident's views.

One of the reasons given in the recommendations in December 2014 was 2.1 'To secure a capital receipt from an area of currently unusable Public Open Space'

Clearly no one had checked this with residents if they felt it was unusable.

- 5) It should also be noted that in terms of future planning discussions relating to amenity space for this proposed development the council's response has been:

"The scheme would have approximately 156sq.m of communal space. The scheme is not reliant on the woodlands to make up the numbers for communal space as far as I am aware, however, it is an asset for future residents.

"Therefore unless we are otherwise advised, the asset for future residents, on having a gate to allow them into the woodland space is not essential for planning consent."

I ask that the committee consider supporting the granting of a lease on some land on the eastern part of the site, adjacent to Brookdene, on condition that all the MOL land (and preferably more) is retained by the Council and that the capital receipt is used to improve the local area including providing access to all of the woodland by means of a new footbridge over Dollis Brook from the grassed open space off Southover.

This would give residents, including those with limited mobility, safe access to the area alongside the brook.

I also ask the committee to instruct officers to investigate the possibility of completing the Dollis Valley Greenwalk through the retained land involving the use of a small part of the Old Finchleians sports ground not used for sport.

This would include construction of additional footbridges funded by the balance of the capital receipt and any available grant aid, and would contribute to several of the Council's policy aims such as encouraging exercise, promoting access for the disabled and enhancing the environment - at present walkers are diverted 600 metres on residential roads.

This is the right time to re-consider this decision as the consultation results from the proposals will be discussed at the next ARG committee and the matter has not yet been considered at Planning Committee.

2. REASONS FOR RECOMMENDATIONS

- 2.1 No recommendations have been made. The Assets, Regeneration and Growth Committee is requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 When matters raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Council's Constitution Responsibility for Functions, section 6 illustrates

that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members items must be within the term of reference of the decision making body which will consider the item.

5.3.2 There are no legal references in the context of this report.

5.4 **Risk Management**

5.4.1 None in the context of this report.

5.5 **Equalities and Diversity**

5.5.1 Member's Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 **Consultation and Engagement**

5.6.1 None in the context of this report.

6. **BACKGROUND PAPERS**

6.1 Email to Governance Service on 25 August 2015.