

SECTION 163 OF THE GREATER LONDON AUTHORITY ACT 1999

INFORMATION REQUEST REGARDING DISPOSAL OF FREEHOLD OR LEASEHOLD INTEREST IN OPERATIONAL LAND

Note: The following questions are intended to draw out sufficient information to enable to Secretary of State to determine whether or not any land that TfL (or a TfL subsidiary) proposes to dispose of is operational land for the purposes of s163, and whether or not consent to the disposal of operational land should be granted. Please provide information that is as comprehensive as appears appropriate. These questions are not an exhaustive list of required information, and further information may be requested.

Issue		Response
The Site		
1.	Please provide the address, a full description and a plan of all of the land that is being disposed of ("the Site").	Canons Park Station Car Park , Whitchurch Lane, London HA8 6RN as shown edged red on the plan attached.
2.	Is the interest that is held in the Site freehold or leasehold?	Freehold
3.	Who holds the title to the Site?	London Underground Limited (" LUL ")
4.	Will the disposal of the Site involve: (a) the disposal of the freehold interest, or (b) the granting of a leasehold interest? If the latter, what is the length of the lease that will be granted?	b) The grant of a leasehold interest of the majority of the Site for a term of 250 years. Part of the Site will be retained by LUL and used as a car park serving Canons Park Station. The extent of the Site to be retained for this purpose is subject to confirmation following further design work and grant of planning for the development to be carried out at the Site.
5.	Who will hold the freehold or leasehold interest in the Site after the disposal?	The freehold interest in the Site is being retained by LUL. The leasehold interest will be granted to a developer (" Developer ") on the GLA's London Development Panel 2 (" LDP2 ") following completion

		<p>of a procurement exercise that commenced in August 2018.</p> <p>[REDACTED]</p> <p>Note: the disposal of the Site (by the grant of the 250 year lease) is conditional on the Developer securing planning permission for residential development and car park re-provision.</p>
Operational Land		
6.	<p>Is any of the land within the Site presently operational¹, or has it been operational within the past 5 years ("Operational Land")?</p> <p>Please identify the Operational Land on the plan of the Site.</p>	The whole of the Site is currently Operational Land.
7.	What is the current use of the Operational Land and how has it been used during the past 5 years?	Commuter and public car parking, for over 5 years (162 spaces).
8.	If the Operational Land has been used for different purposes during the past 5 years, please specify those purposes and provide relevant dates.	N/A
9.	If the Operational Land was not used for any period of time within the past 5 years, please provide relevant dates.	N/A
Non-Operational Land		
10.	If any of the land within the Site is considered not to be Operational Land ("Non-Operational Land"), please specify the current use(s) of that land and how it has been used during the past 5 years (e.g. staff car parking).	N/A
11.	If the Non-Operational Land has been used for different purposes during the past	N/A

¹ Operational land is defined by section 163 (8) of the Greater London Authority Act 1999 as land which is used for the purpose of carrying on any railway or tramway undertaking of Transport for London's or of a subsidiary of Transport for London's, and land in which an interest is held for that purpose (but does not include land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or in which interests are held, for the purpose of carrying on of a railway or tramway undertaking).

	5 years, please specify those purposes and provide relevant dates.	
12.	If the Non-Operational Land was not used for any period of time within the past 5 years, please provide relevant dates.	N/A
On-site operational railway infrastructure		
13.	Is any operational railway infrastructure located on or under the Site, or within its airspace? If so, please provide details and identify it on the plan of the Site.	No
Impact of disposal		
14.	What is the reason for the disposal?	The Site is being disposed of for residential development with re-provision of some car parking. The disposal will deliver approximately 100 affordable homes and a capital return to TfL. This is in line with Mayoral priorities relating to delivery of affordable housing and revenue generation and the Mayor's Transport Strategy (2018) which has as one of its central themes a mode shift away from private car use.
15.	What impact will the disposal of the Site have on the use of any land that is being retained?	All rights and interests relating to retained land (comprising Canons Park Station and the re-provided car parking) will be protected. LUL has been actively consulted to ensure the documentation will contain appropriate protective provisions.
16.	Will access to any existing railway infrastructure (e.g. track, track bed or cables) for maintenance or other operational purposes be affected by the disposal of the Site? If so, please provide details, including a description of any ongoing maintenance requirements.	No, as the disposal documentation will contain the usual infrastructure protection provisions to cater for any possible interference in the future.
17.	On disposal, will TfL (or a TfL subsidiary)	The 250 year lease will contain

	reserve any rights (e.g. access rights) over any of the Site? If so, please provide details.	standard infrastructure protection provisions and access and similar rights will be reserved as required, depending on the nature of the consented redevelopment scheme.
18.	On disposal, will any part of the Site be burdened by covenants for the benefit of TfL (or a TfL subsidiary) and its successors? If so, please provide details.	Yes – the 250 year lease will contain covenants to protect LUL's nearby infrastructure (in particular restricting the carrying out of works) and also preventing the raising of objections to LUL operations.
19.	Will the operation of any railway or tramway undertaking be affected by the disposal of the Site? If so, please provide details.	No, save that the reduction in parking provision may reduce the number of people using the Station, however, this will be offset by use by residents from the development to be built at the Site.
Internal procedures, approvals and Mayoral opinion		
20.	Were the relevant TfL internal procedures followed to identify whether the Site is no longer required ² ?	Confirmed.
21.	Did any part of TfL's business object to the proposed disposal of the Site during that process? If so, please provide details.	No.
22.	Does TfL consider that the Site is surplus to operational requirements?	Yes - TfL considers that the Site is surplus to operational requirements and is of the view that the benefits of re-developing the Site into a 100% affordable housing scheme (with re-provision of some car parking) outweigh retaining it as a car park of the current size.

² We understand that the internal procedures where TfL identifies land and airspace that it wishes to dispose of are: (a) circulation of a surplus property note within TfL's business; (b) consideration of any objections raised during that process; and (c) where the conclusion is reached that the land and airspace is surplus to operational requirements, a TfL official (who holds delegated authority) gives an opinion on behalf of the Mayor that all land and airspace to be disposed of is no longer required for the purpose of the discharge by TfL of any of its functions. We understand that the same process applies where a TfL subsidiary proposes to dispose of land and airspace.

23.	Has the Mayor's opinion been obtained pursuant to paragraph 12(1) of Schedule 11 to the Greater London Authority Act 1999 that all land and airspace to be disposed of is no longer required by TfL (or its subsidiaries) for the purpose of the discharge by TfL of any of its functions? If so, when was this opinion given?	Yes – copy attached.
24.	If not covered by questions 20 and 23, please specify what approvals are required prior to disposal. Have these approvals been obtained, and if so, when?	Not applicable.
Station car park disposal (if relevant)		
25.	What surveys have been conducted to assess the impact of the station car park disposal on demand for car parking spaces? Please provide details of the survey results and survey method.	<p>A comprehensive user study of Canons Park Station car park along with Rayners Lane, Stanmore and Harrow on the Hill Station car parks was carried out in October 2017 by independent company, Tracsis, on behalf of TfL. In total, circa 1,000 user surveys were carried out across the car parks by means of five-minute surveys, on tablet, website, or handout. 289 responses were received at Canons Park and findings included:</p> <ul style="list-style-type: none"> • a high proportion of users would react to change in tariffs, car park size; • a good proportion of users would make a positive or neutral change; and • a reduction in car parking presents a good opportunity to promote cycling. <p>Based on current feasibility studies, it is expected planning will be sought for a reduction in parking spaces from 162 to 60, plus 102 commuter cycle spaces and 183 residents cycle spaces.</p>

		<p>This s163 request seeks consent for the maximum loss in parking spaces in order to avoid further reference to the Secretary of State, but this is clearly subject to these proposals being acceptable in planning terms. Further car park user studies will be required to be submitted as part of the Developer's planning application.</p> <p>We have also carried out an Equalities Impact Assessment for the Site – this is ongoing and the final report will be produced once the development scheme is known, and will accompany the planning application.</p>
26.	Is discontinuation of the relevant car park spaces likely to cause a shortage of facilities? If not, why not?	There are sufficient alternative methods of accessing the TfL public transport network so that reduction in the number of spaces will not cause a significant shortage of facilities.
27.	Please provide details of any campaigns, plans and policies of TfL (or the relevant TfL subsidiary) to encourage access to stations by non car modes, e.g. increased cycle parking facilities. If there are any such initiatives particular to the station in question, please specify.	<p>The new Mayor's Transport Strategy 2018 ("MTS") includes a shift away from private car use and encouraging a mode shift away from cars by supporting more cycling and walking and improving bus priority and public realm.</p> <p>A key emerging deliverable focuses on Station Improvement Zones which aim to improve walking, cycling and public transport routes to stations to encourage more active travel over car trips. Another policy focus is on the Mayor's aspiration to reduce private car use by reducing and</p>

		<p>better managing car parking, including working with boroughs to develop car reduction strategies. Reducing car use is seen as essential in order to deliver many of the overarching goals of the MTS including improved air quality, better public health and reduced congestion.</p> <p>The Developer will be required to incorporate proposals for improved cycle parking and public realm into their development of the Site.</p>
Other Information		
28.	<p>Please provide any other information that you consider relevant to the disposal. For example, whether there has been a consultation, whether the local council or residents have objections to the proposed disposal, and (in the case of station car park disposals) the likely impact of the reduction in car parking spaces on neighbouring streets and whether any alternative transport or similar uses were identified for the car park. Please provide copies of relevant documents.</p>	<p>Consultation with the local council (London Borough of Harrow) is ongoing.</p> <p>Redevelopment of the Site for residential use is in line with the council's planning policy for the Site and the council has confirmed that subject to the retention of an appropriate amount of station car parking, residential development of the Site is in principle acceptable.</p> <p>As noted above, the disposal is conditional on the Developer obtaining planning permission, and this will have to satisfy the council's requirements for parking re-provision at the Site.</p> <p>Given the scheme will require the approval of the council as local planning authority this s163 request seeks consent for the maximum loss in parking spaces in order to avoid the need for further reference to the Secretary of State.</p>