

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 the 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").	Arnos Grove Station Car Park as identified red on the attached plan and forming part of Title Number P115260.
2.	Is the interest that is held in the Site freehold or leasehold?	The site is owned freehold by London Underground Limited (LUL).
3.	Who holds the title to the Site?	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 Joint Venture vehicle known as Connected Living London (Arnos Grove) Limited (JV),, of which TfL will be a member, will be granted a 250 year leasehold interest over the Site (the "JV lease").
5.	Who will hold the freehold or leasehold interest in the Site after the disposal?	The Site will remain as an LUL freehold. The JV will own the long lease after the disposal.
Operational Land		
6.	Is any of the land within the Site presently operational ¹ , or has it been operational within the past 5 years ("Operational Land")? Please identify the Operational Land on	The Site is a public car park managed by NCP (pursuant to a car park management agreement), comprising 313 spaces, of which 6 are for disabled users and 10 for LUL

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).

	the plan of the Site.	<p>staff.</p> <p>The proposed development will not retain the existing car parking, with the exception of the 6 disabled bays and LUL staff parking (up to 10 spaces).</p> <p>Parts of the Site are currently used for access to enable LUL operations and the JV will be obliged to re-provide all necessary access required to facilitate LUL's operational needs.</p>
7.	What is the current use of the Operational Land and how has it been used during the past 5 years?	The Operational Land, comprises 313 car parking spaces, of which 6 are for disabled users, 10 for LUL staff and the remaining 297 publicly accessible.
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 to be Non-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).	<p>Not applicable, but note that an existing lease is in place between LUL and Facilities Management UK</p> <p>Lease in respect of electric vehicle charging points located on the Site.</p>
11.	If the Non-Operational Land has been used for different purposes during the past 5 years, please specify those purposes and provide relevant dates.	N/A
12.	If the Non-Operational Land was not used for any period of time within the past 5	N/A

	years, please provide relevant dates.	
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.	There is no operational railway infrastructure on the Site. The JV (as tenant of the JV Lease) will be required to enter into appropriate IP agreements with LUL regarding access for track and other maintenance and renewal only.
Impact of disposal		
14.	What is the reason for the disposal?	The Site will be disposed of pursuant to the TfL Build to Rent joint venture with Grainger PLC. The disposal will provide approximately 150 Build to Rent homes with 40% affordable housing and include a capital (Land value) return to TfL as well as an on-going revenue stream in the form of rental income. This is in line with the Mayor's Transport Strategy, the London Plan and emerging London Plan policies as well as Mayoral priorities relating to affordable housing and revenue generation.
15.	What impact will the disposal of the Site have on the use of any land that is being retained?	<p>All interests relating to the retained land adjoining the Site will be protected.</p> <p>In addition to the Mayors Opinion process (refer to Section 20 below), LUL and London Buses are being actively consulted on the emerging scheme to ensure the documentation will include appropriate protective provisions.</p>

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, LUL have clearly defined their access requirements for maintenance and other operational purposes and these will be reserved as rights in favour of LUL as freehold landowner under the JV Lease. As well these requirements are being actively designed into the emerging scheme. The documentation will also contain the usual infrastructure protection provisions to protect and cater for such requirements going forwards.
17.	On disposal, will TfL (or a TfL subsidiary) reserve any rights (e.g. access rights) over any of the Site? If so, please provide details.	Yes. As per as per 16.
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 JV Lease and works agreement (the document governing the development works) to the JV will contain covenants and reserve rights to protect LUL’s nearby infrastructure (in particular restricting the carrying out of works).
19.	Will the operation of any railway or tramway undertaking be affected by the disposal of the Site? If so, please provide details.	As the public car park will be removed, the number of passengers traveling from Arnos Grove may reduce slightly. This will however be offset by the additional footfall from the proposed development.
Internal procedures, approvals and Mayoral opinion		
20.	Were the relevant TfL internal procedures followed to identify whether the Site is no longer required ² ?	Yes, we have a signed Mayor’s Opinion.

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.

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?	TfL considers the Site is surplus to operational requirements and believe that the benefits of re-developing the site into a 150 unit, 40% affordable housing scheme outweigh retaining it as a car park of the current size. In addition, one of the central themes from the current Mayor's Transport Strategy 2018 (MTS) is around mode shift away from private car use. All operational access requirements on/over the Site are to be re-provided by the JV and agreed by LUL.
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
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?	Mayor's Opinion has been obtained, see copy attached to this application. Internal TfL approval will be obtained before exchange of contracts.
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.	A comprehensive study of the station car park was carried out in June 2018. This demonstrates that 99% of car park users at Arnos Grove have other transport choices available to them. These include: walking or cycling as part of their journey, but also the majority of car park users live within an acceptable walking distance of a bus route

		<p>which serves Arnos Grove station and/or are within an acceptable walking distance of an alternative underground/network rail station.</p> <p>The Site has a relatively high PTAL ranging from 6a at the south of the site to 4 at the northern end, supporting car free development. The local area benefits from a Controlled Parking Zone. It is proposed that all new residents will be exempt from applying for a parking permit, in addition it is expected that the CPZ will limit parking displacement from the car parks to the surrounding streets and will encourage a shift to public transport in line with policy.</p> <p>This s163 request seeks consent for the maximum loss in parking spaces in order to avoid further reference to the DfT, but this is clearly subject to these proposals being acceptable in planning terms.</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 (MTS) 2018 includes 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</p>

		<p>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 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 2018 MTS including improved air quality, better public health and reduced congestion.</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>Pre Application meetings have been held with LB Enfield on two occasions and officers support the loss of public car parking – stating the knock on benefits of encouraging a shift to more sustainable modes of transport, helping reduce local congestion, improve air quality etc. This approach is also supported by the GLA. The Site is located within the New Southgate Masterplan Area and the western part of the Site is allocated in the existing local plan for residential development.</p> <p>Given the scheme will require the approval of the LPA this s163 request seeks consent for the maximum loss in parking spaces in order to avoid the need for further reference to the DfT.</p>