

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").	<p>The Site is edged red on the attached plan entitled "Cockfosters Site Plan".</p> <p>The Site is split into two triangular shaped parts. Transport for London ("TfL") owns the freehold interest in the northern part of the Site under Land Registry Title Number AGL255831 ("Site A") and London Underground ("LUL") owns the freehold interest in the southern part of the Site under Title Number AGL418276 ("Site B").</p>
2.	Is the interest that is held in the Site freehold or leasehold?	Freehold.
3.	Who holds the title to the Site?	Refer to question 1 above.
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) A wholly owned subsidiary of the Joint Venture (known as Connected Living London) between TfL and Grainger Plc (" 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?	<p>The Site will be consolidated into a single LUL ownership prior to grant of the JV Lease.</p> <p>The JV Lease lessee will be a</p>

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		wholly owned subsidiary of the JV.
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>	<p><u>Site A</u></p> <p>Site A includes a LUL Train Crew Accommodation building (Forestry House) which is in use and has 25 LUL staff / LUL operational parking spaces. Forestry House is shown on the Cockfosters Site Plan.</p> <p>The remainder of Site A is a public car park managed by a third party (NCP) (pursuant to a car park management agreement), comprising 335 spaces, of which 12 are for disabled users.</p> <p>Site A is also used for access to enable LUL maintenance and operations and the JV will be obliged to re-provide all necessary access required to facilitate LUL’s operational needs.</p> <p><u>Site B</u></p> <p>Site B includes 12 LUL staff / LUL operational parking spaces. The remainder of Site B comprises of a small public car park (circa 30 spaces) and a hand car wash and is currently demised to a third party.</p>

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).

7.	What is the current use of the Operational Land and how has it been used during the past 5 years?	<p>Refer to question 6.</p> <p>In addition, part of Site A has been recently used as a construction works compound / welfare area to support the delivery of a Step Free Access lift by LUL at Cockfosters Station. These works are now complete.</p>
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).	N/A
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 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.	<p>There is no operational railway infrastructure on the Site, besides from the LUL Train Crew Accommodation and associated LUL staff parking specified above.</p> <p>The JV or a wholly owned subsidiary (as tenant of the JV Lease) will be required to enter into appropriate Infrastructure</p>

		<p>Protection agreements with LUL regarding access for operation, maintenance and renewal of the railway as well as re-provision of an LUL Train Crew Accommodation facility.</p> <p>It has been agreed with LUL that the Train Crew Accommodation facility will be re-provided on the lower floors of Block 3 – in close proximity to the current LUL facility. In addition, the 37 staff parking spaces associated with the Train Crew Accommodation facility and the Station will be re-provided in a secure car park adjacent to and accessible from the Site.</p>
Impact of disposal		
14.	What is the reason for the disposal?	<p>The disposal will provide in the region of 350 new Build to Rent homes with 40% affordable housing and include a capital (land value) return to TfL as well as an on-going long-term revenue stream in the form of rental income.</p> <p>The delivery of new homes and generation of a long term, sustainable revenue stream aligns with TfL's wider business plan.</p> <p>This is in line with and the Mayors Transport Strategy, London Plan and emerging London Plan policies as well as Mayoral priorities relating to affordable housing and revenue generation.</p>
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</p>

		Question 20 below), LUL is being actively consulted on the emerging scheme and their sign-off/agreement is required before any planning application can be submitted.
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.	<p>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.</p> <p>The documentation will also contain the usual infrastructure protection provisions to protect and cater for such requirements going forwards.</p> <p>The documentation requires the re-provision of a new LUL Train Crew Accommodation in a form LUL approves.</p>
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 responses to Question 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 and infrastructure protection regime) to the JV (or a wholly owned subsidiary) will contain covenants and reserve rights to protect LUL's nearby infrastructure.
19.	Will the operation of any railway or tramway undertaking be affected by the disposal of the Site? If so, please provide details.	The principle of the 37 LUL staff/operational parking spaces being re-provided on adjacent LUL owned land has been agreed with LUL. Access to operational parking will always be maintained - therefore there will be no

		<p>impact on the on-going operation of the railway.</p> <p>As the public car park will be reduced in size, the number of passengers traveling from Cockfosters Station may reduce as some car park users may seek alternative routes. This will however be offset to a degree by the additional footfall generated proposed development.</p> <p>It should be noted that as a result of the Coronavirus pandemic TfL has experienced a very significant drop in ridership on the underground as well as car park use.</p>
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 which is attached to this application.
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?	<p>TfL considers the Site is surplus to operational requirements and is of the view that the benefits of re-developing the Site and re-providing a new, modern and flexible Train Crew Accommodation building integrated with the development outweigh retaining this land as a public car park.</p> <p>In addition, one of the central themes from the current</p>

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.

		Mayor's Transport Strategy 2018 (MTS) is around reducing travel by car (and associated impacts) and encouraging 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?	<p>Mayor's Opinion has been obtained, see copy attached to this application.</p> <p>Internal TfL approval will be obtained before exchange of contracts.</p>
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 survey of the car park was carried out in June 2018, further parking utilisation surveys of the surrounding streets and additional car park entry and exits surveys were carried out in October 2019. These surveys have been further supplemented / validated by NCP data.</p> <p>This s163 request seeks consent for disposal of the Site which will result in the removal of the current public car parks and replacement with a smaller public car park providing in the region of 50 publicly accessible parking spaces (including a minimum of 12 disabled spaces). These are in addition to the 37 LUL staff/operational</p>

		car parking spaces currently on the Site that will be re-provided off Site (see further responses to questions 13 and 26).
26.	Is discontinuation of the relevant car park spaces likely to cause a shortage of facilities? If not, why not?	<p>No. From the surveys undertaken it is clear that the vast majority of car park users have alternative methods of accessing the public transport network available to them. Whether that be walking, cycling or choosing to travel by bus or by choosing to travel an alternative underground or railway station to reach their destination.</p> <p>Surveys carried out suggest that c.95% of car park users have a closer Underground, Overground or National Rail station to their home than Cockfosters.</p> <p>75% of those who use the car park travel from outside the M25 – many from a considerable distance.</p> <p>It should be noted that the 37 LUL staff/operational car parking spaces currently on the Site will not be re-provided on the Site – instead these will be re-provided in a secure car park on LUL operational land directly adjacent to the Site and in close proximity to the re-provided Train Crew Accommodation building.</p>
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	The new Mayor's Transport Strategy (MTS) 2018 strongly promotes a shift away from private car use and encourages mode shift away from cars supporting the use of public

	<p>question, please specify.</p>	<p>transport, encouraging more cycling and walking and improving bus priority and the quality of 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.</p> <p>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.</p> <p>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>A number of pre application meetings have been held with LB Enfield and GLA officers support the overall principle of the development of the Site.</p> <p>Planning officer support extends to the loss of public car parking and utilisation of this accessible, brownfield site for the provision of much needed new (and affordable) homes to address London and LB Enfield housing need.</p> <p>Through our public consultation and engagement exercises over the last year there has been some strong local objection to the loss of the car park as well as overriding</p>

		<p>objections to the principle of development in the area more generally which include objections to the provision of new and affordable homes being delivered locally.</p> <p>It is as a result of this consultation with local groups that we have amended the proposals, which originally removed all public parking (with the exception of the 12 disabled parking bays) to re-provide a smaller public park on the Site which will include a dedicated 'drop-off/pick-up' area for those who most need it.</p> <p>The impact of the loss of the majority of the car parking spaces has been fully considered and we are working with the local planning authority to ensure an appropriate data and analysis is provided as part of any planning application (and supporting transport assessment) and to ensure a robust mitigation package is secured to monitor and manage any impacts in the local area.</p> <p>We will commit to monitor the impact of the car park closure on local streets and will (via S106) commit to fund consultation on and delivery of a CPZ in the local area should this be required.</p> <p>Equality impacts are being considered by TfL and a full EQIA is being undertaken by TfL in line with its standard procedures and an Equalities Statement will also accompany any planning application.</p>
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