

London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

David R Fisher
New Maritime Limited
219 Botley Road
Ley Hill, Chesham
Bucks
HP5 1XT

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 5th September 2014

Dear David

The London Borough of Barnet (West Hendon Regeneration Area) Compulsory Purchase Order No 1 2014

Re: Your clients: Canal & River Trust, Plot no. 38, 38A, 39, 40, 40A, 41, 41A, 41B, 42, 43, 43A and 44, land at Brent Reservoir and Cool Oak Lane, Barnet

Following my letter dated 28th July 2014, the Council has now had an opportunity to consider your clients' objection and I have set out the Council's response to each heading of objection below.

The Council is keen to address your clients' objection and resolve their concerns, if this is possible. Once you and your client have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Objection: Lack of information with regard to bridge design and effect on statutory undertaking

Response:

The Scheme under which the proposed bridge is to be constructed currently benefits from a hybrid planning application (part detailed part outline). The reference for the planning consent is H/01054/13 and details of the application and supporting documents can be viewed on the Council's website.

The location of the proposed bridge lies within the outline element of the planning consent. It is intended that an application for reserved matters for the bridge design will be made in October 2014. Whilst a number of variations to the bridge design are being developed, all are being designed within the parameters outlined in the hybrid application noted above. All matters relevant to CRT as a landowner and statutory undertaker will be discussed with CRT. The bridge is being designed to have minimal impact on both CRT's statutory undertaking and the open space adjoining the proposed bridge. The Council can confirm that CRT will have no future maintenance responsibility for the proposed bridge.

A draft bridge design is appended to a separate application to the Secretary of State pursuant to sections 19 and 28 of the Acquisition of Land Act 1981. Following a meeting held with CRT on 4th September the Council are in receipt of CRT's Code of Practice and will ensure the design parameters are incorporated in future discussions with CRT.

B. Objection: Lack of Negotiation and acquisition unnecessary as lease can be varied

Response:

The Council and its development partners BMLLP are keen to reach agreement with CRT and commenced discussions early in 2013. However, agreement has not yet been reached, and so in order to ensure the land and rights to deliver the bridge can be secured, the Council has included the land and the rights within the CPO. This dual approach of running private treaty negotiation and the compulsory purchase process in parallel is endorsed by government guidance in Circular 06/04.

The existing lease granted to the Council does not permit the construction or use of the bridge. Given the permanent structures required for the proposed footbridge and the increased public access envisaged, the Council does not consider that amendment to the existing lease will provide sufficient security of tenure and certainty needed to ensure the delivery and continued use of the bridge and improved access to the open space.

C. Objection: No replacement of open space

Response:

The effect on open space of the proposals is addressed in a separate application to the Secretary of State pursuant to sections 19 and 28 of the Acquisition of Land Act 1981. Due to the very limited land acquired (less than 209 square metres), the Council considers that the giving of exchange land is unnecessary.

The Council considers that when burdened with the new rights the affected open space will be no less advantageous to CRT or members of the public than it was before.

D. Objection: Insufficient details given in the Order as to the full measured extent of the plots and exact nature of the rights required

Response:

The Council and its development partner, BMLLP, have carefully considered the land and rights required in order to deliver the proposed development and these are set out in the schedule attached to the compulsory purchase order.

Tables 1 and 2 of the Schedule to the Order sets out the full details of the land and rights the Council seeks to acquire and the measured extent of those rights

I hope the responses above have answered the queries and objections raised by your client. If you or your client have any further queries, or would like to discuss the matter further, please do not hesitate to contact Anna Morell on the telephone number above, who will be pleased to arrange a meeting.

Yours sincerely



Martin Cowie
Assistant Director
Strategic Planning & Regeneration

Cc Bernadette McNicholas
Cc Brian Casey