

# LAKE FARM - APPROPRIATION OF OPEN SPACE TO PLANNING PURPOSES

<b>Cabinet Member(s)</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio(s)</b>	Finance, Property and Business Services
<b>Officer Contact(s)</b>	Jean Palmer, Deputy Chief Executive & Corporate Director of Residents Services / Rajesh Alagh, Borough Solicitor
<b>Papers with report</b>	Appendix 1 – objections received, response and decision made.

## **1. HEADLINE INFORMATION**

<b>Summary</b>	This report is for Cabinet to note the decision to appropriate part of Lake Farm from public open space to planning purposes after full consideration of the objections made to a Public Notice.
<b>Contribution to our plans and strategies</b>	Investment in primary schools to adequately address the impact of the population increase within the London Borough of Hillingdon relating to existing school places. This project also forms part of the Hillingdon Improvement Programme.
<b>Financial Cost</b>	There are no direct costs associated with noting the decision made in relation to the appropriation of the land.
<b>Relevant Policy Overview Committee</b>	Residents' and Environmental Services
<b>Ward(s) affected</b>	Botwell

## **2. RECOMMENDATION**

Following full consideration of the objections received, that Cabinet note the decision made to appropriate part of the land at Lake Farm from public open space to planning purposes.

### **Reasons for recommendation**

To note the decision made to ensure this land is made available for the development of a new primary school.

### **Alternative options considered / risk management**

None, as the decision has been made.

### **Policy Overview Committee comments**

None at this stage.

### **3. INFORMATION**

#### **Supporting Information**

1. The Council has a duty under the Education Act 1996 to educate children in the Borough. The Hillingdon Primary Schools Capital Programme has been put into place by the Council to ensure that there are sufficient primary school classrooms and new primary schools built where this is required. The Council has identified part of Lake Farm as a suitable site to build a new primary school and has undertaken a thorough criteria based assessment of alternative sites within the catchment area and has deemed that none of them are suitable.
2. The Council, in its capacity as the owner of Lake Farm, submitted an application for full planning permission to the Central and South Planning Committee at its 5 March 2013 meeting for the erection of a new three form of entry primary school which would occupy an irregularly shaped plot located at the eastern site of the Country Park.
3. To progress this, it was necessary for the Council to appropriate part of the land on Lake Farm for development as a primary school, so that it would be held for planning purposes within the meaning of the Town and Country Planning Act 1990. Before any final decision could be made to appropriate land at Lake Farm, regard had to be given to Section 122 of the Local Government Act 1972 which provided for a public notice advertised locally and consideration of any objections received.
4. The Council placed a Notice in the Gazette newspaper which was published on 10<sup>th</sup> and 17<sup>th</sup> April 2013 respectively. Objectors had until 30<sup>th</sup> April to lodge their objections. A number of objections were received, as set out in Appendix 1.
5. At its meeting on 25 April 2013, Cabinet made the following decision:

*That Cabinet delegate authority to the Deputy Chief Executive and Corporate Director of Residents Services, in consultation with the Leader of the Council, the Cabinet Member for Finance, Property and Business Services and the Cabinet Member for Planning, Transportation and Recycling, to fully consider any objections which have been made in relation to a Public Notice published in the Gazette newspaper and to decide whether to appropriate the land edged black on the map attached at Appendix 1 from public open space to planning purposes.*

6. The objections received by the deadline were fully considered by the authorised decision-makers as set out in Appendix 1.
7. Following this, the decision was made on 14 May 2013 by the Deputy Chief Executive and Corporate Director of Residents Services, in consultation with the Leader of the Council, the Cabinet Member for Finance, Property and Business Services and the Cabinet Member for Planning, Transport and Recycling, to appropriate part of the land at Lake Farm from public open space to planning purposes.

## **Financial Implications**

The Council already owns the land in question, as outlined above, therefore, the decision to appropriate is a legal mechanism to allow the change in the potential use of land and there are no fees or direct costs associated with the appropriation.

## **4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendation?**

To note the final decision made in relation to the land at Lake Farm being appropriated for planning purposes.

### **Consultation Carried Out or Required**

In accordance with Section 122 of the Local Government Act 1972, the Council provided the opportunity for the public to put forward any objections on this matter, to then be considered by the Council before any decision was made.

## **5. CORPORATE IMPLICATIONS**

### **Corporate Finance**

Corporate Finance has reviewed this report and confirms that the decision already made to appropriate will have no financial impact on the Council, nor will reclassification of this land alter the carrying value on the Council's balance sheet.

### **Legal**

All legal implications are contained in the body of the report.

### **Corporate Property and Construction**

Corporate Property and Construction supports the recommendation made in this report.

## **6. BACKGROUND PAPERS**

Central and South Planning Committee Report and Minutes dated 5 March 2013  
Cabinet report – 25 April 2013