	<p style="text-align: center;"><b>Executive</b> 13<sup>th</sup> February 2006</p> <p style="text-align: center;"><b>Report from the Director of Finance and Corporate Resources</b></p>
For Action	Ward Affected: Stonebridge
<p><b>Freehold transfer of green open spaces on the Stonebridge Estate from the Housing Action Trust.</b></p>	

Forward Plan Ref:

## 1.0 SUMMARY

- 1.1 This report seeks approval to take back the green open spaces forming part of the on-going multi-million pound improvement programme to the Stonebridge Estate

## 2.0 RECOMMENDATIONS

- 2.1 The Executive is recommended to approve the freehold acquisition of the sites identified in the accompanying plan at nil consideration. Such acquisition to be subject to the Directors of Finance and Corporate Resources and Environment and Culture being satisfied as to the ability to fund the cost of maintaining these sites post-transfer.

## 3.0 DETAIL

- 3.1 Since 1994 the HAT has undertaken a comprehensive redevelopment of the Stonebridge Estate. This estate, comprising over 77 acres, has been transformed from a poorly maintained and unloved estate of high rise buildings which had a reputation as a crime hot spot to a mix of imaginatively designed residential buildings which have greatly improved the area for local residents. Eventually the estate will provide approximately 2100 homes of social, shared ownership/key worker and private units. In addition the development will also provide a community building, health centre and various retail units.
- 3.2 The Statutory Instrument by which the estate was transferred to the HAT did not deal with succession arrangements upon the demise of the HAT.

Therefore any transfer of ownership of the green open spaces as proposed in this report would be a voluntary arrangement between the parties. Likewise the future management of the residential units is also to be determined sometime next year.

- 3.3 Toward the end of 2007 residents will be asked to vote on the successor to the HAT. This successor landlord could either be the Council or another Housing Association. This vote is likely to take place around February 2007. Thus, in anticipation of this event, succession plans are being put in place and as such a transfer document is being drawn up between the HAT and Hyde H.A. to ensure the remainder of the development programme is completed. Presently the HAT hopes to conclude this transfer to Hyde during March 2006.
- 3.4 Whilst the role of residential landlord will be determined by resident vote in 2007 a decision is required now to determine who will take over the freehold of the open spaces and, by implication, responsibility for the maintenance of these spaces.
- 3.5 During the demolition and new build phase of the development, in order to create sufficient vacant units to enable residents to remain on the estate, a decision was taken to utilise the then existing open spaces. Now that the build programme is reaching completion it is proposed to re-create these spaces throughout the estate.
- 3.6 HAT proposes to enter into a tripartite agreement with Hyde and Brent Council. This agreement will provide Hyde with a dowry of £3 million pounds to design and create the open space to a specification acceptable to the Council. As each space is created the intention is for the land to then transfer freehold. Thereafter the maintenance of these spaces would be the responsibility of the Council.
- 3.7 In total it is envisaged approximately 6.34 hectares of open space will be created over a three year period alongside the remainder of the build programme. This space includes a proposed sports pavilion and facilities, which received planning permission on 8 November 2005 and which will remain with the HAT and it's successor. (Area 2 on the accompanying plan)
- 3.8 A further factor which may be acceptable to the Council is a proposal which involves the open space adjoining the two schools on the estate (Area 7). The HAT is considering the feasibility of re-orientating this space so as to demolish and reconfigure the existing school buildings. If this is acceptable to the Council it will provide a new school building and additional residential units as well as the open space. Clearly the cost of this proposal to the Council will need to be assessed and reported on separately by the Director of Children and Families. However, in order to maintain this as an option, it is proposed the tri-partite agreement will include the potential for incorporating this proposal.

3.9 In the event that the Council decides not to take back the spaces from the HAT they will then form part of the proposed land transfer to Hyde. Responsibility for maintenance of these spaces will then rest with Hyde although they will not be able to be regarded as public open space

3.10 **Director of Housing & Community Care Comments:**

As mentioned in paragraph 3.4 above a tenant vote will take place in 2007 to determine the successor landlord to HAT. It has already been agreed by the Council that we will enter into a tri-partite agreement with the HAT and Hyde, who are the HAT's chosen residential social landlord. This agreement will cover the arrangements for stock transfer to either Hyde or the Council depending upon the outcome of the tenant vote.

The choice to be given to the tenants will be to transfer to Hillside Housing Trust (set up for the purpose by Hyde), as direct successor to HAT or alternatively to return to Brent Council as their landlord, as was the situation prior to the formation of the HAT in 1994. It is worth noting that due to the peculiarities of the voting regime for HATs, any individual tenant residing in a house, who votes to return to the Council, as opposed to voting to transfer to Hyde, will have an automatic "right of return". Majority voting to determine the future will only apply to flats..

3.11 **Assistant Director – Leisure & Recreation**

Whilst the development of this open space is welcomed, officers still need to determine whether a budget can be established for the on-going maintenance of these spaces. There is some concern that the cost of maintaining these open spaces may be prohibitive due to the design and proposed specification. Therefore it is proposed that further discussion is required before transfer can be accepted.

3.12 **Head of Asset Management - Children & Families Comments:**

For about 18 months now we have been discussing with the HAT the possibility of the HAT delivering two replacement new build schools - Our Lady of Lourdes and Stonebridge - in exchange of land from the Council in and around the existing sites.

Since the discussions began, we have had to re-open discussions on the size of Stonebridge School - this has led to the HAT having to re-evaluate affordability of the package.

More recently, including colleagues from Housing, we have explored with the HAT options for regenerating the area through to Brentfield Road to include as an output some land release for a new school (primary or secondary).

## 4.0 **FINANCIAL IMPLICATIONS**

4.1 The Head of Parks Service advises that presently there is no revenue budget for maintaining these spaces and consequently a revenue bid for funding will be required for 2007-08. He has estimated the likely revenue costs would be in the region of £21,000 per annum. This estimate excludes the cost of any

work associated with the canal feeder which transects the estate (shown within areas 3 & 8 in the attached plan) and the recreation ground (Area 2). The former will require monthly cleaning and responsibility for maintenance will also need to be resolved; whilst the latter will be affected by necessary work to the pitch drainage.

4.2 Additionally there may also be a further cost attributable for maintaining those open spaces which he considers to be grass verge and therefore the responsibility of Streetcare (Areas 1, 10, 11 and 13). However as the development of the open spaces is envisaged as rolling out over the next three years the full revenue cost should not be required in 2007-08.

4.3 Furthermore, in order to assist with any revenue funding issues, the HAT is prepared to discuss the notion of reducing the capital spend on the open areas in order to create a commuted sum which could be transferred to the Council should the Council not be able to identify appropriate internal funding.

## **5.0 LEGAL IMPLICATIONS**

5.1 The Stonebridge Housing Action Area and the Stonebridge Housing Action Trust (HAT) were established on 27<sup>th</sup> July 1994 by Statutory Instrument issued by the Secretary of State for Environment under Sections 60 – 61 Housing Act 1988.

5.2 The Council's interest in the Stonebridge Action Area was transferred to the HAT by Statutory Instrument issued by the Secretary of State for Environment under Sections 74 – 75(4) Housing Act 1988.

5.3 The HAT is empowered under section 79 Housing Act 1988 to dispose of any land they own subject to the consent of the Secretary of State. The Borough Solicitor will ensure that the HAT obtains this prior to acquisition of the open spaces by the Council.

5.4 The Council has power to acquire the open space by virtue of s120 Local Government Act 1972.

5.5 It should be noted that the Council is not bound to acquire the open spaces.

## **6.0 DIVERSITY IMPLICATIONS**

6.1 The creation and proper maintenance of these areas will provide much needed formal play and recreational space for the children living on this large estate.

6.2 The estate has a very high percentage of children and a large ethnic population and is one of the most disadvantaged areas of the Borough and due to the redevelopment of this estate has lost much of its green space. Therefore the creation of this new space is welcomed

## **7.0 STAFFING/ACCOMMODATION IMPLICATIONS**

- 7.1 The intention is to transfer these areas back to the Council to replace previously lost green space which was incorporated into the build programme. It is proposed the land will be transferred at nil cost and subject to the treatment of the large playing field and pavilion there are no structures other than possibly some play equipment on any of these sites.

In regard to the potential redevelopment of the two schools mentioned in Paragraph 3.12 above it is intended that the agreement will retain flexibility to enable reorientation of the school sites and the area shown on the plan as Area 7.

## **8.0 BACKGROUND PAPERS**

None

### **Contact Officers**

Richard Barrett – Head of Property & Asset Management  
Room 1A, Town Hall Annexe  
Forty lane, Wembley, Middx  
Tel: 020 8937 1334  
Email: [richard.barrett@brent.gov.uk](mailto:richard.barrett@brent.gov.uk)

DUNCAN McLEOD  
Director of Finance and Corporate Resources

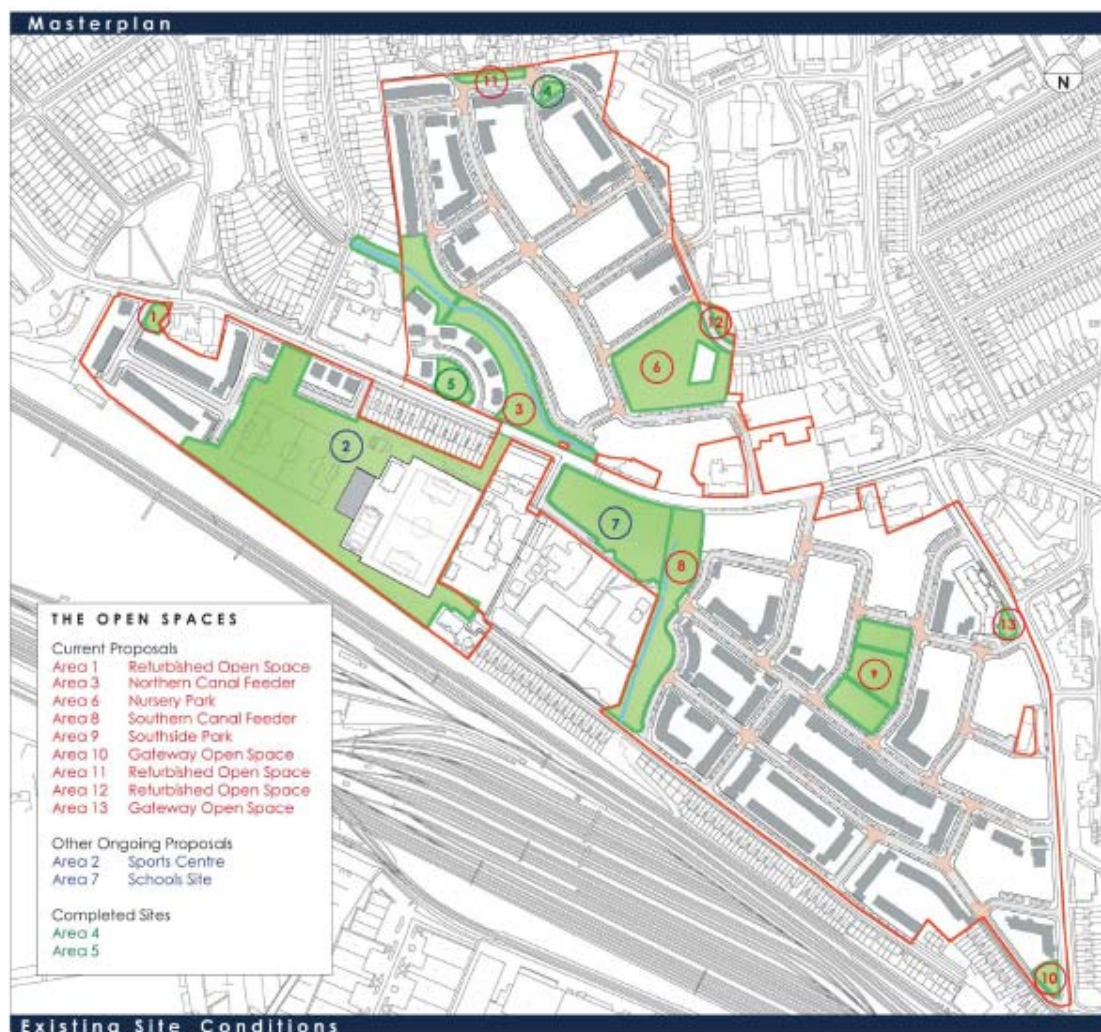


## LONDON BOROUGH OF BRENT

### MEETING OF THE EXECUTIVE – 13<sup>TH</sup> FEBRUARY 2006

REPORT TITLE: TRANSFER OF GREEN OPEN SPACES FROM STONEBRIDGE HAT:

For identification purposes only  
MAP PROVIDED BY STONEBRIDGE HAT



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