



General Purposes Committee

Thursday 23 February 2017 at 6.00 pm

Board Room 2 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Butt (Chair)
McLennan (Vice-Chair)
Colwill
Farah
Hirani
M Patel
Southwood
Tatler

Substitute Members

Councillors:

Bradley, Denselow, Kabir, Mahmood, Miller, Moher and
Krupa Sheth

Councillors:

Davidson and Kansagra

For further information contact: Nikolay Manov, Governance Officer
020 8937 1348, nikolay.manov@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
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1	Declarations of personal and prejudicial interests	
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Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and disclosable pecuniary interests in any matter to be considered at this meeting.

2	Minutes of the previous meeting	1 - 4
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3	Matters arising	
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4	Deputations (if any)	
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5	Stopping Up Order and Extinguishment of Vehicular Rights Order – Ealing Road Library, Coronet Parade	5 - 20
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The report seeks authorisation to make a Stopping Up Order and an Extinguishment of Vehicular Rights Order for certain areas of public highway consisting of footway and road located in front of Ealing Road Library (Coronet Parade, Ealing Road) under Section 247 and 249 of the Town and Country Planning Act 1990 (TCPA 1990).

Wards Affected:

Wembley Central

Contact Officer: Nicolaas Potgieter,
Team Leader – Traffic Orders

Tel: 02089375600

nicolaas.potgieter@brent.gov.uk

6	Stopping Up Order – Land North Chippenham Gardens (Kilburn Park Post Office)	21 - 30
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This report seeks authorisation to make a Stopping Up Order for an area of public highway consisting of footway and road located north of Chippenham Gardens under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).

Wards Affected:

Kilburn

Contact Officer: Nicolaas Potgieter,
Team Leader – Traffic Orders

Tel: 02089375600

7 Appointments to Sub-Committees / Outside Bodies (if any)

8 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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LONDON BOROUGH OF BRENT

MINUTES OF THE GENERAL PURPOSES COMMITTEE

Monday 30 January 2017 at 6.00 pm

PRESENT: Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Colwill, Farah, Hirani, Southwood and Tatler

Also present: Councillors Chohan

Apologies for absence were received from: Councillors M Patel

1. **Declarations of personal and prejudicial interests**

There were no declarations of interest received from Members.

2. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting, held on 8 December 2016, be approved as an accurate record of the meeting.

3. **Matters arising**

There were no matters arising.

4. **Deputations (if any)**

There were no deputations received.

5. **Localism Act 2011- Pay Policy Statement**

David Veale (Director of Human Resources and Organisational Development) introduced the report, which informed the Committee of the arrangements that had been put in place by the Council to meet the requirements of the Localism Act 2011. The Act required local authorities in England and Wales to produce, approve and publish a pay policy statement on an annual basis by 31 March each year. Mr Veale explained that the statement would be reported to the meeting of the Full Council in February 2017.

Mr Veale drew Members' attention to the Council's approach to dealing with Her Majesty Revenue and Customs (HMRC) changes to regulations for provision of personal services from April 2017 (page 12 of the Agenda Pack). He noted that the Council's approach to the matter was being formulated and it was suggested that the expectation had been that the Council would base decisions on the use of the HMRC online assessment tool to determine whether individuals hired on an interim basis would be on a Pay As You Earn (PAYE) or personal services basis. Mr Veale

informed Members that interim appointments would be paid on a PAYE basis, with a policy on the subject being brought to the Committee and Full Council's attention.

In response to a question relating to the use of contractors, Mr Veale explained that, in special circumstances, contractors could come and work for the Council and stated that consultants would be paid on a PAYE basis, which would match the remuneration of directly employed staff at a similar role, unless there had been a strong business case to bring a particular specialist in on a short-term basis. In the latter case, the daily rate of the consultant might have to be matched their private services charge.

RESOLVED that:

- (i) The content of Localism Act 2011 – Pay Policy Statement be noted;
- (ii) The draft Pay Policy Statement be approved as an accurate and factual representation of the Council's pay arrangements for 2017/18; and
- (iii) Any amendments required during the 2017/18 financial year be brought back to a future meeting of the General Purposes Committee for approval.

6. **Appointments to Sub-Committees / Outside Bodies**

Councillor Butt drew Members' attention to the nominations for appointments to the General Purposes Sub-Committees and it was **RESOLVED** that:

- (i) Councillor Mili Patel, Cabinet Member for Children and Young People, be appointed as a substitute Member of the Senior Staff Appointments Sub-Committee; and
- (ii) Councillor Shama Tatler be appointed as a Member of the Senior Staff Appointments Sub-Committee;

7. **Exclusion of Press and Public**

RESOLVED that under Section 100A (4) of the Government Act 1972 the press and public be excluded from the meeting during consideration of Agenda Item Number 8 on the grounds that it involved the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act:

Paragraph 3

"Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

8. **Review of shared internal audit and investigation arrangements**

Peter Gadsdon (Director of Performance, Policy and Partnerships) introduced a report, which examined the effectiveness of the current internal audit arrangements which had come into effect in October 2015 following the Council's agreement to

enter into a shared arrangement for its internal audit service with the London Boroughs of Ealing and Hounslow in June 2015.

Mr Gadsdon summarised key milestones and events associated with the functioning of the shared internal audit and investigation arrangements in the period from October 2015 to August 2016.

It was noted that the report and its recommendations had previously been approved by the Council's Audit Committee.

Members of the Committee asked questions that related to management structure issues, the potential internal audit arrangements and the exit procedure if the recommendations of the report were adopted.

RESOLVED that:

- (i) The contents of the Review of Shared Audit Service be noted;
- (ii) The shared service arrangement for the provision of the internal audit and counter fraud and investigation service be terminated and the service be brought back in-house;
- (iii) A Chief Internal Auditor for Brent be appointed; and
- (iv) The contract with the external Strategic Internal Audit Partner for the Audit and Investigations Shared Service be continued if possible.

9. Any other urgent business

There were no other items of urgent business.

The meeting closed at 6.19 pm

COUNCILLOR MUHAMMED BUTT
Chair

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General Purposes Committee 23rd February 2017

Report from the Strategic Director, Regeneration and Environment

For Action

Wards Affected: Wembley Central

Report Title:

Stopping Up Order and Extinguishment of Vehicular Rights Order – Ealing Road Library, Coronet Parade

1.0 Summary

- 1.1 This report seeks authorisation to make a Stopping Up Order and an Extinguishment of Vehicular Rights Order for certain areas of public highway consisting of footway and road located in front of Ealing Road Library (Coronet Parade, Ealing Road) under Section 247 and 249 of the Town and Country Planning Act 1990 (TCPA 1990).
- 1.2 The Stopping Up Order is required to complete a part of the development which will require the placing of a modular unit that will contain a café (A3) on a certain section of the public highway. The Extinguishment of Vehicular Rights Order is required for improving the amenity of the area which will consist of pedestrianisation, the introduction of cycle parking, planting of a tree, provision of a communal bench and an area for the use of performances and a market.
- 1.3 The redevelopment of the site will also provide landscaping to the library forecourt with addition of further alteration to the existing public highway including provision of additional footway, alteration to the existing highway access, replacement of windows and doors in library street façade and the replacement of a vehicular access gate.

2.0 Recommendations

- 2.1 That members note that the draft Orders have been advertised in accordance with the requirements of Section 247 and 249 TCPA 1990 and that in

response to the consultations Virgin Media seeks the potential diversion of its apparatus. A site visit will need to be conducted by Virgin Media to determine a resolution.

- 2.2 That the Committee approve the Stopping Up Order and Extinguishment of Vehicular Rights Order and agree that the notices of making should be advertised following the resolution of the Virgin Media response.

3.0 Detail

- 3.1 Planning consent was granted following the Planning Committee meeting of 14th December 2016 approving the landscaping to the library forecourt with the addition of a café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to the existing public highway including provision of additional footway, stopping up of part of the footway, alteration to the existing highway access, replacement of windows and doors to the library street façade and replacement of a vehicular access gate leading to the rear car-parking space to the rear of the library.
- 3.2 The alterations to the current design of traffic and parking arrangements along Coronet Parade and Ealing Road will include the relocation of the existing junction currently situated opposite Ealing Road library and the re-organisation of the parking place provisions along Ealing Road and Coronet Parade. These changes are not considered significant as it only amounts to a minor loss of parking space. The loss of parking space will be balanced out by the significant improvements that will be made to the amenity of the library forecourt area which is currently unregulated and used by visitors to the area as free all day car parking. The two existing disabled car parking spaces will be relocated to the rear of the library, so there will be no loss of disabled car parking spaces. Along Ealing Road and adjoining Coronet Parade, there are currently sixteen parking bays, three of which are disabled car parking spaces. Once the project is completed, there will be eleven car parking spaces, but no loss of disabled car parking spaces.
- 3.3 The draft Stopping Up Order was made under Section 247 TCPA 1990 to enable the redevelopment to take place and the Extinguishment of Vehicular Rights Order was made under Section 249 TCPA 1990 for the improvement of the amenity of the area. Copies of the Orders are attached at Appendix 1, together with the relevant plans showing the proposed area to be stopped up and of where vehicular right will be extinguished. The notices of proposal were advertised on 22nd December 2016 in the local press and the London Gazette. Statutory consultees, namely utility companies and Transport for London were notified of the proposed Orders by e-mail and correspondence.
- 3.4 The Council received ten responses from utility companies with either no objections or no record of apparatus in the immediate vicinity of our enquiry. These were from:

- ATKINS working on behalf of Vodafone response to both Orders
- Asset Data response to Stopping Up Order
- Colt Technology Services response to both orders
- ESP Gas Group Ltd response to both Orders
- Instalcom response to Stopping Up Order
- Nationalgrid response to Stopping Up Order
- Network Rail response to Stopping Up Order
- Scottish & Southern Electricity Networks response to Stopping Up
- Transport for London (TfL) response to Stopping Up Order
- Thames Water response to Stopping Up Order

3.5 A letter from Virgin Media was also received with a notice to a reference drawing, marked to show the approximate position of plant owned and operated by them. In reference to the plan the affected plant is mainly within the area where vehicular rights are to be extinguished. A site meeting has been requested to seek a resolution to this response. Virgin Media will undertake to divert its utility service if, following their site visit, it is deemed necessary.

3.6 Members are now requested to approve the making of the Orders to complete the development of the site, subject to a resolution to the Virgin media response.

4.0 Financial Implications

4.1 The Order making costs of approximately £6,000 will be initially met by Highways and Infrastructure Service and recharged to the Ealing Road Library capital project costs.

4.2 There are no other financial implications on the Council's revenue budgets.

5.0 Legal Implications

5.1 Section 247 of the Town and Country Planning Act 1990 (TCPA 1990) permits the making of an order for the stopping up of a highway necessary to enable development to be carried out in accordance with a valid planning permission. A stopping up order extinguishes the right of the public to pass and repass over the land to which the order will apply. Compensation is not payable to those adversely affected by the order.

5.2 The local planning authority can resolve to improve the amenity of its area by removing vehicular rights over a highway which is neither a trunk road, a road classified as a principal road or a GLA road (section 249, TCPA 1990). Compensation is payable to anyone who loses their lawful right of access to the highway.

- 5.3 Early consultation about the proposal with all persons and organisations who will be affected by the proposed is advisable. However, objections to the Extinguishment of Vehicular Rights order must be made within 28 days following the latest date of publication of the notice. If a person/body objects to the making of the order at the time of the notice, the order might be sent to local enquiry or to the Mayor of London.
- 5.4 Immediately after the Extinguishment of Vehicular Rights order is made, the LPA must publish a notice in a local newspaper and the London Gazette stating the order was made, naming the place where a copy of the order can be inspected. From the date order is made it must also be sent to consultees, any person affected by the order, and displayed at each end of the affected highway.
- 5.5. Officers have taken the Council's legal advice as to the statutory requirements in relation to the promotion of the Orders. If it is agreed to make the Orders, notices of making of the Orders will be publicised. It will not be open to further objection by the public or other authorities. However, where an order is made and published, or the Council decides not to confirm the order this can be challenged within certain time limits.

6.0 Diversity implications

- 6.1 Diversity Implications were addressed in the October 2016 Cabinet report. It is expected that the combined elements of the project, will promote and enhance social cohesion, which falls into the Council' current Regeneration & Environment Strategy Priority Three: To maximise investment in Brent, from the private, public and community sectors in line with regeneration priorities and ambitions.

7.0 Staffing / Accommodation Implications

- 7.1 There are no staffing implications within this report.

Appendices

Appendix 1 – Stopping Up Order and Extinguishment of Vehicular Rights
Order with notices and plans

Appendix 2 – Response from Virgin Media to the consultations

Background Papers

Correspondence of Highway and Transport Delivery File TO/23/023A and B/NP
Planning Committee, 14th December 2016, Agenda item No. 07, Case No. 16/4257.

Contact Officers

Nicolaas Potgieter – Highways and Infrastructure Service, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ. Telephone: 020 8937 5600. E-mail nicolaas.potgieter@brent.gov.uk.

Christine Moore – Capital Projects Manager (Regeneration and Environment), 6th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ Telephone: 020 8937 3118. E-mail christine.moore@brent.gov.uk.

Appendix 1 – Stopping Up Order and Extinguishment of Vehicular Rights Order with notices and plans



THE LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

Made * 201*

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent ("The Council") acting in its capacity as a local highway authority and in exercise of its powers under Section 247 of the Town and Country Planning Act 1990 ("the Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of an area of public highway described in Schedule 1 to this order and shown hatched black on the Deposited Plan ("the Highway"), in order to enable development described in Schedule 2 to this order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 15th December 2016 under Application No. 16/4257. ("the Development").
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of the highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of the highway is stopped up as they had immediately beforehand.
3. In this order "the Deposited Plan" means the plan deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. 056_SK161216-01.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Stopping Up Of Highways) (No. *) Order 201*.

SCHEDULE 1

Description of Highway to be Stopped Up

The area of public highway to be stopped up is shown hatched black on the Deposited Plan and comprises of an rectangular shaped length of carriageway located to the west of Ealing Road Library on Coronet Parade, Ealing Road, bounded by the north-western boundary wall of No. 45 Ealing Road to the south and Ealing Road to the west, starting grid reference E184759.00, N518131.58 and extending south-westward to grid reference E184759.25, N518126.87 with a maximum width of 4.00 metres throughout.

SCHEDULE 2

The Development

Landscaping to library forecourt with addition of café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to existing public highway including provision of additional footway, stopping up of part footway, and alteration to existing highway access. Replacement of windows and doors in library street facade. Gate to frontage.

The Common Seal of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of:)

.....
Solicitor

LONDON BOROUGH OF BRENT**TOWN AND COUNTRY PLANNING ACT 1990****THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201***

1. NOTICE IS HEREBY GIVEN that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 of the Town and Country Planning Act 1990 ("The Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 to authorise the stopping up of an area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted under Part III of the Act by the London Borough of Brent as the Local Planning Authority on 15th December 2016 under Application No. 16/4257.
3. A copy of the draft order and of a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 22nd December 2016 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure Services, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference TO/23/023A/NP, within the period of 28 days from the 22nd December 2016.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 22nd December 2016.

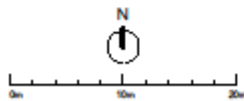
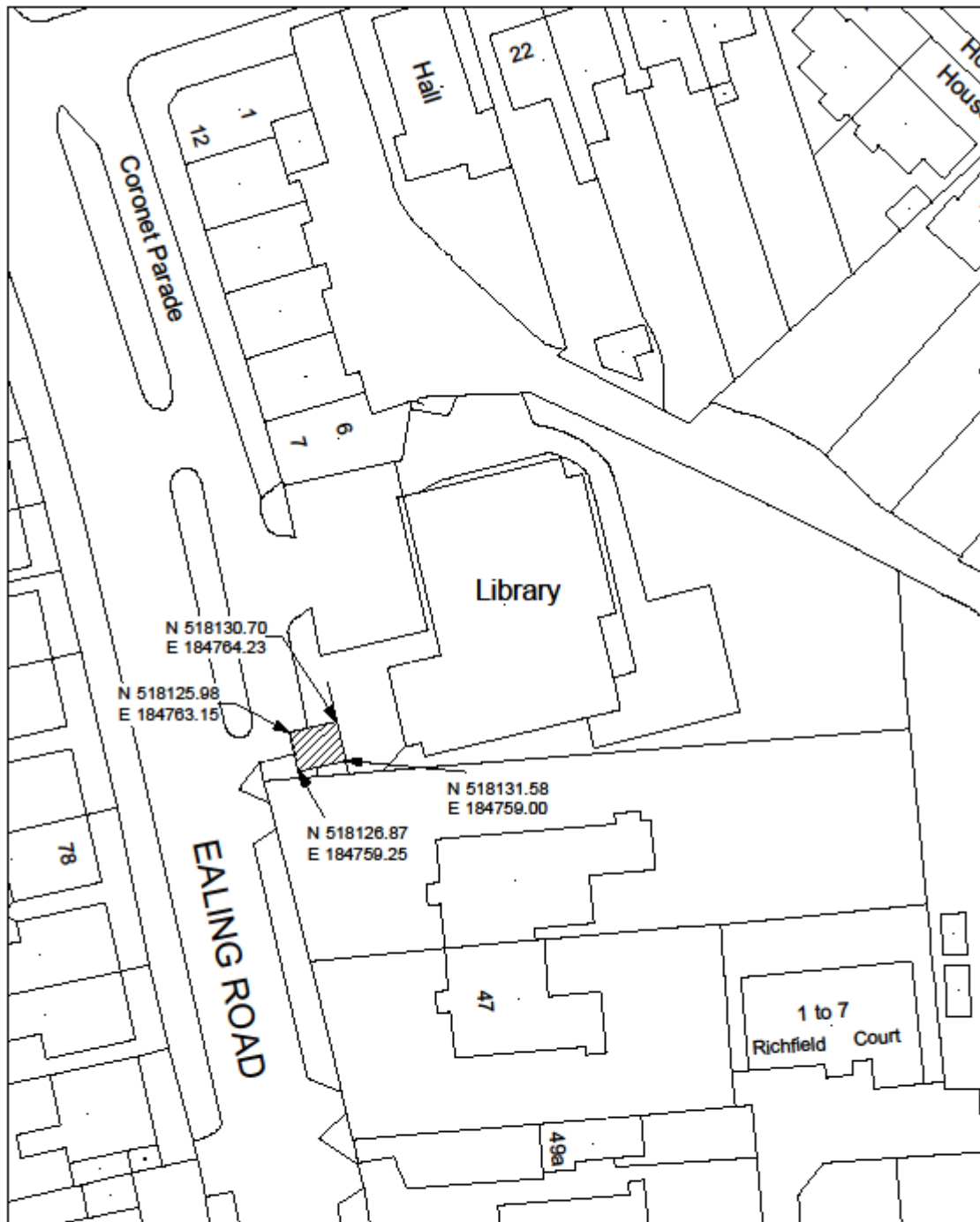
Tony Kennedy
Head of Highways and Infrastructure

SCHEDULE 1

The area of public highway to be stopped up is shown hatched black on the Deposited Plan and comprises of an rectangular shaped length of carriageway located to the west of Ealing Road Library on Coronet Parade, Ealing Road, bounded by the north-western boundary wall of No. 45 Ealing Road to the south and Ealing Road to the west, starting grid reference E184759.00, N518131.58 and extending south-westward to grid reference E184759.25, N518126.87 with a maximum width of 4.00 metres throughout.

SCHEDULE 2

Landscaping to library forecourt with addition of café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to existing public highway including provision of additional footway, stopping up of part footway, and alteration to existing highway access. Replacement of windows and doors in library street facade. Gate to frontage.



Area to be stopped up
Total hatched area: 19.34m²

Mark
Projects
Ltd.
Architecture Landscape Urban Design
+44 (0)7845 291 600 markprojects.co.uk

PROJECT
056 - Ealing Road Library, HA0 4BA

DRAWING
056_SK181216-01
STOPPING UP PLAN

SCALE
1:500 @ A4

DATE
DECEMBER 2016



THE LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (EXTINGUISHMENT OF VEHICULAR RIGHTS) (NO. *) ORDER 201*

Made * 201*

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent ("The Council") acting in its capacity as a local highway authority and in exercise of its powers under Section 249 of the Town and Country Planning Act 1990 ("the Act") and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the extinguishment of vehicular rights over an area of public highway described in Schedule 1 to this order and shown within an area outlined black on the deposited plan ("the Highway"), in order to enable the improvement of the amenity of a certain length of Coronet Parade, Ealing Road, Wembley, as described in the resolution of the Council dated 15th December 2016 under Application No. 16/4257, that includes the public ceasing to have a right of way with vehicles over the said highway.
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of the highway authorised where vehicular rights are extinguished pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of the highway where vehicular rights are extinguished as they had immediately beforehand.
3. In this order:-

"the deposited plan" means the plan deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. 056_SK161216-03; and

"pedal cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2016 (a), as amended.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Extinguishment of Vehicular Rights) (No. *) Order 201*.
5. Notwithstanding the foregoing provision of this Order shall not apply to the use of vehicles in the cases specified in Schedule 2 to this Order.

(a) S.I. 2016 No. 362

The Common Seal of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of:)

.....
Solicitor

SCHEDULE 1

Description of the highway to which this Order relates

The area of public highway where vehicular rights are to be extinguished is in the London Borough of Brent. It is shown outlined black on the plan attached to this Order and is a certain length of Coronet Parade, Ealing Road, Wembley, starting at its southern junction with Ealing Road northward for a distance of 24.465 metres with a maximum width of 11.041metres.

SCHEDULE 2

Cases where persons may use vehicles on the Highway described in Schedule 1 to this Order.

1. Where the vehicle is using the highway:-
 - (a) for police, ambulance or fire brigade purposes; and
 - (b) in connection with the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the said length of highway of any sewer, main, pipe, conduit, wire cable or other apparatus for the supply of gas, water, electricity or of any telecommunication apparatus as defined in Schedule 2 to the Telecommunications Act 1984.
 - (c) to facilitate an event held at or near Ealing Road Library.
2. Where the vehicle is a pedal cycle.

LONDON BOROUGH OF BRENT**TOWN AND COUNTRY PLANNING ACT 1990****THE LONDON BOROUGH OF BRENT (EXTINGUISHMENT OF VEHICULAR RIGHTS) (NO. 2)
ORDER 2016**

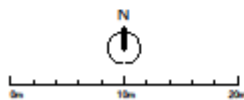
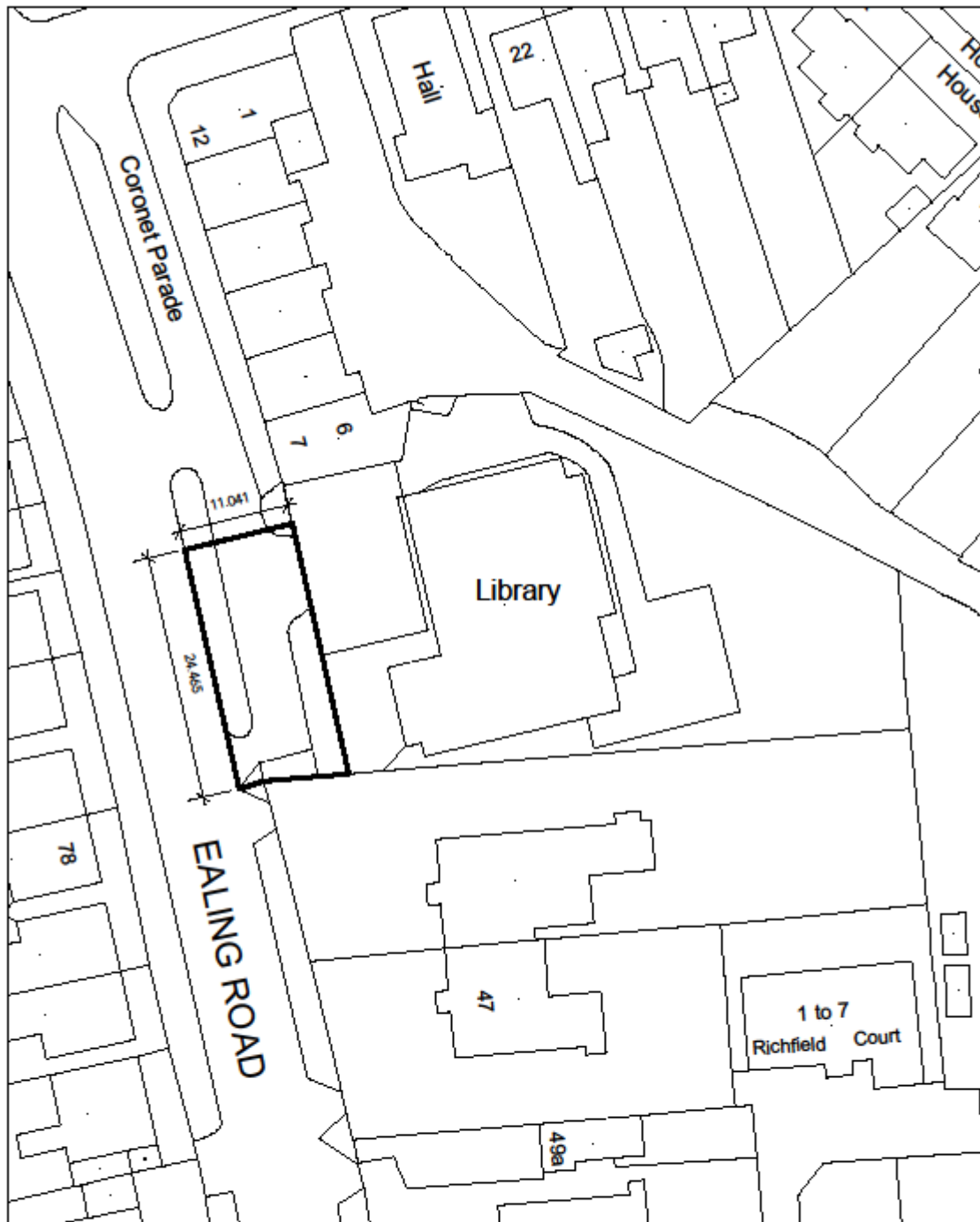
1. **NOTICE IS HEREBY GIVEN** that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 249 of the Town and Country Planning Act 1990 ("The Act") to authorise the extinguishment of vehicular rights over the area of highway described in the Schedule to this notice at Coronet Parade, Ealing Road, Wembley shown outlined black on the plan attached to the Order to enable the improvement of the amenity of a certain length of Coronet Parade, Ealing Road, Wembley, as described in the resolution of the Council dated 15th December 2016 under Application No. 16/4257.
2. The draft order would contain provisions for permitting the use of the highway described in the Schedule to this notice by vehicles being used for, by the Emergency Services, by those the Council authorises to maintain Coronet Parade, Ealing Road for the purpose of maintaining Coronet Parade, Ealing Road, by any statutory undertaker maintaining plant beneath Coronet Parade, Ealing Road, where the vehicle is facilitating an event at or near Ealing Road Library and where the vehicle is a pedal cycle.
3. A copy of the draft order and of a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 22nd December 2016 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways and Infrastructure Service, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference TO/23/023B/NP, within the period of 28 days from the 22nd December 2016.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.


Dated 22nd December 2016.

Tony Kennedy
Head of Highways and Infrastructure

SCHEDULE

The area of public highway where vehicular rights are to be extinguished is in the London Borough of Brent. It is shown outlined black on the plan attached to the Order and is a certain length of Coronet Parade, Ealing Road, Wembley, starting at its southern junction with Ealing Road northward for a distance of 24.465 metres with a maximum width of 11.041metres.



 Area within which vehicle rights will be extinguished.

Mark
Projects
Ltd.
Architecture Landscape Urban Design
+44 (0)7845 291 800 markprojects.co.uk

PROJECT
056 - Ealing Road Library, HA0 4BA

DRAWING
056_SK181218-03
VEHICLE RIGHTS PLAN

SCALE
1:500 @ A4

DATE
DECEMBER 2016

Appendix 2 – Virgin Media responses to Consultation



Brent Civic Centre
Engineers way
Wembley
Middlesex
HA9 0FJ

Virgin Media
Field Services
Units 1-12
Broad Lane
Mayfair Business Park
Bradford
Yorkshire
BD4 8PW

Tel: 0870 888 3116 Opt 2

Plant Enquiry Ref: VM.165658
Letter Date 03.01.2017
Your Ref: TO/23/023A/NP and
TO/23/023B/NP
Date:
04.01.2017

Hello,

Enquiry Location: Ealing Road Northward HA9 0FJ

Thank you for your enquiry regarding work at the above location.
.....

I enclose a copy of our above referenced drawing, marked to show the approximate position of plant owned and operated by Virgin Media.

You will be aware that you have a duty to ensure that no damage results to this equipment as a result of your proposed works. Please note that this apparatus may contain Fibre Optic, Coaxial and/or 240v Power Cables and as such, special care must be taken when excavating this area.

Should you require Virgin Media apparatus to be diverted to accommodate your works and require a detailed estimate, please send a cheque to the value of £720.00 (Bus) / £240.00 (Res) Inc VAT to:

Diversionary Works, Virgin Media, 1 Dove Wynd, Strathclyde Business Park Bellshill ML4 3AL

Or Call the Diversionary Team on: 0800 408 0088 Option 1


Should your request be in relation to a new development and you require an estimate to be prepared for Virgin Media to service your proposed development, please submit this request for costs along with site drawings (scale 1:500) to the New Build Team also at the above address.

Yours faithfully

National Plant Enquiries Team, email: plant.enquiries.team@virginmedia.co.uk

Please note: National Plant Enquiries are now able to accept all major cards with the exception of American Express for credit/debit card payments. If you wish to use this facility please contact us at the above telephone number. Please note: National Plant Enquiries Team (Bradford) cover and respond to plant enquiries for all ex ntl:Telewest franchise areas.

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 Brent	General Purposes Committee 23rd February 2017 Report from the Strategic Director, Regeneration and Environment
For Action	Wards Affected: Kilburn
Report Title: Stopping Up Order – Land North Chippenham Gardens (Kilburn Park Post Office)	

1.0 Summary

- 1.1 This report seeks authorisation to make a Stopping Up Order for an area of public highway consisting of footway and road located north of Chippenham Gardens under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).
- 1.2 This Order is required to complete the development situated at the land north of Chippenham Gardens (near Kilburn Park Post Office site) which consist of the demolition of the existing buildings at Nos. 5-9 Chippenham Gardens, Kilburn Park and Nos. 4-26 Stuart Road. The redevelopment of the site will provide a part-four, -five and -six storey building comprising of 52 self-contained flats (24x1 bed, 19x2 bed and 9x3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision, general amenity space and alterations to the existing highway.

2.0 Recommendations

- 2.1 That members note that the draft Stopping Up Order has been advertised in accordance with the requirements of Section 247 TCPA 1990 and that in response to the consultation, 11 consultees have informed the Council that they have either no objections or no record of apparatus in the immediate vicinity of our enquiry. Westminster City Council has no objection to the making of the order and Virgin media invite to seek the diversion of its apparatus if required by the development.

- 2.2 That the Committee approve the Stopping Up Order and agree that a notice of making should be advertised.

3.0 Detail

- 3.1 Planning consent was granted following the Planning Committee meeting of 14th July 2016 for demolition of existing buildings at Nos. 5-9 Chippenham Gardens, Kilburn Park Post Office and Nos. 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision, alterations to Chippenham Gardens and the stopping up of part of the frontage of the site to facilitate construction of the proposed building.
- 3.2 This development is part of the Council's South Kilburn Regeneration development programme.
- 3.3 There will be no other significant changes to the design or traffic and parking management arrangements on the area of highway to be stopped up.
- 3.4 A draft Stopping Up Order was made under Section 247 TCPA 1990 to enable the redevelopment to take place. A copy of the Order is attached at Appendix 1, together with the relevant plan showing the proposed area to be stopped up and the notice of proposal advertised on 13th October 2016 in the local press and the London Gazette. Statutory consultees, namely utility companies, Transport for London and Westminster City Council were notified of the proposed Stopping-Up Order by e-mail and correspondence.
- 3.5 The Council received 11 responses from utility companies with either no objections or no record of apparatus in the immediate vicinity of our enquiry. These were from:
- ATKINS working on behalf of Vodafone dated 14th October 2016
 - Colt Technology Services dated 19th October 2016
 - ESP Gas Group Ltd dated 12th October 2016
 - London Fire Brigade dated 12th October 2016
 - Instalcom dated 14th October 2016
 - Nationalgrid dated 17th October 2016
 - Network Rail dated 12th October 2016
 - Scottish & Southern Electricity Networks dated 18th October 2016
 - London Underground dated 26th October 2016
 - Transport for London (TfL) dated 1st October 2016
 - Thames Water dated 31st October 2016
- 3.6 The Council also received a response from Virgin Media and Westminster City Council respectively.

3.7 The letter from Virgin Media was a notice to a reference drawing, marked to show the approximate position of plant owned and operated by Virgin Media in the vicinity with an invitation to seek the diversion of its apparatus if required by the development. The developer will make such arrangements if required.

3.8 Westminster City Council has no objection to the making of the order as it will neither affect the highway network of Westminster nor their residents or businesses.

3.9 Members are now requested to approve the making of the Stopping Up Order to complete the development of the site.

4.0 Financial Implications

4.1 The Stopping Up Order making costs of approximately £5,000 will be initially met by Highways and Infrastructure Service and recharged to the South Kilburn Programmed budget.

4.2 There are no other financial implications on the Council's revenue budgets.

5.0 Legal Implications

5.1 Section 247 of the Town and Country Planning Act 1990 (TCPA 1990) permits the making of an order for the stopping up of a highway necessary to enable development to be carried in accordance with a valid planning permission. A stopping up order extinguishes the right of the public to pass and repass over the land to which the order will apply. Compensation is not payable to those adversely affected by the order.

5.2 Officers have taken the Council's legal advice as to the statutory requirements in relation to the promotion of the Stopping Up Order. If it is agreed to make the Order a notice of making of the Order will be publicised. It will not be open to further objection by the public or other authorities. However where an order is made and published, or the council decides not to confirm the order this be challenged within certain time limits.

6.0 Diversity implications

6.1 There is no diversity implications associated with the approval of this Stopping Up Order.

7.0 Staffing / Accommodation Implications

7.1 None specific.

Appendices

Appendix 1 – Stopping Up Order with notice and plan

Background Papers

Correspondence of Highway and Transport Delivery File TO/23/022/NP
Planning Committee, 14th July 2016, Agenda item No. 02, Case No. 16/1191.

Contact Officers

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Appendix 1 – Stopping Up Order with notice and plan



SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

LAND NORTH CHIPPENHAM GARDENS (KILBURN PARK POST OFFICE) THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (No *) ORDER 201*

MADE XXXXX 2016

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent acting in its capacity as a local highway authority and in exercise of its powers under Section 247 of the Town and Country Planning Act 1990 ("the Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of the highway described in the First Schedule to this Order and shown in red hatching on the Deposited Plan ("the Highway"), in order to enable the development described in the Second Schedule to this Order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 5 August 2016 under planning reference number: 16/1191 ("the Development").
2. In the event that the Development is not implemented on the Highway, the stopping up of the Highway shall not come into effect.
3. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over along or across any area of the Highway authorised to be stopped up pursuant to this order then, subject to section 261 (4) of the Act, those undertakers shall have the same rights as respects that apparatus after the area of the Highway is stopped up as they had immediately beforehand.
4. In this order "the Deposited Plan" means the plan deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, under plan AV4486 SU 001.
5. This order shall come into force on the date on which notice that it has been made is first published in accordance with Section 252(10) of the Act, and may be cited as Land North Chippenham Gardens (Kilburn Park Post Office) The London Borough of Brent (Stopping up of Highways) (No*) Order 201*.

Page 2 of 4

THE FIRST SCHEDULE

Description of Highway to be Stopped Up

The adopted highway area/reference and zone listed in the table below and shown in red hatching on Drawing No. AV4486 SU 001 attached to this Order. The area quoted in the table is the approximate average and has been rounded up. The drawing should be referred to for exact location.

Name / Reference of Highway	Zone Reference / Address of Highway	Starting Grid reference	Ending Grid reference	Highway to be stopped up
				Area (m ²)
The Hatched Red Area of the Public Highway to the North of Kilburn Park Post Office Site on Chippenham Gardens	Land bounded by Stuart Road to the North; and Malvern Road to the West in London Borough of Brent.	E525184.80 N182618.86	E525180.91 N182607.01	31.08

THE SECOND SCHEDULE

THE DEVELOPMENT

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

THE COMMON SEAL OF THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of)

Dated: 201*

XXX
(Solicitor)



SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

LAND NORTH CHIPPENHAM GARDENS (KILBURN PARK POST OFFICE) THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (No *) ORDER 201*

1. NOTICE IS HEREBY GIVEN that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 of the Town and Country Planning Act 1990 ("The Act") to authorise the stopping up of the area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted by the London Borough of Brent as Local Planning Authority on 5 August 2016 under Planning Reference No. 16/1191
3. A copy of the draft order and a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from 13 October 2016 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ and the Community Resource Centre, William Dunbar House, Albert Road, Kilburn, London NW6 5DE.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference AV4486 SU 001, within the period of 28 days from the 13 October 2016.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 13 October 2016

Tony Kennedy
Head of Highways and Infrastructure

SCHEDULE 1

The hatched red area of the public highway as shown on the Deposited Plan is to be stopped up. It is located to the north of Kilburn Park Post Office site on Chippenham Gardens, and bounded by Stuart Road to the north and Malvern Road to the west with starting grid reference E525184.80, N182618.86 and ending grid reference E525180.91, N182607.01.

SCHEDULE 2

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

Page 1 of 1



The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be notified with the Authority before proceeding with the works. Where no data is provided by drawings or otherwise, the contractor shall be responsible for its own checks.

Do not scale drawing. Physical dimensions to be worked to in all cases.

CONTRACTOR TO BE RESPONSIBLE FOR CHECKING DIMENSIONS, TOLERANCES AND REFERENCES. ANY DISCREPANCY TO BE NOTIFIED WITH THE AUTHORITY BEFORE PROCEEDING WITH THE WORKS. WHERE NO DATA IS PROVIDED BY DRAWINGS OR OTHERWISE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS OWN CHECKS.

Drawn LO
Checked CM
Date OCT'18
Scale 1:100

LONDON BOROUGH OF BRENT
STOPPING UP OF HIGHWAYS (NOM) ORDER 201*
LAND NORTH CHIPPENHAM GARDENS
(KILBURN PARK POST OFFICE)

AREA TO BE STOPPED UP

PLAN REF : AV4486 SU 001



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