## LONDON BOROUGH OF HARROW

### Report to Individual Portfolio Holder

<table>
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<tbody>
<tr>
<td>Relevant Portfolio Holder:</td>
<td>Environment and Transport</td>
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<tr>
<td>Responsible Chief Officer:</td>
<td>Head of Environment and Transportation</td>
</tr>
<tr>
<td>Key Decision:</td>
<td>No</td>
</tr>
<tr>
<td>Urgent/Non Urgent:</td>
<td>Non Urgent</td>
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<tr>
<td>Power to be Exercised:</td>
<td>Extraordinary Council, 28th May 2002 – Item 6 “Role and Delegated Powers of Portfolio Holders” – Sections 8 and 16 (b)</td>
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<tr>
<td>Status:</td>
<td>Part 1</td>
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<td>Ward:</td>
<td>Marlborough</td>
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<td>Enclosures:</td>
<td>Appendix 1 – Plan showing area to be stopped up</td>
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### 1. Summary

1.1 A resolution is sought to stop up an area of highway fronting the new housing development on the former youth centre, library and car park site, Grant Road/George Gange Way, Wealdstone to facilitate the implementation of the development by the Acton Housing Association Ltd in accordance with the planning permission granted. The land in question is deemed surplus to requirements as public highway. The stopping up will enable the completion of the development.
2. **Recommendations**

2.1 It is recommended that:

The Portfolio Holder authorises officers to commence the necessary process to stop up the areas of highway shown on the plan at Appendix 1 in accordance with sections 247 and 252 of the Town and Country Planning Act 1990 as amended by the Greater London Authority Act 1999.

2.2 In the event that objections are made and not withdrawn within the 28 days of publication of the proposed order, that the objections be referred to the Mayor for London for determination as to whether or not a public inquiry should be held in accordance with section 252 of the Act.

2.3 If there are no objections to the proposed order, or the Mayor of London decides that a public inquiry is unnecessary, that officers be authorised to proceed with the making of the order without further reference to the Portfolio Holder.

2.4 That the Borough Solicitor be authorised to obtain adequate undertakings from the applicant prior to the commencement of the stopping up process stating that the applicant will pay all costs incurred by the Council pertaining to the stopping up order, which it is authorised to recover under the London Local Authorities (Charges for Stopping Up Orders) Regulations 2000.

**REASON:**

To facilitate the implementation of the development in accordance with the planning permission granted.

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3. **Consultation with Ward Councillors**

3.1 Not applicable.

4. **Policy Context (including relevant previous decisions)**

4.1 The proposal will enable the development to be completed thereby conforming to this Borough’s and the Mayor for London’s housing objectives with regard to affordable housing.
5. **Relevance to Corporate Priorities**

5.1 The action recommended in this report will allow the completion of the affordable housing scheme which conforms to the Council’s policy to secure the provision of affordable housing to meet the needs of the borough’s residents.

6. **Background Information and Options considered**

6.1 The Acton Housing Association Ltd development comprises of 10 houses and 87 flats in 2-6 storey buildings which will provide affordable housing units in the form of 71 flats. The areas fronting the site is the subject of the stopping up requirement. Full planning permission was granted on 18th May 2004.

6.2 The land beneath the area of highway to be stopped up is within the ownership of the Acton Housing Association. The land in question is deemed surplus to requirements as public highway. The stopping up will enable the completion of the development.

7. **Consultation**

7.1 The order making process requires extensive consultation through the serving and display of notices in the manner described below.

8. **Finance Observations**

8.1 The London Local Authorities (charges for stopping up) Regulations 2000 gives authority to the Council to recover the costs of making the order from the applicant and therefore there should be no costs incurred by the Council.

Signature………………………… date……………………..

9. **Legal Observations**

9.1 Section 247 of the Town and Country Planning Act 1990 gives the power to the London Boroughs to make stopping up orders for highways within their Boroughs if they are satisfied that it is necessary to do so in order to enable development to be carried out. (Outside London the power is in the hands of the Secretary of State). The responsibility was devolved to the London Boroughs through the Greater London Authority Act 1999.

9.2 The process for the making of the order will be as follows. Following the Council's resolution, notices of the proposed order will be advertised and served on relevant authorities, principally the statutory undertakers, and displayed on site. Following an objection period of 28 days, if there have been no objections, the Council may make the order. In the event that an objection
is made and it is not withdrawn, the Council must inform the Mayor of London and a public inquiry may have to be called. The Mayor has the power to dispense with the need for a public inquiry in certain circumstances. Where an inquiry has been held, Harrow Council, after considering the inspector’s report and subject to the consent of the Mayor for London, may make the order with or without modification.

Signature………………………… date……………………..

10. **Conclusion**

10.1 No additional comments.

11. **Background Papers**

11.1 The planning committee report and relevant minute granting planning permission for the development.

12. **Author**

12.1 Richard Michalski, Engineer, Transportation, Tel no.020 8424 1539 e-mail richard.michalski@harrow.gov.uk
*I do agree to the decision proposed

*I do not agree to the decision proposed

*Please delete as appropriate

Additional comments made by and/or options considered by the Portfolio Holder

Signature: ........................................................................................................

Portfolio Holder

Name: ........................................................................................................

(please print)

Date:

Signature: ........................................................................................................

Position: Insert relevant Head of Service

Date: