

London Borough of Havering
**EXTRAORDINARY
COUNCIL MEETING**

**7.30pm MONDAY, 27 JUNE 2005
AT HAVERING TOWN HALL
MAIN ROAD, ROMFORD**

Members of the Council of the London Borough of Havering are hereby summoned to attend an Extraordinary Meeting of the Council at the time and place indicated for the transaction of the following business

This extraordinary meeting has been called by the Mayor in exercise of his powers under paragraph 3 of Schedule 12 to the Local Government Act 1972 and Paragraph 4.1 of the Council Procedure Rules.

The purpose of the meeting is to consider the reports referred to in the agenda.



Chief Executive

For information about the meeting please contact:

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NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends its meetings.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting of the Council can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Council, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the public areas of the Council Chamber can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

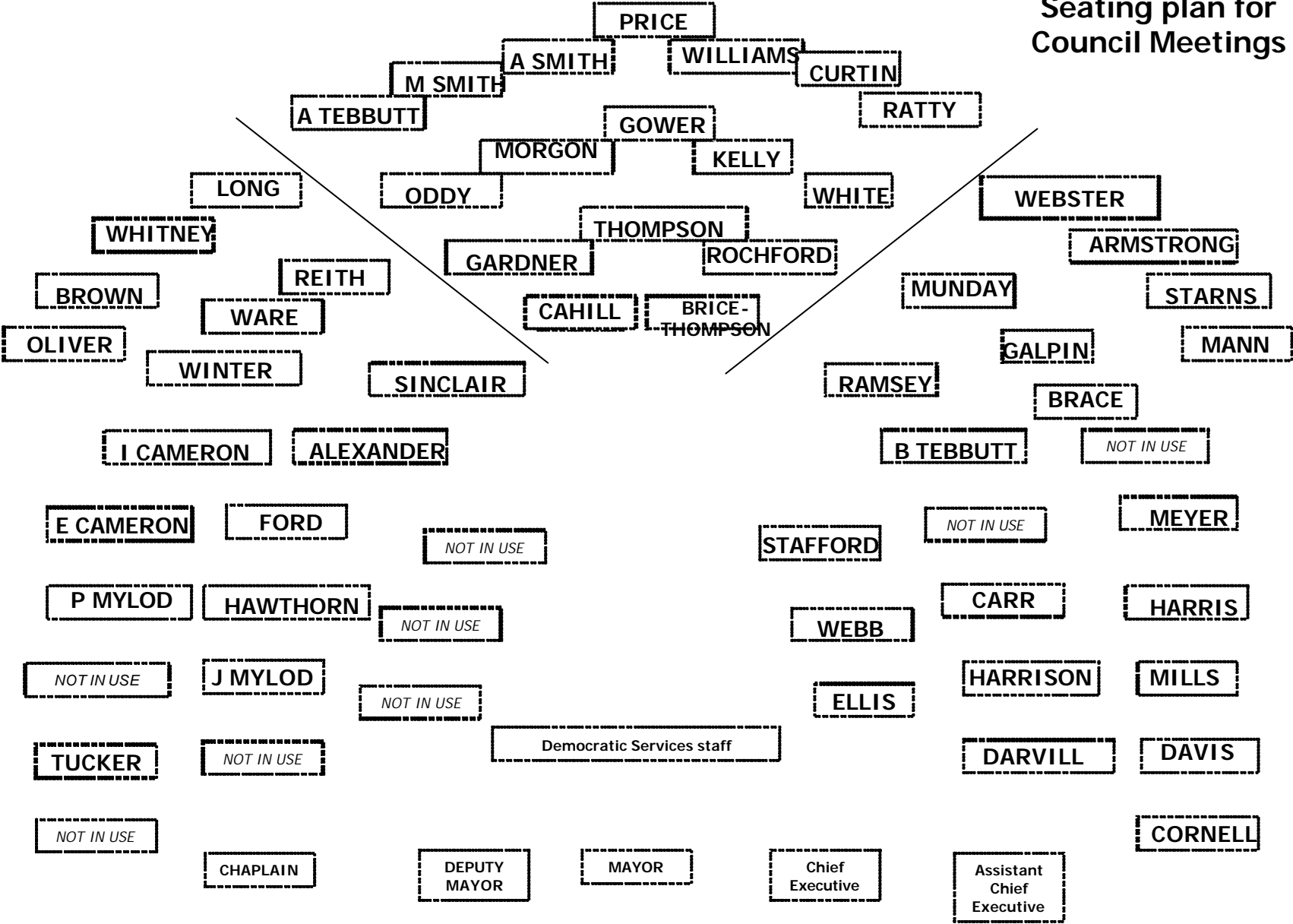
PLEASE REMEMBER THAT THE MAYOR MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please

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leave quietly and do not engage others in conversation until you have left the Council Chamber.

Seating plan for Council Meetings



INFORMATION FOR MEMBERS

Commencement of Meeting

As an aid to Members, a single ring of the division bell will sound 5 minutes before the meeting is due to begin, followed by a double ring at 2 minutes before, at which time Members are asked please to take their seats for the commencement of the meeting.

Control of microphones

Members are reminded that, at Council meetings, the microphones are controlled centrally under the direction of the Mayor. Consequently, Members do not need to press the **MIC ON** button in order to speak, nor to turn off the microphone when they have finished.

The Mayor would find it helpful, however if Members would press the **MIC ON** button in the following instances:

- to indicate that they wish to speak in the course of debate on any motion (including movers and seconders)
- to rise to a point of order, of information or in personal explanation

Voting

When the Mayor calls a division, the division bell will sound briefly. In order to ensure that votes are recorded correctly, Members are asked to wait until the division bell has finished ringing before pressing the appropriate voting button.

Members are, of course, free to change their vote as they choose at any time until the Mayor directs that the votes be counted. Once a count has been called, however, no further change is possible. In the event that a Member's vote appears not to have been recorded, the clerks should be informed immediately, before the result is declared, so that account can be taken of the vote.

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AGENDA

1 To receive apologies for absence (if any).

2 **DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting.

Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 **CROSSRAIL BILL**

Report to follow

Note: In accordance with section 239 of the Local Government Act 1972:

- (a) ten clear days' notice of this meeting and its purpose has been given by advertisement in a local newspaper; and
- (b) **any resolution to oppose the Crossrail Bill must be passed by a majority of the whole number of members of the Council (28), irrespective of the number of members actually present at the meeting.**

4 **LONDON BOROUGH OF HAVERING LOCAL DEVELOPMENT FRAMEWORK – ADOPTION OF LOCAL DEVELOPMENT SCHEME**

Report to follow

Extraordinary Council, 27 June 2005 - Agenda**Agenda Timetable for Extraordinary Council Meeting
27 June 2005****As determined by the Mayor under Council Procedure Rule 4.1**

	Date
1 Publication of Agenda	Friday 10 June
2 Last date for publication of reports	Friday 17 June
3 Last date for receipt of notice of amendments to reports	Thursday 23 June



COUNCIL

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REPORT OF THE CHIEF EXECUTIVE

CROSSRAIL

Background:

1. Members will be aware from previous reports and from briefings that the Council has been extensively consulted by Crossrail on proposals to introduce a new east-west railway across London linking Heathrow and Maidenhead with Shenfield and Abbey Wood through new tunnels under central London.
2. The most recent consultation (Round 2) took place in October 2004. Copies of the most recent consultation documents which include plans indicating the extent of the proposals in Havering are available in the Members' Resource Room and will be available at the meeting. A briefing for Members by officers took place in April 2005.
3. In keeping with its previous consultation responses, the Council's October 2004 response continued its strong support for the Crossrail concept because of the transport/regeneration benefits it offers to the Borough. Notwithstanding its 'in principle' support for Crossrail, the Council also resolved that it had very significant concerns about the choice of Romford as the depot location and the potential impact of this on the area and that it may well wish to petition against this element of the proposals. Accordingly, it reserved its position until it had details of the Environmental Impact Assessment (EIA) study and the grounds used by Crossrail to reject other depot locations. The Council also reserved its position on the proposals for Romford, Gidea Park and Harold Wood Stations and those for the Gidea Park sidings until the EIA was published in the form of an Environmental Statement (ES) and a suite of supporting Technical Reports. The documents were published in February 2005. A Supplementary Environmental Statement (SES) and Addenda and Errata to the Technical Reports were issued in May 2005.
4. The consultation stages for Crossrail are now completed and the Crossrail Hybrid Bill has been introduced into Parliament. At the time of preparing this report it was expected that the Bill would receive its Second Reading in the House of Commons towards the end of June 2005. The principle of the Bill will, therefore, have been approved by the time of this meeting. If the Council now wishes to influence the content of the Bill, it will need to do so by petitioning against it at the Select Committee stage. The Select Committee has power to amend the Bill (unless such amendments are against the

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principle of the Bill) and can require the promoters of the Bill to enter into undertakings and agreements with petitioners.

5. The remainder of this report outlines the current position with regard to the Council's involvement in the Bill and highlights the issues that the Council may wish to petition against, and the possible arrangements for taking these petitions forward.

The Bill

6. The Bill was introduced into the House of Commons for its first Reading on 22 February 2005.
7. At the end of the Second Reading (see above) a Select Committee will be formed to hear petitions against the Bill. The deadline for the submission of petitions by Local Authorities is anticipated to be two weeks after the Second Reading date. As the Council's power to oppose the Bill under Section 239 of the Local Government Act 1972 requires a resolution to be passed by a majority of the "whole number" of the members of the Authority, it has been necessary to convene this special meeting of Council to formally resolve to petition against the Bill. The required 15 clear days notice by newspaper advertisement has been given. The resolution also authorises a petition to the House of Lords if that proves necessary.

Professional Support

8. It has already been informally agreed with the Administration that Parliamentary Agents should be appointed to assist the Council in the specialised work of drawing up its petitions. Officers have started preliminary working with the appointed agents, and it is anticipated that they will have been appointed prior to this meeting of the Council.
9. It will be necessary to appoint Counsel to assist in developing the Council's evidence and to lead the Council's case in the Select Committee. It seems likely that the Council will appear before the Select Committee in Autumn 2005. Advice from the Parliamentary Agents will be sought about the appointment of Counsel in due course.
10. There are a number of issues that can more effectively be challenged jointly with other affected authorities with whom Council officers will work to develop a generic case. Further work will be required to prepare a proof of evidence for submission to the House of Commons Select Committee on the generic noise issues and this is being pursued via an all-council officer working group, chaired by Havering's Environmental Health Manager.
11. It is not considered necessary to retain consultants to give the Council's evidence in respect of local issues of concern and this will be done by officers.
12. Officers have met with the local Crossrail Residents Action Group who represent residents in Romford opposed to the Crossrail proposal and also representatives from St Edwards School in London Road, Romford who also

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intend to petition against the Bill. It is envisaged that opportunities to work closely with the Group and School representatives where there are common grounds of concern (particularly around the issue of the loss of open space/sports pitches at Westlands Playing Fields) about the proposal will be explored in the forthcoming period as the Council's detailed petition and then evidence to the Select Committee is prepared.

Petitioning Issues

13. Officers have examined the Bill and the supporting documentation to determine the issues which may be of concern to the Council. This process has been aided by discussions with other affected Local Authorities and preliminary discussion with Parliamentary Agents. Arising from this, Appendix 1 to this report is a list of the preliminary issues which it is recommended that the Council will petition on.
14. It should be stressed that this list may need to be amended as work progresses and discussions with Parliamentary Agents, Counsel, etc are undertaken. It should also be recognised that the Council may not give evidence to the Select Committee on all of the petitioning points made and the Select Committee may not permit some matters raised in the petition to be proceeded with. If a matter is not raised in a Petition, however, it cannot be subsequently referred to before the Select Committee. Evidence will be concentrated on the matters of greatest concern to the Council eg. the selection of Romford as the location for the depot serving the Crossrail scheme.
15. Set out below is background information on a number of the **key** petitioning issues which it is suggested that the Council should pursue. Petitioning is also suggested on a number of other points (Appendix 1) and these will be dealt with at the meeting if Members request information on them.
 - (a) **The proposal for a depot for Crossrail in Romford**
16. Crossrail have identified a site in Romford to provide servicing and maintenance facilities for the overall Crossrail scheme. The site selected is a site involving the combination of land at the rear of the Romford Gas Works and the adjoining existing rail yard land. Officers have only just, after frequent requests, received Crossrail's documentation about the depot selection process. Detailed review of these has confirmed officers' initial view that the principle of the depot being located in Havering has not been properly demonstrated and should be the subject of a formal objection.
17. In summary, Crossrail reviewed an initial 42 sites against various criteria before looking at 6 sites in more detail and then identifying the Romford Gas Works/Goods Yard site as the site for the depot. In fact, the appraisal makes clear that a depot at Ilford would have operational advantages for Crossrail. However, Crossrail identify difficulties with that site because of its layout and engineering and existing rail company users such that they consider the site to be untenable.

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18. There are a number of specific environmental objections to the depot proposals. The proposed depot would be accessed by means of a new 'spur' railway line taken off the existing railway line in the vicinity of the Westlands Playing Fields/St Edwards School. The new line would pass beneath the existing rail line by means of a 'dive-under' before emerging alongside the south side of the existing rail line to the depot site and heading east to a new depot at Romford.
19. The new rail spur and construction of the dive-under would require Council owned Green Belt land to be taken which is currently part of Westlands Playing Fields adjoining St Edward's School. Part of Westlands Rough, the adjoining land to the east owned by the London Borough of Barking and Dagenham would also be taken. The construction of the dive-under will require the provision of an internal haul road across Westlands Playing Fields from London Road and this will also impact on the use and appearance of the playing fields and the Green Belt setting.
20. The proposed dive-under would also require the provision of a construction site on the south side of the existing railway line at 208 Crow Lane.
21. Officers have assessed the implications for the playing fields and consider that there would be a temporary loss for almost 5 years of at least 6 pitches, a cricket square, a training grid and tennis courts to facilitate the provision of a construction site for the construction of the additional line / dive-under and a permanent loss of at least 3 pitches.
22. It is also considered that the proposed track and dive-under and the associated construction sites on either side of the existing line would, in principle, be contrary to Green Belt policy and be an inappropriate visual intrusion into the Green Belt.
23. The proposed dive-under would also require a small triangle of land to be taken from the Westlands Rough area in its south west corner. The area is used by the local community as an informal open space. The Rough has also been identified as being of nature conservation importance by Havering Council and the GLA's Bio-diversity Strategy Team. Specifically, it is a site of local importance because of its varied habitat structure.
24. Crossrail's depot track access proposal would also involve the disturbance of existing ecological features along the wildlife corridor along the railway embankment from Westlands Playing Fields to the proposed depot site. The embankment is identified as of nature conservation importance by LBH / GLA and Crossrail's Environmental Statement report acknowledges that there would be an adverse impact on the local reptile population inhabiting the embankment.
25. The depot track access proposal will require the temporary loss of part of Jutsums Recreation Ground and the loss of an established line of trees along the northern boundary.

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26. The depot track access proposal will require the temporary closure of part of footpath no. 123 alongside the south side of the railway embankment between Jutsums Lane and Beechfield Gardens with permanent closure between Beechfield Gardens and Nursery Walk. This would require pedestrians to use a longer detour route along Crow Lane.
27. The depot will require the temporary closure of Nursery Walk which links Crow Lane to Cotleigh Road because of the need to provide an additional rail bridge to service the depot. The alternative route for pedestrians will be to use the footways along the eastern side of Waterloo Road requiring a lengthy detour through the Oldchurch Road subway.
28. The additional bridge will result in a longer pedestrian underpass (75m rather than 43m as at present) which would be less conducive to pedestrian safety.
29. Officers are aware that, last year, following the Council's expression of concern about the Green Belt/playing pitch implications of the proposed depot, Crossrail explored the possibility of moving a stretch of the existing main Great Eastern Main Line (GEML) tracks to the south (albeit still within railway land) and siting the depot on land that would be created between the two sets of tracks. This option never formed part of the formal depot options selection process.
30. This 'island' site option would provide adequate space for the depot building but Crossrail consider it would not provide adequate stabling / siding capacity on a single site. Nonetheless since the 'island' option, would not involve the provision of a new spur line and dive-under, the construction site currently planned for Westlands Playing Fields would not be required. There would, therefore, be no adverse impact on the Green Belt at Westlands Playing Fields / Westlands Rough, nor on the Jutsums Lane Open Space and less adverse impact on the existing ecology / biodiversity of the embankment in these areas.
31. Consequently it is considered that, should the Council be unsuccessful in securing a location other than Romford for the depot, the "fall back" situation should be that the 'island' site should be implemented.

(b) The implications for Romford Station redevelopment and the adjoining area.
32. Crossrail propose to redevelop Romford Station with improved access and station facilities including a new ticket hall. The station would feature on its northern side, new entrances from the street, access for those with disabilities as well as general improvements to the station environs such as station security measures, information displays and new passenger facilities. Additionally, Crossrail propose to extend the northern platform at the station to suit the new 10 car trains.
33. The Council's adopted Romford Urban Strategy identifies scope for improvements to the station with a particular focus on the south side of the station so that station users would be conveniently placed for the existing

public transport facilities there including the bus interchange. Officers consider that there is a need to ensure that the design and layout of the station accords with the objectives of the Romford Urban Strategy for this part of the Town Centre. To ensure this is achieved it is considered that this matter should be referred to in the petition.

34. The Crossrail documents also indicate that the land adjoining the station and the bus interchange is included in the designated area which may be used or acquired in connection with the Crossrail scheme as a construction worksite. It is considered that the petition should include provision to ensure that the operation of the bus interchange is not prejudiced by this.

(c) Implications for other Stations in Havering

35. The Crossrail scheme will involve lengthening station platforms to provide adequate facilities for the longer trains. At Harold Wood Station this will involve the permanent loss of 25 car parking spaces and this will be likely to result in adverse effects on the adjoining area in regard to adverse on street parking, traffic, environmental and safety impacts.
36. Crossrail propose that the redeveloped Romford Station will include full provision for people with disabilities. However, there is no such provision proposed for the Harold Wood and Gidea Park Stations.

(d) Environmental Impact of Construction and Operation.

37. The construction of the Crossrail depot at Romford will involve substantial building activity and this is identified in the Crossrail Environmental Statement. Crossrail calculate that some 233 residential properties will be affected by noise from construction of the depot and 117 of these will qualify for noise insulation. The principal residential streets where noise from the depot construction is identified by Crossrail to be an issue are Crow Lane, Ainsley Avenue, Jutsums Lane, Nursery Walk and Beechfield Gardens. Additionally, the Mental Health Unit and key worker housing nearby at the Oldchurch Hospital site will be affected by noise.
38. Construction noise arising from Station works at Harold Wood is identified in the Crossrail Environmental Statement report as affecting 18 properties in Fitzilian Avenue. The report identifies some 175 properties in the vicinity of the Gidea Park sidings as likely to be affected by construction noise include Evelyn Sharp House, Amery Gardens, Stafford Avenue, Ashlyn Grove, Robert Falcon Scott Lodge, Upper Brentwood Road, Coopers and Tallis Courts, Cambridge Avenue, Interwood House and Ardleigh Close. Additionally, residential development at the site of 438 Brentwood Road comprising 60 flats (not yet built) may be affected. This is a generic petitioning point.
39. Vehicles with traditional audible reversing alarms are proposed to be used on construction sites although their impact has not been predicted in the Environmental Statement. Such devices can cause considerable disturbance to residents and businesses over quite a large area. Crossrail should be required to use alternative means wherever possible to safeguard the

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environment and the health and safety of construction site workers such as the use of banksmen or “white noise” reversing alarms. These are commonly used alternatives which have been used for example on the Channel Tunnel Rail Link and in the current Dolphin redevelopment in Romford.

40. The criterion used in the Environmental Statement to assess whether a significant impact from airborne construction noise is predicted to occur is less stringent than that applied on the CTRL project. Crossrail has produced a Noise and Vibration Management Scheme which stipulates the conditions that need to be met in order to qualify for noise insulation and temporary rehousing. One of the conditions is that prescribed trigger levels measured over particular time periods need to be exceeded over a certain number of days. The time period for the evening trigger level is longer (and, therefore, less stringent) than that applied on CTRL (3 hours for Crossrail, compared with 1 hour on CTRL). This may result in fewer properties being potentially eligible for noise insulation or temporary rehousing. This is a generic petitioning point with other local authorities.
41. The proposal is that construction activities will take place between 07.00 hours and 19.00 hours on weekdays and 07.00 hours and 14.00 hours on Saturdays. This is out of step with the hours applied to the Channel Tunnel Rail Link (CTRL) scheme and greater than the hours applied to all other construction works in Havering or any other local authority along the route (08.00 hours and 18.00 hours on weekdays and 08.00 hours and 13.00 hours on Saturdays). Meetings that officers have attended with other local authorities indicated that all councils wish to petition on this point.
42. Associated with the proposed hours of construction, is a proposal that deliveries could extend up to 22.00 hours on weekdays. Whilst the Council would always give careful consideration to the movement of abnormal loads along the highway outside normal hours, it does not normally allow deliveries outside the permitted construction hours and, certainly, not up to 22.00 hours. This is a generic petitioning point with other local authorities where local agreements may be reached to ease congestion.
43. Residents living in close proximity to the current railway line are already exposed to a noisy environment and it is not anticipated that the **operation** of the Crossrail trains will significantly impact on the noise climate that already exists. However, concern is expressed at the lack of assessment in the Environmental Statement of the potential noise impact of any alteration or extension to the tannoy systems on the lengthened platforms at all three stations. Further, no mention is made of whether there will be a tannoy system operating at the depot; if there is, the impact will again need to be assessed.
44. Havering’s operational noise concerns are centred on the proposed depot specifically, the criterion being applied against which the impacts have been assessed. This criterion is far more relaxed than that applied to all planning applications for commercial/industrial activities in Havering or any other local authority along the route. As such, this is likely to be a point on which a

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number of authorities that also have static sources of noise (such as vent shafts) will petition.

45. The construction of the depot will give rise to temporary visual impact for about 220 residential property occupiers in Crow Lane, Jutsums Lane, Vignoles Road, Braithwaite Avenue, Saville Road, Coombewood Drive, Eddy Close, Bridport Avenue, Southern Way and Bracken Mews. Visual impacts will also be present for users of the school playing fields, the St Edwards School and the West Ham football club training ground.
46. The construction works at Gidea Park sidings are identified in the Crossrail Environmental Statement as resulting in temporary visual impact due to the loss of woodland cover along the northern and eastern sides of the sidings and the presence of plant and work activities. The properties identified are those in Cambridge Avenue, Tallis and Coopers Courts, Southend Arterial Road, Elvet Avenue, Upper Brentwood Road and at Evelyn Sharp House.
47. The Crossrail Environmental Statement identifies permanent visual impact arising from the depot as affecting residential properties in Beechfield Gardens as well as patients at Oldchurch Hospital, pedestrians and users of Nursery Walk.
48. The construction of the depot will require temporary site lighting and the Environmental Statement identifies this as affecting properties in Bridport Avenue, Sheringham Avenue, Cotleigh Road, Nursery Walk, Beechfield Gardens, Stockland Road, Queens Street and Albion Close.
49. Crossrail identify that operational lighting from the depot will affect properties in Beechfield Gardens, Sheringham Avenue, Stockland Road, Cotleigh Road and Nursery Walk.
50. There are also potential concerns about contaminated land. Compliance with Part IIA of the Environmental Protection Act 1990 needs to be demonstrated clearly and concisely for each potentially contaminated site upon which works for Crossrail will occur. The latest government guidance, such as CLR 11 and PPS23, needs to be followed and precautionary measures taken to ensure that any contaminated material identified is dealt with appropriately and not allowed to contaminate the surrounding area. A commitment from Crossrail is required that the necessary information will be provided to enable the Council to properly check compliance with statutory reporting requirements (which is currently lacking in the Environmental Statement and supporting documents) and statutory investigation and remediation requirements. This is a generic petitioning point with other local authorities.

(e) Construction Worksite Traffic

51. The Crossrail scheme will involve several construction worksites in Havering :
 - Dive-under at Westlands Playing Fields / 208 Crow Lane (north and south sites respectively)
 - Route Control Centre at Sandgate Close, Romford

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- Romford Depot at Romford Gas Works/Goods Yard
 - Romford Station (4 sites in total)
 - Gidea Park Station
 - Gidea Park Stabling and Sidings
 - Harold Wood Station
52. With the exception of the northern construction site for the dive-under which will be at Westlands Playing Fields, all 'in-bound' construction vehicles for the Romford sites will access these sites using the A12 Eastern Avenue, North Street, Romford Ring Road, Oldchurch Road and local 'distributor' roads near to the individual sites such as Oldchurch Road and Crow Lane. The northern dive-under site will be accessed from the A12 via Whalebone Lane North and London Road with vehicles then turning right into Westlands Playing Fields and using a temporary haul road built along the western edge of the playing fields. 'Outbound' vehicles leaving this construction site would use the in-route. 'Outbound' vehicles leaving all the other Romford sites would use either their 'in-bound' route or Dagenham Road or Crow Lane to get to the A13.
53. The Gidea Park Station worksite will be accessed via the A12, Main Road, Balgores Lane and Crossways and leave the same way. Access to and egress from the Gidea Park stabling and sidings worksite would be via the A127 and a residential cul-de-sac alongside this road. The Harold Wood Station worksite will be accessed from the A12 and Gubbins Lane with vehicles leaving by the same route.
54. There would be considerable variation in the duration and frequency of construction lorry movement to the various construction sites reflecting the scale of the works to be undertaken and in certain cases the extent to which 'track' possession can be secured to enable construction to take place. The Romford Depot for example will take 5½ years to construct whilst the works at Romford Station are estimated to take about 2 years. Crossrail's technical documents detail these individual projects and officers will be able to elaborate on them if Members have specific questions.
55. Officers recommend that the Council should petition against the impact of the construction lorry traffic on the Borough's highway network, especially Romford Town Centre, and the environment generally particularly since the case for the depot in Romford has not been adequately demonstrated. Additionally, it is considered that the Council should petition to ensure the junction of the internal temporary haul road and London Road at Westlands Playing Fields is designed to ensure the minimum 'take' of playing fields.
56. Further, it is considered that with the exception of the northern dive-under construction site at Westlands Playing Fields, all construction traffic leaving the Romford sites should do so by means of Crow Lane (west-bound) towards Whalebone Lane South. It must be recognised, however, that this would add to the commercial traffic already using this road which includes significant number of residential properties.

(f) **Other Issues**

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57. Officers consider that the proposals do not fully take proper account of archaeology and heritage issues in the Borough in the vicinity of the scheme and fail to properly reflect the local significance of the Borough's archaeological and built heritage. The emerging Heritage Strategy for Romford and Hornchurch which will come forward under the Local Development Framework identifies proposed Conservation Areas at Oldchurch and in London Road and the proposed depot would have an impact on these if they are designated. Several of the existing station buildings are of local heritage importance but have not been recognised as such in Crossrail documents.
58. Members should note that it is not proposed to petition against the Route Control Centre. Officers note that the level of car parking associated with the Route Control Centre is in excess of the Council's car parking standards but nevertheless consider that in this particular instance the potential employment benefits of the facility outweigh any such concerns.
59. Members will be aware that the Council has had additional responsibilities imposed upon it for managing the highway network in the Borough as a result of the Traffic Management Act 2004. It is not clear from the Crossrail Bill how Crossrail's construction and operation will interact with these responsibilities. Accordingly, it is suggested that the Council petition to seek clarification or consultation on this issue.

Financial Implications:

60. No provision has currently been made in the 2005/6 Budget for the costs of petitioning against the Hybrid Bill and it will have to be funded from the contingency fund. The Lead Cabinet Member for Finance has authorised the use of up to £75,000 for the petitioning process, the engagement of Counsel and Havering's contribution to the Local Authority Consortium taking forward the generic petitioning points.

Legal Implications and risks:

61. Unless the Council formally resolves to oppose the Bill and petition against it, no petition can be lodged. Because of the anticipated tight timescale for the lodging of petitions it is probable that if a resolution isn't passed by the Council now it will not be able to petition against the Bill in the House of Commons. Unlike a court case petitioning does not run the risk of an award of costs against the Council should some or all of its petition fail. Because of the specialist nature of the work it is necessary to appoint Parliamentary Agents (a specialist solicitor registered with Parliament) and specialist Counsel to represent the Council as the Council's legal staff do not have the necessary accreditation.

Human Resources Implications and risks:

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62. The preparation and presentation of evidence in support of the Council's petition will adversely impact on the delivery of the Council's current service plans / proposals.

Environmental Implications

63. Pursuance of the petitioning points in Appendix 1 will reduce the environmental impact of both the construction and the operational phases of the Crossrail proposals (particularly with respect to the proposed Romford depot) and ensure that mitigation measures are provided where these are warranted.

Equalities and Social Inclusion implications:

64. It will be important to ensure that the Crossrail scheme is available to all in the community. The social, economic and regeneration benefits of the scheme may assist in improving the prosperity of East London.

RECOMMENDATION

That the Council:

- (1) Resolve that given the issues raised in this report, in the judgement of the Council of the London Borough of Havering it is expedient for the Council to oppose the Crossrail Hybrid Bill deposited in Parliament in the Session 2004/5.
- (2) Resolve that the Assistant Chief Executive Legal & Democratic Services and the Executive Director Housing & Regeneration be authorised to take all necessary steps to carry the foregoing Resolution into effect and to finalise the issues included in the Council's petition to both Houses of Parliament.
- (3) Authorise the Assistant Chief Executive Legal & Democratic Services and the Executive Director Housing & Regeneration to enter into a joint arrangement with other local authorities to fund the preparation and presentation a joint case on generic issues such as noise and contaminated land.

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STEPHEN EVANS
Chief Executive

Background Papers List

Crossrail Hybrid Bill
Crossrail Technical Documents lodged in February 2005

Crossrail Hybrid Bill

Recommended Petitioning Issues: London Borough of Havering

Local Issues

1. Petition against the principle of the depot being located in Romford
2. Petition that, should the depot have to be in Romford, it should be at the 'island' site location.
3. Petition against the compulsory purchase of land in Council ownership.
4. Petition against the infringement of Green Belt policy by the proposed temporary and permanent loss of Green Belt, inappropriate usage and visual intrusion on Westlands Playing Fields, Westlands Rough and 208 Crow Lane Romford.
5. Petition against the temporary and permanent loss of school and community open space and playing fields/sports pitches.
6. Petition that should any playing fields at Westlands Playing Fields be lost (temporarily or permanently) as a result of the implementation of the Crossrail scheme, the promoter will investigate and fund the provision of alternative educational and recreational facilities to the satisfaction of the Council and for such period as the Council may determine.
7. Petition against the loss of part of Jutsums Recreation Ground and loss of trees there.
8. Petition against the impact of the proposal on the biodiversity of Westlands Rough and the rail embankment as a wildlife corridor.
9. Petition against the promoter's proposals for Romford Station as they prejudice the Council's objectives for Romford Town Centre as set out in the adopted Romford Urban Strategy.
10. Petition that noise insulation or other suitable mitigation be employed to mitigate the construction noise impact on local residents and on the proposed Oldchurch Hospital Mental Health Unit from the construction of the Romford depot.
11. Petition against the noise impact on local residents from the construction of the Gidea Park sidings.
12. Petition against the construction hours of working.
13. Petition against the loss of car parking at Harold Wood Station.

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14. Petition to ensure that all stations include appropriate access for people with disabilities.
15. Petition against the temporary closure of the subway at the end of Nursery Walk without an adequate and appropriate alternative being identified and against its increased length on re-opening because of impacts on personal safety.
16. Petition for full compliance with Part IIA Environmental Protection Act 1990, CLR 11 and PPS 23 with respect to contaminated land at Romford Gas Works and elsewhere within the Crossrail scheme.
17. Petition to ensure that the operation of the bus interchange to the south of Romford Bus Station will not be prejudiced by its inclusion within the extent of land to be acquired or used by the promoter.
18. Petition to ensure that funding is provided for any archaeological investigations undertaken and any consequent recording, storage and public display of archaeological artefacts required as a result of the implementation of the Crossrail scheme.
19. Petition that the promoter should undertake a heritage appraisal relating to the implementation of the Crossrail scheme to the satisfaction of the Local Planning Authority.
20. Petition that the use of North Street and the Romford Ring Road as the lorry route for construction traffic accessing construction sites associated with the Crossrail scheme is inappropriate and will have an adverse effect on Romford Town Centre, the highway network generally and the environment.
21. Petition against the impacts of the proposed construction access to serve the Gidea Park sidings worksite from the Southend Arterial Road.
22. Petition that the promoter shall make a financial contribution towards a nature conservation package in recognition of the adverse impact of the scheme on the biodiversity of the Westlands Rough and railway embankment.
23. Petition that all re-instatement as a result of the implementation of the scheme shall be to a standard to be agreed by the Local Planning Authority.
24. Petition that the promoter should be required to ensure that local people should be given maximum opportunity for employment in the construction of the Crossrail scheme and in the operation of the Route Control Centre and that the promoters agree a training and employment Charter with the Council.
25. Petition to reduce the land take proposed for the north west corner of the Westlands Playing Fields as left turn movement will not be required.

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26. Petition against the environmental impact of the depot operation on Romford Town Centre, local residents and on the proposed Oldchurch Hospital Mental Health Unit.
27. Petition to ensure that Crossrail pay London Borough of Havering the appropriate planning fees in respect of any planning applications arising from the scheme and contribute to additional costs incurred by the Council in Planning, Environmental Health and Traffic Engineering terms incurred in dealing with the scheme.
28. Petition to ensure that the Council's functions under its network management duties are not adversely affected by the Bill.

Generic Issues

29. Petition against the criterion used for assessing the construction noise impact at Romford depot and other static noise sources.
30. Petition for the assessment and mitigation of the noise impact of alterations to station tannoy systems or any new tannoy systems provided in association with the depot and other Crossrail activities.
31. Petition against the construction hours of working.
32. Petition against the extended hours for deliveries to construction sites.
33. Petition for the use of less acoustically impactive health and safety safeguards than traditional audible alarms for protecting construction site workers from the dangers of reversing vehicles.
34. Petition against the Noise and Vibration Mitigation Scheme.
35. Petition for the inclusion of working hours within Column (1) of the table in paragraph 7 of Schedule 7.
36. Petition for full compliance with Part 11A Environmental Protection Act 1990, CLR 11 and PPS23 with respect to contaminated land at Romford Gas Works and elsewhere within the scheme.



COUNCIL

4

27 June 2005

REPORT OF THE CHIEF EXECUTIVE

LONDON BOROUGH OF HAVERING LOCAL DEVELOPMENT FRAMEWORK – ADOPTION OF LOCAL DEVELOPMENT SCHEME

Background:

1. The Planning and Compulsory Purchase Act 2004 enacted in September 2004 introduced wide ranging changes to the way that local planning authorities tackled the preparation and prioritisation of development plans to provide the framework for planning decisions.
2. Under the new system, the Local Development Framework for Havering is expected to comprise a 'portfolio' of documents (Local Development Documents) which will be brought forward to replace the existing Havering Unitary Development Plan 1993 and provide comprehensive planning policy coverage of the Borough until 2020.
3. The Local Development Scheme (LDS) is a project management 'tool' to set out the timetable the Council will follow in preparing the documents which will comprise the Local Development Framework. The LDS has to follow a 'template' prescribed in guidance prepared by the Government and has to include specific "milestones" so that stakeholders can readily identify the key opportunities for engaging in the preparation of the Local Development Framework. The Local Development Scheme is required to be kept under review and is expected to be updated to reflect changing circumstances/priorities for preparing the documents in the Local Development Framework. If there are 'slippages' in the preparation of Local Development Documents identified in the LDS then these have to be reflected in the preparation of a revised LDS.
4. Initial preparation of the Havering Local Development Scheme (LDS) started in late 2004. A draft LDS was approved by Cabinet for submission to the Secretary of State in October 2004. Following informal consultation by Council staff with the Government Office for London (GOL) who represent the Secretary of State, a number of changes were made to the document to reflect advice from GOL especially in regard to the 'phasing' and content of the LDS. These were subsequently approved by the Lead Member for Regeneration and Planning ahead of the revised document's formal submission to the Secretary

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of State in early March 2005. The Secretary of State approved it later in March 2005 and it now has to be formally adopted by the Council.

5. Copies of the LDS are available for inspection in the Members' Group Rooms and once it is formally adopted it will be published on the Council's website and regularly updated as it is reviewed.

Financial Implications and risks:

6. The work involved in meeting the commitments set out in the Local Development Scheme will be mainly met by the Development and Transportation Planning Group with contributions from other staff as necessary such as Regeneration and Partnerships and / or consultancy services. The costs of these will be met from existing budgets operated by these teams.

Legal Implications and risks:

7. The LDS has been prepared to satisfy Section 15 of the Planning and Compulsory Purchase Act 2004 and Part 3 of the Town and Country Planning Regulations 2004.

- 8 **Human Resources Implications and risks:** - none

Equalities and Social Inclusion implications:

9. The Local Development Framework will provide the opportunity for the Council to explicitly set out its commitment to meeting its corporate equalities and diversity objectives. The public consultation undertaken on the documents in the Local Development Framework will be prepared to ensure that a wide range of individuals and groups in the community, including 'hard to reach groups' have the opportunity to be fully involved in its preparation.

RECOMMENDATION

That the London Borough of Havering Local Development Scheme be adopted by the Council.

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STEPHEN EVANS
Chief Executive

Background Papers List

- (1) Town and Country Planning (Local Development) (England) Regulations(2004)
- (2) Planning and Compulsory Purchase Act (2004)