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| DECISION-MAKER: | CABINET | | |
| SUBJECT: | DISPOSAL OF LAND AT REDBRIDGE WHARF PARK | | |
| DATE OF DECISION: | 20 NOVEMBER 2018 | | |
| REPORT OF: | LEADER OF THE COUNCIL, CLEAN GROWTH AND DEVELOPMENT | | |
| <u>CONTACT DETAILS</u> | | | |
| AUTHOR: | Name: | Neville Payne | Tel: 023 8083 2594 |
| | E-mail: | Neville.payne@southampton.gov.uk | |
| Director | Name: | Denise Edghill | Tel: 023 8083 4095 |
| | E-mail: | Denise.edghill@southampton.gov.uk | |

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| STATEMENT OF CONFIDENTIALITY | |
| None | |
| BRIEF SUMMARY | |
| <p>This report seeks approval to advertise the intention to dispose of land at Redbridge Wharf Park to Network Rail. Network Rail has obtained planning permission for change of use of the Council's land to operational railway use and construction of new sidings and associated works. The advertising of the intention to dispose has to be advertised in accordance with statutory requirements.</p> | |
| RECOMMENDATIONS: | |
| (i) | To approve the advertising of the intention to dispose of land at Redbridge Wharf Park in accordance with statutory requirements. |
| (ii) | To report any objections received back to Cabinet for a final decision. |
| (iii) | In the event of no objections being received to delegate authority to Service Lead Capital Assets, following consultation with the Director of Finance & Commercialisation and Director of Legal and Governance, to agree detailed terms and conditions and to take any other actions required to give effect to this decision. |
| REASONS FOR REPORT RECOMMENDATIONS | |
| 1. | To facilitate Network Rail's Southampton Freight Train Lengthening (SFTL) Project. |
| ALTERNATIVE OPTIONS CONSIDERED AND REJECTED | |
| 2 | Do nothing. Network Rail would be unable to extend the sidings at Redbridge needed to accommodate 775m long trains without having to do so through the arrival and departure line. |
| DETAIL (Including consultation carried out) | |
| 3 | Network Rail are to undertake an expansion of the freight capacity of the Southampton rail network which is currently a bottleneck for the movement of freight. Network Rail's 'Freight Utilisation Strategy' (March 2007) identified |

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| | the Port of Southampton to various destinations in the West Midlands and West Coast Main Line as a capacity gap requiring further investment. |
| 4 | Part of this investment includes the extension of the two sidings at Redbridge to accommodate 775m long trains, an increase of one third at present. As well as benefits to the local economy, implementation of Network Rail's scheme could have a significant bearing on delivering much needed air quality improvements to the Air Quality Management Area 5, Millbrook Road and Redbridge Road. According to Network Rail, rail freight, compared to road, reduces CO2 emissions by up to 76%, produces up to 10 times less small particulate matter and up to 15 times less nitrogen oxide for the equivalent mass hauled. For every forty-foot container carried by an HGV, a 775m long freight train can carry up to 53. The council has been mandated to assess the need for a Clean Air Zone. This work is in progress but does recognise that this scheme can deliver benefits by reducing HGV generated emissions and, in the event that a charging scheme were introduced, by mitigating against any subsequent reduction in road freight capacity that might arise. |
| 5 | Network Rail's existing operational land in the vicinity of Redbridge Station, however, is not wide enough to accommodate this extension. In order to deliver the proposed extension the scheme therefore needs to incorporate additional strips of land adjacent to the railway on its southern side. This land is owned by the Council and is shown coloured blue and pink on the attached plan at Appendix 1. Existing vegetation will have to be cleared on the land including significant tree loss. The total area of Council land is 1,592 sq m. The land coloured blue falls within Redbridge Wharf Park and comprises 847 sq m. |
| 6 | <p>In June 2018 Planning and Rights of Way Panel resolved to grant planning permission for change of use of the Council's land from open space and landscaping into operational railway use and construction of new railway sidings and associated works. The grant of planning permission is subject to the completion of a Section 106 Agreement to secure, inter alia:</p> <ul style="list-style-type: none"> • the transfer to the Council of vacant Network Rail land comprising 1,043 sq m to the north of the railway line shown edged red on the attached plan at Appendix 2 as replacement open space together with financial contributions to enable the delivery of a fully designed pocket park. (The contributions are subject to final agreement.) • at least 2:1 tree loss commitment (minimum 190 trees) including a replacement tree belt to Wharf Park's northern boundary, • improved signage to the park(s) and the re-provision of the cycle track. |
| 7 | <p>The conclusion of the officer's report to the Planning and Rights of Way Panel was that:</p> <ul style="list-style-type: none"> • While there would be a loss of 1,592 sq m of open space, there would be a net increase of 196 sq m of useable open space and the loss of existing open space will serve a wider economic and environmental benefit. • The proposed tree loss, while significant, does not affect existing residential outlook across the railway line and is mitigated by their replacement with 332 trees including the reinstatement of a tree belt along the northern boundary of the reconfigured Wharf Park. • There will be no change to the waterside access enjoyed by the park. |

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| 8 | Network Rail also require an easement over the park in order to allow vehicular access to their substation to the north west of the park. Currently the substation is accessible along the side of the track but this will not be possible with the proposed scheme as there will no longer be sufficient width without acquiring additional Council land. The easement will be restricted to light vehicles and in emergencies only. |
| 9 | The intention to dispose of the open space land within the park is to be advertised for two consecutive weeks in a local newspaper and any objections will be reported back to Cabinet for a final decision. |
| RESOURCE IMPLICATIONS | |
| <u>Capital/Revenue</u> | |
| 10 | The sale will realise a capital receipt. The amount will be determined based on best consideration criteria linked to the Strategic positioning of the site and the ongoing benefits to the city from the proposed development of the site. |
| 11 | There are no revenue implications as Network Rail will meet the council's costs in connection with the disposal. There will not be any operational savings as the replacement open space will also require future maintenance. |
| <u>Property/Other</u> | |
| 12 | The sale of the open space land will not result in a net loss of open space. |
| LEGAL IMPLICATIONS | |
| <u>Statutory power to undertake proposals in the report:</u> | |
| 13 | The relevant power for the disposal of the land is Section 123 of the Local Government Act 1972. The Act provides that open space land (as defined by Section 336 of the Town and Country Planning Act 1990) may not be disposed unless the intention to do so is advertised for two consecutive weeks in a local newspaper and any objections are considered. |
| <u>Other Legal Implications:</u> | |
| 14 | None |
| RISK MANAGEMENT IMPLICATIONS | |
| 15 | Advertising of the intention to dispose is a statutory requirement. |
| POLICY FRAMEWORK IMPLICATIONS | |
| 16 | Sale of the land to facilitate the sidings extension supports the outcomes set out in the Council's Strategy (2016-2020) by reducing the cost and increasing the efficiency of freight transport, and contributing to air quality improvements. |
| 17 | Support businesses in reducing their emissions is a stated priority in Southampton City Council's Clean Air Strategy (2016-2025). |

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| KEY DECISION? | No |
| WARDS/COMMUNITIES AFFECTED: | Redbridge |
| <u>SUPPORTING DOCUMENTATION</u> | |

| Appendices | |
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| 1. | Sale Land Plan |
| 2. | Replacement Open Space Plan |
| Documents In Members' Rooms | |
| 1. | None |
| Equality Impact Assessment | |
| Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out. | No |
| Protection Impact Assessment | |
| Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out. | No |
| Other Background Documents | |
| Other Background documents available for inspection at: | |
| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
| 1. | None |