

## **Cabinet Member Delegated Decision 22 July 2020**

**Report title:** Appropriation for Phase 2 of Your New Town Hall (Olive Morris House)

**Ward:** Brixton Hill

**Portfolio:** Cabinet Member Planning, Investment and New Homes: Councillor Matthew Bennett

**Report Authorised by:** Eleanor Purser/Sara Waller, Strategic Director, Sustainable Growth and Opportunity

### **Contact for enquiries:**

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### **Report summary**

This report recommends the appropriation of land at ‘Olive Morris House’ shown outlined in red on the plan at Appendix 1 for planning purposes. This means that any neighbours who have easements and other property rights, including rights to light, which would be interfered with by the development of the Olive Morris House site will not be able to obtain an injunction preventing the development on the grounds that their property rights are interfered with, but they will be entitled to financial compensation. This report considers the legal tests for such an appropriation (in light of a similar decision in December 2015 for the ‘Triangle Site’ also part of the Your New Town Hall (YNTH) development) and concludes that the appropriation is necessary, proportionate and in the public interest.

### **Finance summary**

This report seeks approval to appropriate the land shown outlined in red on the plan at Appendix 1 from use as Council offices to planning purposes.

### **Recommendations**

1. To exercise the Council’s powers under Section 122 of the Local Government Act 1972 to appropriate the land identified at Appendix 1 (“Olive Morris House”) for planning purposes so as to engage the authorisation conferred by Section 203 Housing and Planning Act 2016 in order to facilitate the carrying out of the redevelopment of site.
2. To instruct the Director Infrastructure and Capital Delivery to implement Recommendation 1.

## **1. Context**

- 1.1 This report follows an earlier Cabinet Member Delegated Report (CMDR) on 7<sup>th</sup> December 2015 for the appropriation of the 'Triangle Site' as part of the YNTH development project. That report can be found at Appendix 2 and provides much of the background context to this report.
- 1.2 The 7<sup>th</sup> December CMDR provided a full background to the YNTH development, but only sought appropriation at that stage for the 'Triangle Site'. This report seeks to follow the same process for 'Oliver Morris House' which is a part of the YNTH development, referred to as Site 6 in the earlier report (refer paras. 1.3 - 1.8).
- 1.3 As before, the Council has received a request from Muse, its development partner in the YNTH development asking it, as freeholder of the property to appropriate Olive Morris House so as to engage the authorisation conferred by Section 203 Housing and Planning Act 2016 ("the Act"). This means that the Council is being asked to appropriate its land for planning purposes, which would authorise the carrying out of development notwithstanding that it involves interference with the property rights, including the rights to light, of neighbouring occupiers. The full background to appropriation can be found at para. 1.9 – 1.11 of the earlier report.
- 1.4 This report sets out why officers consider this would be an appropriate action for the Council to take for Olive Morris House.

## **2. Proposal and Reasons**

- 2.1 The Council has been approached by Muse who is seeking assistance in authorising interference with property rights, including rights to light, that could adversely impact on the delivery of the YNTH scheme on the Olive Morris House site. Claimants may be entitled to an injunction to prevent the development if their rights are interfered with. Section 203 of the Act can, in certain circumstances, authorise the erection or construction of building in accordance with a planning permission notwithstanding that it involves interference with easements and other property rights. In the event of such authorisation the persons whose rights are infringed would not be able to obtain an injunction restraining such infringements but would instead be entitled to compensation under the statutory compensation code.
- 2.2 Planning permission (ref. 15/02264/FUL<sup>1</sup>) for Olive Morris House was granted on 15th October 2015 for:

*Demolition of the existing council offices (Use Class B1) and the erection of a part 6, part 7 storey building comprising 74 residential units (Use Class C3) along with commercial floorspace (flexible A1/B1/D1/D2 use classes) at ground and basement levels plus an energy centre, car and cycle parking and a service bay at basement level, roof level installations and associated works.*

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<sup>1</sup> NMCs and DoVs under refs. 16/02182/NMC, 18/05194/NMC, 19/00520/S106, 19/03316/NMC

- 2.3 A right to light is an interest in land (i.e. an easement) which entitles a neighbouring landowner (Dominant Owner) to enjoy light across an affected adjoining site (Servient Owner). Any development which interferes with that right may constitute a breach of the easement that may entitle the Dominant Owner to claim and seek an injunction preventing development and/or claim compensation for the effect of the loss as a result of the interference (based on the reduction in value to the Dominant Owner losing the right).
- 2.4 A local authority however, unlike a private landowner, has powers under Section 203 of the Act which can authorise development notwithstanding that it involves an interference with those property rights and thereby remove the risk that an injunction might be granted. The person entitled to the right which is interfered with would be entitled to compensation. Generally speaking the erection, construction or carrying out of any building work (whether done by the local authority or by a person deriving title under them) on land which has been acquired or appropriated by a local planning authority for planning purposes (and the subsequent use of the same) benefits from the authorisation granted by Section 203, provided it is done in accordance with planning permission and notwithstanding that it involves any interference with an interest or right or a breach of a restriction as to the use of land arising by virtue of a contract. The effect of this provision therefore is to remove the right of a third party to actually prevent the construction by way of injunction, although if such a right can be established compensation may be payable.
- 2.5 The land under consideration is the Olive Morris House site and is shown outlined in red on plan reference 682-CPA-OM-GF-DR-A-0100 appended to this report (at Appendix 1), and the freehold of the land to be appropriated is owned by the Council.
- 2.6 The power to appropriate land for planning purposes is contained in Section 122 Local Government Act 1972. In order to appropriate the land, the Council must be satisfied:
- i) that the land is no longer required for the purpose for which it is held; and
  - ii) that the land is being appropriated for a purpose for which the Council is authorised to acquire land by agreement under the Act.
- 2.7 As it must be demonstrated that the land to be appropriated is no longer required for the purpose for which it is held. Olive Morris House needs to be considered in the context of the wider YNTH development, which consolidated the Council's main offices into the now operational Civic Centre and Town Hall buildings. As such, Olive Morris House is no longer required for use as a Council office and is currently vacant.
- 2.8 In deciding whether the Olive Morris House site should be appropriated for planning purposes (being for which it could be acquired by agreement under the Act) for the purposes of engaging the provisions of section 203 of the Act, the Council should take into account the following considerations:
- i. Whether rights, capable of being overridden by Section 203 of the Act, exist and whether they would be interfered with by the development;

- ii. Whether interference with such rights as exist is necessary. The following factors are relevant:
  - a. Whether the scheme could be adjusted to avoid interference
  - b. Whether agreement could be reached for release of rights including rights to light
  - c. Whether extinguishment of those rights is necessary in order to allow the development to proceed.
- iii. Whether appropriation would facilitate the carrying out of the development;
- iv. Whether the development would contribute to the promotion of one or more of the following well-being objectives:
  - a. The promotion or improvement of the economic well-being of the area;
  - b. The promotion or improvement of the social well-being of the area; and
  - c. The promotion or improvement of the environmental well-being of the area.
- v. Whether there is a compelling case in the public interest that the development for which consent is granted should be carried out;
- vi. Whether a decision to appropriate in order to engage Section 203 of the Act would be consistent with the approach taken to compulsory purchase set out in the DCLG Guidance Compulsory Purchase Process etc. (October 2015); and
- vii. Whether Section 203 of the Act should be engaged in relation to the rights to light and any other easements or rights or restrictions which would be overridden and whether any interference with those rights would be proportionate.

2.9 Each of these issues is dealt with in turn, as follows:

- i) The existing rights to light affected and the likely extent of interference with Rights including Rights to Light

2.10 Interference with a right to light is actionable if, after a development is implemented, less than 50% of the floor area in each room would be well lit (which is measured as receiving one lumen of light).

2.11 Information has been provided to the Council by the Chancery Group on behalf of Muse, and scrutinised by officers, which sets out the impacts of the development on surrounding properties. 17 properties may benefit from a Right to Light. These properties are as follows:

- Effra Court – 5 properties;
- Beverstone Road – 8 properties;
- Sudbourne Road – 2 properties; and
- Hayter Road – 2 properties.

2.12 If there is an actionable interference with a right to light, the person entitled to that right may bring an action. The potential remedies include an injunction or damages in lieu of an injunction. In appropriate circumstances in assessing damages in lieu of an injunction a court may take into account the profit that will be made by a developer as a result of

that interference. If interference is authorised by virtue of section 203 of the Act a different approach will be taken to assessing compensation. Under the statutory scheme that applies if section 203 is engaged, compensation is likely to be based upon the diminution in the value of the land held by the claimant. Any owners who have reached agreement with Muse prior to the appropriation taking place have had the option to negotiate on the quantum of any sum paid in compensation. Officers are satisfied that these negotiations have taken place in accordance with industry norms, and are also satisfied that, at the time of preparing this report, Muse, in carrying out the negotiations and in offering to pay compensation, has taken appropriate steps to reach an agreement with those entitled to rights to light and has taken reasonable steps to identify the beneficiaries of the other rights.

2.13 Officers have reviewed the information submitted, and agree with the assessment that the above properties are affected to the extent action is required. Officers have fully considered the rights affected, and the degree of interference and impacts upon those entitled to the rights.

ii) Whether interference with such Rights, including Rights of Light as exist is necessary

a) Whether the scheme could be adjusted to avoid interference.

2.14 The scheme proposed (and subject to planning permission) on the Olive Morris House site is a straightforward perimeter block approach that reflects the context of the existing urban block. The current OMH building is four storeys in height, with two protruding lift cores up to five storeys. The existing building has a large footprint that covers much of the site. The proposed development would represent a slight increase in height (two storeys), but in real terms would appear to be a bit more than a single storey higher due to the higher floor to ceiling heights in the existing building. As such, the presence of the existing block would already have an impact on surrounding residential properties. The proposed block, while increasing in height, is reduced in depth and therefore pulls back from the surrounding properties (refer to figure 1 below, taken from the original PAC report (page 122)). A reduction in height by one storey across the development would potentially reduce the overall impact, but would result in a reduction of 14 residential units. This would likely render the scheme unviable and reduce the level of affordable housing being provided.

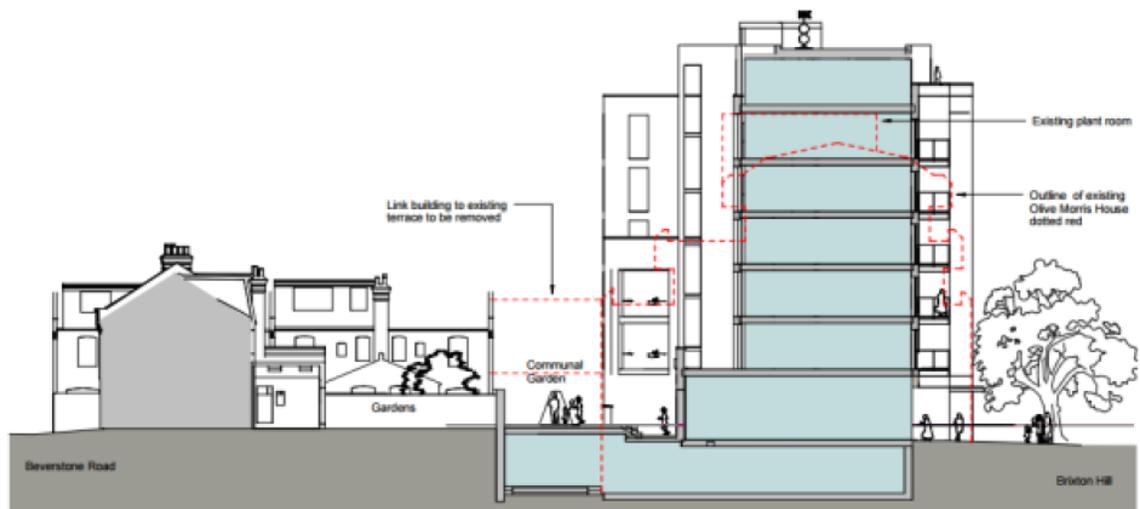


Figure no 50: Cross section to show existing versus proposed massing, with a set back to both west and east elevations (In black and white print the dashed line illustrates the existing building outline):

Figure 1: Extract showing existing OMH and proposed block.

b) Whether Agreement could be reached for release of rights to light.

- 2.15 Rights to light are a property right, and can be bought and sold. Therefore it is open to the developer to negotiate directly with the neighbouring occupiers to buy these rights from them. If the developer was successful in buying the rights to all affected properties, then there would be less need to appropriate, as there would be no remaining rights for the development to interfere with. However, commercial settlements have not been possible at this site, and therefore the developer has made the request for appropriation of the Olive Morris House site.
- 2.16 Muse has sought to identify and negotiate with the neighbours identified in paragraph 2.11 above. An initial letter was issued to these properties on 10 October 2019, with the following wording:

*Olive Morris House, 18 Brixton Hill, Brixton, London, SW2 – Rights of Light*

*We are writing on behalf of Muse Developments in connection to the proposed development of Olive Morris House and the assessment we look to undertake in relation to the natural light in the surrounding area and your property.*

*The proposed development was granted planning permission on 15 October 2015 by London Borough of Lambeth (“LBL”) Planning Committee. Full details can be found on the LBL planning website (planning reference:15/02264/FUL).*

*We have been appointed to assess the natural light and rights of light in the buildings close to and surrounding the proposed development. The technical work that we undertake is based upon a three-dimensional (3D) computer model of the site and neighbouring buildings, which is constructed using measured site survey to ensure accuracy.*

*In order to accurately understand whether there would be any potential alteration to the levels of light, it would be helpful to undertake an internal survey of all the rooms that have windows facing the proposed development. This survey will involve an appointed surveyor recording dimensions of the rooms and the relative location of the windows that serve the room to include in our 3D computer model. Please note that no light readings are taken on the day. The survey will be completed in approximately one hour.*

*We hope that you will agree to us undertaking this survey. Please contact us on xxxx or alternatively, email us at xxxx to arrange a time/date convenient to you.*

*We would be grateful if you could confirm receipt of this letter and if you would be interested in arranging a survey.*

- 2.17 At the time of publication of this report, of the 17 properties that were identified as being affected, three have accepted a survey and three have appointed a surveyor and are in negotiations with Muse, two are still in negotiations to agree a survey date and one has declined a survey. Two properties are already owned by the Council. This leaves six properties who have potentially unresolved claims, and have made no contact with Muse/The Chancery Group. The table below shows the current position for each property:

	<b>Property</b>	<b>Letters sent</b>	<b>Current position</b>
1	Effra Court Property 1	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020, 06/02/2020; 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	No contact made
2	Effra Court Property 2	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 05/02/2020	Initial survey arranged, but then cancelled. Awaiting agreement for new survey date.
3	Effra Court Property 3	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020, 06/02/2020; 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	No contact made
4	Effra Court Property 4	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020, 06/02/2020, 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	No contact made
5	Effra Court Property 5	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020,	No contact made

		23/01/2020, 06/02/2020; 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	
6	Beverstone Road Property 1	10/10/2019, 24/10/2019, 07/11/2019	Survey completed.
7	Beverstone Road Property 2	10/10/2019	Survey completed
8	Beverstone Road Property 3	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020, 06/02/2020, 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	No contact made
9	Beverstone Road Property 4	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020, 06/02/2020, 26/02/2020; 12/03/2020; 14/04/2020; 30/04/2020; 14/05/2020; 16/06/2020;	No contact made
10	Beverstone Road Property 5	10/10/2019	Survey completed
11	Beverstone Road Property 6	10/10/2019	Survey completed
12	Beverstone Road Property 7	10/10/2019	Survey completed
13	Beverstone Road Property 8	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020	Survey declined
14	Sudbourne Road Property 1	N/A	Council owned property
15	Sudbourne Road Property 2	10/10/2019	Survey completed
16	Hayter Road Property 1	N/A	Council owned property
17	Hayter Road Property 2	10/10/2019, 24/10/2019, 07/11/2019, 05/12/2019, 20/12/2019, 09/01/2020, 23/01/2020	In discussion to arrange survey date

2.18 In conclusion, Officers are satisfied that the above actions are proportionate and that Muse has attempted to engage with all affected parties. There have been multiple attempts to contact these parties, with six yet to engage with Muse in this process. Officers consider that agreement will now not be reached with these properties.

c) Whether extinguishment is necessary in order to allow the development to go ahead.

2.19 Officers consider that Muse has taken all appropriate steps to resolve matters of rights to light and Officers of the Council have done all they can to assist in this respect. There is a serious risk that the remaining landowners will refuse to negotiate a settlement with

Muse and may seek an injunction preventing the development going ahead. Officers have therefore concluded that the use of the Council's Section 203 powers is necessary to enable the development to be delivered.

iii) Whether appropriation will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land.

2.20 Planning permission was granted for the development on 15th October 2015. Much of the development has now been completed, with the exception of Olive Morris House.

2.21 As such, Muse is committed to implementing the planning permission and carrying out the remainder of the YNTH development, and whilst separate to this process, the existence of a development agreement between the developer and the Council provides a commitment to the redevelopment going ahead.

2.22 Therefore, Officers have concluded that appropriation will facilitate the carrying out of the redevelopment at the Olive Morris House site.

iv) Whether the development would contribute to the promotion of one of more of the following well-being objectives.

- a. The promotion or improvement of the economic well-being of the area;
- b. The promotion or improvement of the social well-being of the area;
- and
- c. The promotion or improvement of the environmental well-being of the area.

2.23 The public benefits of the scheme as part of the YNTH development is set out in para. 2.40 – 2.53 of the earlier CMDR 7 December 2015. A summary of these benefits is set out below:

**a) Economic**

Olive Morris House is part of the wider YNTH development that has already delivered affordable housing and a new Civic Centre. This particular site would bring forward further affordable housing and new commercial/community uses.

During the construction period of the YNTH Development overall, a total of 600 jobs are expected to be created, providing opportunities for local residents. Further knock-on impacts of the residential and commercial/community components (within OMH) to the Development would lead to the creation of additional jobs in the locality as part of the end-use phase.

A Section 106 agreement linked to this development would also deliver economic benefits that flow from the development and would enhance local labour opportunities. These include the provision of training opportunities for local residents in traditional building skills. Together with a financial contribution for local labour in construction and general employment and training, a minimum provision of on-site local labour and local apprenticeships would be secured. An

employment and skills plan would also secure opportunities for local business to understand the procurement process and individual business needs of the developer, to be best placed to secure on-going contracts through the lifetime of the development. All of this amounts to public benefits that are considered to be of a scale to be of benefit to the public at large. The proposals would facilitate growth and could provide a catalyst for regeneration to this part of Brixton.

### **b) Social**

The social benefits of the development flow from the residential component of the scheme. The proposed 74 residential units contribute to the Council's housing targets, meeting both a local need but a regional one also. The housing component includes the provision of forty per cent of the units as affordable housing.

### **c) Environmental**

There are a number of aspects of the development that would deliver environmental benefits.

Along Brixton Hill the provision of active frontages and improvements to the existing public realm are a public benefit that flows from the development, engaging with the immediate environment.

Other public benefits of the scheme relate to the sustainability aspects that would flow from the development. These include following One Planet principles, carbon emission reductions, provision of photo voltaic panels, and an on-site Energy Centre. The sustainability credentials of the development would far exceed the currently inefficient, tired and outdated building. In this respect, the development would optimise the potential of this site.

- v) Whether there is a compelling case in the public interest that the development for which consent is granted, or some similar scheme, should be carried out.

2.24 The public benefits of the scheme are set out as above. There must therefore be a balancing exercise between the public interest as a result of facilitating the development and the impact on individuals' rights. Any interference in individuals' rights must be necessary and proportionate. Proportionate in this context means that the interference must be no more than is necessary to achieve the identified legitimate aim. A "fair balance" must be struck between the rights of the individual and the rights of the public. It is considered that the social, environmental and economic benefits of this development (on its own and as part of the wider YNTH development) are substantial and provide a compelling case in the public interest why this scheme should be carried out. Whilst it is acknowledged there will be an impact on the individual's rights, it is considered that the approach as set out in this report represents a fair balance between these rights and the wider public benefits that would be delivered.

vi) Would a decision to appropriate in order to engage Section 203 of the Act be consistent with the approach to compulsory purchase set out in the Department of Communities and Local Government “Guidance on Compulsory purchase process” issued in October 2015”.

2.25 Officers are satisfied that the approach to the appropriation is consistent with government guidance on compulsory purchase. Careful consideration has been given to the public interest as advised in the guidance and that is addressed elsewhere in this report. The purpose for which the appropriated land will be used is clear and there is a current planning permission authorising that use. Funding is available for the proposed scheme and the Council has entered into a development agreement with Muse which will deliver the development. There are no impediments to the development at the Olive Morris House site going ahead.

vii) Whether Section 203 of the Act should be engaged in relation to the rights to light and any other easements or rights or restrictions (including rights guaranteed by the European Convention on Human Rights) which would be overridden and whether any interference with those rights would be proportionate.

2.26 The position as set out in para. 2.58 – 2.64 in the earlier CMD report (7 December 2015) remains unchanged. In the circumstances, if the land is appropriated and Section 203 is engaged, it is considered that the appropriation will not conflict with Article 1 of the First Protocol or Article 8 of the Convention as any interference with the rights will be in accordance with the law, justified and proportionate.

### 2.27 Conclusion

In the present case it is considered that the public benefits derived from facilitating the development and set out in preceding paragraphs mean that it is necessary and proportionate to interfere with the rights of the individual rights to light and that the proposed appropriation and reliance on Section 203 powers amounts to a proportionate interference in all the circumstances.

## **3. Finance**

3.1 This report seeks approval to appropriate the land shown outlined in red on the plan in Appendix 1 from its current use as Council offices to use for planning purposes. This appropriation will not result in a transfer of debt charges from the HRA to the general fund as the site sits entirely within the general fund. The cost of effecting the recommendation can be accommodated within the existing budget for the disposal of the Site.

3.2 The financial risks relating to this appropriation relates to potential compensation claims if a third party is found to have a right over the land. Provisional sums have been allowed across all sites within the YNTH cost appraisals should any potential rights of light claims occur.

#### **4. Legal and Democracy**

- 4.1 This report recommends the council exercise its powers under Section 122 of the Local Government Act 1972 to appropriate land for planning purposes thus enabling development to be carried out pursuant to planning permission notwithstanding that it involves interference with rights to light and other rights pursuant to the authorisation conferred by Section 203 of the Act.
- 4.2 The report sets out the relevant legal tests and factual information which must be taken into account by the decision maker before appropriating the land for this purpose.
- 4.3 This proposed key decision was entered in the Forward Plan on 6 January 2020 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

#### **5. Consultation and co-production**

- 5.1 No formal consultation was undertaken.

#### **6. Risk Management**

- 6.1 Officers have sought expert legal advice to determine the level of risk, in terms of the risk of a judicial review, in relation to proceeding with this appropriation, and what steps to take to minimise the risk.
- 6.2 This case is sensitive because the Council is the land owner and decision maker and will benefit from the development. Therefore Officers have approached this decision making role by considering the public interest and not the Council's particular interests as landowner.

#### **7. Equalities impact assessment**

- 7.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 7.2 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.

7.3 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

7.4 Both the London Plan and Lambeth Local Plan were subject to equalities impact assessments prior to being adopted, which form the relevant planning policies which the planning application and therefore the development was assessed against.

## **8. Community safety**

8.1 Community safety issues formed part of the consideration of the YNTH planning application, and therefore the development.

## **9. Organisational implications**

### **Environmental**

9.1 None.

### **Health**

9.2 None.

### **Corporate Parenting**

9.3 None.

### **Staffing and accommodation**

9.4 None.

### **Responsible Procurement**

9.5 None

## **10. Timetable for implementation**

10.1 The table below details the stages and deadlines for implementing the recommendations:

<b>Activity</b>	<b>Proposed Date</b>
Date published on Forward Plan	06.01.2020
Publication on Decisions online	14.07.2020
Decision date – agreement to appropriate under Section 203 of the Act	22.07.2020
Letter sent to all affected neighbours informing them of the Council's decision and process for appropriation	05.08.2020

## AUDIT TRAIL

Consultation				
Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Matthew Bennett	Cabinet Member, Planning Investment and New Homes	10.07.2020	13.07.2020	
Councillor Andy Wilson	Cabinet Member Finance and Performance	12.03.2020	14.03.2020	General comment
Sara Waller & Eleanor Purser, Co-Strategic Directors	Sustainable Growth and Opportunity	12.03.2020	01.04.2020	General comment
Sandra Roebuck	Director Infrastructure and Capital Delivery	12.03.2020	14.03.2020	Para. 2.17
Councillor Kay	Ward Councillor, Brixton Hill	12.03.2020	-	
Councillor Garden	Ward Councillor, Brixton Hill	12.03.2020	13.03.2020	General comment/legal query
Councillor Tiedemann	Ward Councillor, Brixton Hill	12.03.2020	-	
Paul Badiani Group Manager	Finance and Property	12.03.2020	13.03.2020	
Peter Flockhart, Senior Planning Lawyer, Legal Services,	Legal and Governance	28.02.2020, 12.03.2020	28.02.2020, 13.03.2020	Throughout
Maria Burton, Democratic Services	Legal and Governance	12.03.2020	16.03.2020	4, 9

## REPORT HISTORY

<b>Original discussion with Cabinet Member</b>	23.03.2020
<b>Report deadline</b>	N/A
<b>Date final report sent</b>	N/A
<b>Part II Exempt from Disclosure/confidential accompanying report?</b>	No
<b>Key decision report</b>	Yes
<b>Date first appeared on forward plan</b>	06.01.2020
<b>Key decision reasons</b>	3. Community impact
<b>Background information</b>	<a href="#">Report to Planning Applications Committee - 13 October 2015</a> Section 122 of the Local Government Act 1972 Section 203 Housing and Planning Act 2016 <a href="#">Cabinet Member Delegated Decision, 07 December 2015: Your New Town Hall Appropriation</a>
<b>Appendices</b>	Appendix 1: Plan: 682-CPA-OM-GF-DR-A-0100

**APPROVAL BY CABINET MEMBER OR OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION**

**I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Jeffrey Holt, Principal Planner, Strategic Applications Team, Planning, Transport and Development

**I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Councillor Matthew Bennett, Cabinet Member for Planning, Investment and New Homes

**Any declarations of interest (or exemptions granted):** None.

**Any conflicts of interest:** None.

**Any dispensations:** None.