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date 26 August 2020

By email and special delivery

Dear Sirs

**The London Borough of Enfield (Meridian Water Strategic Infrastructure Works)
Compulsory Purchase Order 2020**

**Application for a certificate under Sections 19 and Schedule 3 of the Acquisition of Land
Act 1981 (the Act)**

The London Borough of Enfield (the **Acquiring Authority**) has resolved to use its compulsory purchase powers to facilitate the development, redevelopment or improvement of the area known as Meridian Water in order to undertake various strategic infrastructure works to enable the regeneration of the area. An application to the Secretary of State to confirm the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2020 (the **Order**) has been made under separate cover but we enclose copies of the Order, the Order Map, the Schedule and Statement of Reasons for reference.

Within the Order boundary is part of the River Lee Navigation canal and adjacent towpath comprising plot numbers: 102, 104, 105, 106, 109 and 112 (the **Canal and Towpath**). The Canal and Towpath are considered to be open space within the definition of section 19 and schedule 3 paragraph 6 of the Act. The reference numbers above relate to the plot numbers on the enclosed Order Maps.

Plots 102, 104 and 105 relates to the acquisition of new rights required to construct a new bridge over the Canal to accommodate a carriageway built to adoptable standards, along with rights for the maintenance, repair and use of the new bridge for the purposes of vehicular and pedestrian traffic.

Plot 106 relates to acquisition of land forming part of the Towpath for the construction of a flood relief channel beneath the Towpath.

Plot 109 also relates to the acquisition of new rights for construction of the new bridge but to acquisition of new rights required for the purposes of flood mitigation works, public realm and

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accessibility improvements, along with rights for the maintenance, repair and use of the new bridge for the purposes of vehicular and pedestrian traffic.

Plot 112 relates to the acquisition relate to the acquisition of new rights required for the purposes of flood mitigation works, along with rights for the maintenance and repair of vehicular and flood mitigation works.

The works on the Canal and Towpath are part of wider strategic infrastructure works necessary for the regeneration of the wider Meridian Water area. The wider strategic infrastructure works are described in more detail in the enclosed Statement of Reasons.

The land and rights to be acquired (along with the area of each plot in square metres) is described in more detail in the Schedule to the draft order, enclosed with this application.

Justification for a Certificate under s19 and Schedule 3 of the Act

These works have been the subject of extensive discussions with the Canal and River Trust, who own and manage the Canal and Towpath, to ensure that the continued use and enjoyment of the land by the public is preserved. The Canal and River Trust have also been consulted on the planning applications that relate to these works and the representations made during the planning application process have been fully addressed.

The acquisition by the Acquiring Authority will not impact the continued use of the Canal and Towpath for recreation and all purposes for which the land is currently and ordinarily used. Public rights currently exercised are the use of the Canal for travel/mooring by canal boats and the Towpath is a public right of way used both as a mode of travel but also for recreational walking and cycling. The Towpath is designated as National Cycle Route 1. All activities will be unaffected by the Order. The design of the bridge ensures that the use of the Towpath is unaffected. The construction of the works may require a temporary closure of the Towpath however this will be subject to a separate procedure via an application to the highways authority under the Road Traffic Regulation Act 1984.

Plots 102, 104 and 105 – Schedule 3, Paragraph 6(1)(a) of the Act

This application is made on the basis that the land, when burdened with the new rights will be no less advantageous to those people in whom it is vested, and other person, if any, and to the public than it was before.

The land consists of 430 square metres of the Canal identified as Plots 102, 104 and 105 in the Schedule to the Order and the Order Map (56 square metres, 318 square metres and 56 square

metres respectively). The new rights relate to the construction of a bridge for the purposes of public vehicular and pedestrian traffic. The rights to enter the land for the purpose of maintenance, repair and public use of the bridge are also sought.

The bridge has been designed to accommodate all existing uses of the Canal and Towpath, taking into account the requirements of the Canal and River Trust.

The land after acquisition of these rights will be no less advantageous to the Canal and River Trust (in whom it is vested) and the public than it was before. It is common for bridges to cross canals and the owner will not be required to accept any cost or liability for future maintenance or repair. All existing public and private uses of the Canal and Towpath will remain unaffected by the construction and use of the new bridges.

Implementing accessibility improvements to the Canal (and other waterways in this area) is one of the key aims of the Meridian Water regeneration. A new bridge in this location will assist with wider connectivity of the new development (and surrounding areas) with the open space. This will result in an increase in accessibility and public enjoyment of the Canal and Towpath.

A condition attached planning permission which authorises construction of the bridge (ref: 19/02717/RE3) requires that prior to the commencement of work on the bridge, a survey of the condition of the River Lee Navigation waterway wall shall be undertaken, a schedule of repairs required and evidence that such works have been completed shall be submitted to and approved in writing by the local planning authority. A bridge risk assessment is also secured by condition. This will ensure that any potential impact of the construction of the bridge on the Canal and its infrastructure is mitigated.

Plots 109 and 112 – Schedule 3, Paragraph 6(1)(a) of the Act

This application is made on the basis that the land, when burdened with the new rights will be no less advantageous to those people in whom it is vested, and other person, if any, and to the public than it was before.

The Acquiring Authority also seeks to acquire new rights over approximately 407 square metres of open space identified as Plots 109 and 112 in the Schedule to the Order and the Order Map (130 square metres and 277 square metres respectively). The land subject to this application is owned by the Canal and River Trust and forms part of the Canal Towpath.

Plot 109 includes the continuation of the new bridge discussed above in relation to Plots 102, 104 and 105. The same rights are therefore sought and the justification for seeking those rights

applies equally to this application in relation to Plot 109. The bridge will be constructed in the air space above Plot 109 and no bridge abutments will be installed on the Towpath.

In addition rights are also sought on Plot 109 to enable construction of accessibility and public realm improvement works along the Towpath around the landing of the new bridge, including the closure of a section of the Towpath to vehicular traffic and accessible links from the Towpath to the new bridge. Works may also be required to reinforce walls along with Canal to accommodate the new bridge. The works will improve the quality and connectivity of the Towpath around the area of the new bridge. As mentioned above, a planning condition will ensure works to the Canal associated with the new bridge are appropriately carried out and the acquisition ensures that the Acquiring Authority has the ability to undertake any such works to the Canal.

In relation to Plot 112 the new rights are required to install a low level flood mitigation barrier adjacent to the Towpath. The rights to enter the land for the purpose of maintenance and repair and of the barrier are also sought. This barrier is required to mitigate the increase in flood risk caused by the development in the adjacent industrial area. The flood restraint barrier would not impact on visual amenity within the street scene or neighbouring amenity. The flood mitigation barrier will also extend on to Plot 109.

The installation of the flood barrier will be alongside the Towpath attached to the existing crash barrier to provide a continuous flood barrier. The barrier has minimal impact on the width of the Towpath as such the installation will not affect the ongoing use or operation of the Towpath for the benefit and enjoyment of the Canal and River Trust or the public. The Towpath's status as a public right of way and part of National Cycle Route 1 is not affected by the works or by the Order.

The works on Plots 109 and 112 do not affect or impact the continued use of the Towpath for all purposes. In addition the public realm and accessibility improvements as well as the connectivity benefits of the new bridge mean that acquisition of the new rights will increase the opportunities for the public to use and enjoy the open space. As such the open space when burdened with new rights will be no less advantageous to the persons in whom it is vested and to the public than it was before.

Plot 106 – Section 19(1)(b) of the Act

This application is on the basis that the land to be acquired does not exceed 209 square metres (250 square yards) and that giving in exchange of other land is unnecessary. The land subject to this application forms part of the Canal Towpath identified as Plot 106 in the Schedule to the Order and the Order Map.

The Acquiring Authority seeks to acquire all interests in approximately 58 square metres of open space. The land falls within the ownership of the Canal and River Trust and forms part of the Towpath. As part of the regeneration the Acquiring Authority proposes to undertake flood alleviation works which will facilitate residential development on the remainder of the Meridian Water. As part of these works a flood relief channel will be created between the Canal and the proposed flood compensation areas on Edmonton Marshes (Plots 127-135 (inclusive) and 137 on the Order Map). Acquisition of Plot 106 is required for the construction of a flood relief channel below the Towpath and for the future maintenance and protection of that flood relief channel.

The flood relief channel will be developed underneath the Towpath and will not affect the ongoing use or operation of the Towpath for the benefit and enjoyment of the Canal and River Trust or the public. The Towpath's status as a public right of way and part of National Cycle Route 1 is not affected by the works or by the Order. As such the giving of exchange land is unnecessary.

Conclusion

The Canal and Towpath are included in the Order to carry out strategic infrastructure works necessary for the regeneration of the wider Meridian Water area. The works have been designed to ensure the long term preservation and maintenance of these areas of open space for the public benefit. All existing public and private rights will be unaffected by the Order. The works will improve the appearance of the open space, whilst bringing about significant enhancement to public accessibility of the open space.

The Acquiring Authority requests that the Secretary of State certifies that:

- the land (Plots 102, 104, 105, 109 and 112) forming part of open space when burdened with new rights will be no less advantageous to the persons in whom it is vested and to the public than it was before (Schedule 3, Paragraph 6(1)(a) of the Act); and
- the acquisition of land in respect of Plot 106 does not exceed more than 209 square metres (250 square yards) in extent and that the giving of exchange land is unnecessary (section 19(1)(b) of the Act).

Enclosed

1. Draft Certificate under section 19 and Schedule 3 of the Act
2. Application Map (open space shown in green, as the open space relates to a canal and towpath this plan does not show the open space in context)

3. Order (by email only but copies of the Order (sealed and unsealed) have been sent to National Planning Casework Unit with the accompanying Compulsory Purchase Order)
4. Order Map (unsealed in two parts)
5. Statement of Reasons

Yours faithfully



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The London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2020 – Open Space Plan



Stonehill Business Park

Orbital Business Park

SILVERMERE DRIVE

Lea Valley

Goods Vehicle Testing Centre

Kingsway Estate

Phoenix Wharf

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River Lee Navigation

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Notes:

Key:
 Open Space

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| Approved By SAN | Date Approved 22/07/2020 | Checked By SGO | Date Checked 22/07/2020 | Drawn By TCO | Date Drawn 22/07/2020 |
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Title:
 The London Borough of Enfield
 (Meridian Water Strategic Infrastructure Works)
 Compulsory Purchase Order 2020 – Open Space Plan

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