

**Community Wealth Building
Islington Town Hall, London N1 2UD**

Report of: Executive Member for Finance, Planning & Performance

Meeting of:	Date:	Ward:
Executive	20 April 2023	Caledonian
Delete as appropriate		Part exempt

The appendix to this report is exempt and not for publication

SUBJECT: Acquisition of Freehold and Long Leasehold Land at Vale Royal for operational purposes

1. Synopsis

- 1.1 The Council, as part of the relocation of Arsenal Football Club to the new stadium, agreed several land and property related matters, including the reprovision of a new operational salt store which is required to service the borough during periods of bad weather.
- 1.2 A salt store facility and other operational uses have been in place at Vale Royal for a considerable number of years however the ownership, suitability of the facility required, and discharge of planning conditions have remained outstanding.
- 1.3 Agreement has now been reached with Stadium holdings in respect of outstanding matters to formalise land ownership issues, the construction of an appropriate operational facility and discharge of planning conditions to conclude this matter.
- 1.4 The details of the arrangements are contained in Appendix 1, which is exempt from publication due to its commercially sensitive content, but broadly amount to the transfer of land both freehold and long leasehold to the council at no cost, the reprovision of a suitable salt store at no cost to the council, as required for the provision of a statutorily required service and ancillary matters.

2. Recommendation

- 2.1 To authorise the Corporate Director for Community Wealth Building, following consultation with the Corporate Director of Resources and Corporate Director of Environment and Climate Change, to enter into the arrangements for the transfer of land, construction of new operational facilities and other related issues on the terms set out in exempt Appendix 1.

3. Background

- 3.1 The relocation of Arsenal Football Club to the new Emirates Stadium was a complex matter including land swaps, relocation of operational facilities and other planning related matters.
- 3.2 The Council agreed, in order to facilitate the development, to relocate certain services and release land for the new stadium a condition of which included suitable reprovision.

- 3.3 Part of the support included the need to relocate the salt store and other operational related storage facilities to an alternative site provide at the cost of the developer of the stadium.
- 3.4 These facilities have been reprovided, albeit not to the required standard, at Vale Royal where operations have been based for a considerable number of years. This agreement will formalise arrangements including the transfer of the land where the operations are located, a mix of freehold and long leasehold reflecting a full transfer of the developer's land interests, the acquisition of a long 125 year lease of land at a peppercorn at the entrance to the existing depot and the construction of a suitable new salt store and other works. This will conclude the outstanding matters with the developer and enable the formal discharge of planning conditions to be satisfied.
- 3.5 The Executive is therefore asked to authorise entering into the necessary land transfer and other documents on the terms set out in the exempt Appendix 1 to conclude this matter.

4. Implications

4.1 Financial implications

The financial implications set out in the exempt Appendix 1 confirm that the proposed arrangements are in line with market conditions and reflect the Council's fiduciary duty.

4.2 Legal Implications

- 4.2.1 The Council has the power under s120 of the Local Government Act 1972 to enter into the proposed arrangements for the purposes of any of its functions, or the benefit, improvement or development of its area. The proposed arrangement would satisfy these conditions. The exempt Appendix 1 confirms that the arrangements reflect the requirements of the relocation and in agreeing the terms of the arrangements the Council has acted in accordance with its fiduciary duty.

4.3 Equalities Impact Assessment

- 4.3.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.3.2 An Equalities Impact Assessment is not required in relation to this report, because this matter relates to a commercial investment transaction in respect of property held for income generation. There are no Human Resources or equality implications in respect of this proposal.

4.4 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.4.1 There are no environmental or net zero implications associated with the arrangements.

5. Reason for recommendation

- 5.1 The requirement to provide the service operating from this site is a statutory requirement. In resolving the ownership issues, the provision of an appropriate fit for purpose building and other related issues will enable the long-term security of the site to be established.
- 5.2 Additionally in completing the arrangement to outstanding planning conditions to the development of the stadium can be discharged.

Appendices

- Exempt Appendix 1: Heads of Terms for Transfer of land, long lease, construction of new operational facilities and related issues.

Final report clearance:

Authorised by:

Executive Member for Finance, Planning & Performance

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