



OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION - TIME FOR A REVIEW?

A COMMUNITY PERSPECTIVE FROM THE OLD OAK NEIGHBOURHOOD FORUM

This submission to the Committee's session on December 7th reflects the experience of a community organisation designated by the OPDC in 2018 as a neighbourhood forum at Old Oak.

We think that the time has come for the Mayor and/or Assembly to undertake a further review of the role and responsibilities of OPDC. This Mayoral Development Corporation comes at a cost to Londoners, in a period of huge pressure on Mayoral budgets. For reasons set out in this submission, we are not persuaded that OPDC can add sufficient value to the process of regeneration at Old Oak to justify its continuation as an MDC. There are other ways forward.

We have structured this evidence around the original stated aims of the OPDC, as identified when this Mayoral body was established under powers in the 2011 Localism Act. These provide a benchmark against which the track record of the OPDC can be assessed, seven years after its establishment.

Why you should consider our perspective on OPDC and its track record to date

We are no more than a local community organisation, with a membership of 130 residents (and a few businesses). Our membership is drawn from within the 22ha neighbourhood boundary as designated by OPDC and from the wider area. We work closely with the Grand Union Alliance, a network spanning Ealing, Brent, North Hammersmith and North Kensington.

Since 2015 we have had extensive experience at grassroots level in the activities of the OPDC. These have included involvement at each stage of the Corporation's preparation of an OPDC Local Plan, from the days of the Boris Johnson 'vision' of the area around the HS2 rail interchange to the adoption of a Local Plan by the OPDC Board in June 2022. As local residents we have witnessed the way in which OPDC interacts with the three 'host Boroughs' and with HS2 Ltd.

The one and only formal review of the OPDC undertaken to date was that commissioned by the current Mayor in 2016, after he took up office. This was published in November 2016. The Localism Act 2011 does not require the Mayor to set an end date for the life of a Mayoral Development Corporation, but Section 215 of the Act states ***It is the duty of the Mayor to review, from time to time, the continuing in existence of any existing MDCs.***

At the end of 2022, we believe that a further review is overdue. For a range of reasons, set out in this submission, we consider that **the MDC model has not proved a success for the OPDC area.** The reasons for unfilled objectives do not all lie at the door of the OPDC as an organisation (although a number do, in our view).

We recognise that perceptions from other stakeholders (the three Boroughs, London's development industry, HS2 Ltd, DLUHC and DfT) may be very different from our own. OPDC's Chair and Chief Executive Officer will no doubt give your committee a very different picture. But we ask you to take account of what we say, as coming from ordinary Londoners with no political axe to grind.

Extending the development corporation model to other English cities remains a proposition in the Levelling Up and Regeneration Bill, now progressing in Parliament after a period of uncertainty¹. We think that there are important lessons be learned for any future MDCs or new-style Urban Development Corporations. The Assembly and GLA are in a position to offer a useful perspective.

CONCLUSIONS OF THIS SUBMISSION TO THE COMMITTEE

We have set out below our main conclusions, based on the more detailed evidence provided in the remainder of this submission to the Committee.

- a) **A MDC or UDC model which is not underpinned with initial certainty of adequate infrastructure funding (or land assets) is very high risk. This has proved to be the case with the OPDC, even during the past 7 years of relative stability within London's economy and development market. The model requires secure guarantees on infrastructure funding and/or ownership of land assets, from the start.**
- b) **In the case of the OPDC, the whole timing of a regeneration initiative at this location is now out of sync with site availability on the ground. When the MDC was being established in 2014/5, the HS2 rail interchange was due to open in 2026. The current HS2 expectation is for some date between 2029 and 2033. There is a case for a pause and rethink of which bodies should oversee the next phase of regeneration.**
- c) **The 'Boris vision' that OOC station would have a 'catalyst' impact, with major development on large tracts of public land being generated by rail passenger numbers and 'unrivalled connectivity', was always unevidenced. In 2022 changes in working and commuting patterns, coupled with the abandonment of connections between OOC station and the Overground network have undermined this vision. It is not evident that DfT and HS2 Ltd ever bought into the concept.**
- d) **The OPDC Local Plan was finally adopted in June 2022 rather than in 2017 (the original timetable). Since 2016 OPDC has granted a series of planning consents that have proved to be premature decisions, facilitating already outdated and unloved building typologies in the wrong place.**
- e) **In terms of travel and accessibility by bus, car or taxi, the completed OOC station and its immediate surroundings will remain poorly connected by road. There is no planned vehicular access to the station from the east. This reduces any 'catalytic' impact on North Hammersmith and North Kensington.**
- f) **Many local people view the OPDC Local Plan (with its 464 major modifications required by the Planning Inspector) as an incoherent blueprint for Old Oak. The historic physical barriers of rail routes, the Grand Union Canal, and lack of main roads running east west on the Ealing/Hammersmith border all remain in place.**

¹The DLUHC Briefing note on the Bill (11 May 2022) says *This Bill will make provision for a new type of locally-led Urban Development Corporation, with the objective of regenerating its area and accountable to local authorities in the area rather than the Secretary of State. It also updates the planning powers available to centrally and locally-led development corporations, so that they can become local planning authorities for the purposes of local plan making, neighbourhood planning and development management. This is to bring them in line with the Mayoral Development Corporation model.*

- g) As local residents, we have long perceived an inherent tension between the ‘delivery arm’ and the ‘planning authority’ arm of OPDC. OPDC has come under growing political pressures to demonstrate successful ‘delivery’ against targets – not least to justify its continued existence as a separate Mayoral body. This tension risks distorting objective and neutral decisions on planning applications.
- h) The quality of communication and community engagement work undertaken by OPDC has never matched that of the better London Boroughs. Commitments made in 2014 for an OPDC ‘Community Charter’ were not carried through. Promises made for staff and/or financial support to local groups have not been honoured.
- i) In terms of governance, the OPDC Board and Planning Committee both have an inbuilt majority of appointed members over locally elected councillors. This has reduced any semblance of democratic accountability. This potential risk was identified by several Assembly Members in their responses to the 2014 Mayoral consultation on the establishment of the OPDC as a development corporation model.
- j) Governance and transparency at OPDC has been weak, especially in the period 2018/2019 during the debacle over foregone Housing Infrastructure Funding. This led to abortive expenditure and to a seriously compromised Local Plan, as previously investigated by the Assembly’s Budget and Performance Committee².
- k) The key public land at Old Oak remains in the ownership of the Department of Transport and in current use by HS2. A Memorandum of Understanding agreed between the former Mayor and DfT in 2016 was non-binding. OPDC claims that its Strategic Outline Business Case has been ‘approved’ by Government, whereas this is only the first stage of a 3 stage HMT bidding process.
- l) The 2019 ‘change of direction’ by OPDC from ‘Old Oak North’ to ‘Old Oak West’ rendered incoherent the long-term spatial plan for the area. This shift of focus was entirely unforeseen in 2015. Over the past 7 years and attracting little public attention, the timetable for the whole regeneration project has shifted backwards well into the 2030s.
- m) The Local Plan, as adopted last June, seeks to disguise the timescales over which any new ‘major town centre’ can emerge at Old Oak. Contrary to the Plan’s foreword³, this will not be happening ‘*in just a few years time*’. The key sites involved are in use by HS2 until 2030-32.
- n) Meanwhile scattered speculative developments coming forward at North Acton, Scrubs Lane NW10, and the few sites at Old Oak in private hands will not create ‘a new part of London’. The pace of development proposals is likely to slow rather than accelerate, given the headwinds now facing the London housing and commercial property market.

² [*The OPDC - Undelivered plans and the financial challenges of COVID-19*](#). Report of London Assembly Budget and Performance Committee January 2020.

³ Extract from Chair’s foreword to the OPDC adopted Local Plan.

In just a few years’ time, Old Oak Common station, the largest ever constructed in the UK, will open with High Speed Two, Elizabeth Line and Great Western services. This will create an unprecedented opportunity for regeneration and investment as Old Oak becomes one of the best-connected places in the UK.

- o) **The task of handling a modest number of major planning applications could be left to the three Boroughs, all of which have a track record in this respect. LB Ealing has already approved many major applications at North Acton, submitted to OPDC, on the basis of a delegation arrangement agreed in 2015. All three Boroughs could include their parts of the OPDC area in the next iterations of their own Local Plans.**

Overall, it has become harder to see a substantive role for OPDC in the next decade, prior to the opening of the HS2 line and the OOC station. There is the continuing task of attempting to secure Government funding for infrastructure and/or a public land transfer. But why should not DfT and HS2 work directly with the Boroughs in setting up a public/private delivery vehicle to regenerate the areas of public land involved? Will OPDC be adding enough value to justify its continued existence from 2023 to 2033? What exactly will the Corporation be doing?

The remainder of this submission sets out our reasoning in reaching these conclusions.

In structuring our evidence in the remainder of this memorandum, we have used as a benchmark the set of '*Objectives and Expected Outcomes*' as identified for the OPDC by the Mayor at the time when the MDC was proposed, consulted on, and established during 2014 and early 2015⁴.

We recognise that these objectives and desired outcome were formulated by Mayor Boris Johnson rather than by the current Mayor. But stated Mayoral ambitions for Old Oak have not noticeably changed since 2016. The 2021 London Plan housing and employment targets for this Opportunity Area were not altered in the process of plan preparation (despite representations from ourselves and other that these had been set too high and were unrealistic).

Before reviewing the track record of OPDC against these original '*objectives and expected outcomes*' there is a basic issue about what happens next at Old Oak - one on which we have been seeking a response from the OPDC since September.

The key development sites at Old Oak West – which agency will be determining their future?

The part of Old Oak on which OPDC are now focusing has been re-badged as 'Old Oak West'. This area lies in East Acton, just across the Borough boundary with North Hammersmith. The boundary of 'Old Oak West' does not correspond to the boundary of any of the 12 'Places' defined in the Local Plan. This is a result of the 2019 'change of direction, and OPDC's decision to shift the main new 'major town centre' from the Cargiant site to what was badged at that time as the 'Western Lands'.

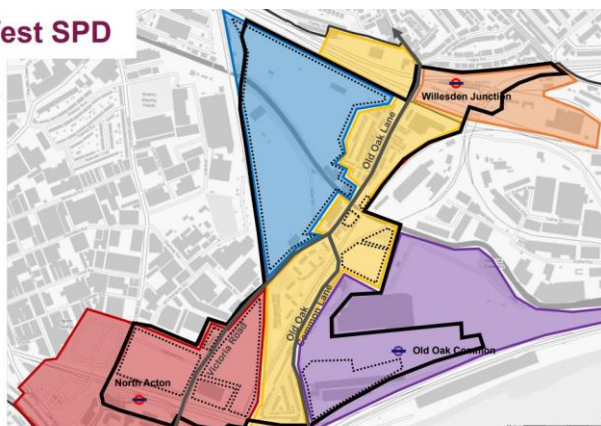
The OPDC planning policy team is currently preparing a Supplementary Planning Document for Old Oak West. This will provide further 'policy guidance' but cannot introduce 'new policy' to the adopted Local Plan.

The Old Oak West area includes four large development sites, made up of land purchased by DfT/HS2 and cleared of buildings. These sites are in use as construction compounds for building OOC station. What is subsequently developed on these sites, and when, is critical to the creation of the *regenerated and flourishing district of London that is attractive, inclusive, lively and innovative* as envisaged by the OPDC Local Plan.

⁴ The full set of these '*Objectives and Expected Outcomes*' is set out in [Mayoral Decision 1421](#) dated 8th December 2014. We have focused on a selection of these, on which circumstances have changed.

Old Oak West SPD

- Channel Gate
- Willesden Junction
- Old Oak Lane & Old Oak Common Lane
- Old Oak South
- North Acton and Acton Wells
- Site allocations
- SPD Boundary



One of the questions which continues to be aired at our meetings of local residents is ‘*who will be in the driving seat for development on these 4 sites*’. OPDC’s Strategic Outline Business Case (of which only a heavily redacted version is available to the public) suggests a new public/private delivery vehicle, set up by OPDC. HS2 managers speak of these 4 key sites being handed back to OPDC once no longer needed as construction compounds.

But it has become clear that the Commercial Property Division of HS2 Ltd have prepared detailed studies on the potential development value of these four sites. These studies include precise figures on housing numbers and commercial floorspace, as well as CGI images of building typologies. We have asked OPDC why this potential duplication of work has been carried out (see HS2 slide below)? OPDC’s latest response is that *OPDC, DfT, DHLUC and HS2 are working collaboratively on the Outline Business Case (OBC), which is all parties’ preferred option for delivering regeneration at Old Oak. However, until the OBC is approved by government, it is prudent and necessary for HS2 to undertake site capacities and valuations on the land that it owns*⁵.

We have concerns that if HS2 expenditure climbs beyond current forecasts (as is widely predicted) DfT and HS2 will make an expedient decision to retain these landholdings for their own development, cutting OPDC out of the picture.

Old Oak Common – In Summary

The most valuable opportunity in the portfolio

- 3,753 new homes
- 277,591 sq m of employment space
- 9.10 ha (22.5 acres) of publicly accessible space
- 2.29 ha (5.65 acres) designated as public parks
- **GDV £4.05bn**



**Slide from
HS2
Commercial
Development
Team**

August 2022

⁵ Email from OPDC Director of Development to OONF 16.11.2022

We would welcome the Committee session on December 7th exploring this issue with OPDC. The CGI images shown by HS2 and by OPDC in public consultations have never matched up, ever since 2015. This undermines public confidence that the two organisation are truly working in close harmony (see examples below).



OPDC image of a future 'part of a major town centre' at Channel Gate/Atlas Road (a HS2 construction compound until 2032 and one of the 4 key sites owned by TfL at 'Old Oak West').

Atlas Road – canal-side living and prime commercial space

An opportunity to create anew residential and commercial zone with canal links

- 2,042 residential units
16,978 sq m of commercial
- 1.7 ha (4.2 acre) public park
- Improved connectivity to the Grand Union canal



View North-West

HS2 slide on the same site at Atlas Road/Channel Gate, as prepared by the HS2 Commercial Development team.

The Local Plan allocates these 4 sites (using different names than HS2) and sets housing and employment targets for each. In the two cases with the largest housing numbers, the relevant Table 3.1 in the Local Plan shows the total target as being achieved over the 20 year plan period, rather than split between Years 1-10 and Years 11-20. Hence questions over when the new housing will be built?

In response to a FoI request, HS2 Ltd has provided OONF with dates on when these sites will be released from use as construction compounds (*'subject to change due to the live nature of the railway construction site'*). This HS2 letter is attached as Annex A to this submission.

These dates for vacating these sites are:

- *HS2 currently anticipates releasing the Shield site and Victoria Road Box sites in Q4 2028.*
- *HS2 currently anticipates releasing the Adjacent Site Development in Q4 2030.*
- *The Atlas Road site is currently anticipated to be released in Q2 2032, which is later than the other three sites as it is a key part of the delivery of the HS2 Euston station.*

Even assuming that these forecast dates are achieved, this means that the Atlas Road/Channel Gate area cannot begin to emerge as part of a 'major new town centre' (as envisaged in the Local Plan) for a further decade from now. There are some privately owned sites at this location, on which planning applications for high rise residential development are already in train. A 605 unit development by Notting Hill Genesis at 'Oaklands Rise' is already built and occupied. A 457 unit development by Pocket Living was consented by OPDC Planning Committee on 17th November with no discussion on when the neighbouring Channel Gate site will (or should) become available to be built out as a 'town centre'.

But as has been the case at previous examples of 'regeneration' in London, incoming residents will be spending many years in isolated 'car-free' buildings with few neighbouring facilities and moderate levels of access to public transport. **Unlike the scenario in the 2017 Cargiant proposals, there will be no 'high street' or major town centre at Old Oak West until the mid 2030s.**

HOW FAR HAVE THE 'OBJECTIVES AND EXPECTED OUTCOMES' FOR THE OPDC BEEN ACHIEVED?

The remainder of this submission looks in turn at several of the more important objectives set for the Mayoral Development Corporation in the runup to its establishment in April 2015.

We recognise that these objectives and desired outcome were formulated by Mayor Boris Johnson rather than by the current Mayor. But stated Mayoral ambitions for Old Oak have not noticeably changed since 2016 (other than in ambitions for higher levels of affordable housing). Nor have the governance arrangements for the Development Corporation. The 2021 London Plan housing and employment targets for this Opportunity Area were not altered in the process of plan preparation (despite representations from ourselves and others that these had been set too high and would prove to be unrealistic).

Objective and Expected Outcome 1 *Maximise local and regional connections that will see Old Oak become the most connected station in London and the South East, and support delivery of, a new station on the Great West Mainline that would serve Crossrail 1, a new High Speed 2 (HS2) station, future London Overground station(s), local public transport including buses, cycling and highway improvements;*

It is of course true that when completed, the rail interchange at Old Oak Common will serve the HS2 line to Birmingham, the Great West Mainline, and will add an Elizabeth Line connection. This last feature will come a decade after many other London locations are already enjoying this extra connectivity. Those familiar with the OPDC Local Plan and its accompanying Infrastructure Delivery Plan will be aware that the Plan proposes no major changes to the local road network within the 20 year plan period. New stations planned to be added to the Overground network, so vital to a claim of 'unrivalled connectivity', will definitely not happen at Hythe Road and that at Old Oak Common Lane remains unfunded.

Developments coming forward to the stage of construction at Old Oak have to date been largely limited to North Acton and along Scrubs Lane NW10. They consist mainly of Build-to-Rent residential towers and large data centres. The latter have done little to increase employment numbers, or to introduce any element of 'vitality' to their neighbourhoods. Their main impact has been to threaten the availability of electricity supplies to any further large housing developments in the boroughs of Hillingdon, Hounslow and Ealing⁶.

The majority of residential towers which have been built or consented to date are at the increasingly notorious 'North Acton Cluster' (where the determination of applications has been delegated by OPDC to Ealing Council)⁷.



CGI of the North Acton Cluster, assuming construction of the 7 building Imperial College scheme at One Portal Way. All earlier buildings were consented by LB Ealing, either pre-2015 or delegated from OPDC to LB Ealing under the 'delegation scheme' agreed between the two planning authorities.

⁶ This GLA document was at <https://www.london.gov.uk/what-we-do/better-infrastructure/infrastructure-coordination/development-service/west-london-electricity-capacity-constraints>. But the link no longer works.

⁷ This [delegation arrangement](#) was negotiated between the then Mayor of London and the then Leader of Ealing Council in the run-up to the establishment of the OPDC. The justification for OPDC surrendering major decisions to another planning authority has been extensively questioned with both OPDC and with LB Ealing.

A second cluster of consented schemes (at Scrubs Lane NW10) will similarly leave incoming occupants in high rise car free developments with a PTAL level currently at 1b.

We suggest that OPDC planning and delivery work since 2015 has not led to the ‘Good Growth’ expected of a Mayoral agency which was granted specific powers to regenerate this part of London.

Furthermore, we now see little prospect of Good Growth emerging in the next decade – given the timetable for release of the 4 key DfT development sites at ‘Old Oak West’. The Cargiant land at ‘Old Oak North’ could have become a successful new town centre. Our neighbourhood forum found Cargiant/L&R Properties to be a developer which was willing to listen. Their masterplan was well advanced after 4 rounds of consultation. The causes of the breakdown of discussions between Cargiant and OPDC remain disputed.

Our own view of OPDC’s track record on the Corporation’s *Objective and Expected Outcome 1* is that, with hindsight, more progress would have been achieved if the three Boroughs had remained responsible for preparing a joint masterplan for Old Oak⁸.

Expected Outcome 2 Plan for Old Oak and Park Royal in a strategic and holistic way that includes an integrated approach with the boroughs planning policy, planning decisions and Community Infrastructure Levy (CIL)

Our Forum does not see the OPDC Local Plan (adopted June 2022) as meeting this ‘expected outcome’.

The original timetable for preparation of an OPDC Local Plan (as set out in the 2015 Mayoral OAPF) was for adoption to be in ‘Spring 2017’. A first Regulation 19 version was consulted on in June to September 2017. This required further work in response to objections from many stakeholders and a 19.2 Draft Local Plan was consulted on a year later in June/July 2018. Our Forum and other local groups commented in detail on both versions.

This 19.2 Draft Plan was submitted by OPDC to the Secretary of State in October 2018, on the basis that this version met the legal requirement to be *ready for independent examination*⁹. We made subsequent representations to the Planning Inspector that this version was clearly not ‘ready’ and that the OPDC Board must have been aware of this fact at the time of its decision on submission (September 28th 2018). As uncovered by the Budget and Performance Committee, OPDC had received 10 days previously a letter from Cargiant/LRP withdrawing their proposals for a 6,500 home masterplan for its own landholding¹⁰.

This action by Cargiant meant that OPDC had no realistic prospect of meeting the timetable requirements built into a MHCLG ‘conditionality’ letter on a provisional £250m award of Housing Infrastructure Funding. From that moment onwards, the submitted Draft Local Plan required wholesale revision, a process which then ran on until May 2022.

⁸ Cargiant’s 2018 decision to withdraw support for OPDC’s plans were in part the result of delays by OPDC in local plan preparation, coupled with what we view as an arrogant and secretive attitude during the critical 2017-2018 period when OPDC commissioned AECOM to prepare its own masterplan for Old Oak North. OPDC had been awarded a provisional grant of £250m of Housing Infrastructure Funding, but chose not to reveal the MHCLG conditions attached to this funding. In the event, these conditions could not be met by OPDC.

⁹ A requirement of the Planning and Compulsory Purchase Act 2004 Section 20(2)

¹⁰ As documented in the Budget and Performance Committee report of January 2020

We strongly believe that the Inspector should in early 2019 have deemed the 2018 Submission Version as ‘unsound’ and required a fresh start. Instead he issued ‘interim findings’ after a series of EIP hearings, a year later in September 2019. Modification then followed modification, to the basic spatial plan, maps and site allocations, culminating in a final Draft Local Plan lacking any obvious ‘major town centre’ or adequate road links across Old Oak.

The Budget and Performance Committee report in January 2020 concluded *Although having spent £42.7 million to date, the Corporation has little to show for it. The north west London site remains almost exactly the same as five years ago. Given this is enough money to build 160 homes, Londoners who live in the area must be extremely frustrated. It is something taxpayers should rightly be appalled by, and something the mayoralty needs to radically shake up or abolish.*

More specifically, the B&P Committee report stated as below (pages 10/11): *After a formal summons from this Committee, on 20 January 2020 the OPDC published its HIF Business Case submission to the MHCLG (HIF bid) and the 26 conditions to be satisfied for the receipt of the funding on the London.gov.uk website. The published HIF bid details revealed that the £250 million HIF funding was set to enable the development of 13,118 new homes, 4,784 (over a third) of which were to be delivered by the primary local landowner, Car Giant.*

Despite being made responsible for the delivery of over a third of the new homes included in the plan, it has emerged that at the time the bid was submitted there was clear evidence that Car Giant had no appetite to develop its land in this way (our emphasis). On 21 September 2018, just 11 days after the HIF bid was submitted by the OPDC, Car Giant wrote to the OPDC to inform it that they were formally objecting to the OPDC HIF bid. A copy of this letter was shared with the Committee by Car Giant. In the Budget and Performance Committee meeting on 14 October 2020, David Lunts, Interim Chief Executive Officer for the OPDC confirmed that “it was, frankly, an error for the OPDC at the time [of the HIF bid] to claim that Car Giant was still supportive when clearly it was no longer supportive.”

At the time of the Budget and Performance Committee’s investigation, most of the focus was on the abortive expenditure incurred by OPDC between September 2018 and September 2019. **Less attention has been paid by the Assembly to the fact that the OPDC Board on September 28th 2018 made the decision to submit to the Secretary of State a supposedly ‘ready for examination’ Draft Local Plan. No mention was made in the officer report to this Board meeting of any problems over Cargiant’s position¹¹. This was an ‘error’ of major consequences, both financial and for the future of Old Oak.**

During this extended period in 2018/19, OPDC knew (but did not admit to Assembly members or to the public) that the prospects of meeting the MHCLG conditions for release of £250m of Housing Infrastructure Funding were slim in the extreme.

It is this episode, above all, which has led to a loss of confidence amongst the Old Oak public in the governance and transparency arrangements of the Development Corporation. It is true that David Lunts at the critical time had not yet taken over as interim CEO. It is hard to believe that the OPDC Chair, and Chair of Planning Committee, were kept in the dark about the Cargiant letter of September 21st in the run-up to the September 28th 2018 Board meeting. Why did the Board agree to the submission of a Draft Local Plan ‘ready for examination’ when this was clearly not the case?

¹¹ The officer report to the OPDC Board on 28th September 2018, recommending submission of the Draft Plan, is at this [link](#). An addendum report, with joint representations from the Hammersmith Society, Old Oak Neighbourhood Forum, and Grand Union Alliance, is at this [link](#).

If this was ‘an error’ because the delivery and planning parts of OPDC were not communicating, why was the draft Local Plan (as sent to the Secretary of State on October 4th) not immediately withdrawn for substantive revision?

The extent to which OPDC has achieved the objective of ***an integrated approach with the boroughs planning policy, planning decisions and CIL*** has been a further concern.

At the time of establishment of the OPDC, the Mayor’s response to consultation noted that *It is proposed that there would be a Senior Officers group that the MDC team would bring reports and work to for review and discussion.* While OPDC claim regular meetings at officer level with the Boroughs, these operate without published agendas, minutes or any record of discussions.

OPDC has not yet introduced a CIL regime. The Corporation consulted on a Planning Obligations SPD in 2018 but did not progress this work to implementation stage. OPDC is due to consult again on introducing a CIL regime in late 2022. OPDC and LB Ealing are amongst a small handful of local authorities which do not make use of CIL as a source of infrastructure funding.

On S106 receipts, a major part of the total brought in via planning consents across the OPDC area between 2015 and 2022 relate to developments at North Acton. Delegation of major applications at North Acton took place as at administrative task with no senior oversight. LB Ealing decided on the allocation of S106 receipts and retained these funds in the Borough Council’s budget.

Only after prolonged questioning of this arrangement by local residents, querying whether OPDC was unlawfully ‘surrendering its discretion’ as the planning authority for North Acton, did OPDC revise its Scheme of Delegation with Ealing to make clear that decisions could be retained by OPDC (in June 2020). OPDC has since ‘retained’ for its own decision on one major pending application at One Portal Way, North Acton.

At political level, the composition of the OPDC Board includes the Leaders of the three Boroughs. The OPDC Planning Committee includes two councillors from LBHF and a single councillor from LB Brent and LB Ealing. A second Ealing councillor is to be appointed shortly.

On both these OPDC bodies, these local authority representatives are outnumbered by ‘independent’ members appointed by the Mayor (given the casting vote of the Planning Committee Chair, recently used). The Board started life in 2015 with members from Government departments (DfT, the then MHCLG, HS2) but these places were subsequently removed.

OPDC has recently strengthened the calibre and expertise of its Board and Planning Committee, with new members appointed. But during the critical period of the Corporation’s activities from 2017 to early 2022, our Forum members have had a poor impression of a set of independent members appointed to the Board at the time of a 2018 ‘refresh’. Board and Planning Committee discussions are rehearsed in private briefings held before the public meetings. This practice undermines confidence of local people in the transparency of governance of the Development Corporation.

Objective and Expected Outcome 3 Work with key stakeholders, service providers and the local community to ensure the regeneration of Old Oak and Park Royal is accountable to Londoners, and is consistent with the principles of localism

In terms of OPDC’s adherence to the ‘principles of localism’ our Forum’s application in 2017 for designation of a large 280 hectare neighbourhood area, covering the Old Oak half of the OPDC area along with adjoining small residential enclaves, was refused by the Planning Committee and OPDC

Board. A small 22 hectare area, with a boundary fixed by OPDC officers was designated (thereby meeting the Localism Act requirement that ‘part of’ an area applied for must be designated).

A second application to extend this boundary to include an area currently occupied by HS2 construction compounds was subsequently refused by the Board in 2021.

In the early years of the OPDC (2015-18) there was optimism locally that the Corporation was listening to comments and suggestions on the first draft of their Local Plan. We met with Fiona Fletcher-Smith when she was conducting her 2016 Review for the Mayor and were disappointed that several of her recommendations relevant to community engagement were not subsequently implemented¹².

A series of commitments on involvement of local people was made at the time of the establishment of the OPDC. The risks of residents and businesses being largely cut out of the work of a development corporation, without the normal access to ward councillors and council decision-making processes, was already a concern at this early stage.

The then Mayor’s response to 2014 consultation comments noted that *Hammersmith and Fulham Council’s response highlighted the desire to devolve more power to local residents, giving them a greater say in policy formulation and delivery. Hammersmith and Fulham Council expressed concern that the establishment of an MDC would result in a more centralised approach with less local accountability.*

The response from the then Mayor in his published consultation statement¹³ was: *The proposed MDC structure supports the requirements of the Localism Act 2011. In addition, the Mayor is keen to further bolster local involvement by including local people on the MDC Board and giving the opportunity for local people to sit on the MDC Planning Committee. It is also proposed to establish a Community Charter that would commit the MDC to community consultation with local people. This Community Charter would be prepared and agreed in collaboration with local groups.*

OPDC has not lived up to these commitments. The original 2015 composition of the OPDC Board included specific places for *One local residential representative* and *One local business representative*. This resident position was advertised and Amanda Souter, Chair of the Wells House Residents Association (and also a founder member of OONF) was appointed. She provided an important information conduit between the then OPDC CEO (Victoria Hills) and local residents and Old Oak Forum members. There have never been seats for local people on the OPDC Planning Committee.

In a 2018 ‘refresh’ of OPDC Board members, Amanda Souter re-applied but was not re-appointed. Nine new appointments were made, of individuals described in the [OPDC press release](#) as ‘leading

¹² These recommendations from Fiona Fletcher-Smith were as below:

5.D. *The resulting vacancies on the Board should be used to recruit experts with property and commercial knowledge and experience – and preferably local knowledge also.*

5.E. *Support for business and community Board members must be provided to enable them to properly represent their constituent groups. Other regular forums outside the Board and Planning Committee should be developed to allow the voice of business and the community to be heard and shape decision making.*

5.G. *The OPDC should adopt innovative practice on community engagement in the preplanning and master planning process, ensuring that decisions, pre-app discussions and advice are as transparent as possible (our emphasis).*

¹³ [Appendix A OPDC statement of reasons by Mayor of London Dec 14 1.pdf](#)

industry experts'. Local residents were reassured by the OPDC Chair that three of these nine either lived or worked in the OPDC area and would act as a channel of communication with local people. None of these three Board members have contacted our neighbourhood forum at any time.

On the subject of an **OPDC Community Charter**, the Mayor's 2014 response to concerns raised in the consultation on the MDC proposal read as follows:

2.6 Community involvement The London Assembly, Brent, Ealing and Hammersmith and Fulham Council all raised questions about how the local community would be involved in the future planning and decision making in the MDC.

The then Mayor's response was: Community participation is a very important tenet of the future planning for Old Oak and Park Royal. Should the MDC be established it is proposed that representatives from both the local business community and the local residential community will be offered a seat on the MDC board and so will be closely involved in all future decision making. This approach would also ensure transparency of decision making with the local community. In addition, the MDC would prepare and agree a Community Charter in collaboration with the local community. This Charter would commit the MDC to a series of meetings with local people on a regular basis to ensure local people are given opportunities to feed into the future planning of the area. The Charter would be reviewed on a yearly basis

These promises have proved similarly hollow. No such Charter emerged, during the remaining term of Mayor Boris Johnson (when Sir Edward Lister was chairing the Board) nor under the current Mayor. Hence no such Charter has been '*reviewed on a yearly basis*',

As required for any planning authority, OPDC has prepared and adopted a Statement of Community Involvement. This document includes commitments to 'early engagement' in the development planning process which have not been fulfilled in practice. 'Stakeholder workshops' with developers have begun to be held only in the past 6 months, and at a late stage in preparation of applications. Boroughs like Westminster now operate with more specific requirements on developers, for genuine engagement well before proposals are submitted in the form of a finalised application.

OPDC has published a Community Engagement Strategy, but this reads as a promotional 'what we do' document rather than any '*agreed charter*' of commitments to engagement. There has been no '*series of meetings with local people on a regular basis*' organised by OPDC, beyond the consultation sessions that are statutorily required at various stages in the preparation of a local plan.

OPDC makes much of its [Community Review Group](#). This is a group, externally facilitated and with its members appointed by OPDC, set up to assess development proposals at pre-application stage. Similar bodies now operate in several London Boroughs, alongside Design Review Panels. While this Group is a welcome addition to the pre-application process, it is not yet clear that it has managed to have significant influence on any development proposals.

Overall, our view of community engagement activity by OPDC, and its communications with the public, are that its quality and effectiveness falls below that of the better London Boroughs. We have discussed these issues with OPDC staff on many occasions¹⁴. There have been some

¹⁴ On 10th April 2022, we wrote to ODPC Chair Liz Peace asking for *A round table session at which OPDC Board and Planning Committee members hear evidence from the three neighbourhood forums and the Grand Union Alliance, on why local people feel that levels of community engagement at pre-application stage on major developments have been inadequate to date – as compared with other London planning authorities.* This suggestion was not taken up.

improvements in the past year in e.g. the frequency and content of newsletters. OPDC website content on planning matters is not as up to date or comprehensive as for many London boroughs.

Levels of understanding by residents as to 'which agency does what' between OPDC, the Boroughs, HS2 and other bodies remains a real problem. **This is an inevitable product of the development corporation model responsible for spatial planning and delivery of development, but for no other local government services. OPDC is not a highways authority. Issues such as enforcement on development control, construction traffic management, resident parking, noise nuisance, and footways cannot be dealt with in the joined up way now operated by many London Borough Councils.**

Nor does the OPDC have inhouse expertise to advise on S106 priorities, including site-related transport measures or health or educational facilities. The Boroughs can provide advice on these, but this depends on the quality of liaison arrangements between OPDC and the relevant Council.

To an extent, these problems and deficiencies in OPDC's performance relate to the structural nature of the MDC model. Multi-functional local authorities become good at community engagement because year after year they operate a wide-range of public-facing and frontline services. If their levels of 'listening skills' and their interactions with the public do not improve, their electorate make this very clear at each local election. A MDC does not operate in this environment. **This different context needs to be considered at a time when Government is considering extending the MDC model.**

Compared with a London Borough Council, the OPDC receives little public attention or scrutiny. It has been rare for members of the public to attend meetings, other than members of OONF or the Grand Union Alliance. There is little or no coverage of OPDC actions or decisions in local papers or blogs, apart from repeats of OPDC press releases in the West London property press.

The OPDC Board has recently undertaken a review of its own 'effectiveness'. The resultant report proposed *More informal briefing and advisory sessions, including setting up reference groups for both engagement and regeneration and economic development. This will help to ensure we make the most of our non-executives' experience and advice in the early formulation of projects.*

'More informal briefings' does not bode well for the transparency of the OPDC. In statutory terms, the Corporation is required to operate under the same requirements for openness as for any local authority (<https://www.legislation.gov.uk/ukpga/1972/70/part/VA>). Our concern is that the organisation, from Board members downwards through OPDC staff, seems to have limited knowledge or understanding of the practical implications of these transparency requirements¹⁵.

In terms of accountability, a further structural issue is that the planning and delivery roles of a MDC can pull in different directions. The political pressure to 'deliver' on housing numbers falls on one team of staff operating in commercial property environment, while the planning and development management staff work within a statutory framework within which rules, probity, and strict neutrality and objectivity of decision-making are paramount. **A contrasting mix of organisational cultures can prove difficult to instil from the top and to sustain over time.**

¹⁵ A further part of the same report to the OPDC Board recommended that *the Board work closely with the executive to create a succinct, engaging "manifesto" or "elevator pitch" to explain externally what OPDC, and its Board, does.* Seven years after the establishment of the OPDC preparation of an 'elevator pitch' on OPDC's role is not high on the agenda of local residents at Old Oak.

OPDC's detailed governance arrangements have been questioned on several occasions by local community groups. OPDC has introduced a Local Planning Authority and Delivery Agency Protocol setting out a set of principles on separation of functions between teams within the organisation. This protocol was introduced only after concerns were raised with the Chair, by local organisations¹⁶.

Objective and Expected Outcome 4 Maximise opportunities presented by significant ownership of land and assets by transport authorities and public bodies, by co-ordinating the strategic development and stewardship of those assets

This 'objective and expected outcome' goes to the heart of the question of '*why have a MDC rather than arrangements for joint working by three Borough planning authorities?*' Our most recent set of concerns, as a local community group with a neighbourhood area lying within Old Oak West, are that the OPDC in 2022 (to our knowledge) has not yet achieved a guaranteed transfer of the four key sites held by DfT/HS2 nears OOC station at Old Oak West.

Prior to the 2016 Mayoral elections, OPDC and the Secretary of Transport entered into a Memorandum of Understanding¹⁷ on the transfer of Network Rail Land from DfT to the OPDC. This was never more than an agreement '*subject to contract and not legally binding*'. It seems now to have no force.

Following the 2016 Review by Fiona Fletcher-Smith the current Mayor announced that the plans to regenerate Old Oak in West London were left in 'a mess' by his predecessor.

The OPDC press statement commented *The Mayor criticised his predecessor, Boris Johnson, for 'rushing headlong' into an agreement with Government to transfer land at Old Oak that was made on unfavourable terms compared to other major regeneration schemes in the country.*

We local residents have long recognised that the OPDC Local Plan involves a large 'funding gap' for delivery of essential infrastructure (including any Overground connection to OOC station), as well as for other 'nice to have' investments in new road connections, public realm, and social and community facilities. We also recognise that OPDC's CEO is continuing to work to try to remedy this situation and to prise more funding out of Government. **Our fear is that this simply will not happen.**

Meanwhile it remains generally accepted that regeneration plans in London that rely on CIL and S106 receipts to fulfil infrastructure funding gaps are unrealistic. This has proved the case in other regeneration areas in London and elsewhere. The situation in the OPDC area, in terms of the scope for creation and capture of land value has been examined in detail in an academic study¹⁸. The drawbacks and obstacles built into England's planning system and regulatory regime will continue to

¹⁶ Issues over the necessary separation of roles between OPDC when acting as statutory planning authority and when acting as 'delivery body' were raised with acting CEO Mick Mulhern and Chair Liz Peace at a meeting on 21st January 2019. OPDC Board adopted its 'Protocol' at its meeting of 30th May 2019.

¹⁷ This MOU document used to be available from the OPDC website but a current link cannot be traced.

¹⁸ Robinson, J and K Attuyer (2021) "Extracting Value, London Style: Revisiting the Role of the State in Urban Development" *IJURR* 45(2): 303 <https://onlinelibrary.wiley.com/doi/10.1111/1468-2427.12962>
open access copy <https://drive.google.com/file/d/10rA4NMe66z0PHXA9UAWuOP5ELrIZIAR/view>

prevent adequate infrastructure funding being assembled, without a Government decision to find a new allocation of some form.

This is one of several reasons why we have argued for the past four years for a more pragmatic, incremental and evolutionary approach to redevelopment at Old Oak.

In 2021, the OPDC promised the London Assembly that a Strategic Outline Business Case (SOBC) would be submitted to Government by Christmas. This business case was seen as OPDC's essential next step towards securing Government infrastructure funding, after the HIF fiasco in 2018/9. The SOBC also identifies potential options for further public/private 'delivery vehicle' to make things happen at Old Oak.

In December 2021, we wrote to the OPDC CEO suggesting that Planning Inspector Paul Clark should be shown the working version of the SOBC, as submitted to Government departments, before finalising his report on the OPDC Local Plan. This document was highly relevant to the overall viability, and hence the effectiveness of the Draft Local Plan under examination. The response was negative¹⁹.

A heavily [redacted version of this SOBC document](#) was published on the OPDC website in mid 2022. The OPDC web page explained that *In February 2022 the Mayor of London submitted the SOBC to government and it was given in-principal (sic) approval from Department for Transport and Department for Levelling Up, Housing and Communities in April 2022.*

Mindful of the HIF sage, we have asked to see a copy of any letter giving this 'in principle approval'. We have been told that no such letter exists. So we are not clear what if any conditions have been applied to this preliminary Government decision. We are aware that the [HMT 2018 Guide to Developing the Project Business Case](#) sets out a 3 stage process of Strategic Outline Business Case, Outline Business Case, and Final Business Case. OPDC has been preparing its Outline Business Case during 2022, as a second stage in this bid to Whitehall.

Anyone present at the meeting or reading the [transcript of the London Assembly Budget and Performance Committee](#) session of 8 December 2021, will understand the scepticism of Susan Hall AM and other Assembly members towards some of OPDC's claims. **The possibility of securing major Government funding for infrastructure remains the Corporation's goal, but is a goal not yet achieved.**

As David Lunts said at this Budget and Performance Committee meeting *The biggest single challenge - and we have spoken about this in recent meetings with Assembly Members - is probably the fact that there is still so much uncertainty ahead in terms of the negotiations and the discussions that we have been having with the Government to try to reach an agreement about the treatment of the land that the various Government agencies own in and around the new High Speed 2 (HS2) station, and a package of support funding to go alongside a different way to organise those land assets in order to really get our major strategic regeneration plans underway and moving into delivery.*

¹⁹ David Lunts responded to OONF on 10th January 2022 *that publication would be premature and that the SOBC has been developed by OPDC in its role as a delivery agency rather than as the local planning authority and does not therefore have direct relevance to the viability of infrastructure and affordable housing assumed within OPDC's Local Plan.* This reasoning seems to us to be unsustainable. The Inspector, in ignorance of the content of the SOBC, agreed in his Report of April 1st 2022 that the Local Plan could be found to be sound, provided that OPDC was willing to make 464 major modifications to its content.

The CEO report to March 24th 2022 OPDC Board noted that OPDC had secured a £50m investment from the GLA Land Fund to support early site acquisitions and infrastructure. This funding takes the form of an interest-free loan (from a larger DHLUC allocation to the GLA). We wrote to David Lunts on March 24th saying that we had seen no sign of the Board having had the chance discuss whether such a loan was a sound risk, for OPDC or for Londoners? The relevant Mayoral Decision 2956 gave a much more cautious assessment of OPDC's plans than does the Corporation's press releases and reports. [MD 2956](#) recognises the fundamental challenges of geographic barriers, lack of road connectivity and fragmented land ownership at Old Oak.

On housing delivery, the Kerslake Review²⁰ provides an analysis of the opportunity for OPDC to act as one part of the GLA family on delivering housing to Londoners. Paragraph 3.93 comments *OPDC's housing delivery model is dependent on securing the transfer of major public sector development sites into a single co-ordinated programme, as envisaged in the 2015 MoU, together with a funding strategy to unlock infrastructure and support additional land assembly.* Paragraph 3.94 sets out the delivery model that OPDC hopes to put in place. But as of the end of 2022, local people are not seeing hard evidence that this model will come about.

Having asked for a second time about the relationship between DfT, HS2 and OPDC and plans for development of the sites in public ownership at Old Oak West, we have been told that *The future of these sites is a matter for DfT and wider government as HS2 has possession of them in the name of the Secretary of State for Transport, and only for construction purposes. There is plenty of evidence that utilising public land as a long-term investment in regeneration projects can deliver enhanced overall benefits and greater levels of receipts. King's Cross is a good example. The OBC will be the basis for government to determine the future treatment of the sites*²¹.

Our Forum shares the view that Kings Cross has been a successful example of urban regeneration in London. As we see it, this resulted from the landowners and an enlightened master developer, working together with two London Boroughs. This was not an example of a Mayoral Development Corporation model, combining statutory planning authority responsibilities with a delivery agency.

What next for OPDC?

We recognise that the Development Corporation has always had a very challenging task, given lack of any substantive Government funding for infrastructure. But we feel that OPDC has played its hand of cards badly to date.

We also feel that the Corporation's actions in 2018/19 over the HIF bid were a serious failure of governance. The MDC model falls victim to an underlying structural tension between the roles of planning authority and delivery agency. This becomes apparent over time, in the body's decision-making.

On achievement of the four original Mayoral *Objects and Expected Outcomes*, we see significant shortfalls on all four. This assessment reflects our perspective as the local community organisation which has kept the very close eye on OPDC activity since 2015. We acknowledge that these 'expected outcomes' were set under a previous Mayor. It has been disappointing to see the position worsen rather than improve, in terms of 'community engagement' and any genuine willingness to listen to our views and suggestions.

²⁰ See paragraphs 3.88 to 3.107 of the [Kerslake Review](#) and Tables 11 and 12 on housing consents and forecasts from 2022 onwards.

²¹ Email from OPDC's Director of Development to OONF 16.11.2022

A Mayoral Question was asked by Sakina Sheikh to the Mayor on July 21st 2022 as follows:

With the approval of the OPDC's Local Plan by the Planning Inspectorate, what are the next steps for the OPDC in regenerating that part of the capital?

The Mayor responded:

With the Local Plan adopted and the Strategic Outline Business Case for regeneration at Old Oak West approved by government, OPDC's primary focus is to step up its work with the relevant government departments to coordinate the major public landholdings around the High Speed 2 station to deliver a new urban district of thousands of homes, jobs and public amenities. To support this, OPDC is preparing a Supplementary Planning Document and will be holding public engagement across the autumn to work with local people to shape the plans.

This exchange we see as characterising familiar features of OPDC and Mayoral communications on Old Oak – a mix of hyperbole and over-optimism. We worry that the Corporation has become more concerned in trying to sell this part of West London to the development industry, and thereby meeting Mayoral targets, than in creating a truly coherent and liveable new part of the city.

Our final thoughts on what should happen next at the OPDC are as follows:

- A second formal review is needed following that undertaken in 2016, to meet the requirement in S215 of the 2011 Localism Act.
- The Local Plan, as adopted, disguises the timescales over which any new 'major town centre' can emerge at Old Oak. This cannot physically happen in '*just a few years time*'.²² The sites involved are in use by HS2 until 2030-32 (unlike the originally expected position at Old Oak North).
- Meanwhile further scattered speculative developments may come forward at a few locations at Old Oak (North Acton, the privately owned land at Channel Gate, Scrubs Lane). But any developments at these locations will not create 'a new part of London'.
- The pace of development proposals is likely to slow rather than accelerate, given the headwinds facing the London housing and commercial property market.
- Handling these planning applications could be left to the three Boroughs, all of which have a track record in dealing with major developments. The Boroughs could also include their parts of the OPDC area in the next iterations of their own Local Plans.
- It has become hard to see a substantive role for OPDC in the next decade, prior to the opening of the OOC station with its HS2/GWR/Queen Elizabeth Line connections, other than in continuing to attempt to secure Government funding for infrastructure.
- Why should not DfT and the HS2 Commercial Development arm prove equally effective in establishing a public/private 'delivery vehicle' for the public land at Old Oak West? Is a £6.5m a year MDC adding significant value as an intermediary body?

We hope that this submission will be of some help to the committee in its work of scrutiny of the initial OPDC budget proposals for 2023/4. An earlier draft of this submission was prepared several months ago as evidence to the planned session of the Assembly's Planning and Regeneration Committee on November 23rd, when both the LLDC and OPDC were due to be reviewed. Plans for this meeting changed and any review of OPDC was dropped from the agenda for this meeting.

²² As promised in the foreword to the Local Plan, by the Chair of the OPDC Board.

We would have welcomed the chance to give oral evidence and answer questions at the Planning and Regeneration Committee, alongside the Grand Union Alliance and community organisations in the LLDC area. In the event this written submission to the Budget and Performance Committee has become the primary avenue available to communicate our views.

Old Oak Neighbourhood Forum

Henry Peterson (adviser to the Forum) November 18th 2022

(Annexe A overleaf: HS2 letter on dates when construction compounds at Old Oak West are expected to be released for development).



High Speed Two (HS2) Limited
Two Snowhill, Snow Hill Queensway
Birmingham B4 6GA

John Cox
johncox321@aol.com

Telephone: 08081 434 434
Minicom: 08081 456 472
Email: hs2enquiries@hs2.org.uk
[gov.uk/hs2](https://www.gov.uk/hs2)

Date as email

Dear John Cox,

FOI-22-4767

Thank you for your information request which was received on 26 September 2022. I have processed your request under the Environmental Information Regulations ('EIR') 2004 ('the Regulations') because the information you have requested concerns work affecting the environment according to the definition in Regulation 2. Section 39 of the Freedom of Information Act ('FOI') 2000 ('the Act') exempts environmental information from the Act but requires us to consider it under the Regulations.

RESPONSE

OLD OAK COMMON CONSTRUCTION SITES

Please list the major HS2 construction sites, excluding the HS2/GWML station itself, and the current anticipated dates when HS2 Ltd expects to relinquish each of them (subject of course to change). I assume you can state those to the nearest quarter-year.

There are four construction sites in the Old Oak Common area, which will be relinquished by HS2 Ltd in the future, as identified below:

- 1) Adjacent Site Development
Old Oak Common Depot
Old Oak Common Lane
London
NW10 6DZ
- 2) Atlas Road
London
NW10
- 3) Shield/Flat Iron Site
Victoria Road
London
NW10

- 4) Victoria Road Box Site
Victoria Road
London
NW10

The HS2 Delivery into Service from Old Oak Common to Curzon Street, Birmingham is currently scheduled between December 2029 and 2033. HS2 are committed to releasing sites as soon as station, railway and systems construction are complete on a site-by-site basis to support the earliest feasible regeneration of the land around Old Oak Common station.

Due to the broad Delivery into Service date range and with the volume of construction work required, it is difficult to provide release dates with any real degree of confidence at this time. However, current programme dates are reflected below although please note **these are subject to change due to the live nature of the railway construction sites.**

- HS2 currently anticipates releasing the Shield site and Victoria Road Box sites in Q4 2028.
- HS2 currently anticipates releasing the Adjacent Site Development in Q4 2030.
- The Atlas Road site is currently anticipated to be released in Q2 2032, which is later than the other three sites as it is a key part of the delivery of the HS2 Euston station.

Will they be released, in terms of freehold ownership, to the OPDC, rather than to the DfT?

HS2 Ltd occupies the construction sites as agent on behalf of the Secretary of State for Transport who is the freehold owner. The construction sites will become surplus to the operational railway in due course. The sites will then be released to market for future development. The route to market options are currently being considered and OPDC are an obvious, prime candidate to drive regeneration forward in the future.

Will any financial transactions be necessary at that times, to enable those freehold transfers from one public sector body to another to take place?

As stated above, the route to market options are being considered and any financial implications will be addressed as part of that workstream.

Prior to those dates, how long in advance of each of those dates does HS2 Ltd currently expect to need to submit (Schedule 17?) applications, to permit those transfers (for instance, stating [presumably] what the physical state of the cleared land will be)?

HS2 Ltd will not submit Schedule 17 applications as these relate to the consents required for the development of the railway. No other applications are required to be submitted by Secretary of State in advance of land disposal.

Assuming OPDC involvement and prior to transfer, will the OPDC and/or its future private-sector development partners be allowed on-site to carry out ground condition investigations for future development, subject to not interfering with the final stages of HS2 Ltd involvement with the sites?

HS2 Ltd and the Secretary of State are committed to delivering the HS2 construction sites for future development. The route to market options are being considered and if such investigations are required then HS2 Ltd would seek to accommodate requests from relevant parties, using best industry practice. Furthermore, HS2 Ltd will share any pre-construction information with the future development buyer / partner(s) and this will include available ground investigation information.

Right to Review

If you are unhappy with the way we have handled your request or with the decisions made in relation to your request, you may complain in writing to HS2 Ltd. Please find below details of HS2 Ltd's complaints procedure which includes your right to complain to the Information Commissioner.

Please remember to quote reference number **FOI-22-4767** in any future communication relating to this request.

Yours sincerely

J. Palmer

Briefings, Correspondence and Freedom of Information Adviser
High Speed Two (HS2) Limited