



Section 226 Town and Country Planning Act 1990
S.13 Local Government (Miscellaneous Provisions) Act 1976
Acquisition of Land Act 1981

The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No 1) 2015

Statement of case

Under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007

On behalf of Objector: NatWest Bank (Objector No 2)

Regarding:

1. 160 Cricklewood Broadway, NW2 3YZ; freehold; Plot 268;
2. 162 Cricklewood Broadway, NW2 3YZ; leasehold; Plot 267;
3. Brent Cross ATM's:
 - 3.1. ATM5, West Court; Plot 326;
 - 3.2. ATM7, East Court; Plot 328.

8 April 2016

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Contents

1.	INTRODUCTION.....	3
2.	THE COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007.....	3
3.	THE SCHEME.....	3
4.	THE PROPERTIES	3
5.	TENURE	4
6.	PROPOSED WORKS AND ACQUISITION AFFECTING THE SUBJECT PROPERTIES.....	4
7.	GROUNDS FOR OBJECTION.....	5
8.	MATTERS REQUESTED BY NATWEST.....	5
9.	LIST OF DOCUMENTS TO BE REFERRED TO.....	6

1. Introduction

- 1.1. This document is a statement of case on behalf of National Westminster Bank Plc (NatWest) in relation to The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No 1) 2015.
- 1.2. National Westminster Bank Plc (Objector No 2) owns property that is affected by the scheme at the following locations:
 - 1.2.1.No 160 Cricklewood Broadway, NW2 3YZ; freehold; Plot 268;
 - 1.2.2.No 162 Cricklewood Broadway, NW2 3YZ; leasehold; Plot 267;
 - 1.2.3.Brent Cross automatic teller machines (ATM's):
 - 1.2.3.1. ATM5, West Court; Plot 326; and
 - 1.2.3.2. ATM7, East Court; Plot 328.
- 1.3. NatWest reserves the right to alter or expand this statement of case as necessary.

2. The Compulsory Purchase (Inquiries Procedure) Rules 2007

- 2.1. Rule 7 provides that:
 - 2.1.1.The statement of case should set out the arguments that a party intends to put forward at the inquiry;
 - 2.1.2.It should also include copies or relevant extracts of any documents referred to in the statement and a list of all the documents that a party will rely on when presenting their case at the inquiry and refer to in their statement of evidence.
- 2.2. The statement of case is to be served by 8 April 2016.

3. The scheme

- 3.1. The scheme for which compulsory purchase powers are sought is the Brent Cross Shopping Centre Extension and associated development.

4. The properties

- 4.1. The subject properties owned by NatWest and affected by the scheme are as follows.
 - 4.1.1.No 160 Cricklewood Broadway, NW2 3YZ; freehold; Plot 268.
 - 4.1.2.No 162 Cricklewood Broadway, NW2 3YZ; leasehold; Plot 267.

4.1.3. Brent Cross ATM's:

4.1.3.1. ATM5, West Court; Plot 326; and

4.1.3.2. ATM7, East Court; Plot 328.

4.2. The two ATM's are on the first floor of the Brent Cross Shopping Centre.

4.3. We understand that ATM5 temporarily ceased operating in December 2015 and is still not operational.

5. Tenure

5.1. No 160 Cricklewood Broadway is owned freehold by NatWest.

5.2. No 162 Cricklewood Broadway is held leasehold. The term is for 42 years, expiring on 29 September 2019.

5.3. Brent Cross ATM7 is held on a lease with a term of five years commencing on 1 July 2014.

6. Proposed works and acquisition affecting the subject properties

6.1. Nos. 160-162 Cricklewood Broadway

6.2. This property is affected by the acquiring authority's proposal to demolish the adjoining buildings on the corner of Cricklewood Lane to re-align Cricklewood Lane and Chichele Road to improve the junction.

6.3. I understand from Paul Astbury at GL Hearn (agent for the acquiring authority) that the rights that will be acquired are as follows:

6.4. *"To enter the premises for all purposes in connection with the demolition of 164-168 Cricklewood Broadway and the construction of a new building including but not limited to works of support and the right to swing the jib of a crane in connection with those works"*

6.5. NatWest ATM's, Brent Cross Shopping Centre (ATM5, West Court; ATM7, East Court)

6.6. We understand from the developer, Hammerson, that the intention is that during redevelopment, the ATM's will be relocated temporarily in order to refurbish the floor surface. This is expected to be for a matter of weeks.

6.7. When the development is complete the intention is to create new locations for ATM's rather than the current floor-standing models. There will therefore be a temporary relocation and a permanent relocation.

7. Grounds for objection

- 7.1. NatWest's letter of objection was dated 13 May 2015.
- 7.2. The matters set out below form NatWest's primary concerns based on the further information that has become available since the date of the letter of objection and the discussions with the acquiring authority's agent and the developer.
- 7.3. The proposed works and acquisition of rights will have a detrimental impact on Nos. 160-162 Cricklewood Broadway.
- 7.4. The proposed works and acquisitions will have a detrimental impact on the operation of the ATM's at Brent Cross Shopping Centre.
- 7.5. NatWest reserves the right to expand the matters set out above at the Inquiry.

8. Matters requested by NatWest

- 8.1. NatWest requests that the Secretary of State either refuses to confirm the Order, or amends the Order to take account of the concerns set out above.
- 8.2. If the Secretary of State decides to confirm the Order, NatWest requests that the Secretary of State does not confirm the Order until NatWest has completed an agreement with the acquiring authority and the developer to cover the matters summarised below.
- 8.3. Nos. 160-162 Cricklewood Broadway
- 8.4. The developer will consult with NatWest prior to the commencement of works on the adjoining property and will agree a method statement in advance of any works on the adjoining property.
- 8.5. The Developer will give three months' notice to NatWest prior to the commencement of works on the adjoining property.
- 8.6. The developer will carry out the works in a manner to ensure that there will be no structural damage to the subject property and that disruption, noise and vibration will be minimised.
- 8.7. The Developer will reinstate, to the reasonable satisfaction of NatWest if there is any damage to the subject property.
- 8.8. ATM's at Brent Cross Shopping Centre
- 8.9. The Developer/Council undertakes to relocate the ATM's to a suitable and equivalently prominent location during redevelopment while the floor surface is refurbished.

8.10. The Developer undertakes that the relocation above will be for a maximum period of four weeks.

8.11. The Developer undertakes to offer to NatWest a lease on commercial terms of at least two new equivalently prominent permanent locations for ATM's to replace the current ones when the development is complete.

9. List of documents to be referred to

9.1. Acquiring authority scheme documents.

9.2. E-mail correspondence between GVA and GL Hearn and GVA and Hammerson.

Please direct all queries regarding this statement of case to:

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