

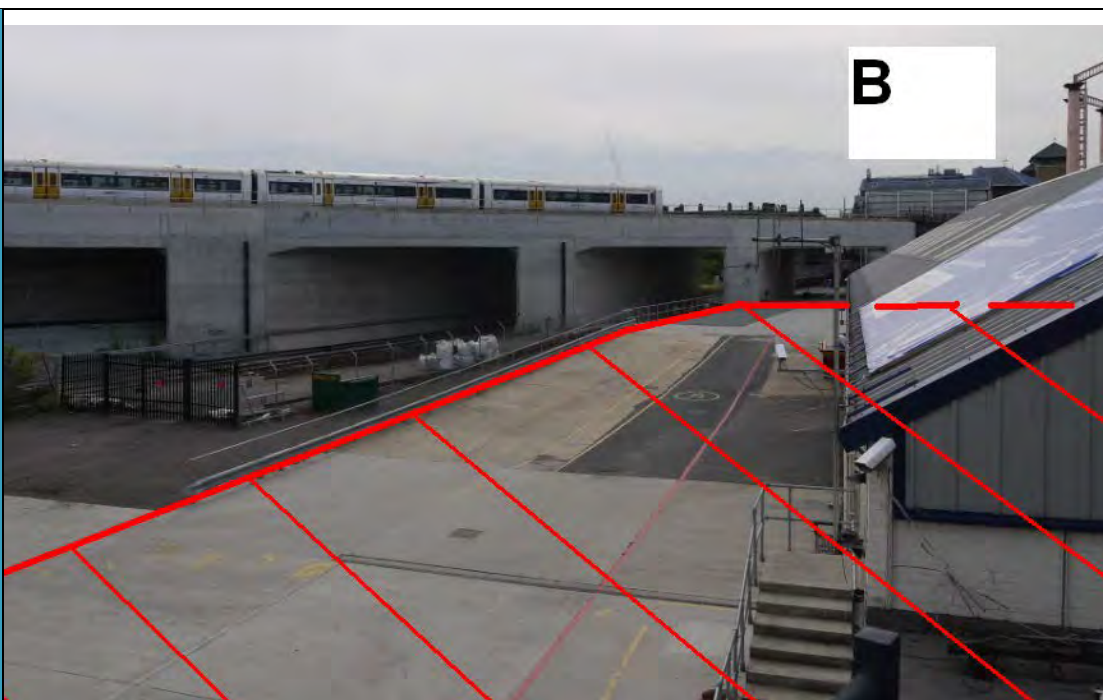

Proposed Property Disposal



Application by Network Rail Infrastructure Limited to dispose of land in accordance with the Land Disposal Condition of the Network Licence

1. Site	
Site location and description	<p>The proposed disposal site forms part of the property occupied by Battersea Dogs and Cats Home (BDCH) and is leased from Network Rail, with accesses off Battersea Park Road and Sopwith Way, London SW8 4AA.</p> <p>The property comprises three areas shown on the attached plan.</p> <ul style="list-style-type: none"> Area A (c1.3 acres) is bounded by railway lines on viaducts. It is generally level with a single-storey warehouse-type building, a two-storey office building of portacabin-type construction, estate roads and vehicle parking areas. Area B adjoins the western edge of Area A and comprises 13 arches beneath a railway viaduct north of Battersea Park Station (Brighton/Atlantic Line) including a paved vehicular access strip fronting the arches. Area C adjoins the eastern edge of Area A and comprises an open, four metre strip measured from the face of the adjoining rail viaduct (Chatham Line).
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	<p>Plan 64757 shows Network Rail's retained land coloured green with:</p> <ol style="list-style-type: none"> Area A - proposed freehold disposal coloured blue Area B - proposed leasehold disposal edged blue Area C - proposed leasehold disposal edged blue
Clearance Ref:	CR/20541
Project No.	N/A
Ordnance survey coordinates	Easting 528870, Northing 177239 – TQ288772

Photographs (as required)



	 <p style="text-align: right;">D</p>  <p style="text-align: right;">E</p>
--	---

2. Proposal

Type of disposal
(i.e. lease /
freehold sale)

- Area A - Freehold sale to BDCH (coloured blue on attached plan).
- Area B – Grant of a lease for 15 years to BDCH to include Network Rail rights to break for the purposes of (a) repair (six months notice), (b) operation of the railway (six months notice), (c) emergency (on 28 day's notice by the Secretary of State of the appropriate authority), (d) redevelopment (six month's notice – exercisable only after the first three years of the lease and subject to the timing of any compulsory purchase by TfL in connection with the Northern Line extension).
- Area C – 225 year lease (contracted out of the Landlord and Tenant Act 1954) to BDCH to include usual operational break clauses to permit Network Rail to end the lease for any operational railway reason on six months notice.

Proposed party taking disposal	Battersea Dogs and Cats Home (BDCH) or such other party or body associated with BDCH.
Proposed use / scheme	Continued use of Areas A, B and C as a dogs and cats home. BDCH is proposing internal refurbishment of the arches in Area B and new single-storey paddocks and kennel accommodation on Area A.
Access arrangements to / from the disposal land	<p>Vehicular access for Network Rail to Areas A, B and C is beneath the rail viaduct at two points north and south of Area B (Brighton Line), linking to Sopwith Way and the A3216, Queenstown Road.</p> <p>Network Rail will retain access rights from Sopwith Way over Area A to get to Area C to access the track and the Atlantic Line viaduct for maintenance and replacement purposes.</p>
Replacement rail facilities	Not applicable as no operational facilities are being disturbed.
Anticipated Rail benefits	None
Anticipated Non-rail benefits	None
3. Timescales	
Comments on timescales	Exchange of contracts is planned within one month of obtaining regulatory consent to dispose of the land interests outlined above.
4. Railway Related Issues	
History of railway related use	Railway lines and engine sheds are shown on OS mapping between 1880 and 1954.
When last used for railway related purposes	Area A was first let to BDCH in 1977, so rail related use is assumed to have ceased between 1954 and 1977.
Any railway proposals affecting the site since that last relative use	Not known
Impact on current railway related proposals	No impact. The operational railway adjoins Areas A, B and C and will not be affected by the proposed disposal.

Potential for future railway related use	After consultation with Network Rail's Strategic Planning team and the Rail Utilisation Strategy it has been confirmed that the site has no specific allocation for future railway use.
Any closure or station change or network change related issues	None.
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	<p>No. Existing track access points adjoining BDCH land are retained as well as Network Rail access rights over Area A.</p> <p>Network Rail access rights over Areas B and C will be preserved by retention of freehold ownership by Network Rail and grant of leases to BDCH with landlord's lease breaks exercisable for operational purposes on six months notice.</p>
Position as regards safety / operational issues on severance of land from railway	<ol style="list-style-type: none"> 1. The disposal does not include any requirement for new fencing of the railway boundary, as sufficient fencing already exists 2. The disposal is on a basis under which Network Rail has had due regard (where applicable) to impact of the disposal on lineside works, including railway troughing, signalling and their maintenance. The disposal is without prejudice to Network Rail's safety obligations, with which Network Rail will continue to comply. Network Rail's network licence requires compliance with Railway Group Standards. These set out requirements for – amongst other things – fencing, access and signal sighting. In addition, the Railways and Other Guided Transport Systems (Safety) Regulations 2006 require Network Rail to have a safety management system and safety authorisation in respect of its mainline railway system and its railway infrastructure. These, in turn, require Network Rail to comply with Railway Group Standards as well as its own internal standards; and also continually to monitor changes to the risks arising from its operations and to introduce new control measures as appropriate.

5. Planning History and Land Contamination

Planning permissions / Local Plan allocation	The proposed use of the property as a dogs and cats home is to continue. No change of use is proposed. Redevelopment of Areas A and B to facilitate continued and improved cats and dogs home use is proposed and subject to a current planning application. The land is within the Wandsworth Thames Policy Area.
Contamination / Environmental Issues	None known, but given the former rail use and adjoining gasholders site to the south there may be contamination or environmental issues. BDCH will be required to take responsibility for any such issues as part of the property disposal.

6. Consultations	
Railway (internal – Network Rail)	The property has Business and Technical Clearance. One internal objection was withdrawn when the proposed disposal area was amended such that Area C is to be subject to a 225-year lease only. This will enable Network Rail to retain access rights and control over the land. BDCH will have to enter into an Asset Protection Agreement to enable their proposals to progress.
Summary of position as regards external consultations	Twenty-seven rail stake-holders were consulted (see separate Consultation Report). Only one party failed to respond; Grand Central Railway. No objections to the proposed transactions have been received.
Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	Not applicable as no unresolved objections received.
7. Local Authorities	
Names & Email Addresses:	Wandsworth Council
Local Transport Authorities:	TfL @tfl.gov.uk
Other Relevant Local Authorities:	

8. Declaration		
Declaration of Surveyor:	I have read and understood Network Rail's Code of Business Ethics and Policy on Interests in Transactions.	
Declaration of Property Development Manager:	I have read and understood Network Rail's Code of Business Ethics and Policy on Interests in Transactions.	
9. Internal Approval		
Surveyor Name:	xxxx	
Approved by Property Services Manager	xxxx	Date Approved by PSM: 6 November 2013