

**REPORT FOR: MAJOR DEVELOPMENTS PANEL**

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**Date of Meeting:** 29 September 2010

**Subject:** Kodak Site Introduction

**Key Decision:** No

**Responsible Officer:** Andrew Trehern, Corporate Director  
Place Shaping

**Portfolio Holder:** Councillor Bill Stephenson, Leader of  
the Council, and Portfolio Holder for  
Finance and Business

**Exempt:** No

**Decision subject to  
Call-in:** No

**Enclosures:** Appendix A – A summary of National  
Planning Policy Statements &  
Guidance  
Appendix B – Memorandum of  
Understanding between the Council  
and Land Securities, in connection  
with the Kodak site, Harrow

**Section 1 – Summary and Recommendations**

This report provides a policy context and other background information to assist the Panel in considering the future of the Kodak site, and sets the scene for a presentation by Land Securities.

**Recommendations:**

It is recommended that the Panel:

- 1 Note the contents of the report and the principles for assessing the

- future of strategic sites;
- 2 In light of the planning policy context and presentation by Land Securities, comment on priorities and matters arising from the future development of the Kodak site and the policy approach to be adopted to determine its future use and development: and
  - 3 Note that a further report will be prepared for a future Panel meeting on the outcome of public consultation on development options for the site

**Reason: (For recommendation)**

To set the context for a presentation by Land Securities on the Kodak site and to enable the Panel to consider the future of this strategic development opportunity in the Harrow and Wealdstone Intensification Area.

## **Section 2 – Report**

### **Introduction**

- 1 At its last meeting the Panel considered a list of key sites where major development can be expected over the next few years, and which the Panel may wish to review in detail in accordance with its agreed terms of reference. In view of its size and strategic importance, Members supported a suggestion that high priority should be given to the Kodak site and that a report should be prepared for consideration at this meeting, to include proposals previously put forward by the Leader of the Conservative group. Members were also advised that Land Securities would be prepared to attend the meeting to make a presentation to Members outlining their development ambitions for the site.
- 2 This report sets the scene for that presentation. It describes the main principles that should guide the Panel's deliberations, the current and emerging planning policy framework for the Kodak site, past development suggestions, and the approach that the Council has adopted, through a Memorandum of Understanding with Land Securities, to ensure that the Kodak site's contribution to the delivery of the strategic objectives of the LDF Core Strategy is optimised.

### **Options considered**

- 3 Options for the future of the Kodak site will be considered within the context of the Area Action Plan for the Harrow and Wealdstone Intensification Area and the master planning study that has just commenced to inform the plan making process.

## Background

- 4 The Kodak site represents the largest development opportunity in Harrow over the medium to long term. It has been subject to major change in recent years, as Kodak has rationalised its space requirements in response to rapid technological change. Large parts of the site have been cleared, including some 5.4ha (13.3 acres) fronting Headstone Drive, which was acquired by Land Securities in early 2008, and the process of rationalisation is expected to continue into the future.
- 5 The Kodak “site” comprises three distinct areas:
  - The cleared site fronting Headstone Drive
  - The remainder of the manufacturing site (10.5 hectares) and
  - The Kodak sports ground to the west of Harrow View ( 8.2 hectares)
- 6 Land Securities has an interest in all three areas, and has entered into a development agreement with Kodak to optimise their land holdings in a phased development over a period of years.
- 7 The Kodak/Land Securities site represents a significant land holding in the central part of the borough, a substantial part of which is readily available for development. It is, however, poorly connected to the surrounding area with restricted connections to Wealdstone centre, and with long road frontages to Harrow View and Headstone Drive restricting local access and movement for pedestrians and vehicles. The Sports Ground, in particular, means that access to Harrow Museum and Headstone Manor is severely limited from the east. In assessing the future of the Kodak site the opportunity arises to exploit and improve the relationship between the three different areas to ensure that they complement the objectives of the Area Action Plan and place making in this part of Harrow.

## Planning Policy Context

### National context

- 8 The UK planning system operates on a plan-led basis, designed to create more certainty and predictability in decision making. It comprises a hierarchy of plans and guidance involving:
  - National Planning Policy Statements and Guidance notes (PPSs and PPGs) which set out the Government’s policies on different aspects of spatial planning
  - In London, a regional spatial strategy, the London Plan
  - Local Development Frameworks ( LDFs) and Unitary Development Plans (UDPs) until the are replaced by the LDF
- 9 The policies set out in PPSs and PPGs need to be taken into account by the Mayor of London in relation to the London Plan, and by Local Planning Authorities in the preparation of the documents that form the LDF. They may also be material to decisions on individual planning applications. A summary

of the objectives and requirements of the relevant PPSs and PPGs is provided at Appendix A.

## Regional and local context

- 10 The Kodak site is allocated in both the adopted and draft replacement London Plans, and the Harrow UDP, as a Strategic Industrial Location (SIL). Current policy in relation to SIL's is to promote, manage and where necessary protect industrial land for industrial and warehouse use and employment (see policies 2A.10 and 3B.4 of the London Plan and Policy EM14 of the Harrow UDP). Given the decline in these sectors within London, it is necessary that the Council monitors the demand and supply of industrial land in order to ensure changes in industrial operation, such as more effective land use management, are taken into account and provision can be made to provide flexibility in future employment generating developments.
- 11 In light of the above requirement, the Council recently commissioned an Employment Land review that assesses future employment space needs for office and industrial uses. With regard to industrial land, the interim findings show that Harrow has a very modest supply of industrial floorspace when compared to neighbouring West London boroughs:

Table 1: Stock of Industrial Floorspace (sq m), 2008

	Harrow	Hillingdon	Brent	Barnet	Ealing
Warehouses	180,000	875,000	1,200,000	315,000	1,550,000
Factories	220,000	460,000	360,000	150,000	550,000
Total	400,000	1,335,000	1,560,000	465,000	2,100,000

- 12 The concentration of industrial uses at Park Royal (Ealing and Brent) and Heathrow (Hillingdon) creates a critical mass that dominates the regional and sub-regional markets. Within this context, the study concludes that Harrow's existing industrial stock, including the Kodak site which accounts for just under a third of the Borough's total industrial land, is considered to be small in scale and dispersed, resulting in the lack of an identifiable or recognised industrial product offer that can be marketed. This analysis, and the assessment of current demand within the Borough, strongly suggests that the role of Harrow's industrial land stock is primarily to serve local needs. The study goes on to look at past trends and future projections based on growth sectors, all of which point to a further contraction of industrial sector uses and the potential for a surplus in industrial land within Harrow in the order of 45,000sq.m by 2026.
- 13 To respond to the above and the findings of further evidence base studies on retail growth, the draft London Plan (2009) and the Harrow Core Strategy Preferred Option (2009) envisage new employment for some 3,000 people within the Intensification Area. The majority of jobs are to be generated within Harrow town centre, through new retail development and office consolidation and renewal, and within the Wealdstone industrial estates (that includes the Kodak site), through rationalisation, redevelopment and intensification of employment uses on industrial sites.

## **West London Waste Plan**

- 14 In parallel with the preparation of the LDF, the Council is jointly involved in the preparation of a waste local plan with the five other west London boroughs. As part of that exercise, all industrial sites across West London were assessed against an agreed methodology to determine their suitability to accommodate waste management facilities. Of all of Harrow's sites, only the central Depot site scored high enough to be taken forward for further consideration in the next stage of the Plan's development. The Kodak site by contrast, scored well below the cut off threshold and is therefore not considered to be suitable for such purposes when compared to other sites within west London.
- 15 Within the comprehensive existing and emerging policy framework summarised above, the future use of the Kodak site for a large space single user based upon traditional Class B industries seems unlikely. In order to achieve the levels of employment and investment value required to build a sustainable future for the site and its surroundings, it is possible that alongside traditional employment activities, a range of wider uses may be appropriate.
- 16 In seeking to guide the future of strategic sites, the Panel will need to consider not only the current and emerging policy framework established through national regional and local planning policies, together with the key principles that underpin the spatial planning process, but also the needs of the Council and community at large for a clear and deliverable vision for the site and the Borough. This site represents a once in a lifetime opportunity to deliver transformational change to this part of the Borough. With this in mind, the Council has entered into a Memorandum of Understanding with Land Securities (see Appendix B below)

## **Memorandum of Understanding\***

- 17 The purpose of the Memorandum of Understanding (MoU) between the Council and Land Securities is to establish a collaborative working relationship to ensure that proposals for the site are considered in a comprehensive manner through the preparation of a master plan (Appendix B). It recognises Land Securities wish, in due course, to bring forward and implement planning applications for the Kodak site, and the Council's need to deliver upon the objectives of the Core Strategy. Additionally, it is a commitment to share information on a range of proposed projects or studies, to work together on issues/projects of mutual interest, and to ensure "no surprises" between the two organisations.
- 18 As well as aligning the master planning of the Kodak site with the broader spatial planning of the Harrow and Wealdstone Intensification Area, the MoU will also form the basis for the preparation of Planning Performance Agreements to manage the future planning application process for the site. In addition, it includes a range of communication, public consultation and decision making protocols that will strengthen and entrench the collaborative working approach.

## Development Options

19 Various proposals or suggestions have been canvassed in recent years about possible uses of the Kodak site. The three most significant have involved:

- Relocation of the Civic Centre
- Relocation of Harrow Police Station
- Construction of a new waste management facility, allied to the relocation of the Council's civic amenity site and depot

Recently, the potential in the medium to long term to provide a new Magistrates' Court, co-located with the Crown Court, has also been considered. A separate report on this issue is included elsewhere on the agenda.

20 A project to consider the potential acquisition of part of the Kodak site was initiated by the former Chief Executive in 2005, with the following key aims:

- to facilitate the relocation of the Civic Centre;
- to support Kodak in consolidating its business operation and reducing surplus space, helping to secure its long term future;
- to provide opportunities for small business development and, in particular, the creation of an Incubator Centre; and
- to facilitate the development of a police patrol base, custody suite and back office.

21 Although initial negotiations were positive, none of the proposals were subject to detailed financial appraisal and agreement on terms and conditions could not be reached. The project failed to proceed and that part of the site under discussion was eventually acquired by Land Securities. It is understood that the Metropolitan Police have continued to negotiate, but are no longer pursuing the development of new facilities, following cuts in capital funding.

22 In late 2009, the Kodak/Land Securities site was one of 18 sites that were investigated by PriceWaterhouseCoopers as part of an options appraisal for a replacement Civic Centre. Sites were independently assessed against a range of criteria, but the Kodak site failed to be short-listed. Key reasons include:

- The location is remote from Harrow Metropolitan town centre and Wealdstone town centre, and would not contribute to the vitality or status of those centres within London.
- The site would not meet all partner requirements for an integrated public services solution.
- As the largest development opportunity in the Borough, the site has significant strategic importance in enabling Harrow to deliver broader planning objectives.
- The site is not particularly well located in terms of access to public transport providing access to the whole borough.

- The needs of the LDF Core Strategy and West London Waste Plan are still emerging, and the site has potential to deliver greater benefits in these areas than as a Civic Centre – this opportunity cost is a prime consideration in developing the site.
- 23 On the basis of the PWC report, relocation of the Civic Centre to the Kodak site is not a development option that the Panel should recommend to Cabinet to consider favourably.
- 24 Provision of a waste management facility on the Kodak site forms part of a proposal outlined briefly at the last MDP meeting and put forward previously by the Leader of the Conservative Group. It is understood that this would involve the development of a gasification and pyrolysis plant, with a capacity of up to 100,000 tonnes together with a range of civic facilities, including the potential consolidation of criminal justice facilities nearby.
- 25 A waste to energy facility of this sort would create energy from waste and produce a gas that could be used directly as a fuel. Potential benefits of such a development might be:
- a reduction in the amount of waste sent to landfill, and an increase in the level of recycling;
  - regeneration of the site, as part of the Harrow and Wealdstone Intensification Area;
  - provision of a distributed heat network;
  - a contribution to carbon reduction commitments;
  - optimum heat loading from a mixed use development;
  - green employment; and
  - provision of an alternative energy source to supply Kodak's existing heat and power system.
- 26 A plant of this size would provide capacity well in excess of Harrow's own needs, enabling any new facility to be used by other boroughs and/or for commercial waste management. Levels of direct employment would nevertheless be relatively low.
- 27 Any debate about the location of new waste management facilities in the Borough should take, as its starting point, the West London Waste Plan that is being prepared for the West London sub region, as described above. This has assessed the estimated land requirement to meet London Plan targets and the suitability of identified sites to accommodate new waste management facilities. This sub-regional approach has been adopted across London; unilateral action by individual authorities would not be practicable.
- 28 As part of this exercise, the Kodak site was assessed against a common set of criteria but was not ranked high enough to be taken forward to the next, Preferred Option stage. Whilst this would not necessarily rule out some form of local provision, it is unlikely that a major new facility, especially one that might serve several boroughs, could be justified on this site, as opposed to other more suitable locations identified in the Plan without significant support across the sub-region, by other Councils and the West London Waste Authority.

- 29 Having regard to the above, the Panel should be mindful that proposals for this site will form a key plank in the statutory development plan and accordingly, the vision for the future of places and sites should:
- be based on robust and credible evidence, a sense of local distinctiveness and community derived objectives;
  - be deliverable, and supported by clear proposals for the provision of physical, social and green infrastructure;
  - create a framework for private investment and regeneration;
  - create a positive framework for action on climate change; and
  - contribute to the achievement of sustainable development

### **The Panel's Priorities**

- 30 The future of the Kodak site and its contribution to the objectives of the Intensification Area will be determined by the Area Action Plan and the master planning study that has now commenced. The Panel will guide this process through its oversight role. The opportunity exists however, in the light of the policy context outlined above, and the Land Securities presentation, for the Panel to comment on its priorities for the Kodak site within the wider context of the joint Area Action Plan and the Harrow Core Strategy. These can be considered and examined alongside the other technical studies and outputs from the various consultative forums, as part of the master planning study, to ensure that a set of deliverable, but well understood and supported strategic objectives emerge as part of the wider AAP. Further reports will be presented to the Panel as the masterplanning study proceeds and as Land Securities proposals for the site are developed.

### **Financial Implications**

- 31 The future of the Kodak site will be considered as part of the master planning study to inform the Area Action Plan for the Harrow and Wealdstone Intensification Area. The consultant costs of the first phase of the AAP - up to the consultation surrounding a preferred option is being met from Planning Division revenue. Future funding for the detailed master plans for the whole of the AAP is currently being explored with the GLA, as joint planning authority for the AAP. Staff time, from both the GLA and LB Harrow is accounted for in the establishment revenue costs of each organisation.
- 32 Under the terms of the MoU, the Council does however expect to work closely with Land Securities on communication and joint evidence studies to ensure that there is minimal confusion and waste in the project programme. Detailed work by the Planning Authority on the future outline planning application for the site is likely to involve a formal planning performance agreement with Kodak to enable the release of additional staff resource to backfill the time commitment required by senior staff in development management.



## Risk Management Implications

- 33 Failure to meet Flagship Actions or to deliver the Local Development Scheme to agreed timelines are included on the Directorate Risk Register. A more detailed Risk Register will be prepared for the master planning study.

## Equalities implications

- 34 The Area Action Plan for the Harrow and Wealdstone Intensification Area will be subject to an Equalities Impact Assessment.

## Corporate Priorities

- 35 The master planning study for the Harrow and Wealdstone Intensification Area will inform and assist with the delivery of Flagship Action 3.3, to:

*“Prepare an Area Action Plan to deliver future prosperity for the heart of Harrow to help the Council, the community and developers understand and provide new development that improves environmental quality, vitality and economic prosperity”.*

- 36 Helping to secure the long term future of the Kodak site is recognised as an important Place Shaping service initiative in the current Corporate Plan.

## Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 17 September 2010		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 20 September 2010		

## Section 4 - Contact Details and Background Papers

**Contact:** Phil Greenwood, Head of Major Development Projects.  
Tel 0208 424 1166. Internal ext. 2166

## Appendix A – National Planning Policy Statements & Guidance

**PPS1: Delivering Sustainable Communities** sets out policies on delivering sustainable development through the planning system by encouraging local authorities to promote, amongst other things, a positive planning framework for sustainable economic growth and the more efficient use of land through higher density, mixed use development.

**PPS3: Housing** sets out the Government's housing objectives with the aim of ensuring that everyone has the opportunity to live in a high quality home which they can reasonably afford. It promotes the supply of more homes to help affordability and aims to ensure a wide choice of high quality homes, both private and affordable, to meet the needs of communities.

**PPS 4: Planning for Sustainable Economic Growth** seeks to meet the Government's objectives for sustainable economic growth and prosperous communities by improving the economic performance of cities, towns, and local areas, promoting regeneration, delivering more sustainable patterns of development that reduces the need to travel and responds to climate change, and by focusing main town centre uses within existing centres. Economic development includes development within the B Use Classes, public and community uses and main town centre uses, and other development that provides employment opportunities, generates wealth or produces an economic output or product. These policies do not apply to housing development. In particular, PPS4 requires a regional evidence base to support policies, including an understanding of economic markets and an assessment of floorspace needs over the plan period. Local planning authorities are required to identify a range of sites to facilitate a broad range of economic development and, where necessary, safeguard land from other uses. However, existing site allocations should not be carried forward without evidence of need and reasonable prospect of their take up.

**PPG13: Transport** seeks to reduce the need for travel, especially by car, and create a genuine choice of travel modes. This can be achieved by focussing major generators of travel demand, and higher densities of development, particularly housing, at points of high public transport accessibility to make it easier for people to access jobs, shopping, leisure facilities and services by public transport, walking and cycling.

**PPG 17: Planning for Open Space, Sport and Recreation** requires local authorities to base future strategies for open space, sport and recreation on robust assessments of community needs, and quantitative and qualitative audits of existing open space and recreational facilities. In the absence of an assessment which can clearly show that open space, buildings or land is surplus to requirements, PPG17 advises that existing facilities should not be built on. Guidance recognises that, in some instances, development of open space or built facilities may provide opportunities for local authorities to remedy deficiencies in provision or, equally, to exchange the use of one site for another to substitute for any loss of open space or sports facility.

**MEMORANDUM OF  
UNDERSTANDING**

between

**HARROW COUNCIL and LAND  
SECURITIES**

in connection with

**THE KODAK SITE, HARROW**

**23<sup>RD</sup> JULY 2010**

**MEMORANDUM OF UNDERSTANDING**  
between  
**HARROW COUNCIL and LAND SECURITIES**  
in connection with  
**THE KODAK SITE, HARROW**

**The Parties**

1. The London Borough of Harrow ("the Council").

And

2. Land Securities

**Background**

3. In 2006 the Council embarked upon the preparation of its new Local Development Framework (LDF), which will eventually replace the 'saved' policies of the Harrow Unitary Development Plan 2004. Central to the Framework is the Core Strategy DPD, which will reach an advanced stage of preparation during 2010. PPS12 *Local Spatial Planning* (2008) states that local authorities should engage with key delivery partners, including major land owners and developers within the authority's area, in the preparation of LDF documents. The draft replacement London Plan and the Council's Core Strategy Preferred Option propose a Harrow and Wealdstone Intensification Area. Taken as a whole, the proposed Intensification Area will, if adopted, contribute to the delivery of a significant portion of the Borough's growth in housing, employment, retail and leisure development. To give effect to this new designation within the Core Strategy, the Council intends to prepare, with its key delivery partners, an Area Action Plan (AAP).
4. Land Securities Limited has acquired a land interest in the 'Kodak site'. Located within the centre of the Borough, the 'Kodak site' comprises three distinct areas: an area of 10.5ha occupied by Kodak Limited in connection with the company's continued business operation, a 5.4ha area of land vacated by Kodak that has now been cleared, and 8.2ha in the form of a playing field, an indoor sport complex and surface car parking (the 'sports ground'). The 'main Kodak site', comprises that land still occupied by Kodak and the vacant land to the south and this is included within the indicative extent of the proposed Intensification Area and AAP. However, the Council anticipates both the main site and the sports ground to be brought forward in such a way that the relationships of the two areas are fully exploited and that they are complimentary to the objectives of the proposed wider AAP. Both Land Securities and the Council recognise the potential of the Kodak site in making a significant contribution to the delivery of the strategic objectives and targets of Harrow's Core Strategy, and more specifically the AAP. The Kodak site offers the opportunity to become a catalyst for the regeneration of Wealdstone and the wider Intensification Area proposed, thereby contributing to the place-making and growth ambitions of the Borough. The Kodak site is being promoted in its entirety by Land Securities to ensure a comprehensive phased strategy for its redevelopment, in line with the emerging London Plan and Harrow LDF.
5. Land Securities ultimately wishes to secure the ability to bring forward a planning application(s) and, in due course, to implement this and develop out the entire Kodak site for a mix of uses. To achieve this outcome, both Land Securities and the Council agree that this would be best dealt with in a comprehensive manner through the development of a masterplan prepared by the Council and its partners, which includes Land Securities, and with the community, using the Core Strategy and AAP (or other appropriate framework identified later in the LDF process) to establish the optimum planning policy framework at the local level.
6. While the working relationship between the Council and Land Securities is already good, both organisations recognise that there are opportunities for enhanced collaborative working to advance the future land use aspirations for the Kodak site and the wider area that both have a

shared interest in. This Memorandum of Understanding (MoU) is a commitment to keep each other informed of specific projects or studies being undertaken, to look for and exploit opportunities to work together on issues/projects of mutual interest (primarily the production of an appropriate and robust evidence base to underpin the emerging Core Strategy and Harrow and Wealdstone (Heart of Harrow) AAP, and to ensure there are “no surprises” between the two organisations. The MoU establishes a framework to guide this working relationship and provides a list of current and proposed projects (attached as Schedule 1) of mutual interest where the parties will seek to collaborate.

### **Responsibilities**

7. The Council has specific statutory powers as established by the Local Government Act and is the local planning authority for the London Borough of Harrow with responsibility for spatial planning and development management under the Town and Country Planning Act, the Planning and Compulsory Purchase Act and associated secondary legislation.
8. Land Securities Limited has entered into a development agreement with Kodak to optimise the use of Kodak’s landholdings in Harrow and Wealdstone.

### **Key Principles**

9. The parties agree to adhere to the following key principles in implementing this MoU:
  - A. Each party commits to consider, investigate, resource and resolve issues as they arise in a manner that maintains the integrity and professionalism of each agency;
  - B. The parties commit to managing the MoU in an open and inclusive way;
  - C. The parties shall strive for the best possible outcomes for the Borough as a whole;
  - D. The parties shall work together in a transparent manner to ensure the integrity of the Core Strategy and Harrow and Wealdstone AAP evidence base;
  - E. Each party shall provide regular updates with regard to progress.

### **Objectives of the Memorandum of Understanding**

- In relation to the Local Development Framework, to align the masterplanning of the Kodak site with the spatial planning of the Borough and particularly the delivery of strategic objectives for the Harrow & Wealdstone Intensification Area;
- To seek to establish a mechanism for the production of evidence/information, focusing upon the area identified within the draft London Plan as an Intensification Area, which will as far as possible support and complement that prepared by/for Harrow Council to date and which can legitimately be incorporated into the Harrow Local Development Framework;
- In relation to development management, the objectives of this MoU will form the basis of understanding for the preparation and adoption of one or more Planning Performance Agreement(s) which will manage the process of future planning applications for the Kodak site, or its separate parts, through the pre-application process, the resulting planning application(s) and the subsequent implementation of the scheme; and
- to help meet and exceed the requirements for public consultation set out in the Council’s Statement of Community Involvement in connection with the relevant aspects of the Local Development Framework and for the planning application process on the site.
- To achieve all of the above in so far as to enable the receipt of an Outline Planning Approval for the entire Kodak site by December 2011 and if possible, earlier approval of a first phase of development on the sports ground site.

### **Memorandum of Understanding – Harrow Local Development Framework**

10. Harrow Council and Land Securities will conduct a transparent dialogue about the future of the Kodak site and its role within the proposed Harrow and Wealdstone Intensification Area (or, if the Intensification Area is not adopted, its general role in the spatial planning of the Borough). Both parties will work together to produce/maintain a robust evidence base which can, wherever possible, ensure the progression of the Core Strategy to adoption, contribute to the preparation of an Area Action Plan for the Harrow & Wealdstone Intensification Area, and inform the masterplanning of the Kodak site. This evidence base will focus primarily upon that area identified within the draft London Plan as an Intensification Area.

11. To this end, Harrow Council will:

- Make available to Land Securities the principal evidence that has been prepared, to date, in connection with the preparation of the emerging Core Strategy and Harrow and Wealdstone (Heart of Harrow) AAP, unless this is commercially sensitive information;
- Make available the additional evidence base studies that are currently being prepared, as soon as reasonably practicable, after they have been received in draft form by the Council;
- Consult Land Securities about the scope of and consultants' brief for any additional evidence base studies that are undertaken; and
- Assign a high corporate priority to the delivery of a sound Core Strategy and the preparation of the Harrow and Wealdstone AAP.

12. To this end, Land Securities will:

- Make available to the Council the principal evidence that has been prepared, to date, in connection with the masterplanning of the Kodak site unless this is commercially sensitive information;
- Make available any additional evidence that is prepared in connection with the same, as soon as reasonably practicable after it has been signed off for use;
- Consult the Council about the scope of and consultants' brief for any additional evidence that is undertaken to be shared with the Council;
- Appoint appropriate professional consultants as required to provide evidence and other material necessary to support the activities set out within this MoU; and
- Ensure that evidence prepared is produced in an appropriate manner, as shall be agreed between both parties (with legal advice, as appropriate), to enable the Council to use the material as part of the Core Strategy and AAP process.

13. Where any additional evidence is required which could serve the needs of both the Local Development Framework and the masterplanning of the Kodak site, and where both parties consider it appropriate to commission that evidence jointly then to contribute to the funding of that additional evidence. Any such joint working and the associated funding arrangements will be the subject of formal agreement between the Council and Land Securities separate to this Memorandum of Understanding.

14. For the purposes of the dialogue between Harrow Council and Land Securities, the Council will normally be represented by Officers except where Member involvement is appropriate and proportionate, as may be the case from time to time, particularly in discussions of a strategic nature.

15. The Memorandum of Understanding is without prejudice to both parties' position at any formal proceedings during the Local Development Framework process.

### **Memorandum of Understanding – Development Management**

16. Harrow Council and Land Securities will enter into a Planning Performance Agreement(s) to secure the delivery of planned development on the Kodak site (as detailed above). The timing of the commencement of the PPA(s) will need to be agreed between the parties.

17. The relevant stages will include:

- community engagement in line with the Council's Statement of Community Involvement, to include the local community and Members of the Council;
- pre-application discussions to develop the proposals prior to submission, and identify and address the relevant policy requirements, with appropriate involvement of members of the public;
- the preparation and discussion of the relevant legal agreements prior to formal application;
- determination of the planning application(s) and signing of the relevant agreements within specified timescales, or such period as is agreed between the parties;
- the determination of applications for approval of reserved matters (where necessary); and

- the implementation and monitoring of the approved development.
18. The Planning Performance Agreement(s) will also incorporate: development objectives; a definition of the project team, key individuals and resourcing, the organisational structure of both parties and the approach to decision making and dispute resolution; a list of project issues and the tasks that need to be undertaken to address them; and a project programme that sets out the overall timetable to deliver the PPA, resolve certain issues, and sets key milestone dates. Both parties agree that any PPA shall provide for flexibility, as may be required, through the life span of the agreement.

### **Memorandum of Understanding – Consultation**

19. Harrow Council and Land Securities recognise that the delivery of the Harrow and Wealdstone Intensification Area and the masterplanning of the Kodak site will be of interest to, and in spatial terms will have an effect on, the surrounding residential community, the Harrow Strategic Partnership and others within the Borough of Harrow. Both parties are committed to the principles of effective community engagement which:

- tells communities about emerging policies and proposals in good time;
- enables communities to put forward ideas and suggestions and participate in developing proposals and options - it is not sufficient to invite them to simply comment once these have been worked-up;
- consults on formal proposals;
- ensures that consultation takes place in locations that are widely accessible; and
- provides and seeks feedback.

20. To this end, Harrow Council will:

- Consult with Land Securities about proposals to conduct consultation exercises in connection with relevant aspects of the Local Development Framework;
- Ensure that consultation exercises in connection with relevant aspects of the Local Development Framework meet the requirements of the Statement of Community Involvement and align with the above principles; and
- Offer to Land Securities the opportunity to take part, as appropriate to the consultation process, in consultation that directly relates to the masterplanning of the Kodak site and the wider Intensification Area.

21. To this end Land Securities will:

- Consult with Harrow Council about proposals for community engagement in connection with the planning application(s) for development of the Kodak site, which may include separate proposals in respect to the sports ground and main site; and
- Offer to Harrow Council the opportunity to take part in community engagement events where there is synergy between the objectives of the event and consultation on the Local Development Framework.

22. Consultation in connection with the development management of the site will be dealt with in the Planning Performance Agreement.

### **Decision-Making Process**

23. It is recognised that each party has particular decision-making processes and systems that need to be adhered to and that each party recognises that there may be constraints, variations and differences in the meeting of those responsibilities from time to time. This is particularly so in terms of obtaining approvals or resolutions to particular policy and project proposals. However, the parties will work together to align, where possible, decision-making processes to ensure timeframes and commitments can continue to be met. Where this is not possible, both parties agree to continue to work together to ensure the continued objectives of this MoU and the associated areas of mutual interest.

24. With respect to the Council's statutory role as the Local Planning Authority responsible for considering and determining planning applications, no part of this agreement shall fetter any legal obligations to fulfil that responsibility.

### **Communication Principles**

25. The parties agree to adopt the principles of open communication, the sharing of information, and a culture of "no surprises". The parties will comply with the following communication protocols:
- A Each party will keep the other informed both on an informal and formal basis;
  - B The parties commit to the sharing of relevant information to the project(s) including software models, data and background studies, at no cost to the other party and the parties agree to the joint use of resources when appropriate and that the costs of such lie where they fall;
  - C The parties will provide each other, on a confidential basis and where possible, with copies of all reports of relevance to this MoU prepared for their respective organisations at the earliest opportunity and copies of all resolutions relating to the project(s);
  - D The parties will meet on a regular basis at an operational level to ensure that all are informed of issues and that relevant information is shared between them. This will normally take place at a programmed quarterly meeting, supplemented where necessarily by more frequent meetings if determined by both parties as necessary.

### **Confidentiality**

26. It is recognised that from time to time, certain information will be exchanged between the parties that is of a confidential nature. The parties agree to hold in strict confidence any information that is shared between them that is identified as confidential or that is reasonably identifiable as being of a confidential nature. No party shall be obliged to disclose any information that is subject to legal professional privilege.

### **Media Releases**

27. The parties agree to undertake joint media releases, where relevant in respect of the Kodak site and the matters covered by this MoU. Each party will nominate a person to approve media releases and will undertake to provide approval within 24 hours (or within the same day if an urgent approval is required). Media releases will be issued on behalf of, or in the joint names of the parties. Approval by the parties will not be required for media releases or media comments made by Harrow Councillors or Land Securities if they do not reference the MoU.

### **Dispute Resolution**

28. Any dispute or difference arising between the parties about the interpretation or implementation of this MoU will be referred to the Chief Executive Officer of each party for resolution.

### **Good Faith**

29. The parties recognise that the London Borough of Harrow has a legislative mandate in respect of its responsibility under the Local Government Act, the Town and Country Planning Act and associated secondary legislation. However, every endeavour will be made by the parties to achieve implementation of this MoU and each party will act in good faith in meeting its responsibilities under this MoU. In addition, each party will endeavour to keep the other advised of issues that may affect one party as a result of the activities by the other.



**Term**

30. This MoU shall stay in force until the conclusion of the project(s). Any party may withdraw from this MoU by giving two months notice, in writing, to the other party. At the completion of the project(s) the parties agree to revisit this MoU to determine future arrangements in relation to land use within or affecting the Kodak site or the wider Harrow and Wealdstone Intensification Area. The parties also acknowledge that this MoU may be amended from time to time at the instigation of any party.

SIGNED BY:

LONDON BOROUGH OF HARROW

LAND SECURITIES

MICHAEL LOCKWOOD  
CHIEF EXECUTIVE  
MANAGER

STEPHEN NEAL  
SENIOR DEVELOPMENT  
  
(Strategic Projects)

**SCHEDULE 1**

**CURRENT AND FUTURE PROPOSED WORKSTREAMS**

<b>Harrow LDF Requirements</b>	<b>Kodak Masterplanning / Planning Application Requirements (as appropriate)<sup>1</sup></b>
Strategic Housing Land Availability Assessment Strategic Housing Market Assessment Housing Delivery Viability Assessment Characterisation Study PPG 17 Sports, Recreation and Open Spaces Audit Retail Study Playing Pitches Study Employment Land Study Strategic Flood Risk Assessment (Levels 1 & 2) Transport Audit H & W Intensification Area Urban Modelling Project Development Testing & Viability Analysis Study Infrastructure Delivery Planning Work in connection with G&T needs Open Spaces Strategy Harrow Green Grid	s.106 Obligations Travel Plan/Transport Impact Assessment Land Contamination Report Heritage statement - assessment of Impact on Headstone Manor Design and Access Statement Affordable housing statement Air quality assessment Arboricultural implications / tree survey Landscaping details Biodiversity survey & report Daylight / sunlight assessment Economic statement Energy statement Sustainability statement Environmental statement Flood risk assessment Foul sewage & utilities assessment Land contamination assessment Lighting assessment Noise assessment Open space assessment Site waste management plans Green Travel Plan (draft) Parking provision Heritage statement Photographs & photomontages Planning obligations Planning statement

	Statement of community involvement Structural survey Telecommunications development - supplementary information Ventilation / extraction statement
<b>Sustainability Appraisal</b> Equalities Impact Assessment	<b>Environmental Impact Assessment</b> EIA Screening Opinion, prior to submission of any applications

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<sup>i</sup> The relevant evidence to be drawn from this list, to support the AAP masterplanning evidence base and/or a planning application(s), will be agreed between the parties, at the relevant time.