


King George's Field Charity Board 6 th March 2018	 TOWER HAMLETS
Report of: Ann Sutcliffe Interim Corporate Director, Place	Classification: Unrestricted
Granting of Lease to Stepney City Farm	

Lead Member	Councillor Rachel Blake – Lead Member
Originating Officer(s)	Owen Whalley
Wards affected	St Dunstan's and Stepney Green
Key Decision?	Yes/No
Community Plan Theme	

Executive Summary

Crossrail have been undertaking construction works for the new Elizabeth Line on the Trust Lands at Mile End Park and Stepney Green. The construction works at Mile End have been largely completed and the Park reinstated but at Stepney Green the works are programmed for completion in late summer. At that point the land will need to be reinstated in accordance with the Trust's requirements and then transferred back to the Trust. The report provides a summary of the mitigation works already undertaken by Crossrail at Stepney Green, and that which are proposed to be undertaken later this year before the land is transferred back to the Trust.

However, decisions need to be made on proposals for the use of the land currently occupied by Crossrail before reinstatement works can be undertaken. The report seeks the Board's agreement that the land to the west of Garden Street be reinstated as part of Stepney Green Park and land to the east of Garden Street be leased to Stepney City Farm Charity for use as an extension to the existing farm.

The Board should note that this land was occupied by the City Farm before Crossrail temporarily occupied the site.

Recommendations:

The Charity Board is recommended to:

1. Note the works already undertaken by Crossrail at Mile End Park and Stepney Green in mitigation for the permanent and temporary loss of land resulting from the construction of the Elizabeth Line
2. Agree that the land to the west of Garden Street be reinstated as part of Stepney Green Park as shown on Appendix 2

3. Agree that land to the east of Garden Street including the remains of the Baptist Chapel be leased to Stepney City Farm Charity for use as an extension to the existing farm
4. Authorise the Corporate Director, Governance to execute all necessary documents necessary to implement the above recommendations

1. REASONS FOR THE DECISIONS

- 1.1 Crossrail has now submitted a Landscape Restoration application for Stepney Green in accordance with Schedule 7 of the Crossrail Act which indicates detailed proposals for the land currently occupied by Crossrail including the reinstatement of Stepney Green Park and details of the materials for the shaft itself. These applications will need to be determined within the normal eight week timetable but the outstanding mitigation works at Stepney Green cannot commence until the shaft is completed and handed over to Transport for London. However, no detailed proposals have been submitted for the land east of Garden Street previously occupied by Stepney City Farm.

2. ALTERNATIVE OPTIONS

- 2.1 Alternative options for the use of the reinstated land at Stepney Green are the subject of this report and are discussed in detail in section 3.2. The other mitigation measures set out in the report, such as the reinstatement of Garden Street, are constrained to a large extent by the operational requirements of the Elizabeth Line. This includes the need to provide evacuation and emergency access to and from the shaft and need for servicing of the equipment located within the shaft.

3. DETAILS OF REPORT

3.1 Background

- 3.1.1 Construction works for the Crossrail Railway (the Elizabeth Line) has been taking place at various sites within the Borough for the past six years or more. There are two stations in the borough at Whitechapel and Canary Wharf and three Intervention Shafts at Stepney Green, Mile End Park and Eleanor Street/Willow Close Travellers Site which provide for emergency access and evacuation as well as ventilation. Within the borough the main construction works are programmed to end in the summer and the completed stations and structures then handed over to Transport for London. It is proposed that the services through the borough would begin in December 2019.
- 3.1.2 The shafts at Mile End Park and Stepney Green are located on land for which the Trust is responsible. Between 2009 and 2013 the Board received a series of reports which related primarily to the impact of the Crossrail construction

works on the Trust land and off site measures to mitigate those impacts. The mitigation discussed at these meetings of the Board was intended primarily to compensate primarily for the short term loss to the community of Trust land for construction work. The mitigation works were, therefore, generally implemented either before construction work commenced (e.g. Stepney City Farm) or in parallel (e.g. new changing rooms at Stepney Green football pitch).

3.1.3 In respect to the land required for both the permanent structures and construction works, the compulsory purchase powers authorised by the Crossrail Act were used to acquire the land. Thus, at the present time, Crossrail remains the freehold owner of all the land occupied for the construction works at Stepney Green and Mile End Park. Before returning the land to the landowner (King George's Field Trust) Crossrail are now required to reinstate the land to its original condition unless otherwise agreed by the landowner.

3.1.4 **Stepney Green (see appendix 1)**

- **Impacts:** permanent loss of part of Stepney Green Park located between the boundary of the football pitch and Garden Street for the shaft, service area and emergency evacuation routes. Temporary loss of one third of land occupied by Stepney City Farm and use of part of Stepney Green Park for office accommodation and the temporary closure of Garden Street.
- **Mitigation:** construction of new changing rooms for the football pitch, relocation of children's play equipment, reconfiguration of Stepney City Farm, within the reduced site and construction of animal barn and workshops (all works completed). Future mitigation will include reconstruction of Garden Street on a new alignment, removal of all concrete hard standing on the construction work site and reinstatement of Stepney Green Park including replacement fencing, gates and footpath; construction of a new boundary fence enclosing the former Stepney City Farm site.

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3.2 Future use of land previously occupied by Stepney City Farm

- 3.2.1 The main outstanding issue in respect of the reinstatement of the land occupied and owned by Crossrail is the future of the Trust land on the east side of Garden Street that was originally occupied by Stepney City Farm. Members may recall before any Crossrail works commenced an extensive archaeological investigation was carried out on behalf of Crossrail which identified important remains of King John's Palace or Worcester House as it was later known. In accordance with normal practice, the remains were recorded and then covered up but still remain at the northern end of the land on the east side of Garden Street.
- 3.2.2 Taking into consideration the need to protect and interpret the archaeological history and retain the land in open space use, the only realistic options for the use of the land is to return it Stepney City Farm or extend Stepney Green Park. However, the land east of Garden Street is physically separated from Stepney Green Park by Garden Street and the separation has been further emphasised by the construction of the Crossrail shaft and associated service area on land that was originally part of the Park. Taking into account these constraints it is considered that the optimum use is for the land to revert to its original purpose as part of Stepney City Farm.
- 3.2.3 Attached as Appendix 2 is a schematic plan showing how the land would be used by Stepney City Farm. It will be noted that the majority of the land would be used for the same type of farm like uses already taking place in the existing farm and that it is proposed to create a new public entrance from King John Street. The schematic plan also demonstrates how the archaeological remains would be protected and interpreted. It is also proposed to lay out the various animal enclosures and growing areas to demonstrate the location of now demolished 19th Century buildings. In the longer term the farm would intend to create a visitor centre near the new entrance which would also be beneficial in terms of publicising and interpreting the archaeological value of the area.
- 3.2.4 The Stepney Green Charity has been running the site since 2010, and has improved the facilities to provide first rate animal housing and grazing for sheep, goats, pigs, donkeys and poultry, as well as studio space for rural artists, and a Café and weekly Farmer's Market where produce raised and grown on the farm is also sold. Stepney City Farm is open and free for all to visit.
- 3.2.5 In 2016-17 over 4,000 local school children took part in activities on the site and young people were involved in over 2,000 hours of supported volunteering. Over 500 people attended Open Volunteering green care and animal care sessions, a significant proportion of whom were those marginalised by poor mental/physical health, adults with learning difficulties, recovering addicts, ex-offenders, ex-service personnel, the elderly and those who struggle with employment. The Furry Tales Outreach programme worked with hospitals and care homes to provide therapeutic interaction with farm

animals for those suffering from dementia, and one of the studio spaces was let to local Bengali women's charity, Stitches in Time.

3.2.6 The running of the Farm is funded through the development of generated income streams, supplemented by grant funding and donations, and with the recent appointment of a new Chief Executive and a new Treasurer there is a resilient long term financial strategy for the organisation in place. The accounts for 2016-17 show a decrease in unrestricted reserves; however a review of previous years shows this to be a blip created by a recent unsuccessful grant application. New core funding of £15,000 (£10,000 from the Wax Chandlers and £5,000 from the Santander Foundation) has been achieved in the third quarter of 2017-18, and to date for 2017-18 a total surplus of £61K has been achieved, with a projected end of year unrestricted surplus of £2K.

3.2.7 Implementation of use of Land by Stepney City Farm

3.2.8 If Members agree the proposals set out above, the land will need to be the subject of a lease to the Stepney City Farm Charity. The Charity already has a ten year lease for the existing farm that was granted in 2010 and therefore it would be logical to grant a new lease that included both the existing and proposed Farm land. The Charity has also requested that the lease be of a 25 year term which will provide increased opportunities for obtaining funding grants which generally require such a term for grants toward buildings such as the visitor centre proposed by the charity. In addition the charity has offered to take over the management of the isolated remains of the Baptist chapel located on the north east corner of Garden Street and Stepney Green.

3.3.2 The Stepney City Farm has demonstrated since it was reconstituted in 2010 that it is a financially stable organisation with an effective locally based management structure that is well used by the local community. Officers are supportive of the granting of a 25 year lease due to the increased benefits to the local community that would be provided. An enlarged and successful Stepney City Farm which included a visitor centre and the importance of protecting the archaeological remains on the site. The precedent for granting a longer lease to a charity has been set elsewhere in the borough at other city farms.

3.3.3 A lease cannot be granted until all the land currently in the possession of Crossrail is transferred back to the King George's Field Trust which is not likely to be before late summer of this year. Also as indicated above Crossrail are required, unless otherwise agreed, to reinstate the land to its original condition before it is transferred back to the landowner. Therefore in this instance the land would need to be reinstated as fenced grazing paddocks, which was its original condition before Crossrail took possession. However, on the assumption the site is leased to Stepney City Farm this would be wasteful and pointless since such a layout would not fit in with the likely future layout and use of the land as proposed in Appendix 2.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report provides an update for the King George's Field Charity Board on the works that have been undertaken at Mile End Park and Stepney Green to mitigate the loss of land arising from the construction of the Elizabeth Line. It also seeks approval to grant an extended lease of the farm site to the Stepney City Farm charity.
- 4.2 Previous reports have highlighted that all costs associated with the reconfiguration of the farm to accommodate the construction works, and any necessary reinstatement to the farm on completion of the works, are being fully funded by Crossrail. In addition, the Council has been recompensed for income that has been lost through the inability to rent the football pitch in Mile End Park during the construction period and, on completion of the works, Crossrail has provided enhanced changing facilities along with the reprovision of the pitch.
- 4.3 The report seeks approval to add land situated on the east of Garden Street to the existing farm area in order to protect archaeological remains that were discovered when works were being undertaken. It is proposed that the whole site is then leased for a period of 25 years to the Stepney City Farm charity, replacing the existing 10 year lease that has been in place since 2010. This will increase the grant funding opportunities that are available to the charity in its attempts to secure funding support for various initiatives including the proposed construction of a visitor centre.
- 4.4 In line with previous arrangements for city farms, it is likely that the lease will be granted on a peppercorn basis however, as part of the detailed lease negotiations, the Council must ensure that it complies with the best value requirements of Section 123 of the Local Government Act 1972 and relevant European Union State Aid rules.

5. LEGAL COMMENTS

- 5.1 The Council is the Trustee of the Mile End Charity pursuant to the Governing Document which is a Scheme dated 28th February, 2000. The Council is also the trustee for Tredegar Square with the Trust deeds. The Council's Constitution establishes the King George's Fields Charity Board to administer the charities affairs and discharge the Council's trustee functions.
- 5.2 The purpose of the charity is to preserve the Park Lands in perpetuity as a memorial to King George V under the provisions of the King George's Fields Foundation. The 1965 Scheme which established the Foundation gave its purpose as "to promote and to assist in the establishment and to promote the preservation throughout the United Kingdom of Playing Fields for the use and enjoyment of the people..." Additionally, the trustees may " apply the land to such charitable purposes as are set out in the Recreational Charities Act 1958
....."

- 5.3 The Scheme deals with 2 categories of land as identified in Parts 1 and 2 of the Schedule. The first referred to in Part 1 of the Schedule consists of park lands identified in plan KGF2 and which are as follows:
- Stepney Green Park and nearby lands, namely Belgrave Road open space and White Horse Road Park
 - Stepping Stones Farm
- 5.4 Under Article 5(1)(a) the Scheme in addition to any other powers that the trustees have, it gives the Trustees the ability to “let part or parts of the land ... to Third Parties on leases not exceeding 10 years to provide to the public, recreational facilities or such services reasonably ancillary to recreation as are mentioned in Article 7 of the Greater London Parks and Open Spaces Order 1967”.
- 5.5 The Scheme therefore allows the Board to consider letting the land referred to but the Lease cannot be for a term exceeding 10 years.
- 5.6 In considering this report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). There is some information in the report relevant to these considerations in paragraph 6 below.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Stepney City Farm is an important community asset that is managed by volunteers and is open and used by all members of the local community. As demonstrated by the most recent annual report and accounts the Farm was used by very large numbers of local schoolchildren and young people and the volunteers and Farm users, including the allotment holders, represented a wide spectrum of the local community. As the population of the borough increases the Farm will become increasingly important as a facility for healthy living and community activity promoting community cohesion.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The King George’s Fields Trust is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The proposals set out in this report will secure the reinstatement of Stepney City Farm to its original size but with enhanced facilities including the interpretation of its archaeological value without any additional financial cost to the Trust.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The reinstatement of the land currently occupied as a Crossrail construction site to its previous use as a city farm will in itself significantly enhance and

improve the local environment by the 'greening' of the whole site. The Farm gives children and adults a chance to meet farm animals and try out arts and crafts including pottery and woodwork, and connects urban visitors with food production and natural resources through courses, volunteering opportunities, and the supply of affordable local organic standard produce. The commercial aspects of the Farm directly link to supporting the maintenance of this key green space.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The lease of the former Crossrail construction site to Stepney City Farm will remove the risks and costs involved in reinstating the land into a beneficial use from the Trust to Stepney City Farm. The only risk associated with this course of action would be in the unlikely event that the Stepney City Farm was unable to fund the reinstatement works to facilitate its use as part of the City Farm. However, as indicated above the City Farm Charity is financially stable, has a good track record on obtaining charitable funding and will rely on volunteering for much of the practical reinstatement works.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 The existing City Farm is already used by very large numbers of local schoolchildren and young people and the proposed extension would significantly increase the opportunities available to local young people to undertake volunteering and healthy outdoor activities.

11. SAFEGUARDING IMPLICATIONS

- 11.1 As indicated above the Farm is visited by many schoolchildren with whom the Farm staff work. The Farm operates a comprehensive child protection policy and all staff are subject to a full DBS check before being allowed to work at the Farm

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- Appendix 1: Stepney Green Reinstatement Proposals
- Appendix 2: Stepney City Farm Draft Layout

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- Stepney City Farm Annual Report 2016-2017.
- Crossrail Schedule 7 Submission for Stepney Green.

Officer contact details for documents:

N/A