

Bestway Statement of Case to 'Matter 9 - Brent Cross Cricklewood'

Appendix CPS1

Letter from LB Barnet to Bestway,
dated 27th September 2007

Director of Planning & Environmental Protection
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Sir Anwar Pervez
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date: 27 September 2007
our reference: S/Vijaya/Letters
your reference:

Dear Sir Anwar

**Bestway (Holdings) Limited Best Cash & Carry Limited
Cricklewood, West Hendon and Brent Cross Regeneration Area**

Thank you for your letter dated 30th August addressed to Councillor Mike Freer, Leader of the Council, who has asked that I respond on his behalf. This follows the meeting held in my office on 3 July 2007. We are pleased to have had the opportunity to hear directly from you about your business and acknowledge that Bestway (Holdings) is a strong global business and local employer.

I regret that the consultation process carried out by the council in preparing the Unitary Development Plan and the Supplementary Planning Guidance for the Cricklewood, Brent Cross and West Hendon area still causes you concern. The process was explained at the meeting and in my letter dated 6 June 2007. I can only reiterate that the council has at all stages correctly followed the Development Plan procedures and enabled interested parties to formally submit representations. This view is supported by legal advice and the council therefore considers that it is important for all parties to look forward to the implementation of the development framework rather than dwell on past events. On a matter of detail, the council has not received a formal request from you under the Freedom of Information Act and as I have explained, I do not consider that the documents would help you or the council to progress our dialogue. If you still require this information please contact the Council with a formal request under the Act.

Your letter raises a number of issues and I would like to point out that the only admitted and supported policy framework that we have is the Brent Cross, Cricklewood and West Hendon SPG which at this stage outlines the proposed regeneration area and the requirements for development. The requirements include, for example, the development of a new town centre to the south of the A406 along with a replacement Waste Transfer facility, highway improvements etc. The Bestway site is included within the proposed regeneration area covered by the SPG and as such proposals may come forward that affects this whether it be a Waste Transfer Facility or other development.

The development partners are currently working up proposals for the submission of a planning application that will have to comply with the adopted planning guidance of the Borough. In developing their masterplan concept I am aware that the development partners are consulting with a number of organisations as well as publicising their proposals more widely.

The Council has not undertaken any separate studies nor will it have detailed technical material to determine the exact siting of a replacement waste facility. The requirements for a replacement Waste Transfer Facility are as outlined in the SPG referred to earlier in this letter and this is guidance only. For the Council to have been so prescriptive would have been premature as the location will naturally be influenced by the proposals which come forward to deliver the comprehensive regeneration that is expected. It will be for the applicant/developer to demonstrate that the solution and location proposed is sensible and fits in with their overall proposals. It is for the Council at the appropriate formal consideration stages to determine its acceptability and impacts; hence the reason the Council has not provided the detailed technical material you have requested.

In response to the issues you raise in relation to the submission of a planning application, consultation and the use of CPO powers, the Council is governed by a statutory process in respect of these. Once any planning application is received it will be determined in line with the requirements of adopted planning policy and the necessary statutory public consultations will form part of this process of determination. It will be for the applicant/developer to demonstrate the validity of the entirety of their proposals with the more detailed technical aspects covered in the accompanying environmental statement. There is also a statutory process that covers the application and granting of compulsory purchase orders and again the testing of robustness of the proposed scheme and public consultations part of this process.

I would like to assure you that we always try and facilitate solutions between interested parties where possible and we will continue to maintain discussions.

I trust this is helpful and enables yourselves and the Council to continue positive dialogue with regard to future aspirations and proposals for your site.

Yours sincerely



Stewart Murray
Director of Planning & Environmental Protection

c.c. Councillor Mike Freer, Leader of the Council
Leo Boland, Chief Executive
Chileme Hayes, Legal Services
Lorraine Butler, Head of Strategic Development Unit