

**EXPLANATORY MEMORANDUM TO
THE TRANSPORT FOR LONDON (RICKMANSWORTH STATION) ORDER
2005**

2005 No. 2156

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Description

2.1. The purpose of this instrument is to give the consent of the Secretary of State to the proposed grant of a long lease of land at Rickmansworth Station, Hertfordshire by London Underground Ltd ("LUL"), a subsidiary company of Transport for London ("TfL"). The land at Rickmansworth Station is operational land, and TfL (and its subsidiaries) are prohibited from granting long leases of operational land without the consent of the Secretary of State. The Order will allow LUL to grant a long lease (expected to be for up to 125 years) of some of its land at Rickmansworth Station to Waitrose Ltd , which will enable Waitrose to build a supermarket including provision of car parking facilities

3. Matters of special interest to the Joint Committee on Statutory Instruments/Select Committee on Statutory Instruments

3.1. None.

4. Legislative Background

4.1. Section 163 of the Greater London Authority Act 1999 prevents the sale or grant of long leases of any operational land by TfL without the prior consent of the Secretary of State. Section 164 of that Act provides that TfL must use its powers to ensure that no subsidiary of TfL does anything which TfL does not itself have power to do (including any thing which it does not have power to do because the consent of the Secretary of State has not been obtained). Any such consent is to be given by statutory instrument.

4.2. The land at Rickmansworth Station is operational land within the definition in section 163 (8). The land which is to be leased comprises land which is currently used as a station car park. For the purposes of paragraph 12(1) of Schedule 11 to the Greater London Authority Act 1999, which sets out TfL's powers to dispose of surplus property (whether absolutely or for a term of years), the Mayor has confirmed that this land is surplus to operational requirements and can be disposed of.

5. Extent

5.1. This Order applies to Great Britain.

6. European Convention on Human Rights

6.1. No statement is required

7. Policy Background

- 7.1. LUL, a wholly-owned subsidiary of TfL, owns operational land for essential facilities (such as stations, track and sidings) which are vital for running its services. Under section 163 of the Greater London Authority Act 1999, where TfL wishes to grant a long lease of land which is or has recently been operational land, it must obtain the Secretary of State's consent to do so. By virtue of section 164 of that Act, the same requirement for consent applies to TfL's subsidiaries.
- 7.2. Rickmansworth Station is owned by LUL and serves both its Metropolitan line and the Chiltern Railways service between London Marylebone and Aylesbury. LUL wishes to grant a 125 year lease to Waitrose for land at the station which is currently used as a car park. Waitrose proposes to build a supermarket with a gross shopping floor area of approximately 4,000 square metres and four levels of car parking with spaces for more than 500 vehicles.
- 7.3. A condition of the Secretary of State's consent provided by the instrument is that TfL will provide permanent car parking facilities near the station that are of a similar scale to those currently provided, within a reasonable period following any development on the relevant land. As part of the agreement between LUL and Waitrose, LUL will take a sub-lease back of two levels of the new car park to replace the existing station car park facilities. Waitrose will also provide temporary car parking near the existing site whilst the construction work is taking place.
- 7.4. The existing station car park has spaces for 245 vehicles. The temporary car park will have up to 150 spaces and the new facilities provided by LUL, through the sub-lease from Waitrose, will provide approximately 300 spaces for station users.

8. Impact

- 8.1. A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.
- 8.2. The impact on the public sector is that LUL, a wholly owned subsidiary of TfL, will be able to proceed with the leasing of land at Rickmansworth Station, Hertfordshire, WD3. There is no adverse impact on the public sector under this instrument.

9. Contact

- 9.1. Charles Amis at the Department for Transport, Tel: 020 7944 8824, email: charles.amis@dft.gsi.gov.uk, can answer queries regarding the instrument.