

THE LONDON BOROUGH OF HARROW (GRANGE FARM ESTATE REGENERATION PHASES 2 AND 3) COMPULSORY PURCHASE ORDER 2020

RAF AIR CADETS CENTRE, 84 NORTHOLT ROAD, HARROW HA2 0DW, IDENTIFIED ON THE ORDER MAP AS PARCELS 75 AND 76

SUMMARY PROOF OF EVIDENCE OF NICHOLAS ROBSON SUMMERS

1. Introduction

- 1.1 My name is Nicholas Robson Summers. I hold a Bachelor of Science Degree in Surveying. I am a Fellow of the Royal Institution of Chartered Surveyors and a Fellow of the Chartered Institution of Building Engineers.
- 1.2 I am the Director of Estates and Commercial Lettings for the Reserve Forces' and Cadets' Association for Greater London. I commenced employment with its predecessor, the Territorial Auxiliary and Volunteer Reserve Association for Greater London (TAVRA for Greater London) in January 1986. My original position was that of Sector Surveyor West. After the coming into force of the Reserve Forces Act 1996 (RFA 1996), RFCA for Greater London replaced TAVRA for Greater London. My employment transferred across to RFCA for Greater London. I was promoted to Deputy Chief Surveyor in 1996 and I held that position until I was further promoted to my present position in 2005.
- 1.3 I am a Crown Servant and a full-time civilian employee of RFCA for Greater London.
- 1.4 Save where otherwise stated, I make this Proof from my own knowledge. My own knowledge is supplemented by information provided by Helen Bird for Ground 4 of the RFCA for Greater London's Notice of Objection. Mrs Bird was

at the time an administrator with responsibility for a large section of the RAF Air Cadets Centres across Greater London. She has recently retired from the RAF Air Cadets.

1.5 With the benefit of the supplementary information provided by Mrs Bird in respect of Ground 4 I confirm that the facts stated in the Notice of Objection are true.

1.6 I also rely upon information provided to me by surveyors in my team and information supplied to me by the Officer in Command of the RAF Air Cadets Squadron based at the Centre located at 84 Northolt Road.

2. RFCA for Greater London

2.1 The RFCA for Greater London is a corporate body established by the Defence Council under powers vested in it by RFA 1996. RFCA for Greater London is one of thirteen such statutory corporate bodies which together cover the whole of the United Kingdom.

2.2 The RFCAs are governed by regulations issued by Order of the Defence Council under RFA 1996. The most recent of these regulations are the Reserve Forces' and Cadets' Associations Regulations 2014.

2.3 Specific powers and duties conferred on the RFCAs include the provision and maintenance of buildings and other facilities, known generally as "estate services". Within the ambit of these powers the RFCA for Greater London has the power to occupy suitable property of the Secretary of State for Defence for the accommodation of the military or cadet forces it administers.

2.4 Within the estate managed by the RFCA for Greater London there are 92 Cadet Centres. Included amongst those is the RAF Air Cadet Centre at 84 Northolt Road, Harrow HA2 0DW. That RAF Air Cadets Centre is the Squadron Headquarters of 1454 (Harrow) Squadron.

- 2.5 Pursuant to the statutory powers conferred on it, the RFCA for Greater London represents the Secretary of State for Defence and the Ministry of Defence in respect of the estate comprising all of the 92 Cadet Centres in Greater London.

3. RAF Air Cadets Centre at 84 Northolt Road

- 3.1 The RAF Air Cadets Centre at 84 Northolt Road, Harrow is identified as parcels 75 and 76 on the order map. The freehold land comprised in both parcels is vested in the Secretary of State for Defence. Parcel 75 is registered under Title No. MX259129. Parcel 76 is presently unregistered land but, together with parcel 75, it is the subject of a Certificate dated 7 November 1980 given by the Secretary of State for Defence which certifies under section 8(2) of the Military Lands Act 1892 that the whole of the land coloured pink on the attached plan vested in the Secretary of State by virtue of section 8(1) of that Act. It is considered that the land coloured pink on the plan comprises the whole of parcels 75 and 76.
- 3.2 Parcels 75 and 76 constitute on the ground a single property which is in single occupation and use by RFCA for Greater London for the purpose of providing the RAF Air Cadets Centre for 1454 (Harrow) Squadron.
- 3.3 Parcels 75 and 76 comprised part of a much larger area of land which belonged to the Ministry of Defence and was used as a Territorial Army site. Most of that land was sold to the Acquiring Authority for housing in or about 1973 or 1974. The Secretary of State retained the freehold land comprised in parcels 75 and 76 for the very purpose that the land should continue to be used as a Cadets Centre by the RAF Air Cadets.

4. Exclusive possession, occupation and use

- 4.1 Activities carried out by the Air Cadets at the Centre include parade and drill, training and education and some Duke of Edinburgh Award activities in which Air Cadets are encouraged to participate.

- 4.2 The RAF Air Cadets drill and parade and carry out their activities in uniform. The Air Cadets, as part of the Armed Forces, are a target for terrorism. It is for that reason that the whole of the RAF Air Cadets Centre at 84 Northolt Road comprise secure premises which are inaccessible to the public. This includes the parking provision at the front of the property to guard against the Squadron's vehicles being vandalised or tampered with and the parade ground at the rear of the premises which must be secure and shielded from the public.
- 4.3 For these reasons of essential security RFCA for Greater London has exclusive possession under the statutory powers conferred on it of the RAF Air Cadets Centre at 84 Northolt Road and that has necessarily been the case during the whole of my employment with RFCA for Greater London and its predecessor which spans more than 35 years. Visits by the Mayor, other local dignitaries and others and even by parents are, strictly, by invitation only.

5. Remaining Objector

- 5.1 Notwithstanding that the Acquiring Authority has agreed ever since 1 April 2021 to exclude the interests of RFCA for Greater London in parcels 75 and 76, as to which the interests of the Secretary of State for Defence were already excluded, and notwithstanding that, in truth, there are no other interests in the land comprised in parcels 75 and 76 the Acquiring Authority has refused to exclude that land from the Order and from the pink shading and red line of the order map.
- 5.2 Although the Acquiring Authority has suggested as a mere possibility that some unknown interest might exist in parcel 76 no such interest has been identified by it. In particular, it has not even begun to explain the nature of the alleged "unknown" interest, how allegedly such interest could have been created or could possibly still subsist or who might own such interest.
- 5.3 Having regard to the Secretary of State's conclusive Certificate, the exclusive possession and use of parcels 75 and 76 of RFCA for Greater London and its predecessor for the benefit of the RAF Air Cadets Squadron for more than 35

years (during my employment alone), I do not believe that any such other interest exists or could possibly exist.

5.4 Moreover, the continuing exclusive possession, use and occupation of the land within parcels 75 and 76 not only completely eliminates the possibility of such other interest subsisting but also renders any other interest (the existence of which is denied) of no utility to the Acquiring Authority whatsoever.

5.5 Therefore, for the reasons that I have explained, the position of the RFCA for Greater London is that parcels 75 and 76 should be excluded entirely from the Order schedule and the pink shading and red line of the order map.

Dated: 8 June 2021