MEETING
ASSETS, REGENERATION AND GROWTH COMMITTEE
DATE AND TIME
MONDAY 16TH MARCH, 2015
AT 7.00 PM
VENUE
HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4AX

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
5.	PUBLIC QUESTIONS AND COMMENTS (IF ANY)	1 - 14

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Public Questions – ASSETS, REGENERATION AND GROWTH COMMITTEE– 16 March 2015

No.	Raised By	Question Raised	Answer
1.	Stamo Ampatielou	Approval has not been confirmed as the Labour Cllrs have questioned the decision and Cllr Cornelius has dismissed it during the CGRA open meeting on January 15th 2015. What is the appeal procedure and why the public has not been informed?	The decision to proceed with the purchase of the Abbots depot site was approved by Council at its meeting in December. However, that decision is subject to planning permission. Public engagement, consultation and views will be considered in detail at the planning meeting prior to the approval of these plans.
2.	Stamo Ampatielou	Who are the Chief Operating Officer and the Chairman of the Assets, Regeneration and Growth Committee and whether their credentials and professional experience allow them to decide for our quality of life?	The Chief Operating Officer is John Hooton who is an experienced senior council officer. Mr Hooton has been involved with various property related matters in the past and is able to call upon all expert advice available to the council, including those who run the depot and planning officers. The Chairman of the ARG Committee is Councillor Daniel Thomas. Cllr Thomas has been a councillor since 2006 and has overseen council property and resource matters since 2010. He has the same level of expert advice available to him as Mr Hooton. The details of the purchase agreement for the site, not the plan itself, have been delegated to Mr Hooton and Cllr Thomas in accordance with the Council's constitution.

			It is the Council's decision to agree or not agree to proceed with the depot relocation plan. It will be the planning committee's decision to approve or decline the plans that come forward.
3.	Stamo Ampatielou	Is there a panel of experts that advises the council and who are they?	The Council is supported and advised by a range of internal officers and external consultants to advise on the various specific disciplines. These include planning, communications and engagement, legal advice and environmental services.
4.	Stamo Ampatielou	1.7 Oakleigh Road South heads of terms have been agreed in principle for a freehold purchase and a draft contract has been developed accordingly: We request a copy of the draft contract within the Freedom of information act to be given to us during the meeting on the 16th March 2015.	This information is commercially sensitive and subject to legal professional privilege. As such by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 it cannot be put into the public domain. Once the terms are agreed and the contract has completed, information in this agreement that is not commercially sensitive can and will be made publicly available.
5.	Stamo Ampatielou	1.8 Pre-application discussions have taken place with the planning department and design work progresses with an anticipated planning submission in summer 2015. As far as we know a decision has not	It is established and good practice to engage early on in the planning process, and carry out consultation with the local community to ensure that key issues, constraints and concerns can be identified and addressed thoroughly prior to any formal submission. Pre- application work can avoid abortive costs and delay to

		been reached Why waste yet more taxpayers money on both pre application discussion and design work, in advance of an anticipated planning submission in summer 2015 when the application has not even been submitted?	schemes through early identification of issues Once submitted an application will be consulted upon and carefully assessed by the Local Planning Authority having regard to planning policy and other material considerations including the views of the local community.
6.	Stamo Ampatielou	1.9 There is a risk that the site (Oakleigh Road) will be impacted by Crossrail 2 and the site is subject to a safeguarding direction. The Council has formally responded to the Crossrail 2 consultation confirming their interest in the site and desire to enter into collaboration and dialogue. Transport for London (TfL) have confirmed that the Council will be able to use this site up to 2025 at the earliest, at which point there is a risk that it will be required for Crossrail 2 You state that crossrail 2 may impact on the site and that TFL have confirmed that the council may be able to use the site up to 2025 at the earliest- Does that mean that should the railway plans go ahead they would not start before 2025? What is the cost of that as	It is officers' understanding from Transport for London that work on the railway plans would not commence until 2025 at the very earliest. With regards to cost of relocation, the Council has sought legal advice and understands that if Crossrail 2 impacts the Oakleigh Road site, the Council would be entitled to compensation based on the cost of relocation to an alternative site.

		well as what will the taxpayer will have to pay for the relocation?	
7.	Stamo Ampatielou	1.11 Whilst undertaking a review of relocation sites within the Borough, it became apparent that the Waste Operation lease was potentially available. Following discussions with the tenant's appointed agent, heads of terms have been agreed in principle and the details are set out on paragraph 5.1 below and the Exempt report. 2 : RAAD requests a copy of the Exempt report to be given to us at on the 16th March or earlier. Also copies of any other draft contracts currently discussed?	This information is commercially sensitive and by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 cannot be put into the public domain.
8.	Stamo Ampatielou	While reviewing the relocation sites, Cllr Rutter is also talking about a survey costing yet more tax payers money. How can this survey which has been fronted by Cllr Rutter and Theresa Villiers be truly accurate when as indicated in their leaflet as it only refers to winters.	The Council has undertaken a vehicle movements survey to understand the numbers of vehicle movements for the site, which includes the Winters operation. The numbers of heavy goods vehicles relating to the Winters operation are clearly identifiable within the overall numbers.
9.	Stamo Ampatielou	Why does it not include the other companies in the site? Their employees, visitors, suppliers as well as the Barnet	The figures in the survey have been used to understand the impact of the reduction of vehicle movements from the Oakleigh Road

		community Transport that is proposed that will move in with the waste depot along with the other services currently offered in Mill Hill?	site if the Winters lease was taken over by the Council, compared to the increase in vehicle movements from the relocation of the Mill Hill operation. The net impact has been calculated as a reduction of 100 heavy goods vehicle movements per day.
10.	Stamo Ampatielou	Why was Winters chosen between all the companies operating in the site? What is the rationally behind such a desicion? Does Winters have any contracts with Barnet Council?	This site is proposed as it is an available and viable opportunity. Selection of this site also allows the Council to address existing transport and environmental issues in the area to mitigate the impact of the new depot with the intention of achieving a net improvement. Winters does not have any contracts with Barnet Council
11.	Stamo Ampatielou	The waste operation lease is being secured to assist with the delivery of the overall relocation of the Mill Hill East depot and will specifically: Alleviate the movement of heavy vehicles along Oakleigh Road South; and contribute to a net reduction (considering both Council Depot and existing vehicles) of circa 100 heavy vehicle movements per day: What about the other two companies that	The operation of the other sites on the site will remain unchanged. The report refers to the reduction in vehicle movements from the Winters site, compared to the increase in vehicle movements from the relocation of the Mill Hill depot. The net impact has been calculated as a reduction of 100 heavy goods vehicle movements per day. Private cars, suppliers and other services are not included in these figures. There will be a reduction in these numbers from the Winters site, but there will be an increase

		operate on the site? Private cars, suppliers, company staff, other services like high way maintenance, fuel tanks? Bulking lorries and facilities?	from the relocation of the Mill Hill depot. The numbers of staff working on these operations are roughly the same, so there is not expected to be a significant change in numbers here. There will also be a significant reduction in car movements on Oakleigh Road in November 2015 as a result of movements of Council staff from North London Business Park, and a further reduction in 2017, when the Council expects to relocate to Colindale.
12.	Stamo Ampatielou	Address complaints from the general public with regards to the operation and nuisance factors; When will the general public to be informed about required regulations pertaining to such waste plants, details of operation procedures, health and safety aspects?	These details will be made available by the Council when it finalises its design proposals and submits these for planning. A full and comprehensive public consultation will take place on the proposals that are submitted to planning.
13.	Stamo Ampatielou	What are the strategic objectives of the Borough and how the Abbots Depot will contribute towards them?	The Mill Hill depot site was zoned for housing by the Mayor of London back in 2004, and as such the Council must relocate its waste depot. The Council requires a depot to be able to run its waste and recycling operation. Without this service, the Council would be unable to collect rubbish from the public.

14.	Stamo Ampatielou	3.1 The Council has undertaken a detailed site search over a number of months, and where required carried out an option appraisal considering financial, operational and planning implications for these sites. In our meeting with Cllr Rutter on March 6th, she admitted that there were initially 6 sites for consideration to become a waste depot for Barnet Council: Which are these sites, their costs, feasibility reports or studies and reasons for their rejection? Can we have a copy of all the above on the 16th March or earlier?	A summary of these sites is appended to these questions. • Pinkham Way: There are substantial planning issues regarding the relocation of a depot to this site. The area has dual planning designation in Haringey's relevant planning policy documentation – employment usage and a site of importance for nature and conservation (it is in part a Site of Special Importance for Nature Conservation - SINC). • 1-8 Capitol Way, Brent: The site very expensive at £15m freehold, would require significant structural modifications and is unlikely to receive planning consent following discussions with Brent planning. • Lupa House, Borehamwood: The site is located outside Borough approximately 1km to the north, is limited in size and would require a further site for the salt barn and bulking station. The operational impact of the additional fuel and staff costs due to its location and splitting the salt barn and bulking facilities are expected to be £900k per annum. There are

			also significant planning constraints due to existing neighbouring residential uses and the fact that the site immediately adjacent has recently received residential planning consent. • South Mimms: This site is located some distance at approximately 5kms from Borough which would add considerably to fuel costs and time (well in excess of £1m per annum). The site also sits within the South Mimms Special Policy Area in the Hertsmere Local Plan which seeks to improve the appearance and nature of the area and to rationalise current uses which are not related to the motorway specifically. A depot use is therefore unlikely to be received favourably from a planning perspective. • Nissan Site, A1, Mill Hill: Site now unavailable - Alan Day has confirmed they will be keeping Nissan as the tenant. • IBSA House (Jehovah Witnesses), Mill Hill: This site is potentially expensive (residential

			values likely to be sought should they relocate). It is also located in the Green Belt and adjoins residential properties means that any planning application would be complicated by the potential impacts a depot use may have locally. • Sites in Bunns Lane, Mill Hill: Given the limited sizes of each of the sites, the depot facility would have to be spread over all of these which would make its day to day running very difficult. They would allow only a partial relocation of the depot with a need still to find a bulking facility elsewhere in the borough. There are also residential properties in close proximity which raises concerns in relation to operational impacts and vehicular access arrangements.
15.	Stamo Ampatielou	What is the width of the Mill Hill road outside the depot and what is the width of our Oakleigh Rd South?	The width of the road (excluding pavement) outside the Mill Hill Depot is approximately 9.0m. The width of Oakleigh Road South by the access to the existing site is approximately 7.0m. The highways implications of relocating the depot are being considered very carefully and any planning application for the

			proposed depot at the site at Oakleigh Road will be accompanied by a comprehensive transport assessment identifying key issues and mitigation measures to ensure the safety and free-flow of traffic.
16.	Stamo Ampatielou	4.1 If this report is agreed, contracts will be finalised for the assignment of the lease of the site and the decision to proceed with the assignment of the lease will be taken by the Chief Operating Officer in consultation with the Deputy Leader The residents of the area do not agree to this proposal going forward. What is the appeal procedure?	Residents are able to make representations to the Committee. Residents are also able to engage in the planning application process. The proposal to relocate the Council's waste depot will only proceed subject to planning permission being granted from the Council's planning committee.
17.	Stamo Ampatielou	5.2.1 The freehold interest in the site is owned by Network Rail and is leased out to a Waste Operation. Is it Winters that will be compensated?	Details of the commercial deal for the site commercially sensitive and by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 cannot be put into the public domain.
18.	Stamo Ampatielou	A Premium payment which reflects the value of the existing business and is detailed in the Exempt report: As requested above we would like a copy of the report on the 16th March or earlier.	This information is commercially sensitive and by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 cannot be put into the public domain.

19.	Stamo Ampatielou	Assignment of the existing lease with a rent passing of £81,500 per annum exclusive. Property Services consider this sum to be a fair estimation of the current rental value: Are you buying, renting or both spending yet more taxpayers money?	The Council will be taking an assignment of the existing lease, and will therefore be a tenant of Network Rail until the expiry of the lease, and will pay the rent under the lease. The budget for the relocation of the Council's depot is £19.9m. The receipt that the Council will receive from the development of the Mill Hill site is estimated to be over £40m, so this represents good value for money for the Council.
20.	Stamo Ampatielou	5.2.2 A contract has been drafted by the Vendor's solicitors and this has been reviewed by HB Public Law: We request a copy of the contract to be handed to us on the 16th March or earlier.	This information is commercially sensitive and subject to legal professional privilege. As such by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 cannot be put into the public domain.
21.	Stamo Ampatielou	5.2.3 The Waste Designation cannot be easily amended, therefore, the site will be utilised by the Council for waste purposes. In the meeting of January 12th, the Coppies Grove residents association was told that the Abbots Depot is already designated as a private sector waste site.	The former Abbotts Depot does not have a waste designation. The waste designation applies to the site currently occupied by Winters.

		Based on what reports and who took this decision? Copy of the feasibility reports and all relevant information to be handed to us on the 16th March or earlier.	
22.	Stamo Ampatielou	5.2.4 There is an existing budget of £19.9m in the capital programme for the relocation of the depot from Mill Hill. Funds will be allocated from this budget for the acquisition of the lease: can we have a detailed breakdown of the costs, names of contractors, facilities that will be built? Compensation to companies having to relocate? Lease? The whole financials of the project.	The project is in early stages therefore, there is no contractor appointed. Details of the proposed facilities were available to view during the weekend from Friday 13/03/15 to Sunday 15/03/15, and can be provided on request from the Council. Details for full project financials will be available on selection of a contractor.
23.	Stamo Ampatielou	5.2.5 The Mill Hill East development has generated £6m of income for Barnet Council to date, and this income is currently allocated to the infrastructure reserve. The total income from the development is expected to be in excess of £40m based on the current business plan. Even after taking into account the funding required for the relocation of the depot, the Council will make a substantial return on the Mill Hill East development How will the ORS residents will benefit from this? Exemption from council tax for	The Council needs a site to run its waste management fleet operations from. The intention is for the proposed new depot at Oakleigh Road to a net benefit to the area when compared to existing operations at the Oakleigh site. This is the reason for considering the purchase of the Winters lease at the committee meeting.

		the duration the site will be in Abbots Depot? Compensation? What? Can we have a copy of the business plan on the 16th March or earlier?	

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