

<u>MEETING</u>
ASSETS, REGENERATION AND GROWTH COMMITTEE
<u>DATE AND TIME</u>
MONDAY 11TH JULY, 2016
AT 7.00 PM
<u>VENUE</u>
HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

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		Pages
1.	SUPPLEMENTARY PAPER AGENDA ITEM 12: WEST HENDON COMPULSORY PURCHASE ORDER 2 & 2a (CPO2 and CPO2a) COMMUNICATIONS UPDATE	1 - 18

Sheri Odoffin 020 8359 3014 sheri.odoffin@barnet.gov.uk

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ASSETS, REGENERATION & GROWTH COMMITTEE

11th July 2016

Title	WEST HENDON COMPULSORY PURCHASE ORDER 2 & 2a (CPO2 and CPO2a) COMMUNICATIONS UPDATE
Report of	Cath Shaw - Commissioning Director, Growth and Development
Wards	West Hendon
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1 – CPO2 and CPO2a Communications Update Appendix 2 – CPO2 Information Leaflet Appendix 3 – CPO2a Information Leaflet
Officer Contact Details	Simon Bailey, Regeneration Manager (RE) Simon.Bailey@barnet.gov.uk, 0208 359 7671

Summary

A report went to ARG on the 17th March 2016 seeking authority to make two Compulsory Purchase Orders at West Hendon, CPO2 & CPO2a. The committee referred the report to Full Council on the 4th of April 2016. Full Council agreed the recommendations.

Full Council also requested that an update of all communications undertaken at West Hendon, with particular regard to CPO activities, was presented to all future ARG meetings until further notice. This was to ensure that all necessary consultation action was being undertaken to keep residents informed of the outcomes for them, what options were on the table for them, and how they would be supported.

The use of the Compulsory Purchase Orders is an option of last resort and will only be utilised where third party interests cannot be acquired through private treaty negotiations.

Recommendations

That the Asset, Regeneration & Growth Committee agrees:

- 1.1 To note the communication activities undertaken regarding the West Hendon Regeneration Scheme attached in Appendix 1**

1. WHY THIS REPORT IS NEEDED

- 1.1 Full council on the 4th April 2016 requested that a communications update for West Hendon, with particular regard to CPO activities, is presented to all subsequent Asset, Regeneration & Growth Committee meetings until further notice.

2. REASONS FOR RECOMMENDATIONS

- 2.1 CPO2 and CPO2a are required to provide certainty with regard to site assembly in order to deliver the benefits of the regeneration to the estate and the wider area. Without a Compulsory Purchase Order as a 'backstop', there would be no realistic prospect to assemble the site through private treaty negotiations within a reasonable timescale.
- 2.2 The Council is obliged under the terms of its Development Agreement with Barratt Metropolitan Limited to progress the CPO for West Hendon.
- 2.3 CPO2 will apply to residential properties at 33-125 Tyrell Way and 11-72 Warner Close and will be promoted using statutory powers under the Town and Country Planning Act 1990. CPO2a is required to deliver the major highways works required as part of the West Hendon Regeneration Scheme. In accordance with the Section 106 Agreement for West Hendon Barratt Metropolitan LLP (BMLLP) are required to deliver the highway works as part of Phase 4 of the Regeneration Scheme.
- 2.4 In order to ensure the smooth running of the CPO process and/or private treaty negotiations the committee are requested to review and note the communications plan and be reassured that all appropriate communication activity is taking place to ensure amicable agreement (where possible) with residents with interests within the CPO area, and beyond.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The submission of a communications update for the West Hendon CPO process was a request of Full Council. No other option needs to be considered or is required.

4. POST DECISION IMPLEMENTATION

- 4.1 ARG Committee will review the communications update at each ARG, as the CPO/private treaty negotiations progresses. Any recommendations made by ARG Committee regarding the approach to communications/consultation at West Hendon will be incorporated into the communications strategy where feasible.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the substantive report to 17th March ARG.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 As set out in the substantive report to 17th March ARG.

5.3 Social Value

- 5.3.1 As set out in the substantive report to 17th March ARG.

5.4 Legal and Constitutional References

- 5.4.1 There are no legal matters to report as officers are presenting a communication update on the West Hendon Regeneration Scheme as requested by members of Full Council.

5.5 Risk Management

- 5.5.1 As set out in the substantive report to 17th March ARG.

5.6 Equalities and Diversity

- 5.6.1 As set out in the substantive report to 17th March ARG.

5.7 Consultation and Engagement

- 5.7.1 Consultation has and will continue to be undertaken with the residents and wider community to ensure that local views are taken into consideration as the Scheme progresses. In this regard, the Council and the Development Partners appointed an Independent Resident Advisor to work with the residents on the estate. A Partnership and Residents Board has been established who meet on a regular basis to discuss the regeneration proposals with the Council and its partners. A summary of consultation activity is attached at Appendix 1.

6. BACKGROUND PAPERS

Full Council, 4 April 2016, West Hendon Compulsory Purchase Order 2 & 2a (CPO2 and CPO2a)

<https://barnet.moderngov.co.uk/documents/s30993/Report%20to%20Council%20-%20ARG%20CPOs.pdf>

Asset, Regeneration and Growth Committee, 17 March 2016, West Hendon Compulsory Purchase Order 2 & 2a (CPO2 and CPO2a)

<http://barnet.moderngov.co.uk/documents/s30497/West%20Hendon%20CPO%20-%202a%20CPO2%20and%20CPO2a.pdf>

Cabinet Resources Committee, 16 December 2013, West Hendon Regeneration Project

<http://barnet.moderngov.co.uk/documents/s12100/West%20Hendon%20Rege%20neration%20Project.pdf>

Appendix 1 – CPO2 & CPO2a Communications Update

Method of Communication	Purpose of Communication	Stakeholder	Date/s	Frequency	Comments
Closed Partnership Board	The Board comprises of key stakeholders which support, represent and promote the interests of all residents living on the estate.	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Resident Representatives, ITA	06/04/2016 04/05/2016 01/06/2016 06/07/2016	Monthly	Development Partners provide relevant information and reports as required by the board, subject to data protection and commercial sensitivities.
Open Partnership Board	The Partnership Board holds an open meeting to discuss regeneration matters with the wider community	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Resident Representatives, ITA, Wider Community	11/04/2016 11/07/2016	Quarterly	
Communications Meeting	Development Partners meet to discuss communications at West Hendon	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Hard Hat	20/04/2016 15/06/2016	Monthly	
Construction Working Group	A forum for residents to discuss construction activities and programme with the Barratt's construction team	Barratt London, Wider Community	21/04/2016 19/05/2016 16/06/2016	Monthly	
CPO1 (Broadway) Drop-In Session	A consultation event for those affected by CPO1 to meet with the Development Partners to discuss the programme, concerns, etc.	Development Partners, Barnet Homes, Residents & Businesses	21/03/2016	As required	
CPO1 Lessons Learned with Partnership Board	A meeting held with Partnership Board members to discuss lessons learned from CPO1 in order to make improvements for CPO2	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Resident Representatives, ITA	23/03/2016	As required	
CPO2 Information Leaflet	CPO2 Information Leaflet produced by the Development Partners	Produced by the Development Partners for those affected by CPO2	April 2016	As required	Appendix 2
CPO2 Drop-In Sessions	A consultation event for those affected by CPO2 to meet with	Development Partners, Barnet Homes, Residents	26/04/2016	As required	

	the Development Partners to discuss the programme, concerns, etc.				
CPO2a (Highways) Information Leaflet	CPO2a (Highways) Information Leaflet produced by the Development Partners	Produced by Development Partners for those affected by CPO2a	June 2016	As required	Appendix 3

WEST HENDON

COMPULSORY PURCHASE ORDER 2 INFORMATION BOOKLET

Plans are being prepared for the next phase of the West Hendon regeneration scheme - approximately two years before affected residents are due to be rehoused.

If you live at 33-125 Tyrell Way and 11-72 Warner Close, this leaflet explains how the relocation process will work and where to get more detailed information about your own situation.

The Compulsory Purchase Order (CPO) process often takes 18-24 months so it is common practice to start the process now. Details about the CPO process are presented in this document and residents will be consulted throughout this process.

WHAT IS THE NEXT PHASE OF REHOUSING?

Outline plans for Phase 4 were approved in 2013 but detailed plans must now be drawn up and approved by the planning authority before the 500+ new homes can be built. Over 100 of the new homes will be affordable and will include large family houses. Phase 4 also includes major highways works to remove Perryfield Way and carry out significant improvements to the A5.

The development partners will shortly begin preparing these detailed plans – known as a reserved matters planning application – and residents of the West Hendon estate and wider area will be consulted. A summary of the planning and consultation dates is shown on the right.

Before the new homes are built residents of 33-125 Tyrell Way and 11-72 Warner Close will be rehoused. Further details about the rehousing process are provided in this leaflet and a plan of the new development is shown on the next pages. Phase 4 is highlighted in blue.

CPO2 RESIDENT DROP-IN SESSIONS

We are holding a series of drop-in sessions with residents affected by CPO2.

When: Tuesday 26th April
2-4pm & 6-8pm

Where: West Hendon Community Centre,
Marsh Drive

PLANNING AND CONSULTATION DATES FOR PHASE 4



Stakeholder exhibition/consultation
June/July 2016



Submission
Summer 2016



Construction starts
(Early 2019)

In this issue

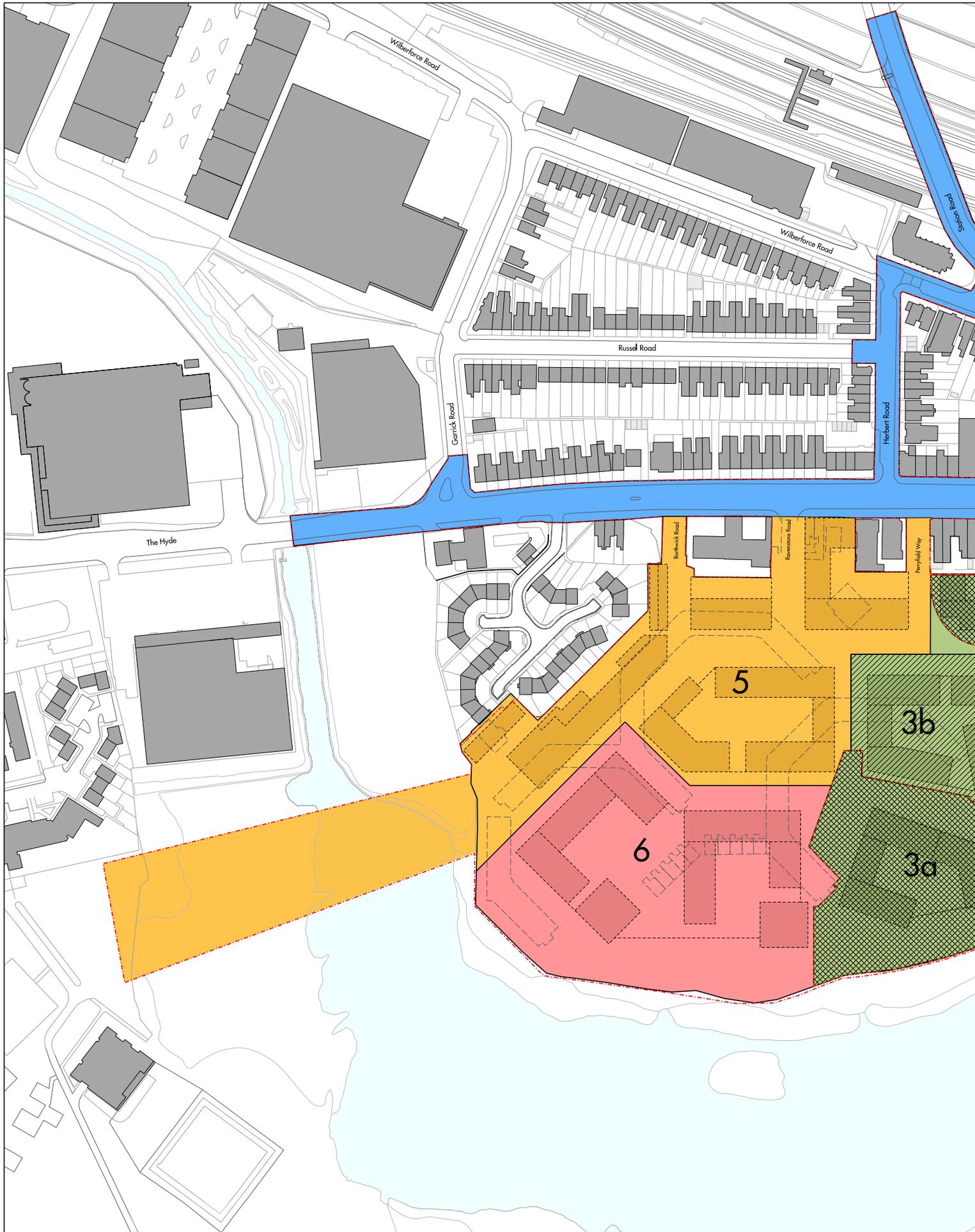
West Hendon phasing plan2-3

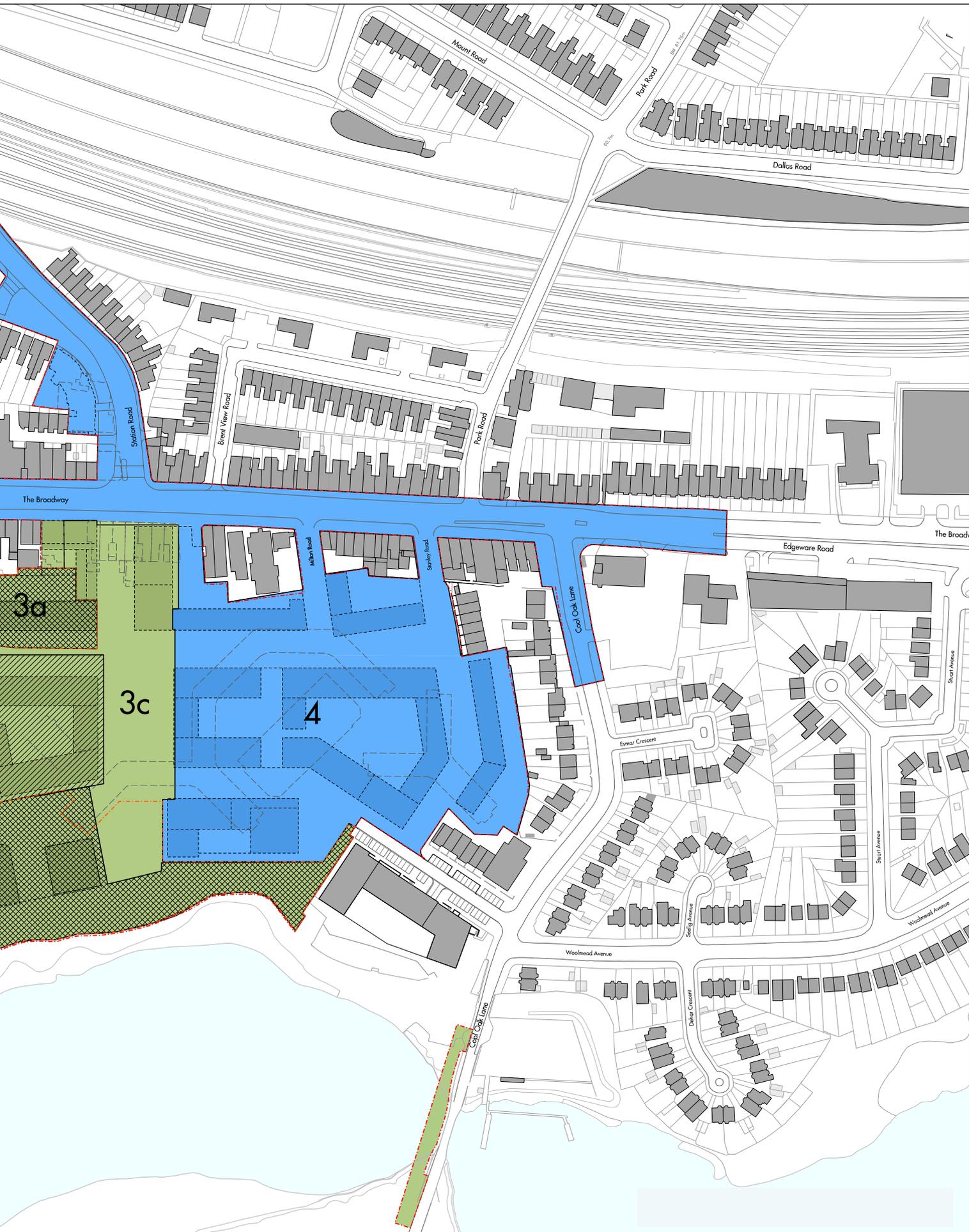
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Information for tenants..... 7

WEST HENDON REGENERATION PHASING PLAN





CPO - WHAT YOU NEED TO KNOW

WHAT IS A COMPULSORY PURCHASE ORDER?

The development partners need to buy land and property to complete the regeneration scheme. Barnet Council and development partners want to do this by reaching agreement with leaseholders wherever possible.

If agreement cannot be reached, the Council plans to use a Compulsory Purchase Order (CPO) but only as a last resort.

A CPO gives the Council powers to compel land owners to sell them land, when owners are not willing to sell by agreement.

If your land or property is bought by a CPO, you will generally be entitled to compensation.

WHAT HAS HAPPENED SO FAR?

A Compulsory Purchase Order for Phase 3 of the West Hendon regeneration was confirmed in November 2015.

In early 2016, 33 of 34 affected estate leaseholders relocated by agreement allowing demolition enabling works to start on Phase 3b.

So far, nine leaseholders and 117 council tenants have moved into new homes on the estate and are speaking very positively about them. Over 95% of residents who have already moved into Gadwall and Bullfinch House said they are either "satisfied" or "very satisfied" with the quality of their new home.

WHAT HAPPENS NEXT AND WHO WILL BE AFFECTED?

Work has commenced on preparing for a second CPO that will help deliver Phase 4.

As with the first CPO, a land and ownership referencing exercise is being undertaken of properties within CPO2, this includes 33-125 Tyrell Way and 11-72 Warner Close. If you live in a property in either 33-125 Tyrell Way or 11-72 Warner Close your home will be affected by CPO2.

A timetable of the CPO2 activity is on the opposite page and further specific information for affected leaseholders and tenants can be found in later pages of this leaflet.

THIRD PARTY RIGHTS

In addition to acquiring property it may be necessary to acquire or extinguish rights, for example light or access rights during construction work. Where a resident's rights are affected they will be notified and it will not be necessary to acquire their property.

A plan of CPO 2 is shown on the right, which provides detail of the properties to be acquired (red) and the any rights affected (purple).

CP02 TIMETABLE

Step 1: Preparation for CPO2 (January - March 2016)

- Land referencing exercise (letter/s and door knocking)
- Postponement of the Right to Buy (demolition notice)
- Private treaty negotiations with leaseholders

Step 2: Making and notifying the CPO (Spring - Summer 2016)

- Council decision to make the CPO
- Sealing of the CPO order
- Site, resident and newspaper notices published
- Statutory opportunity for residents and stakeholders to submit representations to the National Planning Casework Unit

Step 3: Public inquiry (Autumn - Winter 2016)

- It may be necessary to hold a public inquiry (most CPO's are subject to an inquiry)

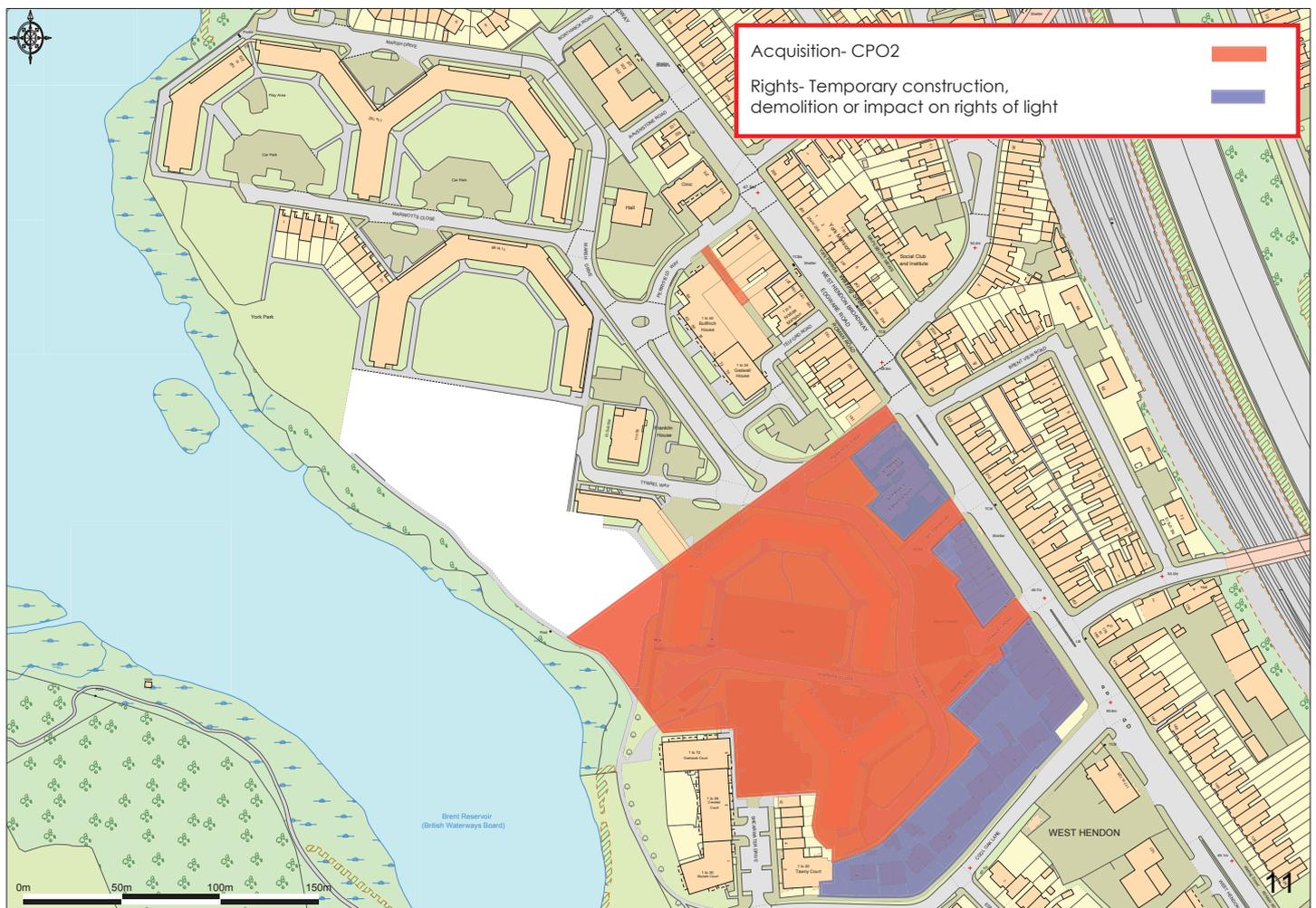
Step 4: Secretary of State decision and legal notices (Summer - Autumn 2017)

Step 5: Exercise the CPO and legal notices (2018)

- This will take place once the new homes have been completed in Sub-Phases 3B/C and residents in 11-72 Warner Close and 33-125 Tyrell Way have been rehoused

RESIDENTS WILL BE CONSULTED THROUGHOUT THIS PROCESS AND WILL BE CONTACTED SOON WITH FURTHER DETAILS

PLAN OF CP02



INFORMATION FOR LEASEHOLDERS

LEASEHOLDERS

- We have written to leaseholders to open negotiations to acquire their property by agreement
- Claimants are entitled to appoint a surveyor that is independent of the development partners. Reasonable costs will be paid by the development partners
- Our priority is to acquire properties by agreement and only use the CPO as a last resort
- The development partners are providing a shared equity scheme, this will allow eligible leaseholders to acquire a home in the new development
- You or your surveyor will shortly receive further information regarding the statutory process
- Should you require further information please contact either Michael Walton from GVA on 020 7911 2773 or michael.walton@gva.co.uk or Barnet Council's regeneration department on 020 8359 7248 or regeneration@barnet.gov.uk
- You may also wish to speak to resident members of the West Hendon Partnership Board or the Resident Independent Advisor. If you wish to do so please contact Rob Webb, the Resident Independent Advisor on 077306 24358 or robert.w@pep.org.uk

KEY FACTS ON SHARED EQUITY

- Shared equity is a scheme designed to help eligible leaseholders to buy a home in the new development
- Leaseholders are eligible for the scheme if they purchased their property on the estate on, or before, 30th September 2003. The property needs to be their only or principle home now and they must have occupied the home for 36 calendar months during the five years before being made an offer under the Shared Equity Scheme
- The scheme allows eligible leaseholders to purchase a property with an increased value, with no rent to pay other than ground rent which is initially subsidised
- Leaseholders must invest the full value of their property plus the 10% homeloss compensation they are paid as part of the settlement for their existing home. Purchasers must buy at least 50 per cent of the new property, but can purchase more if they have the funds to do so
- Metropolitan will have a charge on the property for the unsold equity (this works like a mortgage but here you pay no rent or monthly repayment), which can be purchased by the leaseholder
- Shared equity owners will own the property and will be entitled to receive their share of the value of the property should it be sold. Because the new homes are of higher specification and have greater market appeal the value is likely to rise faster than the old properties
- Unlike shared ownership, residents are not required to pay rent on the share of the property they do not own
- Residents moving in to a shared equity home will be entitled to a number of subsidies such as a service charge, ground rent and energy standing charge subsidy
- For further information please contact Despina Loizou at Metropolitan on 020 3535 3101 or despina.loizou@metropolitan.org.uk

INFORMATION FOR TENANTS

SECURE TENANTS

- As a secure tenant you will be offered a new home within the development
- You will have a housing needs assessment and, if required, an assessment by an occupational therapist
- You should have already received information about the process and the new homes available
- You will be asked to express an order of preference for three properties
- You will be allocated a property within the development using the West Hendon allocations policy
- If you would prefer to be allocated a property elsewhere then you must tell us as soon as possible. The London Borough of Barnet's Housing Allocations Scheme will be used and you may receive one offer only
- For further information please contact Nicola Barker from Barnet Homes on 020 8359 2910 or nicola.barker@barnethomes.org or Sheila Morcombe from Metropolitan on 020 3535 4250 or sheila.morcombe@metropolitan.org.uk
- You may also wish to speak to resident members of the West Hendon Partnership Board or the Resident Independent Advisor. If you wish to do so please contact Rob Webb, the Resident Independent Advisor on 077306 24358 or robert.w@pep.org.uk

NON-SECURE TENANTS

- Barnet Homes will start to contact non-secure tenants approximately 12 to 18 months before their properties are required for demolition, to discuss their housing options
- Non-secure tenants will not be rehoused in the new development
- Although there is no guarantee of rehousing within the borough, in the previous phase the majority of non-secure tenants housed were rehoused within the borough
- It is important that you talk to Barnet Homes to make sure you understand your housing options and they understand your housing needs, you can contact Housing Options at Barnet Homes on 020 8359 4618
- You may also wish to speak to resident members of the West Hendon Partnership Board or the Resident Independent Advisor. If you wish to do so please contact Rob Webb, the Resident Independent Advisor on 077306 24358 or robert.w@pep.org.uk

PRIVATE TENANTS

- As a private tenant, of a landlord other than Barnet Council, you should receive information from your landlord
- It is likely that your property will not be required until the CPO is confirmed in approximately 18 months time
- Your landlord should follow the legal process to ensure that the property is empty prior to sale
- It is important that you understand your housing options and you may be able to get help from Barnet Homes, this will depend on your individual circumstances
- For further information please contact Housing Options at Barnet Homes on 020 8359 4618
- You may also wish to speak to resident members of the West Hendon Partnership Board or the Resident Independent Advisor. If you wish to do so please contact Rob Webb, the Resident Independent Advisor on 077306 24358 or robert.w@pep.org.uk

For general independent advice you can contact the West Hendon Resident Independent Advisor (RIA).

RIA contact details:

If you would like advice or information about the West Hendon regeneration scheme you can contact the Residents Independent Advisor by phone, email or the internet as follows:

ROBERT WEBB

Residents Independent Advisor

Priority Estates Project (PEP)

Mobile: 077306 24358

Office: 01793 737294

Email: robert.w@pep.org.uk

Website: <http://www.pep.org.uk/west-hendon-regeneration.html>

RESIDENT INDEPENDENT ADVISOR ROBERT WEBB:

Robert's role:

- Provide advice, information and support to residents across all tenures about the regeneration process and their housing needs
- Be accessible by phone, email - we will visit you at home if you require this
- Be impartial and independent of the Council and the development partners
- Liaise with Barnet Homes and MHT on residents' behalf related to the regeneration and rehousing
- Help signpost residents to other organisations where appropriate
- Network with local community organisations and support agencies
- Assist resident members of the West Hendon Partnership Board

CONTACT US

BARNET COUNCIL

Regeneration contact:

Regeneration Services

t: 020 8359 7248

e: regeneration@barnet.gov.uk

GVA

Private treaty arrangements contact:

Michael Walton

t: 020 7911 2773

e: michael.walton@gva.co.uk

BARNET HOMES

Management of the existing estate and non-secure tenant rehousing contact:

Regeneration Team

t: 020 8359 2900

e: talktous@barnethomes.org

METROPOLITAN

Moving to your new home on the estate contact:

Reshmun Nehar

t: 020 3535 2926

e: reshmun.nehar@metropolitan.org.uk

BARRATT LONDON

Building works on-site contact:

Community hotline

t: 0800 170 7270

e: info@west-hendon.co.uk

INDEPENDENT ADVICE

If you would like to speak to someone independent of the Council and Barratt Metropolitan LLP then you can obtain information and advice from:

Robert Webb of Priority Estates Project (PEP)

t: 01793 737294 | m: 07730 624358

e: robert.w@pep.org.uk

w: pep.org.uk/west-hendon-regeneration.html

If you would like a copy of this in large print, on audio tape, in a different language or in any other format please phone **Sheila Morcombe on 020 3535 4250**



WEST HENDON

HIGHWAY IMPROVEMENTS AND COMPULSORY PURCHASE ORDER INFORMATION BOOKLET

Barnet Council and the development partners are beginning preparation for Phase 4 of the West Hendon regeneration scheme. Phase 4 will see the delivery of over 500 new homes and significant improvements to the major highways and public realm.

Outline plans for Phase 4 were approved in 2013 but detailed plans must now be drawn up and approved by the planning authority. The development partners are preparing these detailed plans – known as a reserved matters planning application – and will submit these following public consultation at the end of summer 2016.

This booklet explains the proposed improvements to the highways and public realm in West Hendon, who will be affected and how the process will be undertaken.

IMPROVEMENTS TO HIGHWAYS & PUBLIC REALM

Phase 4 will deliver important changes to the local major highways that will significantly improve the quality of vehicle and pedestrian access and movement. These improvements will include:

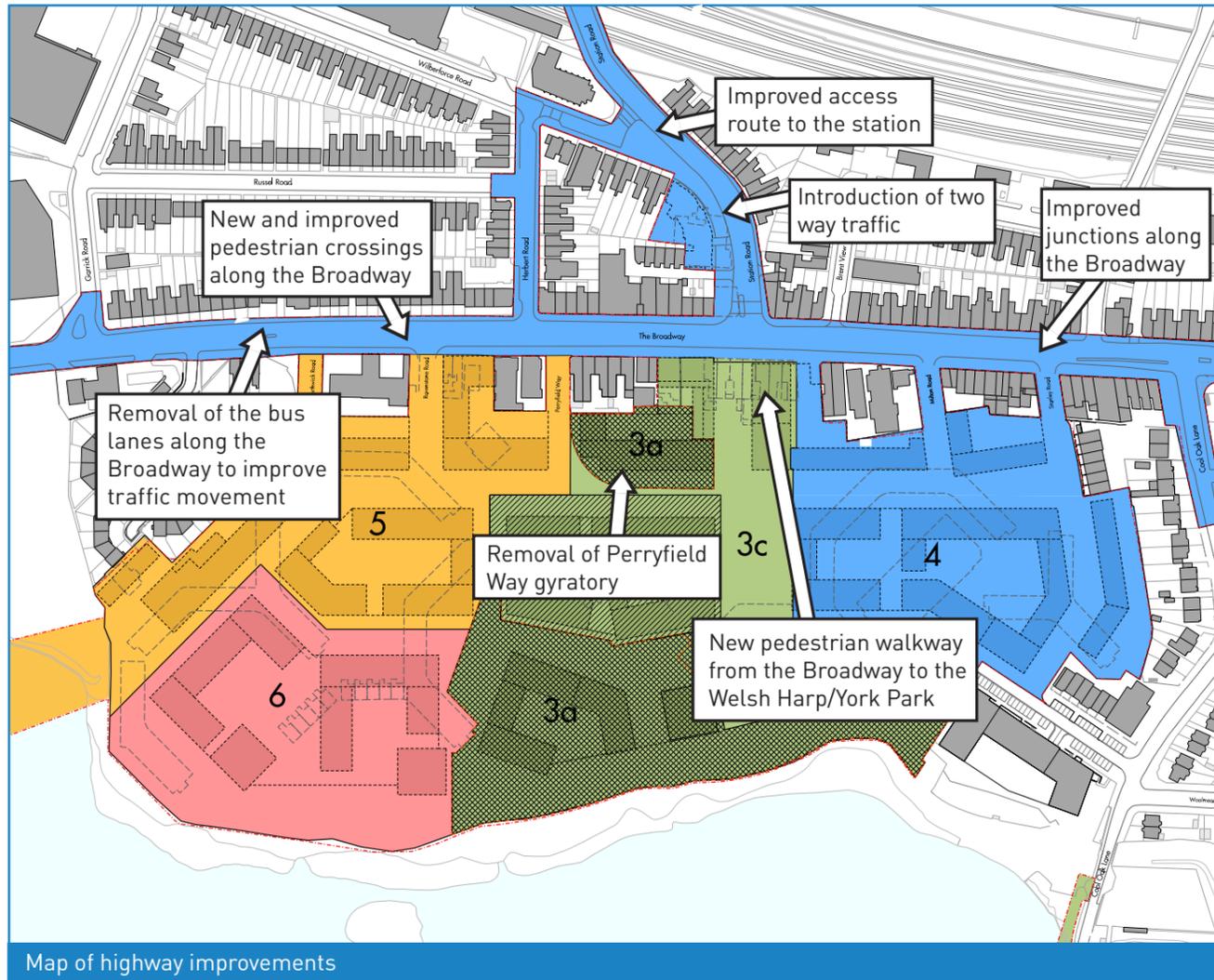
- Removal of Perryfield Way gyratory
- Removal of the gyratory traffic from Herbert Road
- Widening Station Road to allow two-way traffic and an improved pedestrian area
- Improvements to the junction of Cool Oak Lane and the A5
- New and improved pedestrian crossings
- Improvements to the public realm

PROPERTIES AFFECTED BY THE HIGHWAYS IMPROVEMENTS

To do this important work, Barnet Council will need to purchase a small number of properties and acquire rights from a number of other properties. Further details and a plan of properties affected by these works can be found on page 3.



Improved public walkways proposed as part of Phase 4



Map of highway improvements

MAKING AGREEMENTS AND COMPULSORY PURCHASE ORDER (CPO)

Barnet Council and the development partners want to purchase affected properties and acquire rights from other affected properties by reaching agreement with landowners and occupiers wherever reasonably possible.

GVA have been instructed to discuss the impact of the scheme with affected landowners and negotiate agreements. If an agreement cannot reasonably be reached, the Council will need to exercise a CPO to acquire affected properties, but only as a last resort. In this event, it may be necessary to hold a public inquiry.

A CPO gives the Council powers to compel landowners to sell them land and interests in land (e.g. a right to resurface land) when owners are not willing to sell by agreement. If land or property is bought through a CPO, the landowner will generally be entitled to compensation provided by the Statutory Compensation Code.

The process of exercising a CPO can be lengthy so work on this has commenced in case it is required. Affected residents will be informed as these preparations progress and will receive a number of formal legal notices. A timetable of the key activities can be found on page 4.

INFORMATION FOR PROPERTIES WHERE LAND IS AFFECTED – PINK LAND

A small number of properties will need to be acquired to deliver improvements to the highways.

Affected landowners (leaseholders/freeholders) will be eligible for a number of different statutory payments, depending on their circumstances, which we summarise below:

- Property value of existing property
- Home loss or basic loss payment
- Reimbursement of reasonable disturbance expenses or reinvestment costs
- Reimbursement of reasonable professional fees

Affected landowners have been contacted by GVA and discussions have begun.

For further information, please contact Michael Walton at GVA on:
020 7911 2772 or michael.walton@gva.co.uk

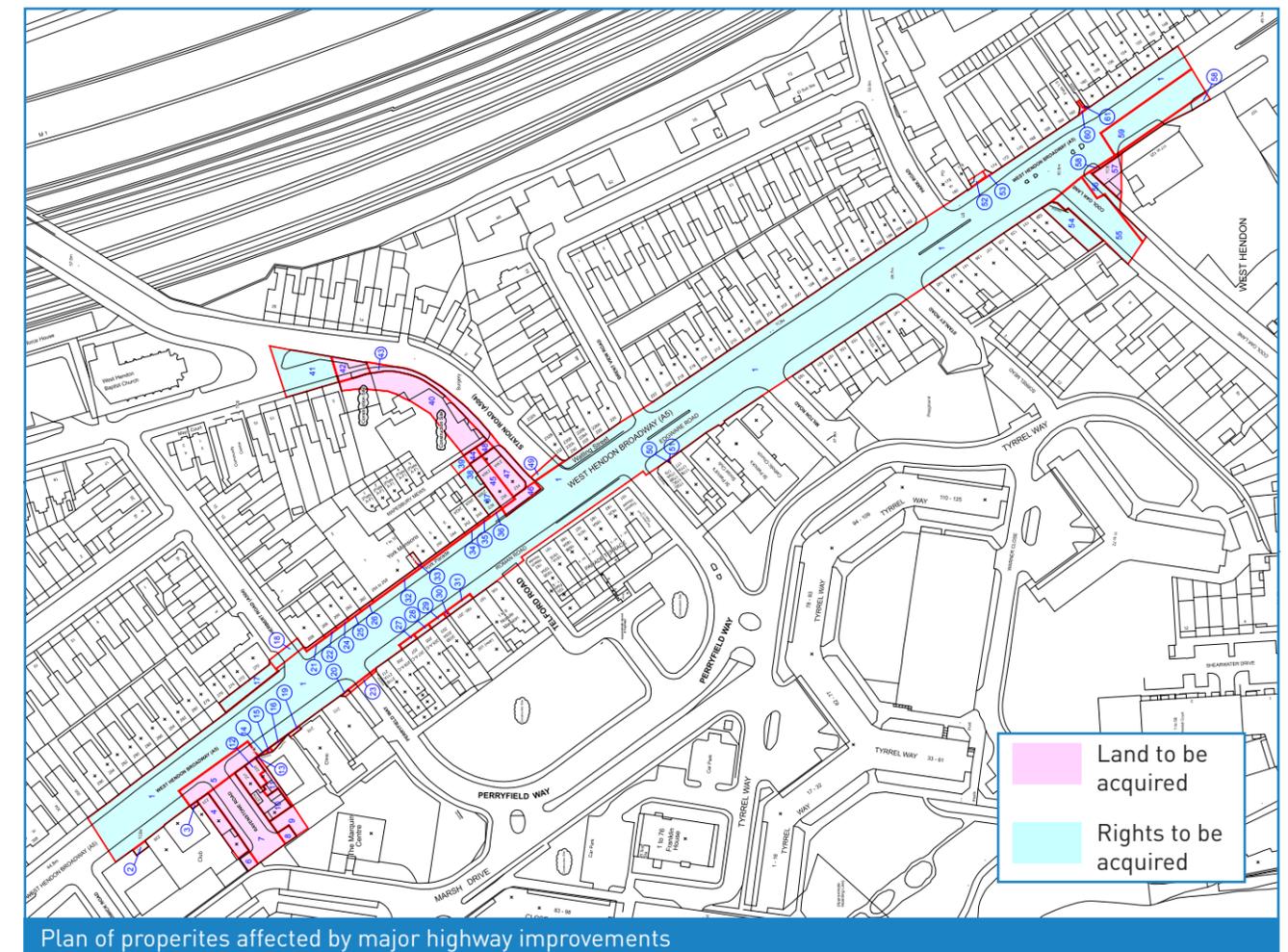
INFORMATION FOR PROPERTIES WHERE RIGHTS ARE AFFECTED – BLUE LAND

Some businesses, landowners and households will be affected by the acquisition of rights to enable improvement works to the highways. This is to undertake:

- Resurfacing of footways and public realm
- Temporary construction works
- Impact on rights of light
- Crane over sailing

It will not be necessary to acquire properties where rights are affected so **residents and businesses in these properties will not need to move.**

Formal legal notices will be provided as the project progresses. Details of the timetable can be found on page 4.



Plan of properties affected by major highway improvements

TIMETABLE AND KEY ACTIVITIES TO PREPARE FOR THE HIGHWAY CPO

Step 1: Preparation for the highway CPO (spring - summer 2016)

- Land referencing exercise (letter/s and door knocking)

Step 2: Making and notifying the CPO (spring - summer 2016)

- Council decision to make the CPO
- Private treaty negotiations
- Sealing of the CPO order
- Site, resident and newspaper notices published
- Statutory opportunity for residents and stakeholders to submit representations to the National Planning Casework Unit

Step 3: Public inquiry (autumn - winter 2016)

- It may be necessary to hold a public inquiry (most CPO's are subject to an inquiry)

Step 4: Secretary of State decision and legal notices (spring - summer 2017)

Step 5: Exercise the CPO and legal notices

CONTACT US

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Regeneration Services

t: 020 8359 7248

e: regeneration@barnet.gov.uk

GVA

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