

**MEETING**

**ASSETS, REGENERATION AND GROWTH COMMITTEE**

**DATE AND TIME**

**TUESDAY 3RD MARCH, 2015**

**AT 5.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

**TO: MEMBERS OF ASSETS, REGENERATION AND GROWTH COMMITTEE (Quorum 3)**

Chairman: Councillor Daniel Thomas  
Vice Chairman: Councillor Daniel Seal

**Councillors**

Richard Cornelius	Philip Cohen	Nagus Narenthira
Pauline Coakley Webb	Geof Cooke	Shimon Ryde
	Gabriel Rozenberg	

**Substitute Members**

Councillor Caroline Stock	Councillor Alison Moore	Councillor Tom Davey
Councillor Ross Houston	Councillor Paul Edwards	Councillor Val Duschinsky

**You are requested to attend the above meeting for which an agenda is attached.**

**Andrew Charlwood– Head of Governance (Acting)**

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Media Relations contact: Sue Cocker - 020 8359 7039

**ASSURANCE GROUP**

## ORDER OF BUSINESS

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# Decisions of the Assets, Regeneration and Growth Committee

15 December 2014

Members Present:-

AGENDA ITEM 1

Councillor Daniel Thomas (Chairman)

Councillor Richard Cornelius  
Councillor Pauline Coakley Webb  
Councillor Philip Cohen  
Councillor Geof Cooke

Councillor Gabriel Rozenberg  
Councillor Nagus Narenthira  
Councillor Shimon Ryde

Apologies for Absence

Councillor Daniel Seal

## 1. MINUTES OF THE PREVIOUS MEETING

**RESOLVED** - that the minutes of the meeting held on 12 November 2014 be agreed a correct record

## 2. ABSENCE OF MEMBERS

An apology for absence was received from Councillor Daniel Seal. There was not a substitute member.

## 3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Member	Agenda Item	Interest declared
Councillor Pauline Coakley Webb	Item 8 - Community Asset Strategy – Draft proposals for consultation	Non-pecuniary interest as A Trustee of Friern Barnet Library
Councillor Nagus Narenthira	Item 8 - Community Asset Strategy – Draft proposals for consultation	Non-pecuniary interest as she works with the Hanuman Community Centre
All Councillors	Item 8 - Community Asset Strategy – Draft proposals for consultation	Non-pecuniary interest as All Councillors are school Governors.

## 4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none

## 5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none

**6. MEMBERS' ITEMS (IF ANY)**

There were none

**7. STRATEGIC ASSET MANAGEMENT PLAN**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 4

Against: 0

Abstain: 4

The Committee;

**RESOLVED**

That the committee approve the attached Strategic Asset Management Plan (SAMP) following a period of internal and public consultation

**8. COMMUNITY ASSET STRATEGY**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 4

Against: 4

Abstain: 0

The Chair used his casting vote and the Committee;

**RESOLVED**

1. That the Committee approve the Community Asset Strategy set out at Appendix 1, subject to an updated and complete list of all community assets listed under Appendix 2, as the draft for consultation with the public and key stakeholders.
2. That the Committee note that, following this period of consultation, a full version of the Strategy will be presented to the Assets, Regeneration and Growth Committee in March 2015.

**9. ENTREPRENEURIAL BARNET**

The Committee;

The Committee considered the report.

Councillor Rozenberg moved a motion to amend 1.12 to read "In Addition, Finchley Church End will be regarded as Main in relation to supporting the local evening economy..." Councillor Cohen seconded the motion.

Having been put to the vote the Committee voted:

For: 8  
Against: 0  
Abstain: 0

The motion was therefore carried.

Following further discussion the committee resolved to defer recommendation 3 - Endorsing the approach to Town Centres as set out on paragraphs 1.10-1.12 until the March 2015 meeting.

Having been put to the vote the Committee voted:

In Favour: 8  
Against: 0  
Abstain: 0

The Committee;

### **RESOLVED**

1. That the committee approve Entrepreneurial Barnet: the public sector contribution to Barnet's economy 2015-2020 (Appendix A).
2. That officers feedback to area committees any specific issues or suggestions from consultees relating to individual town centres.
3. That the Committee defer endorsing the Town Centres approach to the next meeting.

## **10. BUSINESS PLANNING**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 4  
Against: 0  
Abstain: 4

The Committee;

### **RESOLVED**

That the committee approves the Commissioning Plan (Appendix A), subject to consultation.

## **11. BRENT CROSS CRICKLEWOOD - PROJECT UPDATE**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 8  
Against: 0  
Abstain: 0

The Committee;

**RESOLVED**

That the committee note the progress on the Brent Cross Cricklewood Regeneration Project

**12. BRENT CROSS CRICKLEWOOD - CONTRACTS EXTENSIONS**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 4  
Against: 0  
Abstain: 4

The Committee;

**RESOLVED**

That the committee approve extending the contracts of PEP, GVA Grimley, and AECOM as external advisors on the Brent Cross Cricklewood Regeneration Scheme

**13. GRAHAME PARK; CPO/GROUND 10A AND RELATED CONSENTS**

Following discussion of the report Councillor Nagus Narenthira MOVED that the report be referred to Full Council

The referral was supported by:

Councillor Phil Cohen  
Councillor Geof Cooke  
Councillor Pauline Coackley WEbb

**RESOLVED** – That having received the requisite number of support for referral, the item will be placed on the agenda for consideration by Full Council.

**14. PAVILLION WAY - CHANGE OF FREE SCHOOL SPONSOR**

Following discussion of the report Councillor Nagus Narenthira MOVED that the report be referred to Full Council

The referral was supported by:

Councillor Phil Cohen  
Councillor Geof Cooke



Councillor Pauline Coackley WEbb

**RESOLVED** – That having received the requisite number of support for referral, the item will be placed on the agenda for consideration by Full Council.

**15. LAND TO THE REAR OF 71 HOLDEN ROAD**

The Committee considered the report. The Chairman invited Members to indicate whether they had any questions regarding the information contained in the exempt report, which would require the Committee to go into private session. The question was answered in the private session.

The Committee;

The Committee considered the report and the accompanying exempt information.

Having been put to the vote the Committee voted:

In Favour: 8

Against: 0

Abstain: 0

The Committee;

**RESOLVED**

1. That the Committee declare the land as surplus to the council's requirements.
2. That, subject to statutory public open space consultation, the Committee approve the granting of a two year call option to HGS Properties (Brookdene Holden Road Ltd) to purchase the public open space at the rear of 71 Holden Road on a 150 year lease subject to planning, a tree maintenance plan and the required legislative advertising as detailed in this and the exempt report.

**16. RE-PROVISION OF COMMUNITY HALL IN TARLING ROAD, PREVIOUSLY IN COPPETTS ROAD**

The Committee considered the report.

Having been put to the vote the Committee voted:

In Favour: 8

Against: 0

Abstain: 0

The Committee;

**RESOLVED**

That the Committee approve the re provision of a Community Centre Tarling Road, N2 subject to granting of planning permission for a scheme which is within the approved budget.

**17. COMMITTEE FORWARD WORK PROGRAMME**

The Committee considered the Forward Work Programme. Two amendments were agreed to the programme to:

1. Add agreement of Town Centres approach to the March meeting
2. Consider Office relocation in the March meeting

#### **18. LOCAL AUTHORITY NEW HOUSING PROGRAMME (BARNET HOMES)**

The Committee considered the revised report. The Chairman invited Members to indicate whether they had any questions regarding the information contained in the exempt report, which would require the Committee to go into private session. There were none.

The Committee;

The Committee considered the report and the accompanying exempt information.

Having been put to the vote the Committee voted:

In Favour: 8  
Against: 0  
Abstain: 0

The Committee;

#### **RESOLVED**

1. That the Committee note the substitution of sites on the programme.
2. That the Committee approve the development of the further two units (40 units in total).
3. That the Committee approve the amended budget and additional funding required to deliver the 40 unit programme across six sites.

#### **19. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT**

There were none

#### **20. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 and 5 of Part 1 of Schedule 12A of the Act (as amended)

Minutes:

**RESOLVED** that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 and 5 of Part 1 of Schedule 12A of the Act (as amended)

**21. LAND TO THE REAR OF 71 HOLDEN ROAD (EXEMPT)**

**RESOLVED** - that the information contained in the exempt report be noted.

**22. LOCAL AUTHORITY NEW HOUSING PROGRAMME (BARNET HOMES) - EXEMPT**

**RESOLVED** - that the information contained in the exempt report be noted.

**23. ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT**

There were none

The meeting finished at 8.45 pm

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	AGENDA ITEM 7 <b>Assets, Regeneration and Growth Committee</b> <b>3<sup>rd</sup> March 2015</b>
	<p><b>Title</b> <b>Brent Cross Cricklewood Compulsory Purchase Order (No. 1)</b></p> <p><b>Report of</b> Cath Shaw, Commissioning Director, Growth and Development</p> <p><b>Wards</b> Childs Hill, Golders Green and West Hendon</p> <p><b>Status</b> Public</p> <p><b>Enclosures</b> Appendix 1 Plan of Proposed Boundary of CPO Appendix 2 Draft Statement of Reasons Appendix 3 Context plan showing proposed CPO 1 and CPO2 boundaries</p> <p><b>Officer Contact Details</b> Karen Mercer, Programme Director Re, <a href="mailto:Karen.Mercer@barnet.gov.uk">Karen.Mercer@barnet.gov.uk</a>, 0208 359 7563</p>

<h3>Summary</h3>
<p>This report requests that the Committee recommends to full Council the making of a compulsory purchase order (CPO) in respect of the land, interests and rights needed to deliver the first stage of the regeneration of Brent Cross Cricklewood as shown on the plan at Appendix 1, being the redevelopment of Brent Cross shopping centre and the regeneration of the land around it and the delivery of infrastructure needed to facilitate the regeneration of the land to the south of the North Circular including approval of the use of Ground 10A procedures to recover possession of properties within the area that are occupied by secure tenants and service of demolition notices to suspend the right to buy Council properties due for demolition.</p>

<h3>Recommendations</h3>
<p><b>1. The Committee is requested to note the content of this report and recommend the following to full Council for approval:</b></p>

<ul style="list-style-type: none"> <li>• That a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land shaded pink on the plan at Appendix 1 and pursuant to section 13 of the Local Government (Misc Provisions) Act 1976 to acquire new rights in respect of the land shaded blue on the said plan.</li> </ul>
<ul style="list-style-type: none"> <li>• That the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation and take all action needed to pursue the CPO and secure its confirmation.</li> </ul>
<ul style="list-style-type: none"> <li>• That the appropriate Chief Officers be authorised, following the confirmation of the CPO, to implement the CPO powers and acquire title to and/or take possession of the land.</li> </ul>
<ul style="list-style-type: none"> <li>• That the appropriate Chief Officers be authorised to carry out the necessary procedures under Part 11 of the Housing Act 1985 and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants in the area shown shaded pink on the plan at Appendix 1.</li> </ul>
<ul style="list-style-type: none"> <li>• That the appropriate Chief Officers be authorised to approve the service of Initial and Final Demolition Notices as required pursuant to the Housing Act 2004 to suspend the right to buy on properties due for demolition which are situated on the Whitefield Estate but fall within the Brent Cross North Development and on the Rosa Freedman Centre.</li> </ul>
<ul style="list-style-type: none"> <li>• That the appropriate Chief Officers be authorised to take all necessary steps to re-house secure tenants from the Sheltered Housing Units at Rosa Freeman and to pay statutory homeless and disturbance to those tenants.</li> </ul>

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 This report is requesting that the Assets, Regeneration and Growth Committee recommends the making of a compulsory purchase order (CPO 1) and other related steps to full Council for approval in order to acquire the land and rights needed to enable the first stage of the comprehensive regeneration of Brent Cross Cricklewood to go ahead. The extent of the land acquisition needed for this first stage (including the land needed for the delivery of significant infrastructure which will support the regeneration of the wider Brent Cross Cricklewood scheme) is shown shaded pink and shaded blue on the plan at Appendix 1.
- 1.2 The Council's purpose in seeking to acquire the land shown on Appendix 1 is to facilitate its development, re-development and improvement by way of a mixed use scheme (comprising retail, leisure and office development; hotel development; industrial, storage and distribution development; community facilities; residential development; car parking; public transport infrastructure and facilities; major infrastructure and highway works, and public realm and

environmental improvement works) (“**the CPO1 Development**”). This forms an early phase of the wider Brent Cross Cricklewood regeneration scheme (“**BXC**”). The regeneration of the wider BXC area, one of the largest regeneration opportunities in London, is a long-standing objective of the Council and is a key regeneration priority of the London Mayor.

- 1.3 Hammerson UK and Standard Life Ltd (the Development Partners) will deliver the redevelopment of the shopping centre at Brent Cross and the land around it, together with the infrastructure required to support the comprehensive regeneration proposals. The Council will take the lead on the south side to deliver the southern parts of the Brent Cross Cricklewood Regeneration masterplan with a new development partner, including the land to be redeveloped in connection with the station improvements.
- 1.4 In addition to acquiring the land and interests needed for the Development Partners’ proposals for the shopping centre and its surrounds and the first development plot to the south of the North Circular, the CPO will secure the land and rights needed for the infrastructure that is needed for the regeneration to the south to come forward – without this infrastructure, the comprehensive regeneration of the area, as envisaged in the Council’s development plan and in the London Plan, will not happen.
- 1.5 The draft Statement of Reasons, which is the document that sets out the Council’s case and justification for making and pursuing the CPO, is found at Appendix 2. This will be served on all those affected by the CPO.
- 1.6 In order to authorise the officers to make and pursue the CPO, section 226 of the Town and Country Planning Act 1990 requires that members must be satisfied that the use of the compulsory powers will facilitate the development, redevelopment or improvement of land, and that it is likely to contribute towards the promotion or improvement of the economic, social and environmental well-being of the area. Further, members must be satisfied that there is a compelling case in the public interest for making and promoting CPO1, that the use of the powers is necessary and proportionate, and that the public benefits associated with the proposed regeneration will clearly outweigh the interference with the rights of those affected. These matters are explained and considered in more detail below and in the draft Statement of Reasons at Appendix 2.
- 1.7 The Council is in the process of procuring a development partner in respect of the southern parts of the BXC development referred to in paragraph 1.3 above for which the Council is taking the lead. This process is subject to a separate report being placed before this Committee to recommend to full Council the selection of the preferred development partner. A separate compulsory purchase order (“CPO2”) is proposed to be made to facilitate the delivery of the first phase of the south side development. This is also the subject of a separate report which has also been placed before members for consideration at this committee meeting. A plan showing the combined proposed CPO1 and CPO2 boundaries is at Appendix 3.

- 1.8 It is anticipated that further CPOs may be required as and when future phases of the southern development are ready to come forward, such as in respect of the land and rights needed to deliver the proposed new Thameslink Station. In this latter respect, the Council together with the Greater London Authority (GLA) are working with HM Government and Network Rail to confirm the funding strategy by mid March 2015. Compulsory purchase powers may be exercised for the land required for the station once the funding strategy is confirmed to ensure delivery by 2021.

## **2. UPDATE**

- 2.1 On 23rd July 2014, following the completion of the Section 106 agreement, the Section 73 planning permission for the comprehensive Brent Cross Cricklewood scheme (which amended the phasing of the original planning permission and made consequential changes) was granted. Planning permission is therefore now in place for the scheme. The Development Partners are now focusing on discharging the relevant conditions. The first reserved matter applications for the required residential relocations and Phase 1a relating to the critical road infrastructure and open space improvements were submitted earlier this month. The Development Partners are now preparing the necessary reserved matters applications in respect of the shopping centre to be submitted later this year.
- 2.2 On 8 September 2014, members gave authorisation for certain preparatory steps to be undertaken in connection with the making of a CPO, relating to private treaty negotiations and the land referencing exercise required to identify all parties with an interest in the land. GL Hearn will pursue negotiations with all such parties with a view to acquiring their interests by agreement wherever possible.
- 2.3 The Property Development Agreement and Co-operation Agreement (and an associated suite of documents) between the Development Partners and the Council, which deals with the delivery of the redevelopment and regeneration of the shopping centre and the land around it, and the delivery of the infrastructure needed for that and for the regeneration of the land to the south of the North Circular (“the Critical Infrastructure”), will be completed by 3<sup>rd</sup> March by the parties.
- 2.4 A CPO Indemnity Agreement, under which the Development Partners provide the Council with an indemnity in respect of the costs of promoting the CPO and the compensation payable to third parties whose land and interests are acquired pursuant to the CPO, is required to be completed by 3<sup>rd</sup> March by the parties in order for this Committee to consider this report and confirm the recommendations to full Council.

## **3. REASONS FOR RECOMMENDATIONS**

- 3.1 By virtue of Section 226(1)(a) of the Town and Country Planning Act 1990 the Council has the power to make a compulsory purchase order for any land in



its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. It is the exercise of this power which the Committee is being asked to authorise.

- 3.2 Section 226(1A)(a) of the Act provides that the Council may not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area.
- 3.3 The purpose in seeking to acquire the land the subject of CPO1 is to facilitate the development, re-development and improvement of it by way of a mixed use scheme (comprising retail, leisure and office development; hotel development; industrial, storage and distribution development; community facilities; residential development; car parking; public transport infrastructure and facilities; major infrastructure and highway works, and public realm and environmental improvement works) as the first stage of the ("BXC") scheme.
- 3.4 The CPO1 comprises Phases 1A (North) and 1B (North) of BXC. It includes the extension and improvement of the Shopping Centre; the provision of infrastructure associated with and required for the Shopping Centre; and significant infrastructure including in the south of the North Circular Road to support the redevelopment and regeneration of the wider BXC land, in particular development to the south of the North Circular Road.
- 3.5 The CPO1 Development will contribute to the economic, environmental and social well-being of its area by delivering important and wide ranging public benefits including investment in the shopping centre, new jobs, new residential accommodation and major infrastructure and environmental improvements which will "pump prime" the infrastructure provision to enable and facilitate future phases of regeneration in BXC, and in particular provide a considerable catalyst for development south of the North Circular Road.

### **Benefits of the Brent Cross Cricklewood Scheme**

- 3.6 The comprehensive regeneration of BXC is a long-standing objective of the Council and a key regeneration priority of the Mayor of London. At 151 Ha, it is one of the largest regeneration schemes in Europe. The London Plan identifies it as an Opportunity Area with an indicative employment capacity target of 20,000 jobs and a minimum new homes target of 7,500 homes. The Council's Core Strategy reinforces the significant comprehensive regeneration opportunity, which includes a new town centre, major new and improved transport and community facilities, and other infrastructure and public areas.
- 3.7 The BXC area is significantly constrained by the existing road network and rail infrastructure, but given its location at the connections between the M1 and the A406 and between the A5 and A41, it has the potential to be an attractive gateway into London. That potential is enhanced by the proximity to the Northern Line at Brent Cross station, the Midland mainline, and Brent Cross bus station.

- 3.8 Substantial infrastructure needs to be provided in order to realise the area's potential. The comprehensive redevelopment and improvement of the Brent Cross Shopping Centre and other major development in the area provides the opportunity for the major infrastructure to be funded and delivered that will enable and facilitate the wider BXC regeneration. In particular, in addition to major improvements to existing roads, public transport and social infrastructure, the BXC proposals will create strong and attractive linkages between the communities to the north and south of the North Circular.
- 3.9 The development of the BXC strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular Road, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The first phase alone is expected to create 3,000 construction jobs, and an additional 4,000 permanent jobs over the next 5-7 years. About 99,000 sqm of additional retail and commercial floorspace will be provided on the Order Land.
- 3.10 BXC is a key element of the Council's regeneration and housing programme and will provide over 7,540 new homes over the next 20 years, including affordable homes and replacement homes for the Whitefield Estate. BXC will also provide new and improved educational and health facilities for the community, and improved open space and recreational facilities for the community to enjoy and use.
- 3.11 The new Thameslink Station alongside the major highways and junction improvements (including those to junctions on the M1, A5, A406 (the North Circular), A407 and A41) will vastly improve the accessibility of the area and will help realise the regeneration of the area to its full potential. To address the existing barriers to accessibility between the communities to the north and south of the North Circular, as part of the first stage of development a series of bridges will be delivered including the Living Bridge (a new pedestrian and cycle bridge over the North Circular adjacent to Claremont Avenue and Market Square); the Templehof Bridge (replacing the existing Templehof Bridge over the North Circular); the A406/M1 Junction Pedestrian and Cycle Bridge – a new shared pedestrian and cycle bridge over the A406 adjacent to this improved junction; changes to the Staples Corner Pedestrian Bridge; 9 road bridges across the improved and diverted River Brent, and a further two bridges for the use of pedestrians and cyclists only.
- 3.12 The regeneration of BXC will be a major component of achieving the Council's priority objectives in its Corporate Plan 2013-2016, including to 'maintain the right environment for a strong diverse local economy', with the strategic objective under this priority being to sustain Barnet by 'promoting growth, development and success across the borough'.
- 3.13 The scheme also supports the achievement of the objectives set out in 'One Barnet - A Sustainable Community Strategy for Barnet 2010-2020', including:
- "Sharing opportunities for success' and 'choice and responsibility', where the proposals will provide high quality homes. The Scheme itself will offer more choice by providing a number of different housing options such as shared*

*equity, shared ownership and private homes for sale to residents and those in the wider community”*

- 3.14 In addition, it will further the strategic objectives in the Council’s Housing Strategy 2010-2025 which include:
- (a) increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and
  - b) promoting mixed communities and maximising opportunities available for those wishing to own their home.
- 3.15 Substantial progress has therefore been made in relation to establishing the policy basis for the regeneration of BXC, and attention must now focus on delivery and the key issue of land assembly. Regeneration is to be realised on a phased basis. The early phases comprise the regeneration of the shopping centre and its environs; and the delivery of the Critical Infrastructure, and regeneration of land to the south of the North Circular. In order to achieve a comprehensive approach, the planning permission and Property Development Agreement will secure the Critical Infrastructure. The lack of such infrastructure has prevented the area being redeveloped in the past, and the scheme now being advanced by the Development Partners and the Council will secure the investment needed to deliver the infrastructure required to deliver the rest of the development.
- 3.16 Whilst a comprehensive approach is needed, more than one CPO will be promoted for the early stages. This is because of the separate processes and different developers required to deliver each stage of the comprehensive regeneration and because the stages will be funded separately. Members are therefore being asked to authorise the making of two separate CPOs: one to include the land needed for the land north of the North Circular and the Critical Infrastructure which will be delivered by the Development Partners (“CPO1”), and a separate CPO for the land to the south of the North Circular which will be delivered by the Council and its forthcoming new development partner (“CPO2”). The two CPOs are the subject of separate reports to this Committee, but it is proposed that the CPOs would be made at the same time, so as to enable them to be considered at the same public inquiry and on the same timetable.

### **Benefits of CPO1**

- 3.17 This report asks the Committee to recommend to full Council the making of the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.1 ) 2015.
- 3.18 CPO1 is required to acquire the land and rights needed to facilitate the delivery of the first phases of BXC, namely Phase 1A (North) and Phase 1B (North) which will be delivered by the Development Partners. These phases include the major redevelopment and improvement of the Brent Cross Shopping Centre; the provision of infrastructure associated with and required for the redeveloped shopping centre; and significant infrastructure to support the redevelopment and regeneration of the wider BXC area, in particular development to the south of the North Circular Road.

- 3.19 Further detail on the Phase 1A (North) and Phase 1B (North) proposals is set out in section 5.3 of the draft Statement of Reasons at Appendix 2.
- 3.20 The land proposed to be included in CPO1 is shown shaded pink and shaded blue on the plan at Appendix 1 and is described in the draft Statement of Reasons at Appendix 2. The land is occupied for a variety of uses. In addition to the existing Brent Cross shopping centre, the land includes brownfield land in industrial use, land in railway use, residential dwellings, commercial and retail premises, areas of surface level car parking and highway land.
- 3.21 Those commercial owners and occupiers, including tenants in the shopping centre, who are affected have been contacted by the Development Partners and/or the Council, and discussions have taken place regarding the acquisition of the relevant land and rights.
- 3.22 With regard to the residents of the housing on the Whitefield Estate and the Rosa Freedman Centre discussions have been held with all residents regarding alternative accommodation. The residents of the Rosa Freedman Centre will be re-located within the Borough, and the Development Partners are procuring a registered provider to secure the successful relocation of the Council's tenants. Those residents who have exercised their right to buy their properties have been contacted by the Development Partners and the Council to explain the principles that will be applied to acquisitions by agreement. Drop in information sessions have also been held to address any questions or concerns owners may have. Negotiations with remaining owners will be actively pursued from Spring 2015 which is when the Council expects the Development Partners to have engaged a registered provider for the replacement housing in Phase 1A (North). Detailed questions regarding the purchase of a replacement home in the new development cannot be addressed until the registered provider has been appointed.
- 3.23 The Council intends to suspend the Housing Act 1985 right to buy for secure tenants living on the Whitefield Estate, in order to facilitate the re-development of the BXC Area. Full Council is being asked to authorise the service of Initial and Final Demolition Notices, in order to suspend the right to buy.
- 3.24 It should be noted that under the planning permission and associated section 106 agreement the Development Partners must implement and follow relocation strategies for the residents who are affected, and for the commercial occupiers included in any CPO made to deliver the scheme. This provides an additional control for the Council (as planning authority) in ensuring that the affected parties are provided with assistance to relocate.
- 3.25 Draft Statement of Reasons at Appendix 2 sets out in detail the rationale and justification for CPO1, including how the CPO1 Development will contribute to the achievement of the Council's regeneration and planning objectives, and result in substantial public benefits being realised, both within the land included in the CPO and in the wider area. Those details will not be rehearsed in this report, but it is essential that members review the draft Statement of Reasons before reaching a decision.

3.26 From section 8 of the draft Statement of Reasons, it will be seen that substantial public benefits will flow from the CPO1 Development proceeding, including:

- The extension and refurbishment of the existing Brent Cross Shopping Centre to provide additional and improved retail floorspace together with leisure, catering and community facilities.
- The creation of over 3,000 new jobs, many of which will be local, thus generating economic growth and prosperity in the area.
- The layout and capacity of the highways will be improved and will provide additional access and egress points. The new bus station will double the size of the existing facility, enhancing the modal shift between the private car and public transport.
- The provision of the new Living Bridge, the new Templehof Bridge and the diversion of the River Brent will create new east to west walking and cycling routes to improve connectivity between the Shopping Centre and the land south of the A406 North Circular Road. This will be a major contribution towards the provision of a new and integrated town centre.
- The quality of the public realm will be improved and there will be a network of streets and squares to create the basis of the new town centre. There will also be improved car parking facilities.
- Development of the land will act as a catalyst for the regeneration of the remainder of Phase 1 and of the wider BXC area. In particular, it will provide the infrastructure necessary to allow the regeneration of the land to the south of the A406 and the realisation of the potential of that area.

3.27 This clearly demonstrates that there is a compelling case in the public interest to make CPO1. Development of the land which is the subject of CPO1 will itself contribute very significantly to the economic, social and environmental well-being of the area and will also be an important catalyst for the development of the whole of Phase 1 and the wider BXC area.

3.28 Paragraph 16 of Appendix A to Circular 06/04: *Compulsory Purchase and the Crichel Down Rules* advises that in deciding whether or not to confirm a CPO, the Secretary of State can be expected to consider factors including the following:

- whether the purpose for which the land is being acquired fits in with the adopted planning framework for the area or, where no such up-to-date framework exists, with the core strategy and any relevant Area Action Plans in the process of preparation in full consultation with the community;
- the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area;

- the potential financial viability of the scheme for which the land is being acquired; and
  - whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.
- 3.29 Members will also need to consider these factors in deciding whether to make CPO1.
- 3.30 As to the first factor (the planning framework for the area), the planning permission for the regeneration of Brent Cross Cricklewood gives effect to the policy requirement found in the Core Strategy and saved policies of the UDP, and as reflected in the London Plan, for a comprehensive approach across the whole area so that its potential can be fully realised. The development of the CPO1 land, including the delivery of the infrastructure, is essentially the first phase of that regeneration. The area is identified as an Opportunity Area in the London Plan, and as such is one of the Mayor's key regeneration areas for the City. Given its importance, it is vital that the area's regeneration benefits are maximised, and the use of the Council's CPO powers is key to ensuring that this happens.
- 3.31 As to the second factor (contributing to well-being), as explained above, the use of CPO powers to facilitate the redevelopment and regeneration of the land shown on the plan at Appendix 1 will contribute towards the Council's promotion of the economic, social and environmental well-being of the area, and to the achievement of the Council's regeneration and planning objectives, and will also result in substantial public benefits being realised, both within the land shown at Appendix 1, the whole of Phase 1 and in the wider BXC area.
- 3.32 As to the third factor (viability), planning permission has been granted for the development and regeneration of the whole of the wider BXC area. A mixed use scheme, including retail, business, leisure and residential development, is to be carried out on the land the subject of CPO1 as the first stage of the BXC regeneration scheme. It will also provide the essential infrastructure to support redevelopment and regeneration of the wider BXC area. There are no planning impediments to the development of the land.
- 3.33 The development of the CPO1 land is to be taken forward by the Council's Development Partners who have the experience and expertise to carry out the scheme. The Development Partners have provided Council officers with a general indication of funding intentions. Costs are under constant review and a value engineering exercise is being undertaken. The Council will work with the Development Partners to address funding issues in order to support the regeneration proposals. From officers' discussions with the Development Partners it is considered that there is a reasonable prospect of the CPO1 Development going ahead.
- 3.34 As to the fourth factor (other means of achieving the Council's purpose in acquiring the land), the purposes for which the land is to be acquired could not be achieved by any alternative means or by development in other locations. This is given further consideration in section 4 below.

- 3.35 The residential dwellings within the area of CPO1 will be re-provided within the Borough at the expense of the Council's development partners. Residents have been consulted on the re-provision and will continue to be fully informed.
- 3.36 There have been discussions with owners and occupiers regarding the acquisition of their interests and regarding parties' relocation requirements. Negotiations will take place and relocation opportunities will be considered. Owners and occupiers of commercial premises will be kept informed.
- 3.37 It is clear that, unless CPO1 is made and confirmed, the Council and the Development Partners would be unlikely to be able to assemble the land and interests needed for the key first phase of the regeneration of the area within a reasonable timescale.
- 3.38 Accordingly, the tests in section 226(1)(a) and section 226(1)(A) of the Town and Country Planning Act 1990 will be met, the guidance in paragraph 16 of Appendix A to the Circular will be satisfied, and there is a compelling case in the public interest for the making and confirmation of the CPO.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 If the CPO is not made, then the only way of acquiring the land and interests needed to deliver the first phase of development would be by agreement. It is clear however that unless CPO1 is made and confirmed, the Council and the Development Partners would be unlikely to be able to assemble the land and interests needed for the key first phase of the regeneration of the area within a reasonable timescale.
- 4.2 Careful consideration has been given to the extent of the land and rights included in CPO1 and whether it is necessary to include all of these. All of the land shown on the plan at Appendix 1 is necessary to ensure that the CPO1 Developments can be delivered. The land is needed on its own terms in order to facilitate the delivery of Phases 1A (North) and 1B (North) on the land shown on the plan at Appendix 1. Development of that land will also facilitate the development of the land comprised within CPO2, and will facilitate the development of the wider BXC scheme which will confer substantial additional social, economic and environmental benefits on the area.

## **5. POST-DECISION IMPLEMENTATION**

- 5.1 It is proposed that, if authorised, the CPO will be made (executed) in approximately 4-5 weeks, after the date full Council approves the CPO. A specialist land referencing company (TerraQuest) has been engaged to identify all parties with interests in the area covered by the CPO so that they will all be served with the appropriate notices and be involved in the process if they so wish. Parties with interests in the land are required to be identified in a detailed schedule which, together with the CPO plan, forms the CPO.
- 5.2 After the CPO is made, a statutory notice of the making of the CPO will be served on all affected parties, advertised in the local press, and posted up on the site. The notices served on those affected will be accompanied by the Statement of Reasons, which sets out the background to and justification for the Council using its CPO powers. A draft of this document is found at Appendix 2. Service and advertisement of the statutory notices will take place shortly after the CPO is made.
- 5.3 Following service of the notices described above, those affected and members of the public will be given a period of 28 days within which to make representations including, if they see fit, object to the CPO. (The period required by law is a minimum of 21 days, but officers wish to provide the community and those affected with ample opportunity to make representations.)
- 5.4 If there are no objections, or if all objections made are withdrawn, then the Council may be authorised by the Secretary of State for Communities and Local Government to confirm the CPO1 itself. If there are objections and these are not withdrawn then the Secretary of State will arrange for a public inquiry to be held and will appoint an inspector to hold it. It is likely that a public inquiry would be held towards the end of 2015. Those affected and the public may attend and if they so wish, present their objections and cross-examine the Council's witnesses regarding the case for the CPO, and be cross-examined themselves on their objections.
- 5.5 Following the inquiry, the inspector will prepare a report in which a recommendation will be made to the Secretary of State as to whether CPO1 should be confirmed. The Secretary of State will then make his decision. This would be expected in mid-2016.
- 5.6 Following the confirmation of the CPO, the Council will have 3 years within which to exercise the powers and acquire the land and interests needed for the development.
- 5.7 In the event that full Council authorises the making of CPO2, CPO1 will be made at the same time as CPO2 and it is envisaged that the Secretary of State for Communities and Local Government will order that any public inquiry required for CPO2 will be con-joined and held at the same time as the inquiry for CPO1.



- 5.8 It should be noted that some highways orders will also need to be obtained to stop up or divert highways and footpaths, and to create new carriageways, to enable the first stage of development to proceed. Any objections will be considered at a public inquiry. It is envisaged that these applications will be made to a timetable that will enable the public inquiries for the two CPOs and for the highways orders to be con-joined.

## 6. IMPLICATIONS OF DECISION

### Corporate Priorities and Performance

- 6.1 The regeneration of Brent Cross Cricklewood supports the Corporate Plan 2013-2016 priority '*To maintain the right environment for a strong diverse local economy*', and the strategic objective under this priority to sustain Barnet by '*promoting growth, development and success across the borough*'.
- 6.2 The Growth Strategy for Barnet recognised that regeneration and growth are vital for ensuring the future prosperity of the Borough and maintaining Barnet as a successful London suburb. The BXC regeneration proposals will play a major role in delivering this objective, doubling the size of the shopping centre and linking seamlessly to a new town centre for Barnet and North London across the North Circular Road. BXC is one of Barnet's priority regeneration areas, and will provide approximately 7,500 new homes over the next 20 years. It is a key part of the wider revitalisation of the A5 corridor, linking BXC with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.
- 6.3 The first phase of the BXC project includes the redevelopment of the shopping centre, creation of major new infrastructure, improved links to the existing tube station, and delivery of approximately 2,500 new homes over the next 8-10 years. This will create an estimated 3,000 construction jobs, and 4,000 permanent jobs.
- 6.4 A fuller explanation of the rationale for pursuing CPO1 and details of the benefits that will result are set out in the draft Statement of Reasons at Appendix 2.

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

- 6.5 There are two main elements of costs associated with the CPO process – the costs of preparing and pursuing the CPO itself, and the compensation and consideration to be paid to those whose land and interests are acquired.
- 6.6 In terms of the costs of pursuing the CPO, this will require input from internal and external resource covering various disciplines, including senior officers, legal input, surveying and valuation expertise, planning input, developer input, technical input from engineers and consultants, and the cost of witnesses at the public inquiry. There will also be costs associated with the organisation

and holding of the public inquiry.

- 6.7 The costs associated with pursuing CPO 1 are dealt with in an agreement known as the CPO Indemnity Agreement which is due to be entered into between the Development Partners and the Council by 3 March 2015. The Development Partners will meet all of this cost through that agreement.
- 6.8 In terms of the compensation payable to parties whose land is compulsorily acquired, or the consideration to be paid where private treaty agreements are reached, the Development Partners will pay all of this in relation to land and interests comprised within CPO1 pursuant to the terms of the CPO Indemnity Agreement. the indemnity is backed by security so the Council is fully protected.
- 6.9 The costs of implementing the Ground 10A exercise and all incidental costs will be borne by the Development Partners.

### **Legal and Constitutional References**

- 6.10 The CPO process is governed by law, principally the Acquisition of Land Act 1981. There is a public and lawful process which must be followed by the Council in order to secure the confirmation of CPO powers.
- 6.11 Under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) the Council, if authorised by the Secretary of State for Communities and Local Government, has the power to acquire land compulsorily where it thinks that the acquisition will facilitate the development, redevelopment or improvement of land. Section 226(1A) provides that the Council may only use this power if it thinks that doing so will contribute to the achievement of the economic, social and environmental well-being of the area. Members must therefore address these questions when deciding whether to authorise the use of the CPO powers. Members are again referred to the draft Statement of Reasons at Appendix 2, which explains the justification for the use of the CPO powers.
- 6.12 Also, under section 13 of the Local Government (Miscellaneous Provisions) Act 1976 the Council is able to acquire new rights over land. Members will see that there are areas of land shaded blue on the plan at Appendix 1, which identifies the land which is not needed permanently for the development, but which are needed for the purposes of access, crane oversailing and to carry out works.
- 6.13 The Secretary of State will only confirm the CPO if he is satisfied that there is a compelling case in the public interest to do so. The draft Statement of Reasons at Appendix 2 is of direct relevance to members in this regard.
- 6.14 The Development Partners and the Council have been in discussions with those whose land and interests are required. Indeed, the Development Partners are under an obligation to do so in the CPO Indemnity Agreement. Efforts to acquire the land and interests by agreement will take place, but it is

clear that without the use of CPO powers it will not be possible to acquire all of the required land and interests within a reasonable timeframe.

- 6.15 Those who wish to object to the CPO may do so and are entitled to be heard at a public inquiry held to consider the case for, and the objections to, the CPO. Those whose land and interests are acquired will be entitled to compensation calculated on the basis of legislation and related case law known as the “Compensation Code”.
- 6.16 Consideration must also be given to the interference with rights protected by the Human Rights Act 1998, including Article 8 (respect for private and family life and home), and Article 1 (the right to peaceful enjoyment of possessions) of the European Convention on Human Rights. A decision to make a CPO must strike a fair balance between the public interest associated with the regeneration of the land and the interference with private rights. With the implementation of relocation strategies; the attempts to acquire by agreement; the fact that parties will receive fair compensation under the “Compensation Code”, and the fact that there is a compelling case in the public interest for the exercise of the Council’s CPO powers, it is considered that the interference with the private rights of those affected that would be the inevitable result of the exercise of compulsory purchase powers conferred by CPO1 would be lawful, justified and proportionate. The draft Statement of Reasons, at Appendix 2, also addresses the balance that must be struck in this respect.
- 6.17 Though the Council anticipates the willing co-operation of tenants living in Whitefield Estate it may need to rely upon the Ground 10A provisions to obtain possession of the existing homes in order to enable the regeneration to proceed. Ground 10A permits a local authority to obtain possession orders to enable a redevelopment to proceed which has been approved by the Secretary of State in accordance with Part V of Schedule 2 of the Housing Act 1985.
- 6.18 The Secretary of State will only provide his approval under Part V where the local authority serves written notice on the affected secure tenants stating:
- (a) the main features of the scheme;
  - (b) that the local authority intends to apply to the Secretary of State for his approval of the scheme;
  - (c) the legal effect of such approval in particular the ability of the local authority to rely on Ground 10A in possession proceedings.
- 6.19 Part V requires a local authority to allow the secure tenants to make representations to it about the proposal. The period for consultation must be no less than 28 days from the date of the notice provided to tenants.
- 6.20 Prior to making the application to the Secretary of State the local authority must consider the representations made to it by the secure tenants.
- 6.21 Part V consultation will commence shortly once the Development Partners have selected the preferred Registered Provider. However, officers have been regularly consulting with the Whitefield Steering Group and the Development Partners and Council officers have consulted with residents at

Whitefield Public Open Meetings on the scheme proposals and on the process to select a Registered Provider.

- 6.22 Section 138A and Schedule 5A of the Housing Act 1985 as inserted by section 182 of the Housing Act 2004 empowers the Council to serve initial demolition notices to suspend the right of secure tenants to exercise their Right to Buy and service of final demolition notices to terminate the right of a secure tenant to the Right to Buy. These notices must be served in accordance with the statutory provisions in order for them to be effective.
- 6.23 Council Constitution, Responsibility for Functions paragraph 6.1 states that “Any Committee may decide to report on any matter to Council. In such cases the decision is reached by the usual process, such as a majority vote. The report may make recommendations or seek instructions”
- 6.24 Council Constitution, Responsibility for Functions, Annex A – sets out the terms of reference of the Assets, Regeneration and Growth Committee which is to:
- “Oversee major regeneration schemes – including those of key housing estates”; and
  - “Asset Management – all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.”
- 6.25 Council Constitution - Management of Asset, Property and Land Rules provide the governance structure within which the Council may acquire, lease, act as landlord, licence, develop appropriate change of use of, or dispose of assets within its Asset portfolio.

### **Risk Management**

- 6.26 The key risks can be summarised as follows:
- 6.27 Affected parties failing to be identified in the CPO – a specialist land referencing firm, TerraQuest, have been appointed to undertake the land referencing exercise to mitigate against this risk. The discussions being held by the Development Partners with those affected when seeking to acquire their land and interests also help to identify the parties with interests in the area.
- 6.28 The preparation of a CPO and related documents is a technical and complex area, carrying a risk of challenge. However, the Council has retained experienced and expert external legal advice and the documents have been reviewed by leading counsel.
- 6.29 The cost of preparing the CPO for the land around the shopping centre and the Critical Infrastructure. Through the Property Development Agreement and the CPO Indemnity Agreement, these costs fall on the Development Partners and may be the subject of security. As such, the Council is protected.
- 6.30 There is a risk that owners and occupiers will seek sums in excess of the

estimates for the costs of land acquisition. This risk has been mitigated through the receipt of professional valuation advice and the setting of appropriate budgets. An uncapped indemnity has been provided to the Council by the Development Partners through the CPO Indemnity Agreement.

- 6.31 There is a small risk that the Secretary of State consents could be refused. Lands will not be disposed of until all necessary consents are in place. If necessary the scheme would be revised and new consents would be sought

### **Equalities and Diversity**

- 6.32 The public sector equality duty under section 149 of the Equality Act 2010 (“PSED”) requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. ‘Protected characteristics’ are: gender, race and disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment.
- 6.33 The Council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the Borough.
- 6.34 The development proposals for the BXC scheme will make a significant contribution to the provision of additional, high quality affordable housing units in the Borough as well as providing employment through the creation of a new town centre with leisure, health and educational facilities. The delivery of the Thameslink Station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.
- 6.35 An Equalities Impact analysis was carried out in respect of the Outline Planning Application granted in 2010, which took fully into account the demographic makeup of the regeneration area and addressed the impact on the protected characteristics. This anticipated a significant positive impact from the regeneration proposals.
- 6.36 BXC is an opportunity to extend Barnet’s success as a desirable and attractive suburb, by creating a new urban village for London which sets the tone for future evolution of the borough more widely and emphasises the need to create a place that makes residents, workers and visitors feel good – inviting people to meet and spend time in the spaces, and to walk or cycle.
- 6.37 Importantly, the requirements highlight that BXC will be place for people of all ages, with housing mix that reflects different life stages, a range of housing tenures, and public spaces which are accessible to all. It emphasises that promoting health and wellbeing and reducing dependency will be ingrained in

the place.

## **Consultation and Engagement**

6.38 Extensive consultation has and will continue to be undertaken with key stakeholders and the community to ensure that the BXC scheme reflects local needs including the needs of those with protected characteristics, as well as securing the future of North London's only regional shopping centre.

6.39 There has also been consultation and engagement with local stakeholders and the community during the planning process, and the CPO process is designed to allow parties an opportunity to make representations and, if desired, attend a public inquiry and state their cases.

## **7. BACKGROUND PAPERS**

7.1 Cabinet, 26 April 2004 (Decision Item 8) – approved the adoption of the Cricklewood, Brent Cross and West Hendon Development Framework as Supplementary Planning Guidance.

7.2 Cabinet, 29 March 2005 (Decision Item 6) – agreed to enter into a Collaboration Agreement with the development partnership (Cricklewood Regeneration Limited, Hammerson and Standard Life). [<http://barnet.moderngov.co.uk/Data/Cabinet/200503291900/Agenda/Document%204.pdf>]

7.3 Cabinet, 5 December 2005 (Decision Item 7) – approved, amongst other matters, that 1) the Eastern Lands Addendum be adopted as Supplementary Planning Guidance; and 2) the Eastern Lands Supplementary Guidance is incorporated into the Cricklewood, Brent Cross and West Hendon Development Framework. [<http://barnet.moderngov.co.uk/Data/Cabinet/200512051900/Agenda/Document%204.pdf>]

7.4 Cabinet Resources Committee, 25 March 2008 (Decision Item 16) – approved the outline terms so far agreed with the Brent Cross partners and Cricklewood Redevelopment Limited, including the proposals for the finalisation of the financial terms, be approved in principle subject to the outcome of Counsel's advice on procurement issues, and that the finally agreed terms for the Development Framework Agreement and the Principal Development Agreements be reported to a future meeting of the Cabinet for approval. [<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/200803251900/Agenda/Document%2015.pdf>]

7.5 Cabinet, 21 October 2009 (Decision Item 7) – approved the terms and conditions of entering into the Development Framework Agreement and the Principal Development Agreements, subject to approval of the Brookfield Europe and Hammerson Guarantor companies by the Director of Finance and the Leader of the Council, and the approval of the appropriate land transaction and financial arrangements by the Secretary of State. The approval was also

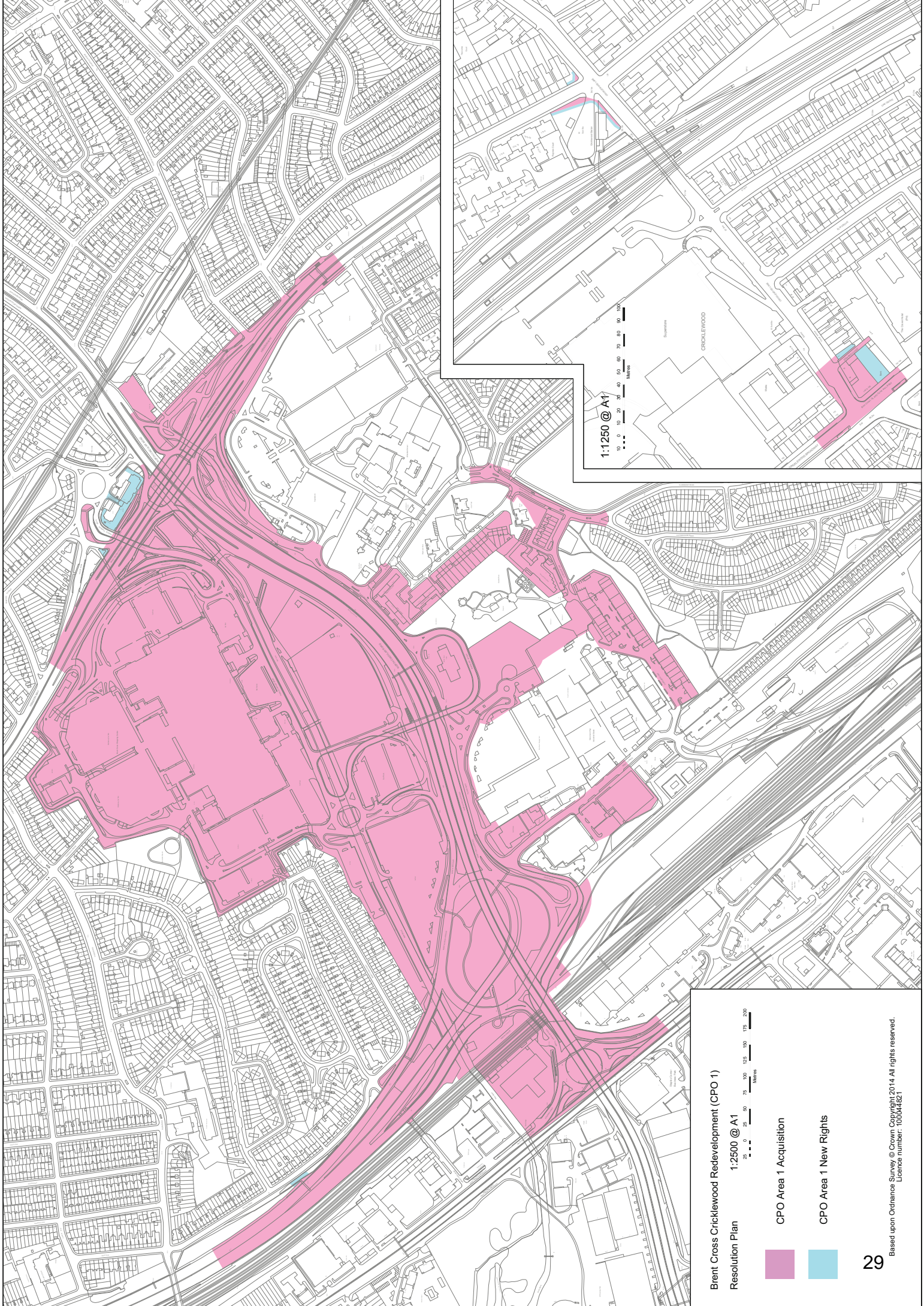
subject to agreement of the plans, the historic costs and the form of the legal documents.

<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=120&MeetingId=306&DF=21%2f10%2f2009&Ver=2>

- 7.6 Cabinet Resources Committee, 19 October 2010 (Decision Item 5) – approved the changes to the terms and conditions of the Development Framework Agreement and the two Principal Development Agreements regarding Brent Cross Cricklewood (as considered and approved by Cabinet in October 2009)  
[<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/201010191900/Agenda/Document%203.pdf>]
- 7.7 Cabinet Resources Committee, 18 April 2013 (Decision Item 14) - noted that the Brent Cross Cricklewood Development Partners wished to modify the existing planning consent to allow re-phasing; approved that the Director for Place begin preparations to enable the Council to procure a development partner to deliver the regeneration of the southern parts of Brent Cross Cricklewood Regeneration Area and confirmed the continued appointment of the external advisors for the Brent Cross Cricklewood Regeneration project, and the procurement of appropriate additional advice, and to delegate authority to the Director for Place to deal with necessary contractual issues or arrangements.  
[<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=8369&ISATT=1#search=%22Brent%20Cross%20%22>]
- 7.8 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) - approved the changes to the terms of the Brent Cross Principal Development Agreement (as considered and approved by CRC in October 2010) and the terms for the Co-operation Agreement as set out in Section 9 of this report; authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Principal Development Agreement and Co-operation Agreement; approved commencement of market testing through the issue of a Prior Information Notice to inform the delivery strategy for the Brent Cross Cricklewood South area; and approve that the Council enter into negotiations with landowners to acquire land required in advance of any Compulsory Purchase Order, subject to approval of the bid for capital funding by Cabinet on 25 February 2014; and approved that the Council continue the design and development work to develop the business case and funding strategy for delivery of the Thameslink Station, subject to approval of the capital funding bid by Cabinet on 25 February 2014; and delegate authority to the Strategic Director for Growth and Environment to procure the necessary advice and consultants to progress the Brent Cross project workstreams and deal with the related contractual issues and arrangements.  
[<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=12505&ISATT=1#search=%22Brent%20Cross%20%22>]
- 7.9 Assets, Regeneration & Growth Committee, 8 September 2014 (Decision Item 10) – approved the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests and;

to approve and enter into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition.  
<http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>





**Brent Cross Cricklewood Redevelopment (CPO 1)**

Resolution Plan

1:2500 @ A1



CPO Area 1 Acquisition

CPO Area 1 New Rights

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**THE TOWN AND COUNTRY PLANNING ACT 1990  
AND THE  
ACQUISITION OF LAND ACT 1981**

**THE LONDON BOROUGH OF BARNET**

**(BRENT CROSS CRICKLEWOOD)  
COMPULSORY PURCHASE ORDER (NO. 1) 2015**

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**STATEMENT OF REASONS**

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## 1. INTRODUCTION

- 1.1 This document is the Statement of Reasons of the London Borough of Barnet ("**the Council**" or "**the Acquiring Authority**") prepared in connection with a compulsory purchase order made by the Council, entitled The London Borough of Barnet (Brent Cross, Cricklewood) Compulsory Purchase Order 2015 (No. 1) ("**the Order**") which is to be submitted to the Secretary of State for Communities and Local Government for confirmation.
- 1.2 The Council has made the Order pursuant to Section 226 (1)(a) of the Town and Country Planning Act 1990 ("**the Act**") and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976. In this Statement of Reasons, the land and rights included within the Order are referred to as "**the Order Land**" and are shown on the plan appended to this Statement. The Council is the local planning authority and (other than for TFL roads) the local highway authority for the Order Land.
- 1.1 The Council's purpose in seeking to acquire the Order Land is to facilitate the development, re-development and improvement of it by way of a mixed use scheme (comprising retail, leisure and office development; hotel development; industrial, storage and distribution development; community facilities; residential development; car parking; public transport infrastructure and facilities; major infrastructure and highway works, and public realm and environmental improvement works) ("**the CPO1 Development**") as the first stage of the Brent Cross Cricklewood regeneration scheme ("**BXC**"). The regeneration of the wider BXC area, one of the largest regeneration opportunities in London, is a long-standing objective of the Council and is a key regeneration priority of the London Mayor.
- 1.2 The CPO1 Development comprises Phases 1A (North) and 1B (North) of BXC, as explained in section 5.3 below. It includes the extension and improvement of the Shopping Centre; the provision of infrastructure associated with and required for the Shopping Centre; and significant infrastructure to support the redevelopment and regeneration of the wider BXC land, in particular development to the south of the North Circular Road.
- 1.3 The Council considers that the CPO1 Development will contribute to the economic, environmental and social well-being of its area by delivering important and wide ranging public benefits including investment in the shopping centre, new jobs, new residential accommodation and major infrastructure and environmental improvements which will "pump prime" the infrastructure provision to enable and facilitate future phases of regeneration in BXC, and in particular provide a considerable catalyst for development south of the North Circular Road.
- 1.4 The Council is currently promoting a separate compulsory purchase order ("**CPO2**") in relation to the land to the south of the North Circular Road.
- 1.5 This Statement has been prepared in compliance with paragraphs 35 and 36 of Part 1 of the Memorandum and Appendix R of Circular 06/04 – Compulsory Purchase and the Criel Down Rules.

## 2. LOCATION AND DESCRIPTION OF THE ORDER LAND

### Land Interests

- 2.1 Details of the land interests to be acquired are set out in the Schedule to the Order and are shown shaded pink on the map which accompanies it ("**the Order Map**"). In summary the land includes:
- 2.1.1 To the north of the A406 North Circular Road:- the existing Brent Cross Shopping Centre, the bus station, the multi-storey car park and the areas of surface level car parking and a stretch of the River Brent.
  - 2.1.2 Existing road infrastructure including the A406/A5/M1 junction; the A406/A41 junction; the Templehof Bridge and link road to Tilling Road; the "Now Vauxhall" Staples Corner garage; and units within the arches at Adrian Avenue with adjacent yard.
  - 2.1.3 To the south of the A406:- the Holiday Inn; Cardiff House, 115 Brent Terrace; Community Foods building and associated car park on Brent Terrace; part of the Claremont Way Industrial Estate; former Petrol Filling Station on Tilling Road.
  - 2.1.4 Residential dwellings on the Whitefield Estate at Dyson Court, Rawlinson Court, Anderson Court, Whitefield Avenue, and Claremont Way. Also the Rosa Freedman Centre (day centre and residential care for the elderly), and retail shops on Claremont Way.
  - 2.1.5 Land in the vicinity of Cricklewood Station; part garden at 1 Claremont Road; retail and other premises 164 - 168 Cricklewood Broadway; nos. 2b and 2c Cricklewood Lane.
- 2.2 The Order Land is occupied for a variety of uses. In addition to the existing Brent Cross Shopping Centre the Order Land includes brownfield land in industrial use, land in railway use; residential dwellings; commercial and retailing premises; the bus station and areas of surface level car parking and highway land.

### New Rights

- 2.3 The land where New Rights are sought is shown shaded blue on the Order Map. In summary the rights relate to:
- 2.3.1 the car park and service yard associated with Exchange House and Brent Cross Gardens, adjacent to the A41; 2 Cricklewood Lane and 162 Cricklewood Broadway; land adjacent to the M1 motorway and Dallas Road; 140 & 142 Brent Park Road; and some former railway land at Cricklewood Station. These rights are needed to enable transport and junction improvements to be provided.
- 2.4 The discussions with affected residents and businesses are described in Section 11 of this Statement.

## 3. THE NEED FOR REGENERATION

- 3.1 The redevelopment of BXC is a long-standing objective of the Council. Extending to around 151 hectares, it is one of London's major regeneration schemes. Indeed, it is amongst the most significant planned new developments in Europe. BXC is being taken forward by the Brent Cross Cricklewood Development Partners (made up of Hammerson and Standard Life Investments ("**the Development Partners**") and the Council. The Development Partners will progress the redevelopment of the land to the North of the A406 North Circular Road, and the Council will take forward the regeneration of the land to the South.
- 3.2 The BXC area is significantly constrained by the existing road network and rail infrastructure, but given its location at the connections between the M1 and the A406 and between the A5 and A41, it has the potential to be an attractive gateway into London. That potential is

enhanced by the proximity to the Northern Line at Brent Cross station, the Midland mainline, and Brent Cross bus station.

- 3.3 Substantial infrastructure needs to be provided to realise the area's potential. The comprehensive redevelopment and improvement of the Brent Cross Shopping Centre and other major development in the area provides the opportunity for the major infrastructure to be funded and delivered that will enable and facilitate the wider BXC regeneration. In particular, in addition to major improvements to existing roads, public transport and social infrastructure, the BXC proposals will create strong and attractive linkages between the communities to the north and south of the North Circular.
- 3.4 The development of the BXC strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular Road, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The first phase alone is expected to create 3,000 person years of construction related jobs, and an additional 4,000 permanent jobs over the next 5-7 years. About 99,000 sqm of additional retail and commercial floorspace will be provided on the Order Land.
- 3.5 BXC is a key element of the Council's regeneration and housing programme and will provide over 7,540 new homes over the next 20 years, including affordable homes and replacement homes for the Whitefield Estate. BXC will also provide new and improved educational and health facilities for the community, and improved open space and recreational facilities for the community to enjoy and use.
- 3.6 The regeneration of BXC will be a major contributor to achieving the Council's priority objectives in its Corporate Plan 2013-2016.
- 3.7 BXC also supports the achievement of the objectives set out in 'One Barnet - A Sustainable Community Strategy for Barnet 2010-2020', and it will further the strategic objectives in the Council's Housing Strategy 2010-2025.
- 3.8 The Council's Health and Well-being Strategy 2012-2015 states that Barnet is a great place to live and that people in Barnet can expect to live longer and better than in many parts of London and England. However, while the overall picture is positive, the Barnet Joint Strategic Needs Assessment ("JSNA") demonstrated significant differences in health and well-being across Barnet. The role played by the major regeneration schemes such as BXC over the next 10 to 15 years in addressing health and well-being issues is acknowledged in the JSNA.
- 3.9 The CPO1 Development, and the wider BXC proposals, will further and promote the achievement of the Council's key strategic aims and objectives.

#### **4. PLANNING HISTORY OF THE ORDER LAND**

- 4.1 The existing Brent Cross shopping centre was opened in 1976. It was the subject of planning applications in the mid-1990's for an extension to provide an additional 27,000 m2 of retail floorspace and for a new multi-storey car park.
- 4.2 The applications were called in for determination by the Secretary of State and were the subject of a public inquiry in 1999. In April 2000, the Secretary of State granted planning permission for a multi-storey car park but refused permission for the extension to the shopping centre. In issuing the final refusal of planning permission in December 2003, the Secretary of State stated that determination of the application was premature in advance of the emerging Barnet UDP and the Mayor's Draft London Plan policies.
- 4.3 The Development Partners then worked with the Council, the Greater London Authority and other key landowners in the area towards a joint and sustainable approach to the wider regeneration of the BXC area, within which Brent Cross would emerge at the heart of a new mixed use town centre and community for Barnet and London.

- 4.4 Planning permission reference number C17559/08 for the regeneration of BXC including the Order Land was granted on 28 October 2010 ("**the 2010 Permission**"). A section 106 agreement was completed on the same date. The 2010 Permission was granted largely in outline, but with details provided for improvements to strategic junctions providing access into the site, including the A41/A406 junction and the M1/A5/A406 junction.
- 4.5 Planning permission pursuant to an application made under Section 73 of the Act was granted on 23 July 2014 ("**the s.73 Permission**"). A section 106 Agreement was completed on 22 July 2014 ("**the s.106 Agreement**"). The s.73 Permission (reference number F/04687/13) is to develop the BXC Land, including the Order Land, subject to updated conditions that facilitate more efficient delivery of the CPO1 Development and the wider BXC.
- 4.6 The s.73 permission is for comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 – A5, offices, industrial and other business uses with Use Classes B1 – B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocation electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development.
- 4.7 The s.73 Permission did not alter the fundamental principles of the 2010 Permission. It authorises the same quantum of development floorspace overall and the distribution of floorspace across the development zones remains largely unchanged. The permitted uses are:

	<b>Total Scheme (sqm)</b>	<b>Total Phase 1 (N+S) (sqm)</b>	<b>Phase 1 North (A+B)</b>
Residential (Class C3)	712,053	117,150	26,034
Retail and Related Uses (Classes A1 - A5) - North	78,133	78,133	78,133
Retail and Related Uses (Classes A1 - A5) - South	32,794	22,718	-
Business (Class B1)	395,297	10,970	5,396
Hotel (Class C1)	61,264	31,722	20,574
Leisure (Class D2)	26,078	20,411	15,450
Community Facilities (Class D1)	34,615	9,338	2249
General Industrial/Storage & Distribution incl. WHF and Rail Freight (Classes B2 B8)	61,314	24,700	-
Rail & Bus Station (Sui Generis)	2,533	117	71



Private Hospital	18,580	-	-
Petrol Filling Station	326	-	-
<b>Total</b>	<b>1,361,673</b>	<b>369,259</b>	<b>147,656</b>

- 4.8 The S106 Agreement contains planning requirements, restrictions and contributions relating to the provision or funding of infrastructure and other mitigation including education, health, community, child care, leisure, energy and waste facilities, open space, affordable housing, estate management, business and residential relocation provisions, public art, employment and skills provisions, the River Brent diversion, a transport fund (£26,670,000 index linked), bus and train stations, highways and bridges (including the Living Bridge), supplementary transport measures (including a reasonable worst case sum available to mitigate any unforeseen Northern Development impacts occurring South of the A406), construction consolidation centre(s), car parking provisions, bus network mitigation, pedestrian and cycle links and various groups, plans, strategies and co-ordinators/appointments.
- 4.9 The primary purpose of the s.73 permission was to make adjustments to the planning conditions of the 2010 Permission to reflect the evolution in the scheme design and the revised strategy for delivery in accordance with the clear policy commitment to seek comprehensive development of the regeneration area. The main changes can be summarised as:
- (a) Creation of a pedestrian and cycle bridge with landscaping (named the Living Bridge) over the North Circular Road to improve pedestrian connectivity across the site and provide better integration between the northern and southern components of the development;
  - (b) Alterations to the layout of development within Brent Cross East Development Zone (i.e. around the remodelled Brent Cross Shopping Centre) including creating the interface with the Living Bridge, as well as consequential amendments to the alignment of the River Brent;
  - (c) Alterations to the phasing of the development to bring more of the Brent Cross East Development Zone into Phase 1 including the new bus station; and
  - (d) Alterations and improvements to the open space and public realm provision, including the reconfiguration of Brent Cross Square and Market Square to integrate with the Living Bridge.
- 4.10 As part of the s.73 application the Development Partners sought amendments to the Section 106 Agreement associated with the 2010 Permission so as to enable changes to the phased delivery of the BXC development.
- 4.11 The s.73 permission reflects the fact that Phase 1 of BXC is proposed to be delivered in sub phases which are divided between north and south. This is to reflect the new delivery responsibilities including the Council's role in delivering the regeneration to the south of the North Circular. These, and other changes to the 2010 Permission, are designed to enable the strategic vision for comprehensive regeneration of the site to be delivered in a timely, effective and beneficial manner.

## 5. DESCRIPTION OF THE BXC DEVELOPMENT

- 5.1 The overall aim of the BXC development under the s.73 permission is:

*"to unite the regeneration area north and south of the A406 and to stitch together the damaged fabric of this extensive urban area. The Development Partners will create a sustainable town centre comprising attractive residential environments, a major commercial core and a retail environment along a new High Street. This will result in*

*BXC becoming a vibrant place to live, work and socialise, providing a catalyst for further economic growth in the surrounding area. BXC represents an opportunity to create a high quality modern development within a mixed community providing local shops, restaurants, offices and schools". (Planning Statement Addendum, October 2013, paragraph 4.1).*

5.2 The core elements of BXC are:

- (a) the creation of an attractive mixed use vibrant town centre enabling new and existing residents to live, work and socialise;
- (b) the development of a popular and accessible public transport offer;
- (c) an environmentally sustainable development which provides residents, workers and visitors with the opportunity to reduce their carbon footprint - the development will provide all the facilities necessary to enable individuals to adopt sustainable choices, and to ensure that the opportunity presented by existing under-used facilities is fully maximised;
- (d) a high quality urban environment with a long term management regime;
- (e) the creation of routes though the site, segregated where appropriate, to form seamless, safe and attractive corridors and ensure integration both of the site itself and with its surrounding community.

5.3 **Phase 1**

5.3.1 The Section 73 Permission provides for the BXC Development to be delivered over seven Phases. Phase 1 is in five sub-phases split north and south. The Order Land is needed to secure the land for Phase 1A (North) and Phase 1B (North) which will be delivered by the Development Partners and are collectively referred to as Phase 1 (North). The Council is responsible for Phases 1A (South), 1B (South) and 1C (collectively referred to as Phase 1 (South)). The phasing is:

5.3.2 Phase 1A (North) –all the highways infrastructure to support the Northern Development which will also provide the key highways infrastructure to support Phase 1 (South) and much of the key highways infrastructure for the remainder of the Southern Development, including the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements and other major highway and bridge works, replacement residential units for up to 60 Whitefield Estate units and demolition of 25 sheltered housing units at the Rosa Freedman Centre (required for the infrastructure works), together with the River Brent re-routing, various bridge works, the Clitterhouse Playing Fields Part 1 and the Claremont Park Improvements.

5.3.3 Phase 1A (South) – includes further minor highway improvements to support Phase 1 of the Southern Development.

5.3.4 Phase 1B (North) – includes the development on the north side with the exception of the residential development within the Brent Cross West Zone. It also includes the new bus station, the reconfigured Shopping Centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as the Riverside Park, Sturgess Park Improvements and around 280 housing units. Commencement of this Sub-Phase will trigger delivery of the Living Bridge over the A406.

5.3.5 Phase 1B (South) – includes the Market Square, a foodstore, the combined heat and power plant (CHP), the new Claremont School, and over 1000 residential units.

5.3.6 Phase 1C – includes the remaining development of Phase 1 on the south of the North Circular.

5.3.7 To create a town centre environment, Phase 1(N) includes a mix of cafés, restaurants, bars, leisure and community uses and residential properties. It will also provide approximately 5,396m<sup>2</sup> of office floorspace (Class B1), and 20,574m<sup>2</sup> of hotel floorspace (Class C1).

- 5.3.8 The northern part of the new town centre is to be centred around Brent Cross Main Square which will be connected to the town centre south of the A406 North Circular Road and the Clitterhouse Playing Fields beyond via the Living Bridge. The River Brent is to be diverted alongside the A406 North Circular Road through the proposed Riverside Park and it is also proposed to enhance Sturgess Park.
- 5.3.9 The Living Bridge will provide a new pedestrian and cycle connection over the A406 from the northern development element to the southern development landing south of A406 within Market Quarter Development Zone.
- 5.3.10 The Market Quarter Development Zone complements Brent Cross East Development Zone in creating the heart of the town centre and ensures that shopping facilities extend south of the A406 to stimulate activity in the southern portion of Scheme. Within Phase 1 it is proposed to provide Market Square and a number of plots around the square providing the ground floor retail frontage, while the upper levels will primarily comprise residential development. It is also proposed to provide a new foodstore within the Eastern Lands Zone which along with other retail floorspace will provide 22,718m<sup>2</sup> of new Class A1 – Class A5 floorspace within the southern element of scheme within Phase 1.
- 5.4 Reserved Matters Approvals**
- 5.4.1 The Council have imposed a series of controls through the planning conditions attached to the S73 Permission and the Section 106 Agreement to ensure the delivery of the new town centre for Barnet is brought forward in an approved and logical manner.
- 5.4.2 These controls enable the Council to ensure that emerging proposals are in general accordance with the principles and parameters set within the documentation submitted in support of the S73 Permission.
- 5.5 Retail considerations**
- 5.5.1 The extension of the existing shopping centre will provide 78,133 sqm of new retail floorspace, of which 55,000 sqm will be additional Class A1 comparison. There will be new anchor stores, shops, leisure, cafes and restaurants, hotels and community facilities in a manner which will enhance the centre as a major retail-led attraction and venue around a network of streets and squares that will create the basis of the new town centre. It will introduce a much needed evening economy in order that visitors can shop, eat and be entertained in a way which is currently not possible.
- 5.5.2 It will be essential to ensure that the current shopping centre will be refurbished to a high standard consistent with the proposed extension. The completed development will provide a seamless design pedestrian link between the old and new which will be essential in terms of Brent Cross retaining its status as a major regional centre and key visitor attraction.
- 5.6 Transport and Highway considerations**
- 5.6.1 The wider BXC site is a significant gateway into London being located at the intersection of the M1, A406, and A41 strategic routes as well as being close to the Northern Line (at Brent Cross LUL station) and the Midland Main Line railway. It also includes Brent Cross bus station. However, it has a poor environment being dominated by strategic transport infrastructure, brownfield land and extensive surface car parking. The aim of the BXC development is to transform the Shopping Centre from a relatively insular and predominantly car-borne retail destination that is served mainly by the strategic road network into an integral part of a new, mixed use town centre both north and south of the A406 that is outward looking in the way that it serves and relates to its locality.
- 5.6.2 BXC is supported by an Integrated Transportation Strategy ("ITS") that makes substantial provision for public transport and other sustainable modes of travel whilst also providing for appropriate growth in car based travel. This recognises that the car will continue as a significant mode of travel in the BXC site whilst the proposals provide a good quality and

attractive level of service for access by public transport and other sustainable modes. This has required a balanced approach that seeks to allow people the opportunity to have access to a car but, through the delivery of a step change in public transport and other modes, provides increasingly attractive alternatives to car use, particularly during the peak travel periods.

5.6.3 The ITS has the following underlying principles:

- (a) It would be unacceptable to meet an unrestrained demand for car travel and that to do so would fail to encourage use of more sustainable modes, particularly during peak travel periods;
- (b) Delivery of the strategy over a long development period requires flexibility to respond to changing conditions but always within parameters and controls established through the s.73 Permission;
- (c) Development can only proceed if the necessary related infrastructure has been implemented in step with or slightly ahead of need and in line with the promotion of the target progression of mode shift;
- (d) In order to overcome initial transport constraints, some significant new infrastructure is being provided in Phase 1 particularly Phase 1 (North); and
- (e) As each element of transport infrastructure is brought forward the works provided will cater for the full BXC development, making best use of investment and reducing the overall impact of construction works.

5.6.4 The provision of highway capacity will be linked to the level of service that drivers might have expected had the development not taken place, so that traffic flows on the road network with the development completed will be no worse than had it not taken place. However, a number of the improvements to the highways infrastructure have been specifically designed to provide enhanced journey time and reliability for buses and improved safety and convenience for pedestrians, cyclists and people with mobility difficulties.

5.6.5 In transportation terms the key items of transport infrastructure that Phases 1A (North) and 1B (North) will deliver are:

- (a) A new bus station for BXC providing extra capacity for increased numbers of buses on key routes and much improved facilities;
- (b) A new pedestrian and cycle network integrating with existing routes;
- (c) A new pedestrian and cycle only bridge (the Living Bridge) linking the development areas to the north and south of the A 406;
- (d) A new footway/cycleway bridge over the A406 at the M1 junction;
- (e) A replacement of the Templehof Bridge, which will have segregated bus lanes in each direction and segregated cycle and pedestrian facilities;
- (f) An improved A41/A406 Junction having a direct access into the Development at the north of the A 406 and
- (g) A reconfigured and significantly improved junction linking A406/M1 Junction with the A406/A5 Staples Corner junction.

#### 5.6.6 **Compliance with national and local transport policies**

5.6.6.1 Transport policy support for the BXC development has been predicated upon the delivery of sustainable regeneration, which in transportation terms minimises car use, and provides a comprehensive range of improvements to public transport and a good level of accessibility by all modes across the area and in particular cycling and walking.

5.6.6.2 The BXC proposals comply with policies at national, regional and local levels in terms of the accessibility for all users. Particular consideration has been given to the sustainability of travel to, from and within the site in relation to public transport, cycling and walking, and a need to generate a mixed use development which will not adversely affect the existing highway network by encouraging and promoting alternatives to the private car.

### 5.6.7 Highway Works

- 5.6.7.1 The proposed highway improvements are necessary to provide an appropriate network within the BXC site and an interface between the BXC site and the adjacent strategic and local highway networks. They will also facilitate the development of the land to the south of the North Circular Road.
- 5.6.7.2 Phase 1B (North) will inevitably lead to an increase in local vehicular traffic flows. These can be accommodated by the improved highway network being provided in Phase 1A (North).
- 5.6.7.3 The importance of road safety is recognised by a wide range of proposals specifically directed at improvements for the benefit of pedestrians and cyclists with segregated routes wherever practicable and signal controlled crossings of the highway.
- 5.6.7.4 There will be new and improved junctions with the strategic highway network provided in Phase 1 (North). The primary vehicular access points for the BXC site will include:
- (a) A406/A5/M1 (Staples Corner/M1 Junction) – complete redesign to improve the configuration of the two existing M1/A406 and A5/A406 junctions so that they effectively operate more efficiently as one large interchange and provide additional traffic capacity;
  - (b) A41/A406 Mid-Level Junction - to provide additional traffic capacity;
  - (c) A5/A407 - significant improvements to the existing junction, adjacent to Cricklewood Broadway which reconfigures the road layout so that turning movements will be better accommodated, freeing up additional capacity;
  - (d) A407/Claremont Road - widening of the southbound (Claremont Road) and eastbound (A407) approaches to provide additional traffic capacity;
  - (e) A new egress directly onto the A406 Eastbound from Brent Cross Shopping Centre (West) at the existing direct access from the A 406;
  - (f) A new access to Brent Cross Shopping Centre (East) directly from both the A406 Eastbound and the mid-level roundabout of the A41/A406 junction).
- 5.6.7.5 In addition to the above junction works, some works are also required to the A406 North Circular Road where the westbound exit directly to the Tilling Road/Brentfield Terrace will be removed and the A41 southbound on-slip from the A41/A406 junction will be modified.
- 5.6.7.6 The secondary roads and junctions will comprise a combination of new and improved roads and junctions, which will form the main internal distributor roads and junctions within the BXC site.
- 5.6.7.7 Improvements or new facilities are also proposed to the pedestrian and cycle routes throughout the BXC site including road routes through Clitterhouse Playing Fields (Part 1) and alongside the River Brent. Clitterhouse Playing Fields and Claremont Park are underused areas of open space which will be transformed for the existing and future community through the provision of areas for intensive sports use, more leisurely recreation and children's play areas.

### 5.6.8 Bridge Structures

- 5.6.8.1 One of the major regeneration benefits that Phase 1 (North) will deliver is the new or improved bridges needed to overcome the existing physical barrier of the A406 to connectivity. The bridges are:
- (a) Living Bridge - a new pedestrian and cycle bridge over the A406 adjacent to Claremont Avenue and Market Square and the new Bus Station.
  - (b) A406 Templehof Bridge - a replacement for the existing Templehof Bridge to provide a link over the A406 providing 4 traffic lanes (two of which will have a public transport priority) as well as segregated pedestrian and cycle facilities.
  - (c) A406/M1 Junction Pedestrian and Cycle Bridge - a new shared pedestrian and cycle bridge over the A406 adjacent to the railway arches.
  - (d) Staples Corner Junction Pedestrian Bridges (improvement and modification of existing bridges to suit the modified junction).

- (e) River Brent Bridges – There will be a total of 9 new road bridges across the improved and diverted River Brent and a further two bridges will be for the use of pedestrians and cyclists only.

### **5.6.9 Public Transport**

- 5.6.9.1 The new BXC Bus Station will be the key to facilitating public transport users access to the core of the BXC. Bus services will be significantly improved throughout the area and provide good linkages to both the existing Cricklewood Station and the Brent Cross Underground Station. This local non-car mode provision will be further enhanced by the provision and enhancement of comprehensive pedestrian and cycle facilities that both connect fully within the site and integrate with existing networks in the surrounding community.
- 5.6.9.2 All interchanges will provide step free bus stands and stops, motorcycle parking and cycle parking. Taxi pick-up, set down and rank facilities will also be provided where appropriate. The pedestrian interchange footprints will provide sufficient space that the required pedestrian movements can be carried out in comfort and safely.

### **5.6.10 Parking**

- 5.6.10.1 Car parking restraint is seen as the primary means of controlling and managing car use associated with the BXC development, to assist in achieving the mode share targets. The key principles are:
  - (a) Introduction of car parking charges at the Shopping Centre;
  - (b) Shared use of parking provision;
  - (c) The "non-allocation" of parking spaces so that residents and businesses can "lease" parking to suit their needs;
  - (d) Car parking provision management and review of charges to manage demand;
  - (e) Potential for a progressive reduction in residential parking standards as public transport accessibility increases;
  - (f) Use of travel plans/car clubs/cycle club; and
  - (g) Protection of nearby residential areas from the impacts of parking displacement, through the selective consideration and possible implementation of controlled parking zones (CPZ).
- 5.6.10.2 Provision will be made within the public parking areas for disabled drivers in accordance with the London Plan and LB Barnet standards.
- 5.6.10.3.1 Motorcycle and cycle parking will be provided at key locations at least to the standards required by the local authority.

### **5.6.11 Servicing**

- 5.6.11.1 The Framework Servicing and Delivery Strategy (FSDS) seeks to embed exemplary servicing and delivery arrangements as central to the design, implementation and on-going management of the BXC scheme.

## **6. PLANNING FRAMEWORK**

### **National Planning Policy**

- 6.1 The National Planning Policy Framework (NPPF) published on 27 March 2012 replaces almost all of all the Planning Policy Statements and Planning Policy Guidance notes.

It confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Therefore, at the heart of the NPPF is 'the presumption in favour of sustainable development' which should be seen as the 'golden thread' running through both plan-making and decision-taking.

- 6.2 The NPPF's purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than frustrated by unnecessary barriers.
- 6.3 Paragraph 17 of the NPPF identifies twelve core planning principles of which the following are of particular relevance:
- (a) proactively drive and support sustainable economic development to deliver the homes, business units, infrastructure and thriving local places that the country needs. Every effort should be made to identify and meet housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
  - (b) encourage the effective use of land by reusing brownfield land;
  - (c) promote mixed use developments;
  - (d) actively manage patterns of growth to make the fullest possible use of public transport; and
  - (e) take account of land and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- 6.4 The NPPF also specifically recognises the role that mixed use development can play in promoting healthy lifestyles by encouraging interactions between different sections of the community and highlights that sustainable development can be achieved through three specific roles of the planning system including: economic, social and environmental. There is also a commitment to tackling climate change and reducing carbon dioxide emissions.
- 6.5 The NPPF requires LPAs to meet objectively assessed need and deliver housing which provides people with a choice about where they live and the type of accommodation available. Furthermore, the NPPF states that planning authorities should ensure that there is sufficient land available to support economic growth, particularly in areas well served by transport infrastructure.

### **Regional Planning Policy**

- 6.6 The London Plan (2011) like its predecessor continues to identify Opportunity Areas and Intensification Areas. BXC is one of 33 Opportunity Areas. Policy 2.13 indicates that the Mayor will provide proactive encouragement, support and leadership for partnerships preparing and implementing opportunity area planning frameworks to realize the growth potential in these areas. Policy 2.13 also states that development proposals within Opportunity Areas should (inter alia):
- (f) Support the strategic policy directions for the Opportunity Areas set out in Annex 1 and adopted opportunity area planning frameworks;
  - (g) Seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses;
  - (h) Contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity;
  - (i) Support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas especially areas for regeneration.
- 6.7 Annex 1 of the London Plan (2011) sets the Opportunity Area an indicative employment capacity target of 20,000 jobs and a minimum new homes target of 10,000 units. The strategic policy direction for the Opportunity Area (which includes West Hendon) states that:

*"this area combines former railway lands and the wider hinterland surrounding Brent Cross regional shopping centre across the A406 North Circular Road. Brent Cross is to be redeveloped to become a town centre complementing the roles of other centres nearby and with an extended mix of town activities. This should include a significant increase in new housing together with local ancillary services. A rail station on the Cricklewood site is proposed and new development should be phased with improvements to public transport and accessibility. A site for a major waste facility within the area will form a key role in North London Waste Strategy. There is significant potential for improvement to the public realm including restoration of the River Brent."*

- 6.8 Annex 1 also defines the Opportunity Area planning framework of BXC as 'adopted'.
- 6.9 Policy 2.16 identifies Strategic Outer London Development Centres. Table 2.1 identifies Brent Cross with a 'retail' strategic function and Brent Cross Cricklewood with a strategic office (subject to demand) function of greater than sub-regional importance. Policy 2.16 states that within these centres there will be a focus on: co-ordinating public and private infrastructure investment; bringing forward adequate development capacity; placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development; and improving Londoners' access to new employment opportunities.
- 6.10 The Plan advocates the need to make the most efficient use of brownfield land and recognises that in areas of high public transport accessibility densities should be maximised.
- 6.11 The Draft Further Alterations to the London Plan (FALP) were published in January 2014. These alterations were published to reflect Mayoral priorities as set out in "2020 Vision: The Greatest City on Earth – Ambitions for London", particularly the need to plan for the housing and economic capacity, needed for London's sustainable development following the results of the 2011 Census. These alterations will take the Plan forward to 2036.
- 6.12 Overall, the draft policies within the FALP do not have any direct implications for the regeneration proposals of BXC.

#### **Local Planning Policy and Guidance**

- 6.13 In 2004 the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework ("DF") was adopted by the Council as Supplementary Planning Guidance. It was updated in 2005 to include the Eastern Lands. The DF was produced by the Council in collaboration with the GLA, other stakeholders and development partners. It was intended to guide and inform the design and delivery of the development of BXC with the aim of achieving high quality comprehensive redevelopment of the area around a new sustainable mixed use town centre for Barnet spanning the A406 North Circular Road.
- 6.14 The creation of a new town centre together with the wider regeneration of the area was also promoted through the review of the Council's Unitary Development Plan ("UDP") and was considered as part of the 2004 public inquiry into the replacement UDP. The UDP planning inspector endorsed this approach and the replacement UDP was adopted in 2006 with a specific chapter (Chapter 12) setting out policies relating to the regeneration of Cricklewood, West Hendon and Brent Cross - including express policy support for significant new retail floorspace, jobs and housing.

#### **Barnet's Local Plan – Core Strategy (2012)**

- 6.15 Barnet's Core Strategy is one of a suite of documents forming the Local Plan. The Local Plan sets out the policies for delivering sustainable development in the Borough. The Core Strategy details the vision and objectives for the Borough over the plan period (to 2025/26), and a series of strategic policies.
- 6.16 Map 2 provides the 'Key Diagram' for the Borough. BXC is a designated Regeneration/Development Area and Brent Cross Shopping Centre is identified as a



Regional Shopping Centre. Brent Cross Cricklewood Regeneration Area is noted to be the subject of a planning permission granted in October 2010. As well as the provision of new homes (approximately 7,550 units) and jobs, and the transformation of the existing shopping centre, the proposals are expected to deliver a range of social, transport and green infrastructure.

- 6.17 Policy CS2 sets out the broad policy framework and anticipated timescales for the redevelopment of BXC. The policy states that BXC is identified as an Opportunity Area in the London Plan and it will be a major focus for the creation of new jobs and homes, building upon the area's strategic location and its key rail facilities.
- 6.18 The policy seeks the comprehensive redevelopment of BXC in accordance with the London Plan, the saved Unitary Development Plan (UDP) policies (Chapter 12) and the adopted Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework. The policy describes this as providing the key elements of the local planning policy framework for deciding future planning applications unless and until replaced by new DPD or SPD as a result of the Local Plan Monitoring and review process.

#### **Saved Policies of Chapter 12 of Barnet's UDP (2006)**

- 6.19 The Local Plan largely replaced the policies of the UDP. However, Chapter 12, relating to Brent Cross Cricklewood, was saved. The importance of BXC is reflected in saved UDP Policy G Crick which states:

*"The Cricklewood, Brent Cross and West Hendon Regeneration Area, as defined on the proposals map, will be a major focus for the creation of new jobs and homes, building upon the areas strategic location and its key rail facilities. All new development will be built to the highest standards of design as well as to the highest environmental standards. A new town centre developed over the plan period, will be fully integrated into the regeneration scheme."*

- 6.20 Policy C1 (Comprehensive Development) states that the Council will seek comprehensive development in accordance with the adopted Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework and delivery strategy. Development proposals will be supported if they are consistent with the policies of the UDP and their more detailed elaboration in the Development Framework. Policy C5 also identifies the manner in which the new town centre should come forward, in particular in terms of the additional Class A1 comparison floorspace.

### **7. THE NEED AND JUSTIFICATION FOR THE ORDER**

- 7.1 By virtue of Section 226(1)(a) of the Act the Council has the power to make a compulsory purchase order for any land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. The Council thinks that the acquisition of the Order Land will facilitate the carrying out of development both of the CPO1 Development and also the regeneration of the wider BXC area. Section 226(1A)(a) of the Act provides that the Council may not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area. The Council does think that the development of the Order Land is likely so to contribute.
- 7.2 Section 226 (4) of the Act provides that it is immaterial that the development, re-development or improvement may be carried out by a third party.
- 7.3 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to compulsorily acquire such new rights over the land as are specified in a compulsory purchase order.

- 7.4 Circular 06/2004 ("**the Circular**") provides guidance on the use of these compulsory purchase powers. The Introduction to the Circular states that:

*"Ministers believe that compulsory purchase powers are an important tool for local authorities and other public bodies to use as a means of assembling the land needed to help deliver social and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. Bodies possessing compulsory purchase powers – whether at local, regional or national level – are therefore encouraged to consider using them pro-actively wherever appropriate to ensure real gains are brought to residents and the business community without delay".*

- 7.5 The main body of the Circular provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Appendix A provides specific guidance for local authorities on the use of their powers under Section 226. Paragraph 2 of Appendix A of the Circular provides that:

*"the powers in Section 226 as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 are intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement the proposals in their community strategies and Local Development Documents", which will include "saved" unitary development plans."*

- 7.6 The CPO1 Development complies with the guidance in paragraph 16 of Appendix A of the Circular. In particular, the purpose for which the Order Land is to be acquired fits in with the adopted planning framework for the area and the core strategy; the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social and environmental wellbeing of the area; it is considered that there is a reasonable prospect that the Scheme will proceed; and the purpose for which the Council is proposing to acquire the Order Land could not be achieved by any other means such as alternative proposals put forward by owners of the land or alternative locations for the purposes for which the Order Land is to be acquired.

- 7.7 In order to secure the delivery of the wide range of significant public benefits that the Scheme (and in due course the wider BXC proposals) will bring, it is essential for the proposals to come forward in a comprehensive and co-ordinated manner.

- 7.8 Given the obligations in the planning permission and associated section 106 agreement, which seek to ensure that the redevelopment of the Brent Cross shopping centre does not take place without the significant and critical infrastructure being committed and secured, if the Order is not confirmed then the regeneration of the BXC area will not proceed.

- 7.9 Being able to deliver the CPO1 Development on the whole of the Order Land will provide the confidence and critical mass of development which will enable the Development Partners to commit to the delivery of the infrastructure needed not only to improve that land, but also to facilitate the regeneration of the land to the south of the North Circular Road. Without this, there would be little prospect of the regeneration of the land south of the North Circular taking place and delivering the public benefits. The Council does not consider that the purposes for which the Order has been made could be achieved by any other means than through the Order. Also, there are no alternative locations for those purposes.

- 7.10 The whole of the Brent Cross Shopping Centre is included in the Order so as to provide certainty that all the interests and rights that are required for the Scheme to be constructed and operated are secured. As explained in paragraph 5.5, the works to the Shopping Centre include both extension and refurbishment of the existing premises. The refurbishment will inevitably have an impact on the existing tenants as it will affect servicing and access arrangements while the works are carried out and, in some cases, on a long term basis. Whilst it is likely that many of the refurbishment objectives can be achieved by virtue of the existing tenancy provisions and within a reasonable timescale, there can be no certainty about this. Moreover the planning permission is in outline and final detailed design continues

to evolve. To omit parts of the Centre from the Order before final design approval would be an unacceptable risk to the implementation of the Scheme. However, as explained in section 10.2, the Development Partners have been and will continue to be in negotiation with tenants with a view to reaching an agreement with them and keeping them fully informed.

- 7.11 The Council is of the view that the redevelopment and improvement of the Order Land through the Scheme will contribute significantly towards the achievement of the economic, social and environmental well-being of their area. Moreover, all the interests and new rights included in the Order need to be acquired in accordance with a programme for the phased development described at Section 5. The Council considers that there is a compelling case in the public interest for the Order, so that the substantial public benefits the Scheme will bring can be realised.

## **8. ECONOMIC SOCIAL AND ENVIRONMENTAL WELL BEING**

- 8.1 Development of the Order Land will significantly contribute to the economic, social and environmental well-being of the area and will also be an important catalyst to the development of the whole of Phase 1 and the wider BXC area.

- 8.2 The main benefits from the CPO1 Development on the Order Land are:-

8.2.1 The extension and refurbishment of the existing Brent Cross Shopping Centre to provide additional and improved retail floorspace together with leisure, catering and community facilities and new homes as the basis for the new integrated town centre. The improved offer and range of the Centre will enhance its attraction and avoid the migration of visitors to competing centres. There will be a better retail offer and range of goods available for customers in what will be the foundation for a new and integrated town centre.

8.2.2 The additional floorspace in the Shopping Centre, together with the longer trading hours, will create over 3,000 Full Time Equivalent new jobs, many of which will be local, thus generating economic growth and prosperity in the area. In addition, the construction of the highway and other infrastructure works will provide many more employment opportunities.

8.2.3 The layout and capacity of the highways will be improved and will provide new and improved access and egress points. The new bus station will be double the size of the existing facility, encouraging modal shift between the private car and public transport.

8.2.4 The provision of the new Living Bridge, the new Templehof Bridge and the diversion of the River Brent will create new and enhanced walking and cycle routes to improve connectivity between the new plot development and the land south of the A406 North Circular Road. This will be a major contribution towards the provision of a new and integrated town centre.

8.2.5 The quality of the public realm will be significantly improved and there will be a network of streets and squares to create the basis of the new town centre including central Brent Cross Main Square and the Living Bridge. Open space enhancements are also to be delivered through works to Clitterhouse Playing Fields and Claremont Park. Surface level car parking will be removed to underground and multi-storey facilities.

8.2.6 Development of the Order Land will act as a catalyst for the regeneration of the remainder of Phase 1 and of the wider BXC area. In particular, it will provide the infrastructure necessary to facilitate the regeneration of the land to the south of the A406 and the realisation of the potential of that area.

- 8.3 The benefits of the remainder of Phase 1 and for the wider BXC area – which also apply to the development of the Order Land – include:-

- 8.3.1 Remediation of contaminated land. Some of the current and previous uses have resulted in contamination. In order to create a high quality and safe environment remediation to satisfactory levels will be necessary.
  - 8.3.2 Improvement of visual appearance. Parts of the area are dominated by fragmented land uses and by car parking and have a low visual quality. The BXC development will remove inefficient land uses and integrate the area into a single town centre with a significantly improved urban environment.
  - 8.3.3 The proposed mix of uses includes a range of employment generating floorspace which will improve not only the quantum of jobs but also the diversity of employment opportunities available and accessible to local people. The improved accessibility of the site as a result of the transport improvements will also increase employment opportunities in the wider area.
  - 8.3.4 The development of the Order Land will play a vital role in "pump priming" the wider regeneration of the BXC area including the provision of the integrated town centre with its range of services and facilities. It will also enable the comprehensive package of transport proposals including highway improvements, and improvements to the underground and over ground railway stations.
  - 8.3.5 The provision of new homes in Phase 1 (including both north and south of the A406). The planning permission provides for 171,150 m<sup>2</sup> of residential development (about 1,840 units) and ultimately the BXC site will provide over 7,540 new homes.
- 8.4 These benefits clearly demonstrate that there is a compelling case in the public interest for the Order. Moreover, without the Order it is most unlikely that the land and interests needed for the first Phase of the regeneration of the wider area could be assembled within any reasonable timeframe and in particular within the deadlines under the s.73 Permission.

## 9. DELIVERY AND RESOURCES

- 9.1 As indicated in section 3 the CPO1 Development is to be delivered by a partnership between Hammerson and Standard Life Investments. They will be responsible for the redevelopment to the north of the North Circular Road and for the provision of the infrastructure needed to support it and which will also facilitate the regeneration of the land to the south, which is to be taken forward by the Council.
- 9.2 Hammerson is a FTSE 100 company and is ranked as the fourth largest REIT in the UK with a market capitalisation of about £5bn. It specialises in the investment, development and management of prime retail shopping centres and retail parks in the UK and France. It has been a co-owner of Brent Cross with Standard Life since its development in 1976 as the first out of town shopping centre in the UK. Since 2000 Hammerson has developed the following major shopping centres:- Oracle (Reading); West Quay (Southampton); Bullring (Birmingham); High Cross (Leicester); Cabot Circus (Bristol); Union Square (Aberdeen) and recently Terrasse du Port (Marseille).
 

All are major award winning projects and demonstrate an excellent track record in developing and co-owning prime large scale retail-led projects which is second to none in the industry.
- 9.3 With assets under management of £196.1 billion (30/06/14), Standard Life Investments is one of Europe's leading investment houses and one of the largest real estate investors in Europe managing over 500 properties across 14 countries. Standard Life Investments was launched as an investment management company in 1988. It is a wholly owned subsidiary of Standard Life Investments (Holdings) Limited, which in turn is a wholly owned subsidiary of Standard Life plc.

Standard Life Investments is one of the largest owners/asset managers of retail assets in the UK, comprising 15 shopping centres and 38 retail parks. The Standard Life Investments UK

Shopping Centre Trust is majority owner of Brent Cross Shopping Centre in partnership with Hammerson. Other key retail assets owned by Standard Life Investments include Churchill Square (Brighton), Castlepoint (Bournemouth), St Marks (Lincoln) and Thistles (Stirling).

Headquartered in Edinburgh Standard Life Investments maintains offices in a number of locations around the globe including Boston, Hong Kong, London, Beijing, Montreal, Sydney, Dublin, Paris, Stockholm and Seoul. In addition, it has close relationships with leading domestic players in Asia, including HDFC Asset Management in India and Sumitomo Mitsui Trust Bank in Japan.

- 9.4 The Development Partners have negotiated a Property Development Agreement with the Council. It sets out the obligations of the parties for the commencement and carrying out of the Scheme. Other agreements have been negotiated dealing with various planning, highways and infrastructure matters, and an Indemnity Agreement which requires the Development Partners to underwrite all the costs associated with the CPO process, including land acquisition and compensation, is to be entered into.
- 9.5 The Development Partners have the expertise to acquire the land and to deliver the Scheme within the agreed time frame. The CPO1 Development has been agreed with the Council following full consultation and discussion. There are no planning impediments to its implementation. The Development Partners have provided a general indication of funding intentions. Costs are under constant review and a value engineering exercise is being undertaken. The Council will work with the Development Partners to address funding issues in order to support the regeneration proposals. From Officers' discussions with the Development Partners it is considered that there is a reasonable prospect of the CPO 1 Development going ahead.

## **10. LAND NEGOTIATIONS, REHOUSING AND CONSULTATION**

### **10.1 Residential Properties**

- 10.1.1 The Order Land includes 60 dwellings on the Whitefield Estate with a further 25 assisted living units at the Rosa Freedman Centre on Claremont Way. There are people in residential care within the Rosa Freedman Centre. The Council will relocate the residents of the Rosa Freedman Centre to appropriate alternative facilities within the Borough paid for by the Development Partners through the s106 Agreement.
- 10.1.2 The Development Partners will reprovide up to 60 dwellings. Land within the ownership of the Council has been identified for the reprovion of the dwellings and the affected residents have been consulted on the selection of the site. Outline planning permission has been secured and a reserved matters application for detailed approval is to be submitted.
- 10.1.3 The Council and the Development Partners are in the process of securing a Registered Provider to deliver the replacement dwellings.
- 10.1.4 The 60 Whitefield Estate dwellings involve 31 Council tenants, 14 resident owners and 15 non-resident owners. All the Council tenants will be offered replacement housing in the reprovided units and all of the resident owners will have the opportunity to purchase one of the reprovided units. Shared equity terms will be available to resident owners. Non-resident owners will be offered full market value for their property.
- 10.1.5 Small areas of land are required from the garden of three residential properties. At a property in Claremont Road, part of the front garden is required for junction improvements. At a property in Brent Park Road, part of the rear garden is required for works to improve the M1 roundabout and approaches. The front garden of a property in Highfield Avenue is required for junction improvements.

### **10.2 Non Residential Properties**

- 10.2.1 The non-residential properties within the Order Land comprise retail, industrial and trade counter premises west of Whitefield Estate and south of the A406, along with the Holiday Inn and the site of a former petrol filling station on Tilling Road. Some land will be required from the car park and access ways of the Brent Cross Retail Park for improvements to Tilling Road and Templehof Way. Between the A5 and the M1 a car dealership and railway arches in light industrial use are within the Order Land. At the junction of Cricklewood Broadway and Cricklewood Lane retail and office premises and a gaming arcade are included. A strip of land fronting an architectural salvage yard next to Cricklewood Station is required for junction improvements. Land used as a yard adjoining the A406 between the London Underground embankment and Brentfield Gardens is required for road improvements.
- 10.2.2 The Development Partners have commenced and will continue to pursue discussions to acquire by agreement the land interests that are in third party ownership. As part of the discussions, the relocation requirements of affected businesses will be identified and potential relocation opportunities will be explored with each business.
- 10.2.3 The discussions with the Holiday Inn are concerned with mitigation measures to reduce the impact of works and reduced car parking capacity on the operation of the hotel, leaving the hotel with the current owner. The hotel and car park are included in the Order Land in order to ensure that the required works can be delivered in the event that negotiations are not successful.
- 10.2.4 A limited number of retail units within the Brent Cross Shopping Centre will need to be demolished or reconfigured as part of the Scheme. The Development Partners have entered into discussions with the affected tenants to secure lease terms which are compatible with the required works. A larger number of retail units will be subject to changed servicing arrangements and where lease variations are required to accommodate the changes, the Development Partners will seek to secure these variations in advance of any compulsory purchase by the Council. .
- 10.3 Consultations**
- 10.3.1 The Development Partners have consulted and engaged with local stakeholders over a considerable period and, more particularly, on the Section 73 planning application.
- 10.3.2 The 2010 consent followed two phases of detailed and extensive consultation with local communities between 2006 and 2007. These two phases involved almost 3,000 people in total and saw strong public support for the plans.
- 10.3.3 Ahead of submitting the Section 73 application, the Development Partners undertook further extensive consultation with local communities. The objectives were to explain the amendments to the masterplan, to remind people about the consented masterplan and what already had permission, to engage with a wide cross-section of the public and to consider and respond to comments and questions raised.
- 10.3.4 The consultation ran through Summer 2013 and included 12 days of fully-staffed, well-promoted public exhibitions across four local venues as well as meetings with individual stakeholders and groups.
- 10.3.5 The exhibitions were promoted via local newspapers, letters to key stakeholders, residents' groups and local politicians and flyer distribution to 34,000 local households and businesses. An updated Brent Cross Cricklewood website also included information about when and where the exhibitions were taking place.
- 10.3.6 So that as many people as possible to comment on the proposals they were able to use comment cards, the consultation website, e-mail or telephone.
- 10.3.7 Almost 1,700 people attended the exhibitions in total and many more visited the website. In addition, individual meetings took place with a wide range of local political and technical groups and relevant stakeholders.

- 10.3.8 In total 440 people responded to the consultation. 81% expressed overall support for changes in and around Brent Cross; 90% expressed overall support for the introduction of a new pedestrian and cycle bridge over the North Circular Road and 87% expressed overall support for the earlier delivery of transport works.
- 10.3.9 The Development Partners provided a response to all of the common questions and concerns that were raised during the consultation process and a full set of responses was placed on the website. Tailored consultation responses were sent to stakeholders who had asked specific questions during the consultation process.
- 10.3.10 There have also been more recent exhibitions in connection with the submission of reserved matters applications under the s.73 Permission.

## **11. RELATED ORDERS AND SPECIAL KINDS OF LAND**

- 11.1 Various highway stopping up and/or diversion orders are needed to enable the new and improved network to be implemented. An order under Section 16 Highways Act 1980 is also required as there is some additional special category road provision as part of the improvements to Junction 1 of the M1. Applications for these orders will be made and they may require a co-ordinated decision by the confirming Minister and the local highway authority.
- 11.2 The Order Land does not contain any of the special kinds of land such as listed buildings, ancient monuments, conservation areas, open space, etc.
- 11.3 The apparatus of statutory undertakers or utilities will be protected, diverted or replaced as necessary.
- 11.4 There are no requirements for additional information as referred to in paragraph 11 of the Circular or in the light of Government policy statements.

## **12. HUMAN RIGHTS ACT**

- 12.1 In determining whether or not to confirm the Order, the Secretary of State must have regard to any interference with human rights, the provisions of the Human Rights Act 1998 and the European Convention on Human Rights ("the Convention"). The Secretary of State must consider whether, on balance, the case for compulsory purchase justifies interfering with the human rights of the owners and occupiers of the Order Land. The Secretary of State also has to be satisfied that the land included in the Order is all the land necessary in order to secure the delivery of the CPO1 Development and does not include land which is not required for that purpose.
- 12.2 Article 1 of the First Protocol to the Convention states that "...Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...". Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be done in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the CPO1 Development are set out earlier in this Statement of Reasons. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the proposals and those private rights which will be affected by the Order.
- 12.3 Article 6 of the Convention provides that: "In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law". The regeneration proposals, including those associated with the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that will be affected by the

Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State for Communities and Local Government, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.

- 12.4 Article 8 of the Convention states that: "Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others." The Council considers that the interference with this right that will result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Act), give effect to a legitimate aim (namely securing the much-needed regeneration of the area), and will be proportionate having regard to the public benefits that the regeneration will bring.
- 12.5 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e. reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments (e.g. home loss payments). The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.
- 12.6 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Similarly, any interference with Article 8 rights must be "necessary in a democratic society" i.e. proportionate.
- 12.7 In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land and the BXC area. Interference with Convention rights is considered by the Council to be justified here in order to secure the economic regeneration, environmental and public benefits which the proposals will bring. With regard to the residential tenants of the Council, the Council will only exercise its powers under the Order in the event that negotiations and the use of the processes in the Housing Act are not successful.
- 12.8 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.
- 12.9 There has been extensive public consultation on the proposals to regenerate the BXC area, and the opportunity has been given through the consideration of the planning applications to make representations on the proposals. A public inquiry will be held into the Order if objections are duly made, and those whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided under national law.

### 13. CONCLUSIONS

- The acquisition of the Order Land will facilitate development on the land and will contribute to the promotion or improvement of the economic, social and environmental well-being of the area.



- The CPO1 Development will also be an important catalyst for the development of the whole of the Phase 1 of the BXC Scheme and the wider BXC area.
- All of the Order Land is required for the CPO1 Development.
- The CPO1 Development will contribute towards the achievement of the Council's strategic objectives and will deliver important and wide ranging public benefits including investment in and around the existing shopping centre to create the basis of a new town centre, new jobs, new residential accommodation and major infrastructure and environmental improvements.
- The CPO1 Development is essential if the regeneration of land to the south of the North Circular Road (the subject of a separate compulsory purchase order) is to be achieved.
- The purpose for which the Order Land is to be acquired accords with the planning framework for the area.
- Planning permission has been granted for the development of the BXC area. A mixed use scheme, including retail, business, leisure and residential development, is to be carried out on the Order Land as the first stage of the BXC regeneration scheme. It will also provide the essential infrastructure to support redevelopment and regeneration of the wider BXC area. There are no planning impediments to the development of the Order Land.
- The development of the Order Land is to be delivered by the Council's Development Partners who have the experience to carry out the scheme. The Secretary of State can therefore be satisfied that there is a reasonable prospect that the development of the Order Land will proceed.
- The purposes for which the Order Land is to be acquired could not be achieved by any alternative proposals or by development in other locations.
- The extension and refurbishment of the existing Brent Cross Shopping Centre will provide additional and improved retail floorspace needed to enhance its attraction and create the basis of the new town centre. The whole of the shopping centre has been included in the Order to ensure that all the necessary interests and rights needed for construction and operation are secured, but negotiations with tenants will seek wherever possible to achieve any necessary changes by agreement.
- The development of the Order Land includes the extensive highway and transport improvements, new bridges, a new bus station and other public transport improvements and parking and servicing measures.
- The residential dwellings on the Order Land will be re-provided within the Borough at the expense of the Council's development partners. Residents have been consulted on the re-provision and will continue to be fully informed.
- There have been negotiations to acquire by agreement commercial properties in the ownership of third parties. These negotiations will continue and relocation opportunities considered. Owners and occupiers of commercial units will be kept informed.
- The purposes for which the Order has been made sufficiently justify the interference with the human rights of those who will be affected by it. The exercise of the powers conferred by the Order will be lawful, necessary and proportionate.
- The Order is essential to provide certainty that the Order Land can be assembled within a reasonable timeframe and in accordance with the requirements of the planning permission.
- The regeneration of the Order Land will not be achieved without the use of compulsory purchase powers, but the powers will only be used where the required land and interests cannot be acquired by negotiation.
- If the Order is not confirmed the regeneration of the whole of the BXC area will not proceed.

- There is a compelling case in the public interest for the making and confirmation of the Order.

#### 14. DETAILS OF CONTACTS AT THE COUNCIL AND AT THE DEVELOPERS

- 14.1 Anyone affected by the Order who wishes to discuss matters with a Council representative should contact Karen Mercer, Programme Director, Development and Regulatory Services (karen.mercer@barnet.gov.uk) (telephone 020 8359 7563).
- 14.2 Anyone wishing to discuss matters with the Development Partners should contact Ben Littman, Development Manager, Hammerson PLC (ben.littman@hammerson.com) (telephone 020 7887 1031).
- 14.3 Anyone wishing to discuss the acquisition of their interest should contact Paul Astbury, CPO and Regeneration Director, GL Hearn Limited (paul.astbury@glhearn.com) (telephone 020 7851 4979).

#### 15. INQUIRIES PROCEDURE RULES

- 15.1 This is a non-statutory statement which is not intended to constitute the Council's Statement of Case under the 2007 Rules.

#### 16. LIST OF DOCUMENTS

- 16.1 In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- the Order, Order Schedule and Order Map;
- report to the committee and decision notice and section 106 agreement relating to planning permission ref: F/04687/13 dated 23 July 2014;
- ARG report and minutes of 15 December 2014 authorising the making of the Order;
- National Planning Policy Framework 2012;
- London Plan 2011;
- London Borough of Barnet Core Strategy 2012;
- London Borough of Barnet UDP 2006 – Saved Policies;
- West Hendon Regeneration Area Development Framework;
- The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 2) 2014 and associated Statement of Reasons.

- 16.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

- **Barnet House**, Planning Reception, 1255 High Road, Whetstone, N20 0EJ, Tel: 0208 359 2000 during the following hours: 9am – 1pm Mondays, Wednesdays and Fridays; and at
- **Hendon Library**, The Burroughs, London, NW4 4AX, Tel: 0208 359 2628 during the following hours: 9.30am-8pm Mondays, 9.30am-5pm Tuesdays, 9.30am-8pm Wednesdays, 10am-8pm Thursdays and 9.30am-5pm Fridays.

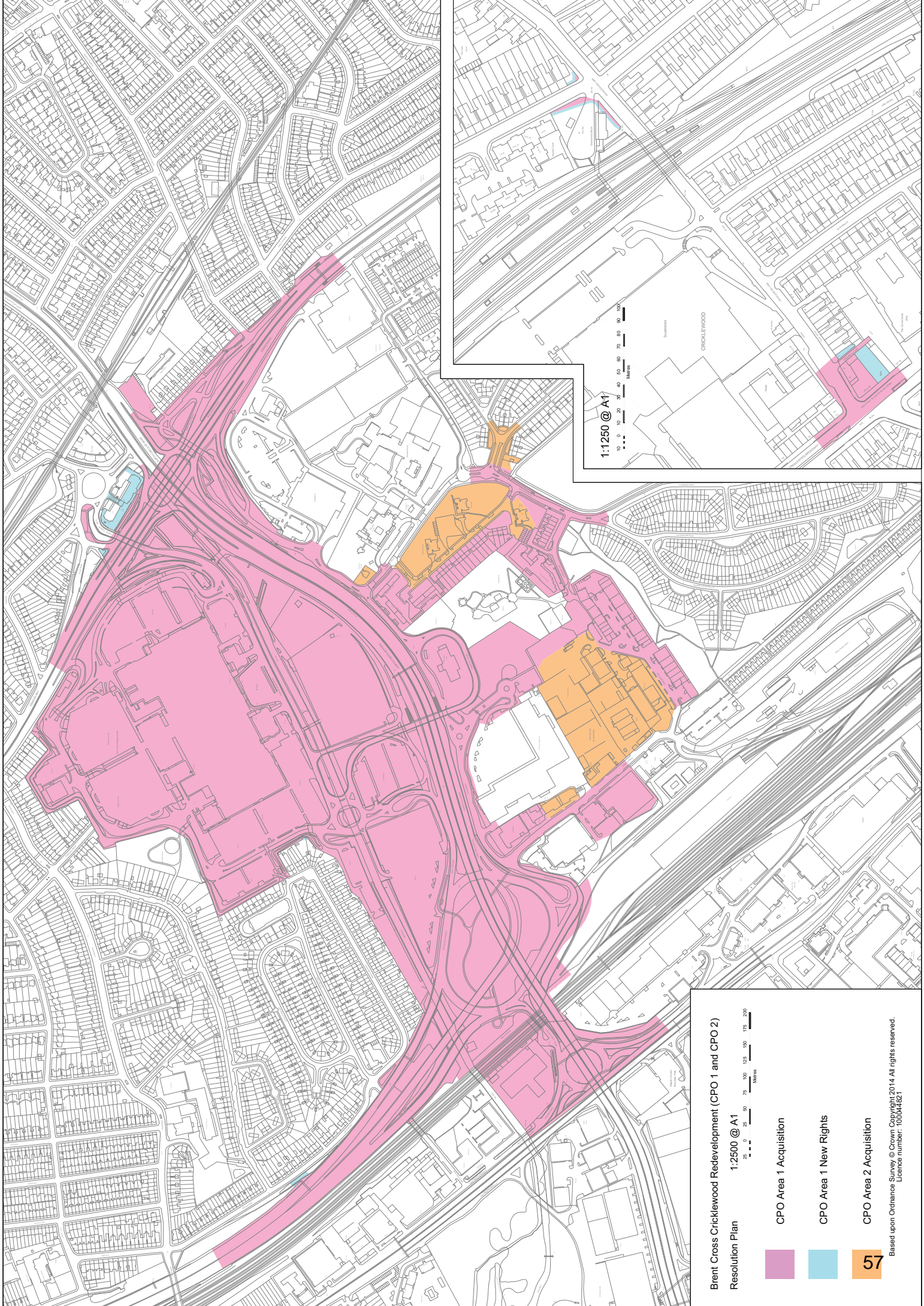
- 16.3 Documents relating to the Order can be downloaded from the Council's website via the following link: **[TBC – link needed]**.

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**APPENDIX**

Plan showing extent of Order Land.

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**Brent Cross Cricklewood Redevelopment (CPO 1 and CPO 2)**

Resolution Plan

1:2500 @ A1



CPO Area 1 Acquisition

CPO Area 1 New Rights

CPO Area 2 Acquisition


**57**

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1:1250 @ A1



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	AGENDA ITEM 8 <b>Assets, Regeneration and Growth Committee</b> <b>3<sup>rd</sup> March 2015</b>
	<b>Title</b> <b>Brent Cross Cricklewood Compulsory Purchase Order (No. 2)</b>
<b>Report of</b>	Cath Shaw, Commissioning Director (Growth and Development)
<b>Wards</b>	Childs Hill, Golders Green and West Hendon
<b>Status</b>	Public
<b>Enclosures</b>	Appendix 1 Plan of Proposed Boundary of CPO Appendix 2 Draft Statement of Reasons Appendix 3 Plan of Proposed Boundary for CPO1 & CPO2
<b>Officer Contact Details</b>	Karen Mercer, Programme Director Re, <a href="mailto:Karen.Mercer@barnet.gov.uk">Karen.Mercer@barnet.gov.uk</a> , 0208 359 7563

**Summary**

This report requests that the Committee recommends to full Council the making of a compulsory purchase order (CPO) in respect of the land, interests and rights needed to deliver part of the first stage of the regeneration of Brent Cross Cricklewood in respect of land to the south of the North Circular as shown on the plan at Appendix 1 including approval of the use of Ground 10A procedures to recover possession of properties within the area that are occupied by secure tenants and service of demolition notices to suspend the right to buy Council properties due for demolition.

- Recommendations**
1. **The Committee is requested to note the content of this report and to recommend the following to full Council for approval:**
    - That a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land shaded pink on the plan at Appendix 1
    - That the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation and take all action needed to pursue the CPO

<b>and secure its confirmation.</b>
<ul style="list-style-type: none"> <li>• <b>That the appropriate Chief Officers be authorised, following the confirmation of the CPO, to implement the CPO powers and acquire title to and/or take possession of the land.</b></li> </ul>
<ul style="list-style-type: none"> <li>• <b>That the appropriate Chief Officers be authorised to carry out the necessary procedures under Part 11 of the Housing Act 1985 and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants in the area shown shaded pink on the plan at Appendix 1.</b></li> </ul>
<ul style="list-style-type: none"> <li>• <b>That the appropriate Chief Officers be authorised to approve the service of Initial and Final Demolition Notices as required pursuant to the Housing Act 2004 to suspend the right to buy on properties due for demolition which are situated on the Whitefield Estate but fall within the Brent Cross South Development.</b></li> </ul>

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 This report is requesting that the Assets, Regeneration and Growth Committee recommends the making of a compulsory purchase order (“CPO2”) and other related steps to full Council for approval in order to acquire the land and rights needed to enable part of the first stage of the comprehensive regeneration of Brent Cross Cricklewood to go ahead on land to the south of the North Circular. The extent of the land acquisition needed for this stage is shown shaded pink on the plan at Appendix 1.
- 1.2 The Council’s purpose in seeking to acquire the land shown on Appendix 1 is to facilitate its development, re-development and improvement of it by way of a mixed use scheme (comprising retail development, community facilities; residential development; leisure development; car parking; infrastructure and highway works, and public realm and environmental improvement works) (“**the CPO2 Development**”). This forms an early phase of the wider Brent Cross Cricklewood regeneration scheme (“**BXC**”). The regeneration of the wider BXC area, one of the largest regeneration opportunities in London, is a long-standing objective of the Council and is a key regeneration priority of the London Mayor.
- 1.3 The draft Statement of Reasons, which is the document that sets out the Council’s case and justification for making and pursuing CPO2, is found at Appendix 2. This will be served on all those affected by CPO2.
- 1.4 In order to authorise the officers to make and pursue CPO2, section 226 of the Town and Country Planning Act 1990 requires that members must be satisfied that the use of compulsory purchase powers will facilitate the development, redevelopment or improvement of land, and that it is likely to contribute towards the promotion or improvement of the economic, social and environmental well-being of the area. Further, members must be satisfied that there is a compelling case in the public interest for making and promoting the CPO, that the use of the powers is necessary and proportionate, and that the



public benefits associated with the proposed regeneration will clearly outweigh the interference with the rights of those affected. These matters are explained and considered in more detail below and in the draft Statement of Reasons at Appendix 2.

- 1.5 A separate compulsory purchase order, the Brent Cross Cricklewood CPO (No.1) ("**CPO1**"), is proposed to be made by the Council for another part of the first phase of the BXC Development, which comprises a major redevelopment and improvement of the Brent Cross Shopping Centre; the provision of infrastructure associated with and required for the redeveloped shopping centre; significant infrastructure to support the redevelopment and regeneration of the wider BXC area (and in particular development to the south of the North Circular). This part of the scheme is to be delivered by Hammerson UK and Standard Life Ltd and CPO1 is the subject of a separate report which has also been placed before members for consideration at this committee meeting. The extent of the land acquisition needed for CPO1 and CPO2 is shown in appendix 3.
- 1.6 The development of the land proposed to be included in CPO2 will depend upon the confirmation of CPO1 and the delivery of infrastructure and the development of the land in CPO1. Both CPOs will facilitate the delivery of Phase 1 of the BXC scheme. The reason why two CPOs are proposed is in recognition of the fact the CPO1 and CPO2 developments will be delivered by different development partners and funded by different means.
- 1.7 It is anticipated that further CPOs may be required as and when future phases of the southern development are ready to come forward, such as in respect of the land and rights needed to deliver the proposed new Thameslink Station. In this latter respect, the Council, together with the Greater London Authority (GLA) are working with HM Government and Network Rail to confirm the funding strategy by mid March 2015. Compulsory purchase powers may be exercised for the land required for the station once the funding strategy is confirmed to ensure delivery by 2021.

## **2. UPDATE**

- 2.1 On 23rd July 2014, following the completion of the Section 106 agreement, the Section 73 planning permission for the comprehensive Brent Cross Cricklewood scheme (which amended the phasing of the original planning permission and made consequential changes) was granted. Planning permission is therefore now in place for the scheme.
- 2.2 The Council is the process of procuring a development partner to deliver that Brent Cross South, and a separate report seeking to recommend the selection of the Preferred Development Partner to full Council will also be considered by this Committee on 3 March 2015.

- 2.3 On 16 January 2014 the Council approved a budget for the preparation and promotion of a CPO for the land to the south of the North Circular, including a budget for making acquisitions.
- 2.4 On 8 September 2014, members gave authorisation for certain preparatory steps to be undertaken in connection with the making of a CPO, relating to private treaty negotiations and the land referencing exercise required to identify all parties with an interest in the land.
- 2.5 Capita has been instructed by the Council to pursue negotiations with all such parties with a view to acquiring their interests by agreement wherever possible.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 By virtue of Section 226(1)(a) of the Town and Country Planning Act 1990 the Council has the power to make a compulsory purchase order for any land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. It is an exercise of this power which the Committee is being asked to authorise.
- 3.2 Section 226(1A)(a) of the Act provides that the Council may not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area.
- 3.3 The purpose in seeking to acquire the land the subject of the proposed CPO is to facilitate its development, re-development and improvement of it by way of a mixed use scheme (comprising retail development, community facilities; residential development; leisure development; car parking; infrastructure and highway works, and public realm and environmental improvement works). The CPO2 comprises Phase 1A (South), Phase 1B (South) and Phase 1C of the BXC scheme.
- 3.4 The CPO2 Development will contribute to the economic, environmental and social well-being of its area by delivering important and wide ranging public benefits including new commercial development which will provide opportunities for jobs, new residential accommodation (including affordable housing) and environmental improvements. It will also start the long-awaited process of regeneration to the south of the North Circular.

#### **Benefits of the Brent Cross Cricklewood Scheme**

- 3.5 The comprehensive regeneration of BXC is a long-standing objective of the Council and a key regeneration priority of the Mayor of London. At 151 Ha, it is one of the largest regeneration schemes in Europe. The London Plan identifies it as an Opportunity Area with an indicative employment capacity target of 20,000 jobs and a minimum new homes target of 7,500 homes. The

Council's Core Strategy reinforces the significant comprehensive regeneration opportunity, which includes a new town centre, major new and improved transport and community facilities, and other infrastructure and public areas.

- 3.6 The BXC area is significantly constrained by the existing road network and rail infrastructure, but given its location at the connections between the M1 and the A406 and between the A5 and A41, it has the potential to be an attractive gateway into London. That potential is enhanced by the proximity to the Northern Line at Brent Cross station, the Midland mainline, and Brent Cross bus station.
- 3.7 Substantial infrastructure needs to be provided in order to realise the area's potential. The comprehensive redevelopment and improvement of the Brent Cross Shopping Centre and other major development in the area provides the opportunity for the major infrastructure to be funded and delivered that will enable and facilitate the wider BXC regeneration. In particular, in addition to major improvements to existing roads, public transport and social infrastructure, the BXC proposals will create strong and attractive linkages between the communities to the north and south of the North Circular.
- 3.8 The development of the BXC strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular Road, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The first phase alone is expected to create 3,000 construction jobs, and an additional 4,000 permanent jobs over the next 5-7 years. About 99,000 sqm of additional retail and commercial floorspace will be provided on the land proposed to be the subject of CPO1.
- 3.9 BXC is a key element of the Council's regeneration and housing programme and will provide over 7,540 new homes over the next 20 years, including affordable homes and replacement homes for the Whitefield Estate. BXC will also provide new and improved educational, community and health facilities for the community, and improved open space and recreational facilities for the community to enjoy and use.
- 3.10 The new Thameslink Station alongside the major highways and junction improvements (including those to junctions on the M1, A5, A406 (the North Circular), A407 and A41) will vastly improve the accessibility of the area and will help realise the regeneration of the area to its full potential. To address the existing barriers to accessibility between the communities to the north and south of the North Circular, as part of the first stage of development a series of bridges are proposed to be delivered including the Living Bridge (a new pedestrian and cycle bridge over the North Circular adjacent to Claremont Avenue and Market Square); the Templehof Bridge (replacing the existing Templehof Bridge over the North Circular); the A406/M1 Junction Pedestrian and Cycle Bridge – a new shared pedestrian and cycle bridge over the A406 adjacent to this improved junction; changes to the Staples Corner Pedestrian Bridge; 9 road bridges across the improved and diverted River Brent, and a further two bridges for the use of pedestrians and cyclists only.

- 3.11 The regeneration of BXC will be a major component of achieving the Council's priority objectives in its Corporate Plan 2013-2016, including to 'maintain the right environment for a strong diverse local economy', with the strategic objective under this priority being to sustain Barnet by 'promoting growth, development and success across the borough'.
- 3.12 The scheme also supports the achievement of the objectives set out in 'One Barnet - A Sustainable Community Strategy for Barnet 2010-2020', including:  
*"Sharing opportunities for success' and 'choice and responsibility', where the proposals will provide high quality homes. The Scheme itself will offer more choice by providing a number of different housing options such as shared equity, shared ownership and private homes for sale to residents and those in the wider community".*
- 3.13 In addition, it will further the strategic objectives in the Council's Housing Strategy 2010-2025 which include:
- (a) increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and
  - (b) promoting mixed communities and maximising opportunities available for those wishing to own their home.
- 3.14 Substantial progress has therefore been made in establishing the policy basis for the regeneration of BXC, and attention must now focus on delivery and the key issue of land assembly. Regeneration is to be realised on a phased basis. The early phases comprise the regeneration of the shopping centre and its environs; and the delivery of Critical Infrastructure, and regeneration of land to the south of the North Circular. In order to achieve a comprehensive approach, the planning permission and Property Development and Co-Operation Agreements which will be completed with Hammerson and Standard Life by 3 March 2015 contain provisions relating to the delivery of the Critical Infrastructure. The lack of such infrastructure has prevented the area being redeveloped in the past, and the scheme now being advanced secures the investment needed to deliver the infrastructure required to deliver the rest of the development.
- 3.15 Whilst a comprehensive approach is needed, more than one CPO will be promoted for the early stages. This is because of the separate processes and different developers required to deliver each stage of the comprehensive regeneration and because the stages will be funded separately. Members are therefore being asked to authorise the making of two separate CPOs: CPO1 to include the land needed for the land north of the North Circular and the Critical Infrastructure which will be delivered by the Development Partners; and CPO2 (the subject of this report) for the land to the south of the North Circular which will be delivered by the Council and its forthcoming new development partner. The two CPOs are the subject of separate reports to this Committee, but it is proposed that the CPOs would be made at the

same time, so as to enable them to be considered at the same public inquiry and on the same timetable.

### **Benefits of CPO2**

- 3.16 This report asks the Committee to recommend to full Council the making of the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.2 ) 2015.
- 3.17 CPO2 is required to acquire the land and rights needed to facilitate the delivery of the first BXC Development, namely Phase 1A (South), Phase 1B (South) and Phase 1C. These will be delivered by the Council in conjunction with its chosen development partner. These phases include delivery of part of the Market Quarter Development Zone which will form the heart of the town centre and ensure that shopping facilities extend south of the North Circular to stimulate activity in the Southern part of BXC.
- 3.18 The CPO2 Development will be worked up in detail by the Council's selected development partner but will include around 2365 homes (of which approximately 356 will be affordable) and around 17,600m<sup>2</sup> of retail, commercial, leisure and community floorspace provided. The Development will include the creation of a market square which will act as a link between the new Living Bridge and the improved Clitterhouse Playing Fields to the south. New streets (including a continuation of the town centre high street) will create an attractive and active environment. The CPO2 Development is a vital and early part of the regeneration of the southern part of BXC.
- 3.19 Further detail on the Phase 1A (South), Phase 1B (South) and Phase 1C proposals is set out in the draft Statement of Reasons at Appendix 2.
- 3.20 The land proposed to be included in CPO2 is shown shaded pink on the plan at Appendix 1 and is described in the draft Statement of Reasons at Appendix 2. The land is occupied for a variety of uses including residential land comprising 3 tower blocks of flats known as Whychcote Point, Clare Point and Norden Point; and premises on part of the Claremont Way Industrial Estate and along Brent Terrace.
- 3.21 The Council and its appointed agent Capita have been in discussions with the residents whose interests are included in the proposed CPO. The Council is procuring a registered provider to secure the successful relocation of the Council's tenants. Those residents who have exercised their right to buy their properties have been contacted by the Council to explain the principles that will be applied to acquisitions by agreement. Drop in information sessions have also been held to address any questions or concerns owners may have. The Council advised owners in October 2014 that they are ready and willing to engage with anyone who wishes to sell now. However, detailed questions regarding the purchase of a replacement home in the new development cannot be addressed until the registered provider has been appointed.
- 3.22 The Council intends to suspend the Housing Act 1985 right to buy for secure tenants living on the Whitefield Estate, in order to facilitate the re-development of the Brent Cross Cricklewood Area. Full Council is being

asked to authorise the service of Initial and Final Demolition Notices, in order to suspend the right to buy.

- 3.23 The Council has appointed Sapiens to assist businesses with their relocation requirements. The Council is in contact with the owners and occupiers of the premises on Claremont Way Industrial Estate and Brent Terrace, and in some cases have made an offer and/or agreed the terms of acquisition.
- 3.24 The draft Statement of Reasons at Appendix 2 sets out in detail the rationale and justification for the CPO, including how the development the CPO will contribute to the achievement of the Council's regeneration and planning objectives, and result in substantial public benefits being realised, both within the land included in the CPO and in the wider area. Those details will not be rehearsed in this report, but it is essential that members review the draft Statement of Reasons before reaching a decision.
- 3.25 From section 8 of the draft Statement of Reasons, it will be seen that substantial public benefits will flow from the CPO2 Development proceeding, including:
- Around 17,600m<sup>2</sup> of new retail, leisure, community and commercial floorspace will be provided, forming a key component of the new town centre.
  - Around 2365 new high quality residential units (including around 356 affordable housing) will be developed, providing a range of types and sizes of homes and tenures.
  - The CPO2 Development will provide an attractive link between the northern development and the improved Clitterhouse Playing Fields to the south, not least through the new market square.
  - Development around the New Living Bridge will provide animation and activity along the new east to west walking and cycling route to vastly improve connectivity between the Shopping Centre and the land south of the A406 North Circular Road. This will be a major contribution towards the provision of a new and integrated town centre.
  - New high quality streets and public realm will be provided to create a highly attractive environment.
  - Development of the land the subject of the proposed CPO will provide critical mass and act as a catalyst for the regeneration of the remainder of the BXC area to the south of the A406 and the realisation of the potential of that area. This includes the start of the link to the proposed regeneration around the Thameslink Station.
  - Approximately 2000 jobs will be created, which will help to improve employment opportunities and skills for those in the area.

- 3.26 This clearly demonstrates that there is a compelling case in the public interest to make CPO2. The CPO2 Development will itself contribute very significantly to the economic, social and environmental well-being of the area and will also be an important catalyst for (being the first phase of) the regeneration of BXC to the south of the North Circular.
- 3.27 Paragraph 16 of Appendix A to Circular 06/04: *Compulsory Purchase and the Crichel Down Rules* advises that in deciding whether or not to confirm a CPO, the Secretary of State can be expected to consider factors including the following:
- whether the purpose for which the land is being acquired fits in with the adopted planning framework for the area or, where no such up-to-date framework exists, with the core strategy and any relevant Area Action Plans in the process of preparation in full consultation with the community;
  - the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area;
  - the potential financial viability of the scheme for which the land is being acquired; and
  - whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.
- 3.28 Members should also consider these factors in deciding whether to make CPO2.
- 3.29 As to the first factor (the planning framework for the area), the planning permission for the regeneration of Brent Cross Cricklewood gives effect to the policy requirement found in the Core Strategy and saved policies of the UDP, and as reflected in the London Plan, for a comprehensive approach across the whole area so that its potential can be fully realised. The development of the CPO2 land, including the delivery of the infrastructure, is the essential first phase of that regeneration. The area is identified as an Opportunity Area in the London Plan, and as such is one of the Mayor's key regeneration areas for the City. Given its importance, it is vital that the area's regeneration benefits are maximised, and the use of the Council's CPO powers is key to ensuring that this happens.
- 3.30 As to the second factor (contributing to well-being), as explained above the use of CPO powers to facilitate the redevelopment and regeneration of the land shown on the plan at Appendix 1 will contribute towards the Council's promotion of the economic, social and environmental well-being of the area, and to the achievement of the Council's regeneration and planning objectives, and will also result in substantial public benefits being realised, both within the land shown at Appendix 1, and in the wider BXC area.

- 3.31 As to the third factor (viability), planning permission has been granted for the development and regeneration of the whole of the wider BXC area. A mixed use scheme, is to be carried out on the land the subject of the CPO as the first stage of the wider development on land to the south of the North Circular which forms part of the BXC regeneration scheme.
- 3.32 The development of the land to the south of the North Circular Road is to be taken forward by the Council's chosen development partner. In July the Council commenced a developer procurement process to select a development partner who will work up detailed proposals for the whole of the BXC scheme to the south of the North Circular and prepare a business plan for delivering them. This process aims to achieve the appointment of the successful developer in March 2015, which will then have approximately a year to work up its detailed proposals. The legal agreement(s) containing the mechanisms for delivering the regeneration will also be negotiated and completed in this timeframe. This means that, if CPO2 is confirmed, the land will be ready for redevelopment as soon as the developer partner is ready to deliver the regeneration comprised in the CPO2 Development.
- 3.33 In October 2014 the Council shortlisted four consortia from those who entered the competition: (1) Argent and Related Companies; (2) Barratt and London & Quadrant Housing Trust; (3) Capital and Counties Properties; and (4) Far East Consortium International with Countryside Properties, Notting Hill Housing Trust and Southern Grove. All are very substantial and well-known development companies and investors with the track record and resources to deliver developments such as the regeneration to the south of the North Circular. Final bids were received on 29 January 2015 and are currently being evaluated by the Council's Evaluation Panel. This process is subject to a separate report being placed before this Committee for consideration in order to recommend to full Council the selection of the preferred development partner on 3 March 2015.
- 3.34 The successful bidder will be required to formulate detailed proposals for the CPO2 Development, based on the S73 Permission. However, it will also be given the opportunity to work up proposals which seek to further maximise the potential of the land shown at Appendix 1, subject to the grant of any necessary planning permissions. Members can therefore be satisfied that there is a reasonable prospect that the development of the land to the south of the North Circular Road will proceed.
- 3.35 As to the fourth factor (other means of achieving the Council's purpose in acquiring the land), in order to secure the delivery of the wide range of significant public benefits that the regeneration of the Order Land (and the wider BXC proposals) will bring, it is essential for the proposals to come forward in a comprehensive and co-ordinated manner. The certainty of being able to deliver the CPO2 Development will enable the Council's selected developer to commence the much needed regeneration of the land to the south of the North Circular in a timely manner and on a programme which will enable it to be delivered in a way which is fully co-ordinated with the redevelopment of the land to the north (including the shopping centre) and the delivery of the critical infrastructure. All of the land shown shaded pink on



Appendix 1 is needed to create a viable first phase of development to the south of the North Circular, and to create a platform from which the further regeneration of the southern area will flow. The purposes for which the land is to be acquired could not be achieved by any alternative means or by development in other locations. This is given further consideration in section 4 below.

- 3.36 The residential dwellings within the proposed CPO will be re-provided within the Borough. Residents have been consulted on the re-provision and will continue to be fully informed. There have been negotiations to acquire by agreement commercial properties in the ownership of third parties. These negotiations will continue and relocation opportunities considered. Owners and occupiers of commercial units will be kept informed.
- 3.37 It is clear that, unless CPO2 is made and confirmed, the Council would be unlikely to be able to assemble the land and interests needed for the key first phase of the regeneration of the land to the south of the North Circular area within a reasonable timescale.
- 3.38 Accordingly, the tests in section 226(1)(a) and section 226(1)(A) of the Town and Country Planning Act 1990 have been met, the guidance in paragraph 16 of Appendix A to the Circular has been satisfied, and there is a compelling case in the public interest for the making and confirmation of the CPO.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 If the CPO is not made, then the only way of acquiring the land and interests needed to deliver the first phase of development of the south side of the North Circular would be by agreement. It is clear however that, unless CPO2 is made and confirmed, the Council would be unlikely to be able to assemble the land and interests needed for the first phase of the regeneration of the south side of the area within a reasonable timescale. In these circumstances, there is a significant risk that regeneration to the south of the North Circular would not come forward at all, or at best would be delayed by many years.
- 4.2 Careful consideration has been given to the extent of the land and rights included in CPO and whether it is necessary to include all of these.
- 4.3 All of the land shown on the plan at Appendix 1 is needed in order to ensure that the CPO2 Development can be delivered. Development of the land is dependent on the confirmation of CPO1 and the consequent delivery of Phases 1(A (North), which will enable the delivery of Phases 1A South, 1B South and IC, facilitate the development of the wider BXC scheme and will confer substantial additional social, economic and environmental benefits on the area.
- 4.4 It is essential that the regeneration of the land to the south of the North Circular is co-ordinated with, and is delivered alongside the redevelopment of the shopping centre and other development (including the infrastructure), so that a momentum for regeneration can be created and maintained. The

certainty of being able to deliver the development of land within the CPO2 will enable the Council's selected development partner to commence the much needed regeneration of the land to the south of the North Circular in a timely manner and on a programme which will enable it to be delivered in a way which is fully co-ordinated with the redevelopment of the land to the north and the delivery of the critical infrastructure.

## **5. POST-DECISION IMPLEMENTATION**

- 5.1 It is proposed that, if authorised, the CPO will be made (executed) in approximately 4-6 weeks after the date full Council approves the CPO. A specialist land referencing company (TerraQuest) has been engaged to identify all parties with interests in the area covered by the CPO so that they will all be served with the appropriate notices and be involved in the process if they so wish. Parties with interests in the land are required to be identified in a detailed schedule which, together with the CPO plan, forms the CPO.
- 5.2 After the CPO is made, statutory notice of the making of the CPO will be served on all affected parties, advertised in the local press, and posted up on the site. The notices served on those affected will be accompanied by the statement of reasons, which sets out the background to and justification for using its CPO powers. A draft of this document is Appendix 2. Service and advertisement of the statutory notices will take place very shortly after the CPO is made.
- 5.3 Following service of the notices described above, those affected and members of the public will be given a period of 28 days within which to make representations including, if they see fit, object to the CPO. (The period required by law is a minimum of 21 days, but officers wish to provide the community and those affected with ample opportunity to make representations.)
- 5.4 If there are no objections, or if all objections made are withdrawn, then the Council may be authorised by the Secretary of State for Communities and Local Government to confirm CPO2 itself. If there are objections and these are not withdrawn then the Secretary of State will arrange for a public inquiry to be held and will appoint an inspector to hold it. It is likely that a public inquiry would be held towards the end of 2015. Those affected and the public may attend and if they so wish, present their objections and cross-examine the Council's witnesses regarding the case for the CPO, and be cross-examined themselves on their objections.
- 5.5 Following the inquiry, the inspector will prepare a report in which a recommendation will be made to the Secretary of State as to whether the CPO2 should be confirmed. The Secretary of State will then make his decision. This would be expected in mid-2016.
- 5.6 Following the confirmation of the CPO, the Council will have 3 years within which to exercise the powers and acquire the land and interests needed for the development.

- 5.7 In the event that full Council authorises the making of CPO1, CPO2 will be made at the same time as CPO2 and it is envisaged that the Secretary of State for Communities and Local Government will order that any public inquiry required for CPO1 will be con-joined and held at the same time as the inquiry for CPO2.

## 6. IMPLICATIONS OF DECISION

### Corporate Priorities and Performance

- 6.1 The regeneration of Brent Cross Cricklewood supports the Corporate Plan 2013-2016 priority '*To maintain the right environment for a strong diverse local economy*', and the strategic objective under this priority to sustain Barnet by '*promoting growth, development and success across the borough*'.
- 6.2 The Growth Strategy for Barnet recognised that regeneration and growth are vital for ensuring the future prosperity of the Borough and maintaining Barnet as a successful London suburb. The BXC regeneration proposals will play a major role in delivering this objective, doubling the size of the shopping centre and linking seamlessly to a new town centre for Barnet and North London across the North Circular Road. BXC is one of Barnet's priority regeneration areas, and will provide approximately 7,500 new homes over the next 20 years. It is a key part of the wider revitalisation of the A5 corridor, linking BXC with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.
- 6.3 The first phase of the BXC project to the south of the North Circular will provide much needed homes, including affordable homes, retail space, commercial, leisure and community floorspace, and will include the creation of a market square which will act as a link between the new Living Bridge and the improved Clitterhouse Playing Fields to the south. It will also act as a catalyst to the delivery of the remainder of the BXC scheme to the south of the North Circular.
- 6.4 A fuller explanation of the rationale for pursuing CPO2 and details of the benefits that will result are set out in the draft Statement of Reasons at Appendix 2.

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

- 6.5 There are two main elements of costs associated with the CPO process: the costs of preparing and pursuing the CPO itself, and the compensation and consideration to be paid to those whose land and interests are acquired.
- 6.6 In terms of the costs of pursuing the CPO, this will require input from internal and external resource covering various disciplines, including senior officers, legal input, surveying and valuation expertise, planning input, input from the

preferred developer when selected, technical input from engineers and consultants, and the cost of witnesses at the public inquiry. There will also be costs associated with the organisation and holding of the public inquiry.

- 6.7 In terms of the compensation payable to parties whose land is compulsorily acquired, or the consideration to be paid where private treaty agreements are reached.
- 6.8 There will also be costs associated with the implement of the Ground 10A exercise.
- 6.9 The above CPO costs as well as the costs associated with implementing the Grounds 10a exercise will be paid from the approved capital budget for this scheme.

### **Legal and Constitutional References**

- 6.10 The CPO process is governed by law, principally the Acquisition of Land Act 1981. There is a public and lawful process which must be followed by the Council in order to secure the confirmation of CPO powers.
- 6.11 Under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) the Council, if authorised by the Secretary of State for Communities and Local Government, has the power to acquire land compulsorily where it thinks that the acquisition will facilitate the development, redevelopment or improvement of land. Section 226(1A) provides that the Council may only use this power if it thinks that doing so will contribute to the achievement of the economic, social and environmental well-being of the area. Members must therefore address these questions when deciding whether to authorise the use of the CPO powers. Members are again referred to the draft Statement of Reasons at Appendix 2, which explains the justification for the use of the CPO powers.
- 6.12 The Secretary of State will only confirm CPO2 if he is satisfied that there is a compelling case in the public interest to do so. The draft Statement of Reasons at Appendix 2 is of direct relevance to members in this regard.
- 6.13 The Council has been in discussions and negotiations with those whose land and interests are required, and are seeking to acquire the land and interests by agreement. These efforts to acquire the land and interests by agreement will continue, but it is clear that without the use of CPO powers it will not be possible to acquire all of the required land and interests within a reasonable timeframe.
- 6.14 Those who wish to object to the CPO may do so and are entitled to be heard at a public inquiry held to consider the case for, and the objections to, the CPO. Those whose land and interests are acquired will be entitled to compensation calculated on the basis of legislation and related case law known as the "Compensation Code".
- 6.15 Consideration must also be given to the interference with rights protected by

the Human Rights Act 1998, including Article 8 (respect for private and family life and home), and Article 1 (the right to peaceful enjoyment of possessions) of the European Convention on Human Rights. A decision to make a CPO must strike a fair balance between the public interest associated with the regeneration of the land and the interference with private rights. With the implementation of relocation strategies; the attempts to acquire by agreement; the fact that parties will receive fair compensation under the “Compensation Code”, and the fact that there is a compelling case in the public interest for the exercise of the Council’s CPO powers, it is considered that the interference with the private rights of those affected that would be the inevitable result of the exercise of compulsory purchase powers conferred by CPO2 would be lawful, justified and proportionate. The draft Statement of Reasons, at Appendix 2, also addresses the balance that must be struck in this respect.

- 6.16 Although, the Council anticipates the willing co-operation of tenants living in Whychote Point, Clare Point and Norden Point on the Whitefield Estate, it may need to rely upon the Ground 10A provisions to obtain possession of the existing homes in order to enable the regeneration to proceed. Ground 10A permits a local authority to obtain possession orders to enable a redevelopment to proceed which has been approved by the Secretary of State in accordance with Part V of Schedule 2 of the Housing Act 1985.
- 6.17 The Secretary of State will only provide his approval under Part V where the local authority serves written notice on the affected secure tenants stating:
- (a) the main features of the scheme;
  - (b) that the local authority intends to apply to the Secretary of State for his approval of the scheme;
  - (c) the legal effect of such approval in particular the ability of the local authority to rely on Ground 10A in possession proceedings.
- 6.18 Part V requires a local authority to allow the secure tenants to make representations to it about the proposal. The period for consultation must be no less than 28 days from the date of the notice provided to tenants.
- 6.19 Prior to making the application to the Secretary of State the local authority must consider the representations made to it by the secure tenants.
- 6.20 Part V consultation will commence next year once the Council has selected the preferred Registered Provider. However, officers have been regularly consulting with the Whitefield Steering Group and the Development Partners and Council officers have consulted with residents at Whitefield Public Open Meetings on the scheme proposals and on the process to select a Registered Provider.
- 6.21 Section 138A and Schedule 5A of the Housing Act 1985 as inserted by section 182 of the Housing Act 2004 empowers the Council to serve initial demolition notices to suspend the right of secure tenants to exercise their Right to Buy and service of final demolition notices to terminate the right of a secure tenant to the Right to Buy. These notices must be served in accordance with the statutory provisions in order for them to be effective.

- 6.22 Council Constitution - Management of Asset, Property and Land Rules provide the governance structure within which the Council may acquire, lease, act as landlord, licence, develop appropriate change of use of, or dispose of assets within its Asset portfolio
- 6.23 Council Constitution, Responsibility for Functions paragraph 6.1 states that “Any Committee may decide to report on any matter to Council. In such cases the decision is reached by the usual process, such as a majority vote. The report may make recommendations or seek instructions
- 6.24 Council Constitution - Management of Asset, Property and Land Rules provide the governance structure within which the Council may acquire, lease, act as landlord, licence, develop appropriate change of use of, or dispose of assets within its Asset portfolio
- 6.25 Council Constitution, Responsibility for Functions, Annex A – sets out the terms of reference of the Assets, Regeneration and Growth Committee which includes to:
- “Oversee major regeneration schemes – including those of key housing estates”; and
  - “Asset Management – all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.”

### **Risk Management**

- 6.26 The key risks can be summarised as follows:
- 6.27 Affected parties failing to be identified in the CPO – a specialist land referencing firm, TerraQuest, have been appointed to undertake the land referencing exercise to mitigate against this risk. The discussions being held by the Council with those affected when seeking to acquire their land and interests also help to identify the parties with interests in the area.
- 6.28 The preparation of a CPO and related documents is a technical and complex area, carrying a risk of challenge. However, the Council has retained experienced and expert external legal advice and the documents have been reviewed by leading counsel.
- 6.29 There is a risk that owners and occupiers will seek sums in excess of the Council’s estimates for the costs of land acquisitions. This risk has been mitigated through the receipt of professional valuation advice and the setting of appropriate budgets.
- 6.30 There is a small risk that the Secretary of State consents could be refused. Lands will not be disposed of until all necessary consents are in place. If

necessary the scheme would be revised and new consents would be sought

### **Equalities and Diversity**

- 6.31 The public sector equality duty under section 149 of the Equality Act 2010 (“PSED”) requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. ‘Protected characteristics’ are: gender, race and disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment.
- 6.32 The Council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the Borough.
- 6.33 The development proposals for the BXC scheme will make a significant contribution to the provision of additional, high quality affordable housing units in the Borough as well as providing employment through the creation of a new town centre with leisure, health and educational facilities. The delivery of the Thameslink Station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.
- 6.34 An Equalities Impact analysis was carried out in respect of the Outline Planning Application granted in 2010, which took fully into account the demographic makeup of the regeneration area and addressed the impact on the protected characteristics. This anticipated a significant positive impact from the regeneration proposals.
- 6.35 BXC is an opportunity to extend Barnet’s success as a desirable and attractive suburb, by creating a new urban village for London which sets the tone for future evolution of the borough more widely and emphasises the need to create a place that makes residents, workers and visitors feel good – inviting people to meet and spend time in the spaces, and to walk or cycle.
- 6.36 Importantly, the requirements highlight that BXC will be a place for people of all ages, with housing mix that reflects different life stages, a range of housing tenures, and public spaces which are accessible to all. It emphasises that promoting health and wellbeing and reducing dependency will be ingrained in the place.

### **Consultation and Engagement**

- 6.37 Extensive consultation has and will continue to be undertaken with key stakeholders and the community to ensure that the BXC scheme reflects local needs including the needs of those with protected characteristics, as well as securing the future of North London’s only regional shopping centre.

6.38 There has also been consultation and engagement with local stakeholders and the community during the planning process, and the CPO process is designed to allow parties an opportunity to make representations and, if desired, attend a public inquiry and state their cases.

## **7. BACKGROUND PAPERS**

7.1 Cabinet, 26 April 2004 (Decision Item 8) – approved the adoption of the Cricklewood, Brent Cross and West Hendon Development Framework as Supplementary Planning Guidance.

7.2 Cabinet, 29 March 2005 (Decision Item 6) – agreed to enter into a Collaboration Agreement with the development partnership (Cricklewood Regeneration Limited, Hammerson and Standard Life).  
<http://barnet.moderngov.co.uk/Data/Cabinet/200503291900/Agenda/Document%204.pdf>

7.3 Cabinet, 5 December 2005 (Decision Item 7) – approved, amongst other matters, that 1) the Eastern Lands Addendum be adopted as Supplementary Planning Guidance; and 2) the Eastern Lands Supplementary Guidance is incorporated into the Cricklewood, Brent Cross and West Hendon Development Framework.  
<http://barnet.moderngov.co.uk/Data/Cabinet/200512051900/Agenda/Document%204.pdf>

7.4 Cabinet Resources Committee, 25 March 2008 (Decision Item 16) – approved the outline terms so far agreed with the Brent Cross partners and Cricklewood Redevelopment Limited, including the proposals for the finalisation of the financial terms, be approved in principle subject to the outcome of Counsel's advice on procurement issues, and that the finally agreed terms for the Development Framework Agreement and the Principal Development Agreements be reported to a future meeting of the Cabinet for approval.  
<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/200803251900/Agenda/Document%2015.pdf>

7.5 Cabinet, 21 October 2009 (Decision Item 7) – approved the terms and conditions of entering into the Development Framework Agreement and the Principal Development Agreements, subject to approval of the Brookfield Europe and Hammerson Guarantor companies by the Director of Finance and the Leader of the Council, and the approval of the appropriate land transaction and financial arrangements by the Secretary of State. The approval was also subject to agreement of the plans, the historic costs and the form of the legal documents.  
<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=120&MeetingId=306&DF=21%2f10%2f2009&Ver=2>

7.6 Cabinet Resources Committee, 19 October 2010 (Decision Item 5) – approved the changes to the terms and conditions of the Development Framework Agreement and the two Principal Development Agreements



regarding Brent Cross Cricklewood (as considered and approved by Cabinet in October 2009)

<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/201010191900/Agenda/Document%203.pdf>

- 7.7 Cabinet Resources Committee, 18 April 2013 (Decision Item 14) - noted that the Brent Cross Cricklewood Development Partners wished to modify the existing planning consent to allow re-phasing; approved that the Director for Place begin preparations to enable the Council to procure a development partner to deliver the regeneration of the southern parts of Brent Cross Cricklewood Regeneration Area and confirmed the continued appointment of the external advisors for the Brent Cross Cricklewood Regeneration project, and the procurement of appropriate additional advice, and to delegate authority to the Director for Place to deal with necessary contractual issues or arrangements.

<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=8369&ISATT=1#search=%22Brent%20Cross%20%22>

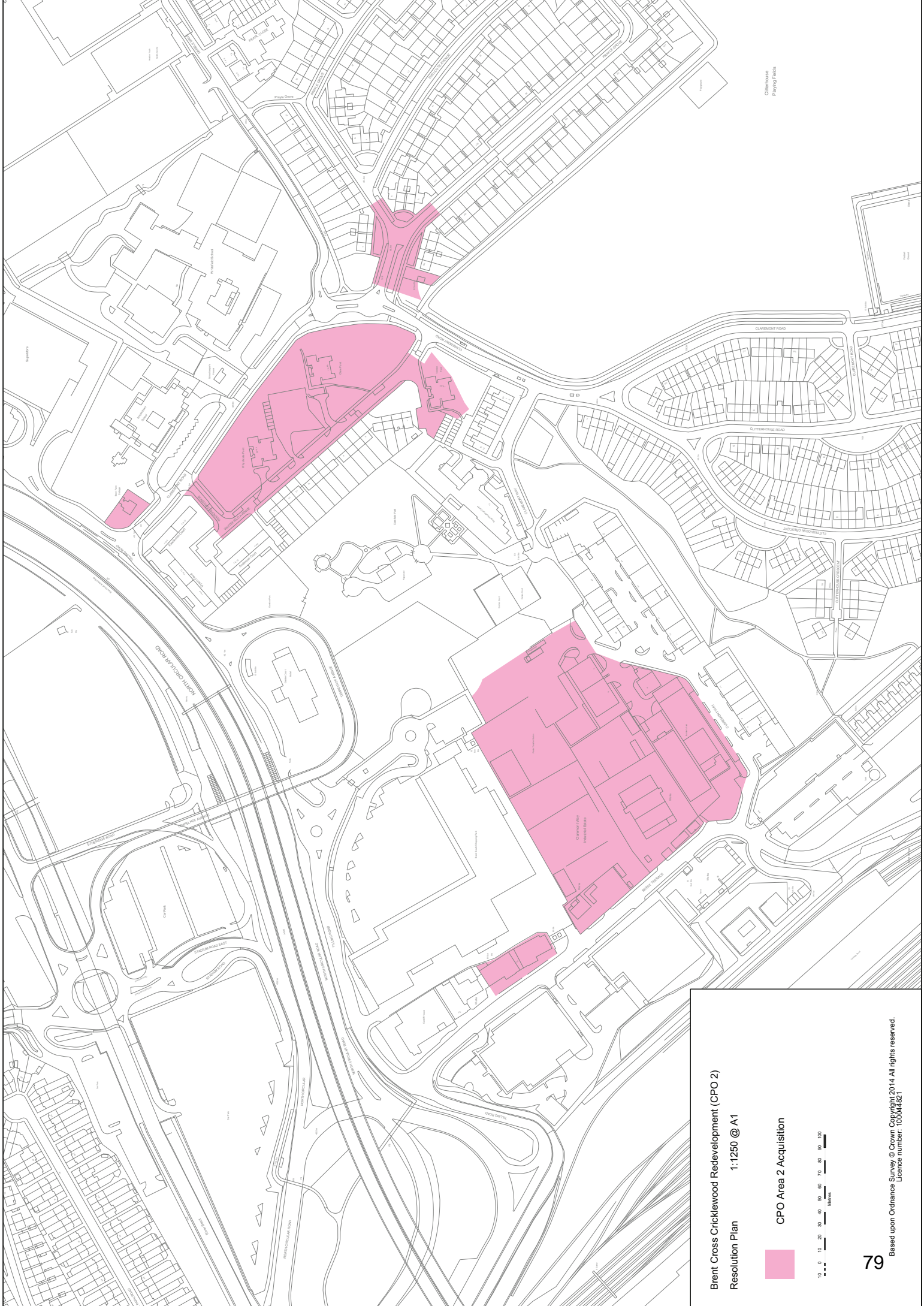
- 7.8 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) - approved the changes to the terms of the Brent Cross Principal Development Agreement (as considered and approved by CRC in October 2010) and the terms for the Co-operation Agreement as set out in Section 9 of this report; authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Principal Development Agreement and Co-operation Agreement; approved commencement of market testing through the issue of a Prior Information Notice to inform the delivery strategy for the Brent Cross Cricklewood South area; and approve that the Council enter into negotiations with landowners to acquire land required in advance of any Compulsory Purchase Order, subject to approval of the bid for capital funding by Cabinet on 25 February 2014; and approved that the Council continue the design and development work to develop the business case and funding strategy for delivery of the Thameslink Station, subject to approval of the capital funding bid by Cabinet on 25 February 2014; and delegate authority to the Strategic Director for Growth and Environment to procure the necessary advice and consultants to progress the Brent Cross project workstreams and deal with the related contractual issues and arrangements.

<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=12505&ISATT=1#search=%22Brent%20Cross%20%22>

- 7.9 Assets, Regeneration and Growth Committee dated 9 July 2014 approved the procurement of a partner for the Brent Cross Cricklewood South development through an OJEU Negotiated route in accordance with the Brent Cross South Procurement and Delivery Strategy, and approved the Council's requirements for the Brent Cross Cricklewood South opportunity; and noted procurement timetable and that to meet this timetable an additional meeting would be needed to approve the selection of a preferred partner, which would be called in accordance with statutory requirements and the Council's constitution.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=7960&Ver=4>

- 7.10 Assets, Regeneration & Growth Committee, 8 September 2014 (Decision Item 10) – approved the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests and; to approve and enter into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition. <http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>
- 7.11 Assets, Regeneration & Growth Committee, 8 September 2014 (Decision Item 10) – approved the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests and; to approve and enter into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition. <http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>



Cricklewood  
Playing Fields

**Brent Cross Cricklewood Redevelopment (CPO 2)**  
**Resolution Plan**      1:1250 @ A1

**CPO Area 2 Acquisition**



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**THE TOWN AND COUNTRY PLANNING ACT 1990 AND THE  
ACQUISITION OF LAND ACT 1981**

**THE LONDON BOROUGH OF BARNET  
(BRENT CROSS CRICKLEWOOD) COMPULSORY PURCHASE ORDER  
(NO.2) 2015**

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**STATEMENT OF REASONS**

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## 1. INTRODUCTION

- 1.1 This document is the Statement of Reasons of the London Borough of Barnet ("**the Council**") prepared in connection with a compulsory purchase order made by the Council, entitled The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.2) 2015 ("**the Order**") which is to be submitted to the Secretary of State for Communities and Local Government for confirmation.
- 1.2 The Council has made the Order pursuant to the powers in Section 226 (1)(a) of the Town and Country Planning Act 1990 ("**the Act**"). In this Statement of Reasons, the land and rights included within the Order are referred to as "**the Order Land**" and this is shown on the plan appended to this Statement. The Council is the local planning authority for the Order Land. The Council and Transport for London are the local highway authorities for the roads in the Order Land.
- 1.3 The Council's purpose in seeking to acquire the Order Land is to facilitate the development, re-development and improvement of it by way of a mixed use scheme comprising retail development; community facilities; residential development; leisure development; car parking; infrastructure and highways works, and public realm and environmental improvement works ("**the CPO2 Development**"). This forms an early phase of the wider Brent Cross Cricklewood regeneration scheme ("**BXC**"). The regeneration of the wider BXC area, one of the largest regeneration opportunities in London, is a long-standing objective of the Council and is a key regeneration priority of the London Mayor.
- 1.4 A separate compulsory purchase order, The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 1) 2015, has been made for another part of the first phase of BXC, which comprises a major redevelopment and improvement of the existing Brent Cross shopping centre and other development; the provision of infrastructure associated with and required for the redeveloped shopping centre, and significant infrastructure to support the redevelopment and regeneration of the wider BXC (and in particular development to the south of the North Circular). The Council considers it essential that the regeneration of the land south of the North Circular is co-ordinated with, and is delivered alongside, the redevelopment of the shopping centre and other development (including infrastructure) so that the momentum of regeneration can be created and maintained. This is explained further in section 7 of this statement.
- 1.5 It is expected that further CPOs will be promoted by the Council in future to facilitate later phases of regeneration.
- 1.6 The Council considers that the CPO2 Development will contribute to the economic, environmental and social well-being of its area by delivering important public benefits including new commercial development which will provide opportunities for jobs, new residential accommodation (including affordable housing) and environmental improvements. It will also start long-awaited regeneration to the south of the North Circular.
- 1.7 This Statement of Reasons has been prepared in compliance with both paragraphs 35 and 36 of Part 1 of the Memorandum and Appendix R of Circular 06/04 – Compulsory Purchase and the Criche Down Rules.

## 2. LOCATION AND DESCRIPTION OF ORDER LAND

### Land Interests

- 2.1 Details of the land interests to be acquired are contained in the Schedule to the Order and shown coloured pink on the map which accompanies it ("the Order Map") and comprise:
- 2.1.1 premises on the Claremont Way Industrial Estate and along Brent Terrace;
  - 2.1.2 residential land comprising Brent Farm Cottage at the junction of Tilling Road and Claremont Road, and three blocks of flats on Claremont Road known as Whychcote Point, Clare Point and Norden Point;
  - 2.1.3 land at the junction of Prayle Grove and Claremont Road.
- 2.2 Brent Farm Cottage is owned and rented out by the Council. There are 44 residents in Clare Point, of which 35 are secure tenants and 9 are leaseholders. In Norden Point there are 44 residents of whom 24 are secure tenants, 19 are leaseholders and one resident owns a flat having exercised a right to buy. In Whychcote Point, there are again 44 residents, of whom 36 are secure tenants and 8 are leaseholders. **[Final update of figures needed before CPO made]**
- 2.3 The Council and its appointed agent Capita have been in discussion with the residential owners whose interests are included in the Order. The contact details of those at Capita are found towards the end of this statement.
- 2.4 Most of the industrial units and associated land on the Claremont Way Industrial Estate included in the Order are owned by the Council, while unit 1 is owned by Hammerson (Cricklewood) Ltd, and these are let to businesses undertaking various activities. Part of the Claremont Way Industrial Estate is owned by McGovern Brothers and is used partly for waste management purposes, with part let to a concrete plant.
- 2.5 The properties along Brent Terrace are in various ownerships, including the Council's. Again, the occupiers of these properties put them to mainly industrial type uses. There is also a landscape strip owned by DSG Retail Ltd.
- 2.6 There are also warehouse premises and a yard on Brent Terrace owned by a Mr and Mrs Barker, let to the occupiers of a nearby church premises, and from which Cricklewood Food Bank operates.
- 2.7 The Council has appointed Sapiens to assist businesses with their relocation requirements. The Council is in contact with the owners and occupiers of the above properties, with the view to making offers and/or agreeing the terms of acquisition in the near future.

## 3. THE NEED FOR REGENERATION

- 3.1 The redevelopment of BXC is a long-standing objective of the Council. Extending to around 151 hectares, it is one of London's major regeneration schemes. Indeed, it is amongst the most significant planned new developments in Europe. The Cricklewood Brent Cross Development Partners (made up of Hammerson



and Standard Life Investments (“**the Development Partners**”)) will progress the redevelopment of the land to the north of the A406 North Circular (including the redevelopment of Brent Cross shopping centre), and the Council will take forward the regeneration of the land to the south, which includes the Order Land. As explained in section 9 below, the Council is procuring a development partner to bring forward the regeneration of the land to the south of the North Circular.

- 3.2 The BXC area is significantly constrained by the existing road network and rail infrastructure, but given its location at the connections between the M1 and the A406, and between the A5 and A41, it has the potential to be an attractive gateway into London. That potential is enhanced by the proximity to the Northern Line at Brent Cross station, the Midland mainline, and Brent Cross bus station.
- 3.3 Substantial infrastructure needs to be provided to realise the area’s potential. The comprehensive redevelopment and improvement of the existing Brent Cross shopping centre and other major development in the area provides the opportunity for the major infrastructure to be funded and delivered that will enable and facilitate the wider BXC regeneration. In particular, in addition to major improvements to existing roads, public transport and social infrastructure, the BXC proposals will create strong and attractive linkages between the communities to the north and south of the North Circular.
- 3.4 The development of the BXC strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular Road, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The first phase alone is expected to create 3,000 person years of construction related jobs, and an additional 4,000 permanent jobs over the next 5-7 years.
- 3.5 BXC is a key element of the Council’s regeneration and housing programme and will provide over 7,540 new homes over the next 20 years, including affordable homes and replacement homes for the Whitefield Estate. BXC will also provide new and improved educational and health facilities for the community, and improved open space and recreational facilities for the community to enjoy and use.
- 3.6 The regeneration of BXC will be a major component of achieving the Council’s priority objectives in its Corporate Plan 2013-2016.
- 3.7 BXC also supports the achievement of the objectives set out in “One Barnet - A Sustainable Community Strategy for Barnet 2010–2020”, and it will further the strategic objectives in the Council’s Housing Strategy 2010-2025.
- 3.8 The Council’s Health and Well-being Strategy 2012-2015 states that Barnet is a great place to live and that people in Barnet can expect to live longer and better than in many parts of London and England. However, while the overall picture is positive, the Barnet Joint Strategic Needs Assessment (“**JSNA**”) demonstrated significant differences in health and well-being across Barnet.
- 3.9 The role played by the major regeneration schemes such as BXC over the next 10 to 15 years in addressing health and well-being issues is acknowledged in the JSNA.
- 3.10 The CPO2 Development and the wider BXC proposals, will further and promote the achievement of the Council’s key strategic aims and objectives.

#### 4. **PLANNING HISTORY OF THE ORDER LAND**

- 4.1 The existing Brent Cross shopping centre was opened in 1976. It was the subject of planning applications in the mid-1990s for an extension to provide an additional 27,000m<sup>2</sup> of retail floor space and for a new multi-storey car park.
- 4.2 The applications were called-in by the Secretary of State and were the subject of a public inquiry in 1999. In April 2000, the Secretary of State granted planning permission for a multi-storey car park but refused permission for the extension to the shopping centre. In issuing the final refusal of permission in December 2003, the Secretary of State stated that determination of the application was premature in advance of the emerging Barnet UDP and the Mayor's Draft London Plan policies.
- 4.3 The Development Partners then worked with the Council, the Greater London Authority and other key landowners in the area towards a joint and sustainable approach to the wider regeneration of the BXC area, within which Brent Cross would emerge at the heart of a new mixed use town centre and community for Barnet and London.
- 4.4 Planning permission reference number C17559/08 for the regeneration of BXC including the Order Land was granted on 28 October 2010 ("**the 2010 Permission**"). A section 106 agreement was completed on the same date. The 2010 Permission was granted largely in outline, but with details provided for improvements to strategic junctions providing access into the site, including the A41/A406 junction and the M1/A5/A406 junction.
- 4.5 Planning permission pursuant to an application made under Section 73 of the Act was granted on 23 July 2014 ("**the S73 Permission**"). A section 106 agreement was completed on 22 July 2014 ("**the S106 agreement**"). The S73 Permission (Ref No. F/04687/13) is to develop the BXC, including the Order Land, subject to updated conditions that facilitate more efficient delivery of the CPO2 Development and the wider BXC.
- 4.6 The S73 Permission is for comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area comprising residential (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 – A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, combined heat and power plant ("**CHP**")/combined cooling heat and power plant ("**CCHP**"), relocation electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the development.
- 4.7 The S73 Permission did not alter the fundamental principles of the 2010 Permission. It authorises the same quantum of development floorspace overall

and the distribution of floorspace across the development zones remains largely unchanged. The permitted uses are:-

	Total Scheme (sqm)	Total Phase 1 (N+S)(sqm)	Phase 1 North (A+B)
Residential (Class C3)	712,053	171,150	26,034
Retail and Related Uses (Classes A1-A5) - North	78,133	78,133	78,133
Retail and Related Uses (Classes A1-A5) - South	32,794	22,718	-
Business (Class B1)	395,297	10,970	5,396
Hotel (Class C1)	61,264	31,722	20,574
Leisure (Class D2)	26,078	20,411	15,450
Community Facilities (Class D1)	34,615	9,338	2,249
General Industrial/Storage & Distribution incl. WHF and Rail Freight (Classes B2 B8)	61,314	24,700	-
Rail & Bus Station (Sui Generis)	2,533	117	71
Private Hospital	18,580	-	-
PFS	326	-	-
<b>Total</b>	<b>1,361,673</b>	<b>369,259</b>	<b>147,656</b>

4.8 The primary purpose of the S73 Permission was to make adjustments to the planning conditions of the 2010 Permission to reflect the evolution in the scheme design and the revised strategy for delivery in accordance with the clear policy commitment to achieve comprehensive development of the regeneration area. The main changes can be summarised as:

- 4.8.1 creation of a pedestrian and cycle bridge with landscaping (named the Living Bridge) over the North Circular Road to improve pedestrian connectivity across the site and provide better integration between the northern and southern components of the development;
- 4.8.2 alterations to the layout of development within Brent Cross East Development Zone (ie around remodelled Brent Cross Shopping Centre) including creating the interface with the Living Bridge, as well as consequential amendments to the alignment of the River Brent;

- 4.8.3 alterations to the phasing of the development to bring more of the development around the shopping centre into Phase 1 (see below), including the new bus station, and
  - 4.8.4 alterations and improvements to the open space and public realm provision, including the reconfiguration of the new Brent Cross Square and Market Square to integrate with the Living Bridge.
- 4.9 The S106 Agreement contains planning requirements, restrictions and contributions relating to the provision or funding of infrastructure and other mitigation including education; health; community; child care; leisure; energy and waste facilities; open space; affordable housing; estate management; business and residential relocation provisions; public art; employment and skills provisions; the River Brent diversion; a transport fund (£26,670,000 index linked); bus and train stations, highways and bridges (including the Living Bridge); supplementary transport measures (including a sum available to mitigate unforeseen northern development impacts occurring south of the A406); construction consolidation centre(s); car parking provisions; bus network mitigation; pedestrian and cycle links and various groups, plans, strategies and co-ordinators/appointments.
- 4.10 As part of the section 73 application the Development Partners sought amendments to the S106 Agreement associated with the 2010 permission so as to enable changes to the phased delivery of BXC.
- 4.11 The S73 Permission reflects the fact that Phase 1 of BXC is proposed to be delivered in sub phases which are divided between the areas north and south of the North Circular. This is to reflect the new delivery responsibilities including the Council's role in delivering the regeneration to the south of the North Circular. These, and other changes to the 2010 Permission, are designed to enable the strategic vision for comprehensive regeneration of BXC to be delivered in a timely, effective and beneficial manner.

## 5. **DESCRIPTION OF THE BXC DEVELOPMENT**

- 5.1 The overall aim of BXC under the S73 Permission is

*" ... to unite the regeneration area north and south of the A406 and to stitch together the damaged fabric of this extensive urban area. The Development Partners will create a sustainable town centre comprising attractive residential environments, a major commercial core and a retail environment along a new High Street. This will result in BXC becoming a vibrant place to live, work and socialise, providing a catalyst for further economic growth in the surrounding area. BXC represents an opportunity to create a high quality modern development within a mixed community providing local shops, restaurants, offices and schools". (Planning Statement Addendum, October 2013, paragraph 4.1)*

- 5.2 The core elements are:

- 5.2.1 the creation of an attractive mixed use vibrant town centre enabling new and existing residents to live, work and socialise;
- 5.2.2 the development of a popular and accessible public transport offer;
- 5.2.3 an environmentally sustainable development which provides residents, workers and visitors with the opportunity to reduce their carbon

footprint - the development will provide all the facilities necessary to enable individuals to adopt sustainable choices, and to ensure that the opportunity presented by existing under-used facilities is fully maximised;

5.2.4 a high quality urban environment with a long term management regime;

5.2.5 the creation of routes through the area, segregated where appropriate, to form seamless, safe and attractive corridors and ensure integration if the site itself and with its surrounding community.

### **Phase 1**

5.3 The S73 Permission provides for the wider BXC to be delivered over seven Phases. Phase 1 is in five sub-phases split north and south. Phase 1A (North) and Phase 1B (North) will be delivered by the Development Partners. The Council is responsible for delivering Phases 1A (South), 1B (South) and 1C. The phasing is:

5.3.1 Phase 1A (North) – all the highways infrastructure to support the northern development including the key highways infrastructure to support the Phase 1 (South) and much of the key highways infrastructure for the remainder of the Southern Development, including the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements and other major highway and bridge works, replacement residential units for up to 60 Whitefield Estate units and demolition of 25 sheltered housing units at the Rosa Freedman Centre (required for infrastructure works) together with River Brent re-routing, bridge works, the Clitterhouse Playing Fields Part 1 and the Claremont Park Improvements;

5.3.2 Phase 1A (South) – includes further minor highway improvements to support Phase 1 of the Southern Development;

5.3.3 Phase 1B (North) – includes development plots on the north side with the exception of the residential development within the Brent Cross West Zone. It also includes the new bus station, reconfigured Brent Cross shopping centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as the Riverside Park, Sturgess Park Improvements and around 280 housing units. Commencement of this sub-phase will trigger delivery of the Living Bridge over the A406;

5.3.4 Phase 1B (South) – includes the Market Square, a foodstore, a CHPP, the new Claremont School, and over 1000 residential units;

5.3.5 Phase 1C – includes the remaining development plots of Phase 1 to the south of the North Circular.

5.4 To create a town centre environment, Phase 1 (North) includes a mix of cafés, restaurants, bars, leisure and community uses and residential properties. It will also provide approximately 5,396m<sup>2</sup> of office floorspace (Class B1), in addition to 20,574m<sup>2</sup> of hotel floorspace (Class C1).

- 5.5 The northern part of the new town centre is to be centred around Brent Cross Main Square which will be connected to the town centre south of the A406 North Circular Road and the Clitterhouse Playing Fields beyond via the Living Bridge. The River Brent is to be diverted alongside the A406 North Circular Road through the proposed Riverside Park and it is also proposed to enhance Sturgess Park.
- 5.6 The Living Bridge will provide a new pedestrian and cycle connection from the northern development element to the southern development landing south of the North Circular A406, within the Market Quarter Development.
- 5.7 The Market Quarter Development Zone complements Brent Cross East Development Zone in creating the heart of the town centre and ensures that shopping facilities extend south of the North Circular to stimulate activity in the Southern part of BXC. Within Phase 1 it is proposed to provide Market Square and a number of plots around the square providing the ground floor retail frontage, while the upper levels will primarily comprise residential development. It is also proposed to provide a new foodstore within the Eastern Lands Zone, which along with other retail floorspace will provide 22,718m<sup>2</sup> of new Class A1 – Class A5 floorspace within the southern element of BXC within Phase 1.
- 5.8 The development in the Market Quarter comprise up to 170,752m<sup>2</sup> of residential use; 6,735m<sup>2</sup> of retail and related uses (classes A1-A5); 4,645m<sup>2</sup> of B1 business use; 11,848m<sup>2</sup> of hotel use; 4,961m<sup>2</sup> of leisure use, and 1,075m<sup>2</sup> of D1 community facilities. Overall, the floorspace in the Market Quarter area will be 199,316m<sup>2</sup>.
- 5.9 The Order Land and the CPO2 Development comprise part of the Market Quarter Development Zone. The CPO2 Development will be worked up in detail by the Council's selected development partner (see section 9 below) but will include around 2365 homes (of which approximately 356 will be affordable) and around 17,600m<sup>2</sup> of retail floorspace. There will also be commercial, leisure and community floorspace provided. Development will include the creation of a market square which will act as a link between the new Living Bridge to the improved Clitterhouse Playing Fields to the south. New streets (including a continuation of the town centre high street) will create an attractive and active environment. The CPO2 Development is a vital and early part of the regeneration of the southern part of BXC.

### **Reserved Matters Approvals**

- 5.10 The Council has imposed a series of controls through the planning conditions attached to the S73 Permission and the S106 Agreement to ensure the delivery of the new town centre for Barnet is brought forward in an approved and logical manner.
- 5.11 These controls enable the Council to ensure that emerging proposals are generally in accordance with the principles and parameters set within the documentation submitted in support of the S73 Permission.

### **Retail considerations**

- 5.12 The extension of the existing Brent Cross shopping centre, which CPO1 will facilitate, will provide 78,133 m<sup>2</sup> of new retail floorspace, or which 55,000 m<sup>2</sup> will be additional Class A1 comparison. There will be new anchor stores, shops, leisure, cafes and restaurants, hotels and community facilities in a manner which will enhance the centre as a major retail-led attraction and venue around a network of streets and squares that will create the basis of the new town centre.

It will introduce a much needed evening economy in order that visitors can shop, eat and be entertained in a way which is currently not possible.

- 5.13 The CPO2 Development will provide further retail development in a town centre setting to the south of the North Circular which will help to further enhance the linkages between the areas north and south of the North Circular.

### **Transport and Highway considerations**

- 5.14 The wider BXC site is a significant gateway into London being located at the intersection of the M1, A406 and A41 strategic routes as well as being close to the Northern Line (at Brent Cross LUL station) and the Midland Main Line railway. It also includes Brent Cross bus station. However, it has a poor environment being dominated by strategic transport infrastructure, brownfield land and extensive surface car parking. The aim of BXC is to transform the existing Brent Cross shopping centre from a relatively insular and predominantly car-borne retail destination that is served mainly by the strategic road network into an integral part of a new, mixed use town centre both north and south of the A406 that is outward looking in the way that it serves and relates to its locality.
- 5.15 BXC is supported by an Integrated Transportation Strategy (“ITS”) that makes substantial provision for public transport and other sustainable modes of travel whilst also providing for appropriate growth in car based travel. This recognises that the car will continue as a significant mode of travel in BXC whilst the proposals provide a good quality and attractive level of service for access by public transport and other sustainable modes. This has required a balanced approach that seeks to allow people the opportunity to have access to a car but, through the delivery of a step change in public transport and other modes, provides increasingly attractive alternatives to car use, particularly during the peak travel periods.
- 5.16 The ITS has the following underlying principles:
- 5.16.1 It would be unacceptable to meet an unrestrained demand for car travel and that to do so would fail to encourage use of more sustainable modes, particularly during peak travel periods;
  - 5.16.2 Delivery of the strategy over a long development period requires flexibility to respond to changing conditions but always within parameters and controls established from the S73 Permission;
  - 5.16.3 Development can only proceed if the necessary related infrastructure has been implemented in step with or slightly ahead of need and in line with the promotion of the target progression of mode shift;
  - 5.16.4 In order to overcome initial transport constraints, some significant new infrastructure is being provided in Phase 1 particularly Phase 1 (North); and
  - 5.16.5 As each element of transport infrastructure is brought forward the works provided will cater for the wider BXC making best use of investment and reducing the overall impact of construction works.
- 5.17 The provision of highway capacity will be linked to the level of service that drivers might have expected had the development not taken place so that traffic flows on the road network within the completed development will be no worse

than had it not taken place. However, a number of the improvements to the highways infrastructure have been specifically designed to provide enhanced journey time and reliability for buses and improved safety and convenience for pedestrians, cyclists and people with mobility difficulties.

- 5.18 In transportation terms the key items of transport infrastructure that Phase 1A (North) will deliver are:
- 5.18.1 A new bus station for BXC providing extra capacity for increased numbers of buses on key routes and much improved facilities;
  - 5.18.2 A new pedestrian and cycle network integrating with existing routes;
  - 5.18.3 A new pedestrian and cycle only bridge (the Living Bridge) linking the development areas to the north and south of the A406;
  - 5.18.4 A new footway/cycleway bridge over the A406 at the M1 junction;
  - 5.18.5 A replacement of the Templehof Bridge, which will have segregated bus lanes in each direction and segregated cycle and pedestrian facilities;
  - 5.18.6 An improved A41/A406 Junction having a direct access into the development at the north of the A406; and
  - 5.18.7 A reconfigured and significantly improved junction linking A406/M1 Junction with the A406/A5 Staples Corner junction.

#### **Compliance with national and local transport policies**

- 5.19 Transport policy support for the wider BXC proposals has been predicated upon the delivery of sustainable regeneration, which in transportation terms minimises car use, and provides a comprehensive range of improvements to public transport and a good level of accessibility by all modes across the area and in particular cycling and walking.
- 5.20 The BXC proposals comply with policies at national, regional and local levels in terms of the accessibility of all users. Particular consideration has been given to the sustainability of travel to, from and within the site in relation to public transport, cycling and walking, and a need to generate a mixed use development which will not adversely affect the existing highway network by encouraging and promoting alternatives to the private car.

#### **Highway Works**

- 5.21 The proposed highway improvements are necessary to provide an appropriate network within BXC and an interface between BXC and the adjacent strategic and local highway networks. They will also facilitate the development of the land to the south of the North Circular Road.
- 5.22 Phase 1B (North) will inevitably lead to an increase in local vehicular traffic flows. These can be accommodated by the improved highway network being provided in Phase 1A (North).
- 5.23 The importance of road safety is recognised by a wide range of proposals specifically directed at improvements for the benefit of pedestrians and cyclists



with segregated routes wherever practicable and signal controlled crossings of the highway.

- 5.24 There will be new and improved junctions with the strategic highway network provided in Phase 1 (North). The primary vehicular access points for BXC will include:
- 5.24.1 A406/A5/M1 (Staples Corner/M1 Junction) – complete redesign to improve the configuration of the two existing M1/A406 and A5/A406 junctions so that they effectively operate more efficiently as one large interchange and provide additional traffic capacity;
  - 5.24.2 A41/A406 Mid-Level Junction – to provide additional traffic capacity;
  - 5.24.3 A5/A407 – significant improvements to the existing junction, adjacent to Cricklewood Broadway which reconfigures the road layout so that turning movements will be better accommodated, freeing up additional capacity;
  - 5.24.4 A407/Claremont Road – widening of the southbound (Claremont Road) and eastbound (A407) approaches to provide additional traffic capacity;
  - 5.24.5 A new egress directly onto the A406 Eastbound from Brent Cross Shopping Centre (West) at the existing direct access from the A406;
  - 5.24.6 A new access to Brent Cross Shopping Centre (East) directly from both the A406 Eastbound and the mid-level roundabout of the A41/A406 junction).
- 5.25 In addition to the above junction works, some works are also required to the A406 North Circular Road where the westbound exit directly to the Tilling Road/Brentfield Terrace will be removed and the A41 southbound non-slip from the A41/A406 junction will be modified.
- 5.26 The secondary roads and junctions will comprise a combination of new and improved roads and junctions, which will form the main internal distributor roads and junctions within BXC.
- 5.27 Improvements or new facilities are also proposed to the pedestrian and cycle routes throughout BXC including road routes through Clitterhouse Playing Fields (Part 1) and alongside the River Brent. Clitterhouse Playing Fields is an underused area of open space which will be transformed for the existing and future community through the provision of areas for intensive sports use, more leisurely recreation and children's play areas.

### **Bridge Structures**

- 5.28 One of the major regeneration benefits that Phase 1 (North) will deliver is the new and improved bridges needed to overcome the existing physical barrier of the A406 to connectivity. The bridges are:
- 5.28.1 Living Bridge – a new pedestrian and cycle bridge over the A406 adjacent to Claremont Avenue and Market Square and the new Bus Station.

- 5.28.2 A406 Templehof Bridge – a replacement for the existing Templehof Bridge to provide a link over the A406 providing 4 traffic lanes (two of which will have a public transport priority) as well as segregated pedestrian and cycle facilities.
- 5.28.3 A406/M1 Junction Pedestrian and Cycle Bridge – a new shared pedestrian and cycle bridge over the A406 adjacent to the railway arches.
- 5.28.4 Staples Corner Junction Pedestrian Bridges (improvement and modification of existing bridges to suit the modified junction).
- 5.28.5 River Brent Bridges – there will be a total of nine new road bridges across the improved and diverted River Brent and a further two bridges will be for the use of pedestrians and cyclists only.

### **Public Transport**

- 5.29 The new BXC Bus Station will be the key to facilitating public transport users' access to the core of BXC. Bus services will be significantly improved throughout the area and provide good linkages to both the existing Cricklewood Railway Station and the Brent Cross Underground Railway Station. This local non-car mode provision will be further enhanced by the provision and enhancement of comprehensive pedestrian and cycle facilities that both connect fully within the site and integrate with existing networks in the surrounding community.
- 5.30 All interchanges will provide step free bus stands and stops, motorcycle parking and cycle parking. Taxi pick-up, set down and rank facilities will also be provided where appropriate. The pedestrian interchange footprints will provide sufficient space that the required pedestrian movements can be carried out in comfort and safety.

### **Parking**

- 5.31 Car parking restraint is seen as the primary means of controlling and managing car use associated with BXC to assist in achieving the mode share targets. The key principles are:
  - 5.31.1 introduction of car parking charges at the reconfigured Brent Cross shopping centre;
  - 5.31.2 Shared use of parking provision;
  - 5.31.3 The "non-allocation" of parking spaces so that residents and business can "lease" parking to suit their needs;
  - 5.31.4 Car parking provision management and review of charges to manage demand;
  - 5.31.5 Potential for a progressive reduction in residential parking standards as public transport accessibility increases;
  - 5.31.6 Use of travel plans/car clubs/cycle club; and
  - 5.31.7 Protection of nearby residential areas from the impacts of parking displacement, through the selective consideration and possible implementation of controlled parking zones ("**CPZ**").

- 5.32 Provision will be made within the public parking areas for disabled drivers in accordance with the London plan and the Council's standards.
- 5.33 Motorcycle and cycle parking will be provided at key locations at least to the standards required by the local authority.

### **Servicing**

- 5.34 The Framework Servicing and Delivery Strategy seeks to embed exemplary servicing and delivery arrangements as central to the design, implementation and on-going maintenance of BXC.

## **6. PLANNING FRAMEWORK**

### **National Planning Policy**

- 6.1 The National Planning Policy Framework ("**NPPF**") published on 27 March 2012 replaced almost all previous Planning Policy Statements and Planning Policy Guidance notes.
- 6.2 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Therefore, at the heart of the NPPF is "the presumption in favour of sustainable development" which should be seen as the "golden thread" running through both plan-making and decision-taking.
- 6.3 The NPPF's purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than frustrated by unnecessary barriers.
- 6.4 Paragraph 17 of the NPPF identifies twelve core planning principles of which the following are of particular relevance:
- 6.4.1 proactively drive and support sustainable economic development to deliver the homes, business units, infrastructure and thriving local places that the country needs. Every effort should be made to identify and meet housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
  - 6.4.2 encourage the effective use of land by reusing brownfield land;
  - 6.4.3 promote mixed use developments;
  - 6.4.4 actively manage patterns of growth to make the fullest possible use of public transport; and
  - 6.4.5 take account of land and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- 6.5 The NPPF also specifically recognises the role that mixed use development can play in promoting healthy lifestyles by encouraging interactions between different sections of the community and highlights that sustainable development can be achieved through three specific roles of the planning system including: economic, social and environmental. There is also a commitment to tackling climate change and reducing carbon dioxide emissions.

- 6.6 The NPPF requires local planning authorities to meet objectively assessed need and deliver housing which provides people with a choice about where they live and the type of accommodation available. Furthermore, the NPPF states that planning authorities should ensure that there is sufficient land available to support economic growth, particularly in areas well served by transport infrastructure.

### **Regional Planning Policy**

- 6.7 The London Plan (2011) ("**the Plan**") like its predecessor continues to identify Opportunity Areas and Intensification Areas. BXC is one of 33 Opportunity Areas (referred to as the "**BXC Opportunity Area**" for the purposes of this document). Policy 2.13 indicates that the Mayor will provide proactive encouragement, support and leadership for partnerships preparing and implementing opportunity area planning frameworks to realize the growth potential in these areas. Policy 2.13 also states that development proposals within Opportunity Areas should (inter alia):

- 6.7.1 support the strategic policy directions for the opportunity areas set out in Annex 1 (of the London Plan) and adopted opportunity area planning frameworks;
- 6.7.2 seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses;
- 6.7.3 contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity; and
- 6.7.4 support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas especially areas for regeneration.

- 6.8 Annex 1 of the Plan sets the BXC Opportunity Area an indicative employment capacity target of 20,000 jobs and a minimum new homes target of 10,000 units. The strategic policy direction for the BXC Opportunity Area (which includes West Hendon) states that:

*"this area combines former railway lands and the wider hinterland surrounding Brent Cross regional shopping centre across the A406 North Circular Road. Brent Cross is to be redeveloped to become a town centre complementing the roles of other centres nearby and with an extended mix of town activities. This should include a significant increase in new housing together with local ancillary services. A rail station on the Cricklewood site is proposed and new development should be phased with improvements to public transport and accessibility. A site for a major waste facility within the area will form a key role in North London Waste Strategy. There is significant potential for improvement to the public realm including restoration of the River Brent."*

- 6.9 Annex 1 also defines the planning framework for the BXC Opportunity Area as "adopted".
- 6.10 Policy 2.16 identifies Strategic Outer London Development Centres. Table 2.1 identifies Brent Cross with a "retail" strategic function and Brent Cross Cricklewood with a strategic office (subject to demand) function of greater than sub-regional importance. Policy 2.16 states that within these centres there will

be a focus on: co-ordinating public and private infrastructure investment; bringing forward adequate development capacity; placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development; and improving Londoners' access to new employment opportunities.

- 6.11 The Plan advocates the need to make the most efficient use of brownfield land and recognises that in areas of high public transport accessibility densities should be maximised.
- 6.12 The Draft Further Alterations to the London Plan ("**FALP**") were published in January 2014. These alterations were published to reflect Mayoral priorities as set out in "2020 Vision: The Greatest City on Earth – Ambitions for London", particularly the need to plan for the housing and economic capacity needed for London's sustainable development following the results of the 2011 Census. These alterations will take the Plan forward to 2036. Overall, the draft policies within the FALP do not have any direct implications for the regeneration of BXC.

### **Local Planning Policy and Guidance**

- 6.13 In 2004 the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework ("**DF**") was adopted by the Council as Supplementary Planning Guidance. It was updated in 2005 to include the Eastern Lands. The DF was produced by the Council in collaboration with the GLA, other stakeholders and development partners. It was intended to guide and inform the design and delivery of the development of BXC with the aim of achieving high quality comprehensive redevelopment of the area around a new sustainable mixed use town centre for Barnet spanning the A406 North Circular Road.
- 6.14 The creation of a new town centre together with the wider regeneration of the area was also promoted through the review of the Council's Unitary Development Plan ("**UDP**") and was considered as part of the 2004 public inquiry into the replacement UDP. The UDP planning inspector endorsed this approach and the replacement UDP was adopted in 2006 with a specific chapter (Chapter 12) setting out policies relating to the regeneration of Cricklewood, West Hendon and Brent Cross – including express policy support for significant new retail floorspace, jobs and housing.

### **Barnet's Local Plan Core Strategy (2012)**

- 6.15 Barnet's Core Strategy is one of a suite of documents forming the Local Plan. The Local Plan sets out the policies for delivering sustainable development in the Borough. The Core Strategy details the vision and objectives for the Borough over the plan period (to 2025/26), and a series of strategic policies.
- 6.16 Map 2 provides the "Key Diagram" for the Borough. BXC is a designated Regeneration/Development Area and Brent Cross Shopping Centre is identified as a Regional Shopping Centre. Brent Cross Cricklewood Regeneration Area is noted to be the subject of a planning permission granted in October 2010. As well as the provision of new homes (approximately 7,550 units) and jobs, and the transformation of the existing Brent Cross shopping centre, the proposals are expected to deliver a range of social, transport and green infrastructure.
- 6.17 Policy CS2 sets out the broad policy framework and anticipated timescales for the redevelopment of BXC. The policy states that BXC is identified as an Opportunity Area in the London Plan and it will be a major focus for the creation

of new jobs and homes, building upon the area's strategic location and its key rail facilities.

- 6.18 The policy seeks the comprehensive redevelopment of BXC in accordance with the London Plan, the saved UDP policies (Chapter 12) and the adopted Brent Cross and West Hendon Development Framework. The policy describes this as providing the key elements of the local planning policy framework for deciding future planning applications unless and until replaced by new development plan documents or supplementary planning documents as a result of the Local Plan Monitoring and review process.

### **Saved Policies of Chapter 12 of Barnet's UDP (2006)**

- 6.19 The Local Plan largely replaced the policies of the UDP. However, Chapter 12, relating to BXC. The importance of BXC is reflected in saved UDP Policy G Crick which states:

*"The Cricklewood, Brent Cross and West Hendon Regeneration Area, as defined on the proposals map, will be a major focus for the creation of new jobs and homes, building upon the areas strategic location and its key rail facilities. All new development will be built to the highest standards of design as well as to the highest environmental standards. A new town centre developed over the plan period, will be fully integrated into the regeneration scheme."*

- 6.20 Policy C1 (Comprehensive Development) states that the Council will seek comprehensive development in accordance with the adopted Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework and delivery strategy. Development proposals will be supported if they are consistent with the policies of the UDP and their more detailed elaboration in the Development Framework. Policy C5 also identifies the manner in which the new town centre should come forward, in particular in terms of additional class A1 comparison floorspace.

## **7. THE NEED AND JUSTIFICATION FOR THE ORDER**

- 7.1 By virtue of Section 226(1)(a) of the Act the Council has the power to make a compulsory purchase order for any land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. The Council thinks that the acquisition of the Order Land will facilitate the carrying out of the CPO2 Development on that land and that it will facilitate the regeneration of that part of the BXC area to the south of the North Circular. Section 226(1A) of the Act provides that the Council may not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area. The Council does think that the development of the Order Land is likely to so contribute.

- 7.2 Section 226 (4) of the Act provides that it is immaterial whether the development, re-development or improvement is to be carried out by the Council or by a third party.

- 7.3 Circular 06/2004 ("**the Circular**") provides guidance on the use of these compulsory purchase powers. The Introduction to the Circular states that:

*"Ministers believe that compulsory purchase powers are an important tool for local authorities and other public bodies to use as a means of assembling the*

land needed to help deliver social and economic change. Used properly, they *can contribute towards effective and efficient urban and rural regeneration, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. Bodies possessing compulsory purchase powers – whether at local, regional or national level – are therefore encouraged to consider using them pro-actively wherever appropriate to ensure real gains are brought to residents and the business community without delay*”.

- 7.4 The main body of the Circular provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Appendix A provides specific guidance for local authorities on the use of their powers under Section 226. Paragraph 2 of Appendix A of the Circular provides that:

*“the powers in Section 226 are...intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement the proposals in their community strategies and Local Development Documents”, which will include “saved” unitary development plans.”*

- 7.5 The Circular, at Paragraph 16 of Appendix A, then states that, in deciding whether to confirm a compulsory purchase order, the matters the Secretary of State will consider include whether the purpose for which the land is being acquired fits in with the adopted planning framework for the area; the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area; the potential financial viability of the scheme for which the land is being acquired – including a general indication of funding intentions, and of any commitments from third parties, and whether the purpose for which the land is proposed to be acquired could be achieved by any other means.

- 7.6 The development of the Order Land through the CPO2 Development complies with all relevant guidance. In particular, the purpose for which the Order Land is to be acquired advances the objectives of the adopted planning framework for the area and its core strategy; the proposed purpose will contribute significantly to the achievement of the promotion or improvement of the social, economic and environmental wellbeing of the area; there is a reasonable prospect that the CPO2 Development will proceed; and the purpose for which the Council is proposing to acquire the Order Land could not be achieved by other means such as alternative proposals from existing owners of the land or by seeking alternative locations for the proposals for which the Order Land is to be acquired.

- 7.7 In order to secure the delivery of the wide range of significant public benefits that the regeneration of the Order Land (and the wider BXC proposals) will bring, it is essential for the proposals to come forward in a comprehensive and co-ordinated manner.

- 7.8 The S73 Permission is structured so that the regeneration of the area (and in particular the regeneration of the land either side of the North Circular) is brought forward on a comprehensive basis. Reflecting this requirement for comprehensiveness, CPO1 includes not only the land and interests needed to facilitate the regeneration of the shopping centre and associated development to the north, but also the land and interests needed to provide the substantial infrastructure which is needed to facilitate both that development and the regeneration of the land to the south. The CPO2 Development (and the wider regeneration of the land to the south) will depend upon the confirmation of CPO1 and the delivery of the infrastructure and the development of the land in CPO1. Without the infrastructure that will be facilitated by CPO1, the CPO2

Development will not occur. As such, it is essential that both CPO1 and CPO2 are confirmed in their entirety.

- 7.9 The certainty of being able to deliver the CPO2 Development on the whole of the Order Land will enable the Council's selected developer to commence the much needed regeneration of the land to the south of the North Circular in a timely manner and on a programme which will enable it to be delivered in a way which is fully co-ordinated with the redevelopment of the land to the north (including the redevelopment of Brent Cross shopping centre) and the delivery of the critical infrastructure. All of the Order Land is needed to create a viable first phase of development to the south of the North Circular, and to create a platform from which the further regeneration of the southern area will flow.
- 7.10 The Council is of the view that the redevelopment and improvement of the Order Land through the CPO2 Development will contribute significantly towards the achievement of the economic, social and environmental well-being of its area. If the Order is not confirmed in its entirety, the regeneration to the south of the North Circular will not occur within a reasonable timeframe or possibly will not occur at all, and the much-needed public benefits will be lost. The Council considers that there is a compelling case in the public interest to promote the Order, so that the substantial public benefits the development will bring can be realised as soon as possible and the momentum being created by the redevelopment of the shopping centre and the provision of the critical infrastructure maintained.

## 8. **ECONOMIC, SOCIAL AND ENVIRONMENTAL WELL-BEING**

- 8.1 Development of the Order Land will significantly contribute to the economic, social and environmental well-being of the area. The CPO2 Development will also be an important catalyst (being the first phase) for the regeneration of the BXC to the south of the North Circular.
- 8.2 The main benefits from the CPO2 Development on the Order Land are:
- 8.2.1 Around 17,600m<sup>2</sup> of new retail floorspace will be provided, forming a key component of the new town centre.
  - 8.2.2 Around 2365 new high quality residential units (including around 356 affordable housing) will be developed, providing a range of types and sizes of homes and tenures.
  - 8.2.3 The provision of new community facilities.
  - 8.2.4 The provision of new leisure development.
  - 8.2.5 The CPO2 Development will provide an attractive link between the northern development and the improved Clitterhouse Playing Fields to the south, not least through the new market square.
  - 8.2.6 Development around the new Living Bridge will provide animation and activity along the new east to west walking and cycling route to vastly improve connectivity between the Shopping Centre and the land south of the A406 North Circular Road. This will be a major contribution towards the provision of a new and integrated town centre.
  - 8.2.7 New high quality streets and public realm will be provided to create a highly attractive environment.



- 8.2.8 Development of the Order Land will provide critical mass and act as a catalyst for the regeneration of the remainder of the BXC area to the south of the A406 and the realisation of the potential of that area. This includes the start of the link to the proposed regeneration around the Thameslink Station.
- 8.2.9 Approximately 2000 jobs will be created, which will help to improve employment opportunities and skills for those in the area.
- 8.3 The benefits of the remainder of the wider BXC area – which also apply to the development of the Order Land – include:
  - 8.3.1 Remediation of contaminated land. Some of the current and previous uses have resulted in contamination. In order to create a high quality and safe environment remediation to satisfactory levels will be necessary.
  - 8.3.2 Improvement of visual appearance. Parts of the area are dominated by fragmented and/or inefficient land uses and have a low visual quality. The BXC development will remove inefficient land uses and integrate the area into a single town centre with a significant improved urban environment.
  - 8.3.3 The provision of new homes in Phase 1 (including both north and south of the A406) - the planning permission provides for 171,150 sqm of residential development (about 1,850 units) and ultimately the BXC site will provide over 7,540 new homes.
  - 8.3.4 The proposed mix of uses includes a range of employment generating floorspace which will improve not only the quantum of jobs but also the diversity of employment opportunities available and accessible to local people. The improved accessibility of the site as a result of the transport improvements will also increase employment opportunities in the wider area.
  - 8.3.5 The development of the Order Land will play a vital role as the first stage of the regeneration of that part of the BXC area to the south of the North Circular.
- 8.4 These benefits clearly demonstrate that there is a compelling case in the public interest for the Order. Moreover, without the Order the land and interests needed for the CPO2 Development will not be assembled.

## 9. DELIVERY AND RESOURCES

- 9.1 As indicated in section 3 the redevelopment of the Brent Cross shopping centre, the regeneration of the land to the north of the North Circular and the critical infrastructure, all of which CPO1 will facilitate, are to be delivered by a partnership between Hammerson and Standard Life Investments.
- 9.2 The regeneration to the south of the North Circular (including the CPO2 Development in the Order Land) is being delivered by a developer in the process of being procured by the Council.
- 9.3 In July 2014 the Council commenced a developer procurement process to select a development partner who will work up detailed proposals for the whole of the BXC scheme to the south of the North Circular and prepare a business plan for

delivering them. This process aims to achieve the appointment of the successful developer in March 2015, who will then have approximately a year to work up its detailed proposals. The legal agreement(s) containing the mechanisms for delivering the regeneration will also be negotiated and completed in this timeframe. This means that, if the Order is confirmed, the land will be ready for redevelopment as soon as the developer partner is ready to deliver the regeneration comprised in the CPO2 Development. **[Update following selection of preferred development partner in March 2015].**

- 9.4 The successful bidder will have to satisfy the Council that it has the requisite experience in delivering "placemaking" through financing and constructing large scale, phased development, and a track record of working successfully in partnership with public sector parties. It will also need to demonstrate to the Council that it is experienced in appointing and managing large professional teams, and has a strong internal team.
- 9.5 In October 2014 the Council shortlisted four consortia from those who entered the competition: (1) Argent and Related Companies; (2) Barratts and London & Quadrant Housing Trust; (3) Capital and Counties Properties; and (4) Far East Consortium International with Countryside Properties, Notting Hill Housing Trust and Southern Grove. All are very substantial renowned development companies and investors with the track record and resources to deliver developments such as the regeneration to the south of the North Circular.
- 9.6 The successful bidder will be required to formulate detailed proposals for the CPO2 Development, based on the S73 Permission. However, it will also be given the opportunity to work up proposals which seek further to maximise the potential of the Order Land, subject to the grant of any necessary planning permissions.
- 9.7 There are no planning, financial or other impediments to the delivery of the CPO2 Development.

## 10. **LAND NEGOTIATIONS, RE-HOUSING AND CONSULTATION**

### **Residential Properties**

- 10.1 The Order Land includes three blocks of flats, comprising 132 units. Residents have been, and will continue to be, consulted by the Council and their agent Capita regarding their housing needs and relocation options. The Council will work up and implement detailed arrangements for the relocation of residents with the selected development partner.
- 10.2 Condition 1.10 of the S73 Permission and the S106 Agreement for the BXC scheme require residents to be relocated in accordance with a Residents Relocation Strategy approved by the Council as local planning authority.
- 10.3 The approach to relocating residents is based upon the principles contained in the Residents' Relocation Strategy. This will aim for relocation properties to be ready for occupation before existing residential properties are demolished. The objective will be for secure tenants of the Council to be offered a new home in the BXC area, and to only have to move once.
- 10.4 As regards residents who are leaseholders or freeholders, the objective will be for those residents to be offered new homes in the BXC area. Compensation payable to leaseholders and freeholders for their property interests will be based on open market value in accordance with the Compensation Code.

## **Non Residential Properties**

- 10.5 The non-residential properties within the Order Land comprise industrial premises located on the Claremont Way Industrial Estate and Brent Terrace. Contact has been made with owners and occupiers and discussions are ongoing regarding the acquisition of the interests and the relocation options for those affected.

## **Consultations**

- 10.6 There has been substantial consultation on the BXC proposals over a considerable period, and the 2010 consent followed two phases of detailed and extensive consultation with local communities between 2006 and 2007. These two phases involved almost 3,000 people in total and saw strong public support for the plans.
- 10.7 Ahead of submitting the section 73 application, further extensive consultation with local communities was undertaken. The objectives were to explain the amendments to the masterplan, to remind people about the consented masterplan and what already had permission, to engage with a wide cross-section of the public and to consider and respond to comments and questions raised.
- 10.8 The consultation ran through Summer 2013 and included 12 days of fully-staffed, well-promoted public exhibitions across four local venues as well as meetings with individual stakeholders and groups.
- 10.9 The exhibitions were promoted via local newspapers, letters to key stakeholders, residents' groups and local politicians and flyer distribution to 34,000 local households and businesses. An updated Brent Cross Cricklewood website also included information about when and where the exhibitions were taking place.
- 10.10 Almost 1,700 people attended the exhibitions in total and many more visited the website. In addition, individual meetings took place with a wide range of local political and technical groups and relevant stakeholders.
- 10.11 In total 440 people responded to the consultation. 81% expressed overall support for changes in and around Brent Cross; 90% expressed overall support for the introduction of a new pedestrian and cycle bridge over the North Circular Road and 87% expressed overall support for the earlier delivery of transport works.
- 10.12 There will be further public consultation in connection with the detailed proposals that will be brought forward for the CPO2 Development.

## **11. RELATED ORDERS AND SPECIAL KINDS OF LAND**

- 11.1 Where highway stopping up and/or diversion orders are needed, applications for these orders will be made at the appropriate time.
- 11.2 The Order Land does not contain any of the special kinds of land such as listed buildings, ancient monuments, conservation areas, open space, etc.
- 11.3 The apparatus of statutory undertakers or utilities will be protected, diverted or replaced as necessary.

11.4 There are no requirements for additional information as referred to in paragraph 11 of the Circular or in the light of Government policy statements.

## 12. HUMAN RIGHTS ACT

12.1 In determining whether or not to confirm the Order, the Secretary of State must have regard to any interference with human rights, the provisions of the Human Rights Act 1998 and the European Convention on Human Rights ("**the Convention**"). The Secretary of State must consider whether, on balance, the case for compulsory purchase justifies interfering with the human rights of the owners and occupiers of the Order Land. The Secretary of State also has to be satisfied that the land included in the Order is all the land necessary to secure the delivery of the proposals and does not include land which is not required for that purpose.

12.2 Article 1 of the First Protocol to the Convention states that "...Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...". Whilst occupiers and owners within the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be done in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the regeneration of the Order Land are set out earlier in this Statement of Reasons. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the regeneration and those private rights which will be affected by the Order.

12.3 Article 6 of the Convention provides that: "In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law". The regeneration proposals, including those associated with the regeneration of the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that will be affected by the Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State for Communities and Local Government, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.

12.4 Article 8 of the Convention states that: "Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others." The Council considers that the interference with this right that will result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Act), give effect to a legitimate aim (namely securing the much-needed regeneration of the area) and will be proportionate having regard to the public benefits that the regeneration will bring.

12.5 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (ie reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments (eg

home loss payments). The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.

- 12.6 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Similarly, any interference with Article 8 rights must be "necessary in a democratic society" ie proportionate.
- 12.7 In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the BXC area. Interference with Convention rights is considered by the Council to be justified here in order to secure the economic regeneration, environmental and public benefits which the Scheme will bring. With regard to the residential tenants of the Council, it should also be remembered that the Council will only exercise its powers under the Order in the event that negotiations and the use of the processes in the Housing Act 1985 are not successful.
- 12.8 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.
- 12.9 There has been extensive public consultation on the proposals to regenerate the BXC area, and the opportunity has been given through the consideration of the planning applications to make representations on the proposals. A public inquiry will be held into the Order if objections are duly made, and those whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided under national law.

### 13. **CONCLUSIONS**

- 13.1 The acquisition of the Order Land will facilitate development, redevelopment and improvement of the land, through the CPO2 Development, which will contribute to the promotion or improvement of the economic, social and environmental well-being of the area.
- 13.2 All of the Order Land is required for the CPO2 Development.
- 13.3 The CPO2 Development will contribute towards the achievement of the Council's strategic objectives.
- 13.4 The purpose for which the Order Land is to be acquired accords with the planning framework for the area and has the benefit of planning permission. It is part of the planning permission that has been granted for the regeneration of the whole of the BXC area.
- 13.5 The CPO2 Development is a critical first stage of regeneration of the area to the south of the North Circular, and will set the tone and act as a catalyst for the rest of the regeneration to the south.

- 13.6 The CPO2 Development will deliver new housing, new retail development, leisure development and space for community uses, as well as new infrastructure and public spaces such as the market square and the link between the Living Bridge and the Clitterhouse Playing Fields.
- 13.7 The CPO2 Development will deliver significant public benefits including much-needed new housing (including affordable housing); new retail space offering facilities and choice for the community; new community facilities; new public realm such as the market square; job opportunities for the local population; the remediation and bringing into beneficial use of under-used or ineffectively used land; a significantly improved environment.
- 13.8 The CPO2 Development (and the rest of the regeneration scheme to the south of the North Circular) will be delivered by a development partner procured by the Council. The developer will work up detailed proposals for the whole area, along with a business plan for delivering them. The Council's developer selection process is under way and has attracted substantial and successful developers with the resources, experience and a track record of delivering the "placemaking" development sought by the Council.
- 13.9 There is a reasonable prospect of the development underpinning the Order being delivered.
- 13.10 All owners and occupiers affected by the Order, whether residential or commercial, have been contacted to establish their relocation and other needs, and they will be relocated in accordance with strategies approved by the local planning authority. Negotiations are being, and will continue to be, pursued to acquire the required land and interests by agreement. Compensation will be paid in accordance with the law.
- 13.11 The regeneration of the Order Land will not be achieved without the use of compulsory purchase powers, but the powers will only be used where the required land and interests cannot be acquired by negotiation. As such, the use of compulsory purchase powers is proportionate.
- 13.12 The purposes for which the Order have been made sufficiently justify the interference with the human rights of those who will be affected by it. The exercise of the powers conferred by the Order will be lawful, necessary and proportionate.
- 13.13 Without the confirmation of the Order, the land needed will not be assembled within a reasonable timescale, or at all.
- 13.14 The Council considers that there is a compelling case in the public interest for the making and confirmation of the Order.

#### 14. **DETAILS OF CONTACTS AT THE COUNCIL**

- 14.1 All those owners and occupiers affected by the Order, whether relating to homes or businesses premises, who wish to speak to the Council's agents regarding the purchase of their interests are requested to contact:

Rosie Moore MRICS of Capita, 4<sup>th</sup> Floor, 65 Gresham Street, London, EC2V 7NQ.  
Tel: 020 7544 2055. Email:Rosie.Moore@capita.co.uk

or

Paul Watling MRICS of Capita, at the same address as above. Tel: 020 7544 2296. Email:paul.watling@capita.co.uk

- 14.2 If any person affected by the Order wishes to discuss it with an officer of the Council, he/she is requested to contact:

Karen Mercer MRICS, Programme Director, London Borough of Barnet, 2<sup>nd</sup> Floor, Building 4, North London Business Park, Oakleigh Road South, London, N11 1NP. Tel: 0208 359 7563. Email: Karen.mercer@barnet.gov.uk.

## 15. **INQUIRIES PROCEDURE RULES**

- 15.1 This is a non-statutory statement which is not intended to constitute the Council's Statement of Case under the 2007 Rules.

## 16. **LIST OF DOCUMENTS**

- 16.1 In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- the Order, Order Schedule and Order Map;
- report to the committee and decision notice and section 106 agreement relating to planning permission ref: F/04687/13 dated 23<sup>rd</sup> July 2014
- ARG report and minutes of 15<sup>th</sup> December 2014 authorising the making of the Order;
- National Planning Policy Framework 2012;
- London Plan 2011;
- London Borough of Barnet Core Strategy 2012;
- London Borough of Barnet UDP 2006 – Saved Policies;
- West Hendon Regeneration Area Development Framework
- The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.1) 2014 and associated Statement of Reasons

- 16.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

16.2.1 **Barnet House**, Planning Reception, 1255 High Road, Whetstone, N20 0EJ, Tel: 0208 359 2000 during the following hours: 9am-1pm Mondays, Wednesdays and Fridays, and at

16.2.2 **Hendon Library**, The Burroughs, London, NW4 4AX, Tel: 0208 359 2628 during the following hours: 9.30am-8pm Mondays, 9.30am-5pm Tuesdays; 9.30am-8pm Wednesdays; 10am-8pm Thursdays and 9.30am-5pm Fridays.

- 16.3 Documents relating to the Order can be downloaded from the Council's website via the following link: **[TBC – Link needed]**

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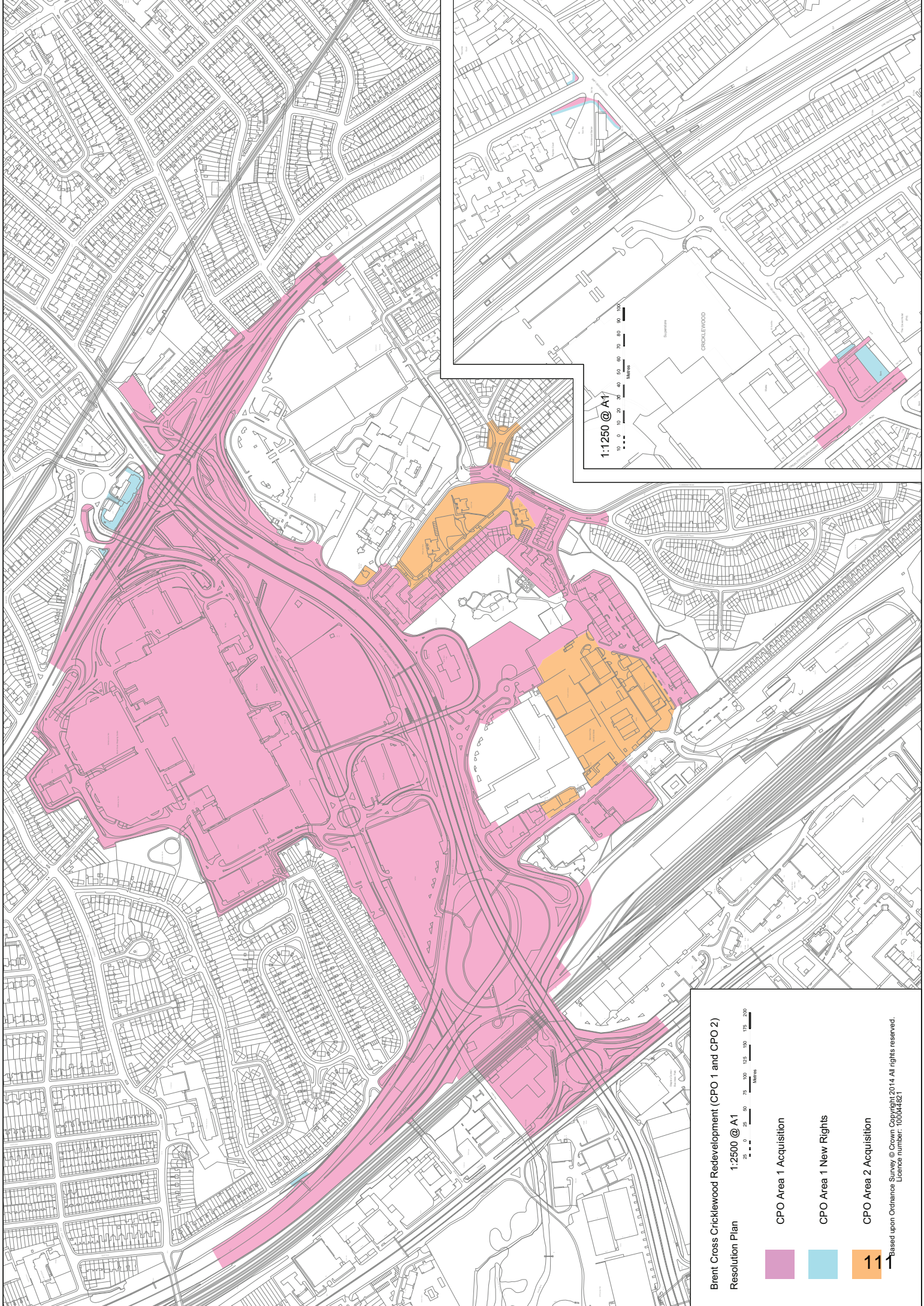


**APPENDIX 1**

**Plan showing extent of Order Land**

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**Brent Cross Cricklewood Redevelopment (CPO 1 and CPO 2)**

Resolution Plan

1:2500 @ A1



CPO Area 1 Acquisition

CPO Area 1 New Rights

CPO Area 2 Acquisition



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	AGENDA ITEM 11
	<p><b>Assets, Regeneration and Growth Committee</b></p> <p><b>3 March 2015</b></p>
<b>Title</b>	<b>Assets, Regeneration and Growth Committee Work Programme</b>
<b>Report of</b>	Chief Operating Officer (Acting) Commissioning Director, Growth & Development
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Committee Work Programme March 2015 – May 2015
<b>Officer Contact Details</b>	Faith Mwende, Governance Officer <a href="mailto:Faith.Mwende@barnet.gov.uk">Faith.Mwende@barnet.gov.uk</a> , 020 8359 4917

<b>Summary</b>
The Committee is requested to consider and comment on the items included in the 2014/15 work programme

<b>Recommendations</b>
<b>That the Committee consider and comment on the items included in the 2014/15 work programme</b>

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The Assets, Regeneration and Growth Committee's Work Programme 2014/15 indicates forthcoming items of business for the municipal year.
- 1.2 The work programme of this Committee is intended to be a responsive tool, which will be updated on a rolling basis following each meeting, for the inclusion of areas which may arise through the course of the year.
- 1.3 The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 There are no specific recommendations in the report. The purpose of the report is to allow the Committee to have oversight of its own schedule of work within the programme and to make any amendments and additions as required.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Any alterations made by the Committee to its Work Programme will be published on the Council's website.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Committee Work Programme is in accordance with the Council's strategic objectives and priorities as stated in the Corporate Plan 2013-16.

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

- 5.2.1 None in the context of this report.

### **5.3 Legal and Constitutional References**

- 5.3.1 Council Constitution, Responsibility for Functions, Annex A – details the terms of reference of the Assets Regeneration and Growth Committee.

**5.4 Risk Management**

5.4.1 None in the context of this report.

**5.5 Equalities and Diversity**

5.5.1 None in the context of this report.

**5.6 Consultation and Engagement**

5.6.1 None in the context of this report.

**6. BACKGROUND PAPERS**

6.1 None.

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**London Borough of Barnet  
Assets, Regeneration and  
Growth Committee Work  
Programme  
February 2015 - May 2015**

Contact: Faith Mwende 020 8359 4917 [faith.mwende@barnet.gov.uk](mailto:faith.mwende@barnet.gov.uk)

Subject	Decision requested	Report Of	Contributing Officer(s)
3 March 2015			
Brent Cross Cricklewood Compulsory Purchase Order (No. 1)	This report requests that the Committee recommends to full Council the making of a compulsory purchase order (CPO) in respect of the land, interests and rights needed to deliver part of the first stage of the regeneration of Brent Cross Cricklewood.	Commissioning Director, Growth and Development	BXC Programme Director, Re
Brent Cross Cricklewood Compulsory Purchase Order (No. 2)	This report requests that the Committee recommends to full Council the making of a compulsory purchase order (CPO) in respect of the land, interests and rights needed to deliver part of the first stage of the regeneration of Brent Cross Cricklewood.	Commissioning Director, Growth and Development	BXC Programme Director, Re
Brent Cross South - Selection of a Development Partner	To select a preferred partner for delivery of the Brent Cross South scheme.	Commissioning Director, Growth and Development	BXC Programme Director, Re
Report of the Urgency Committee on 26th February 2015	To report on the decision taken under the urgency provisions.	Commissioning Director, Growth and Development	BXC Programme Director, Re
16 March 2015			

<b>Subject</b>	<b>Decision requested</b>	<b>Report Of</b>	<b>Contributing Officer(s)</b>
Annual Regeneration Report	To approve the Annual Regeneration Report including an update report on the Growth & Regeneration Programme	Commissioning Director, Growth and Development	
Community Asset Strategy	This paper reports on progress with the public and stakeholder consultation.	Chief Operating Officer (Acting)	Head of Estates Commissioning Officer
Strategic Outline Case for Barnet Council Office Accommodation.	To agree the recommendations as set out in the business case	Chief Operating Officer (Acting)	Head of Estates
Town Centre Report	The Committee is asked to agree an approach to supporting town centres in Barnet	Commissioning Director, Growth and Development	
Development Pipeline Programme Tranche 1	The report on an update on Tranche 1 and sets out the development site for planning submission.	Director of Place, Re	
Development pipeline Programme Tranche 2	The report outlines the proposed projects within Tranche 2 of the Development Pipeline Programme and requests approval to the principles of Tranche 2.	Commissioning Director, Growth and Development	
Assets, Land and Property Transactions for Approval	To approve transactions relating to individual buildings and sites	Chief Operating Officer (Acting)	Head of Estates

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