

MEETING**ASSETS, REGENERATION AND GROWTH COMMITTEE****DATE AND TIME****MONDAY 5TH SEPTEMBER, 2016****AT 7.00 PM****VENUE****HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ****TO: MEMBERS OF ASSETS, REGENERATION AND GROWTH COMMITTEE (Quorum 3)****Chairman:** Daniel Thomas**Vice Chairman:** Gabriel Rozenberg**Members**

Richard Cornelius

Pauline Coakley Webb

Philip Cohen

Geof Cooke

Rohit Grover

Nagus Narenthira

Peter Zinkin

Substitute Members

Tom Davey

Val Duschinsky

Paul Edwards

Ross Houston

Alison Moore

Caroline Stock

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions or comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Wednesday 31st August at 10AM. Requests must be submitted to Sheri Odoffin: 0208 359 3104, Email: sheri.odoffin@barnet.gov.uk.

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

Andrew Charlwood – Head of Governance

Governance Services contact: Sheri Odoffin 020 8359 3014 sheri.odoffin@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	MINUTES OF THE PREVIOUS MEETING	1 - 10
2.	ABSENCE OF MEMBERS	
3.	DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS	
4.	REPORT OF THE MONITORING OFFICER (IF ANY)	
5.	PUBLIC QUESTIONS AND COMMENTS (IF ANY)	
6.	MEMBERS' ITEMS (IF ANY)	11 - 14
7.	REPORT OF HEAD OF GOVERNANCE - BRENT CROSS CRICKLEWOOD COMPULSORY PURCHASE ORDER (NO. 3) AND PROJECT UPDATE REPORT	15 - 98
8.	GRAHAME PARK PLOTS 10, 11 AND 12 COMPULSORY PURCHASE ORDER	99 - 112
9.	LAND AT COPTHALL PLAYING FIELDS, PAGE STREET, NW7 - CCFSA	113 - 128
10.	BRENT CROSS CRICKLEWOOD UPDATE REPORT	129 - 148
11.	WEST HENDON COMPULSORY PURCHASE ORDER 2 & 2a (CPO2 and CPO2a) COMMUNICATIONS UPDATE	149 - 154
12.	EXPLORING OPTIONS TO RE-LOCATE DONOGHUE SKIP HIRE AND WASTE MANAGEMENT COMPANY - Assets Regeneration and Growth Committee Forward Work Plan Item	155 - 166
13.	ASSETS, REGENERATION AND GROWTH COMMITTEE - WORK PROGRAMME	167 - 172
14.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	

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Decisions of the Assets, Regeneration and Growth Committee

11 July 2016

Members Present:-

AGENDA ITEM 1

Councillor Daniel Thomas (Chairman)
Councillor Gabriel Rozenberg (Vice-Chairman)

Councillor Richard Cornelius Councillor Rohit
Councillor Philip Cohen Councillor Nagus Narenthira
Councillor Geof Cooke Councillor Peter Zinkin

Apologies for Absence
Councillor Pauline Coakley-Webb

1. MINUTES OF THE PREVIOUS MEETING

It was **RESOLVED** that the minutes of the meeting held on Thursday 17 March were agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Pauline Coakley Webb. Councillor Alison Moore substituted for her.

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

Councillor	Nature of Interest	Agenda Item No.	Detail of Interest
Richard Cornelius	Non-pecuniary	19	Declared that he was formally (until 18 months ago) a Trustee of the Baxendale Association.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Councillor Gill Sargeant made a public comment in relation to item 15 - Accommodation Office Options Review – Final Business Case. After raising her key points, Members asked questions which were responded to by Councillor Sargeant.

UNISON submitted a written comment on item 15 - Accommodation Office Options Review - Final Business Case. Members were reminded to restrict comments to text that deals with matters within the remit of the Committee. Employment related discussion would therefore not be considered.

6. MEMBERS' ITEMS (IF ANY)

None.

7. ANNUAL PERFORMANCE REPORT

The Chairman introduced the report which was followed by discussion on new housing targets and business survival rates.

Questions were raised about the timescale for making up the slippage in the development of new homes. Officers clarified that this was largely due to delays on the programme for the Dollis Valley Estate which would be made up over time. Councillor Cooke questioned the way the housing targets are presented and was keen to see net figures with voids accounted for and periods when neither old or new properties are available. Councillor Cornelius stated that data on voids is reported to Housing Committee. Officers agreed to provide more detail on the housing figures produced on page 16 of the report.

Discussion on the Entrepreneurial Barnet project focused on setting an appropriate target for business survival rates. Officers confirmed that data was based on the Interdepartmental Business Register (IDBR) which drew business data from a range of government departments. Officers agreed to provide a note setting out more detail of the datasets included. Members were informed that a piece of work on this has been commissioned, the results of which will come back to Members following the completion of the Corporate planning process.

Members agreed to note the report.

8. DEVELOPMENT OF NEW AFFORDABLE HOMES BY BARNET HOMES REGISTERED PROVIDER ("OPEN DOORS")

The Chairman introduced the report which all Members welcomed as they commented on a range of schemes within individual wards.

Councillor Cohen stated that many Councillors have visited the exhibitions in relation to individual sites and requested that where some residents were not happy with aspects of the proposals, a dialogue is continued with existing local residents. Officers agreed to this approach and reminded Members that each scheme is subject to planning approval and the normal statutory planning consultation process as this will provide the basis of the full business case for the individual schemes.

Councillor Moore commented that this had been the case with the scheme at Tarling Road whereby comments from residents were taken on board in the plans for the new development in the locality. This included opportunities to consider quick wins and work in tandem with the Environment Committee to resolve some existing parking and environmental issues for the benefit of existing communities.

Councillor Cooke also welcomed the report but queried the business case for a scheme in his ward which involved the demolition of an existing large house to provide smaller ones and asked for further details. He reiterated that he was in favour the Affordable New Homes proposal in principal. Officers agreed to liaise directly with Councillor Cooke on this scheme.

After discussion on the item, the Chairman moved to a vote on the recommendations below.

It was **RESOLVED** that Committee:

1. **Approved the outline business case (see Appendix 3) for Opendoor Homes, a subsidiary of Barnet Homes, and delegate authority to officers to make planning applications with a view to developing 150 homes for affordable rents.**
2. **Approved the location of the sites included in Phase 2 of the development programme and set out in Appendix 1.**
3. **Agreed substitution of sites in the programme is delegated to the Commissioning Director, Growth & Development, in consultation with the Chairman and subject to necessary due diligence and permissions and consultation with Ward Members.**
4. **Agreed acquisition of homes for sale on the open market that may further enable the development of sites in the programme is delegated to the Commissioning Director, Growth & Development, in consultation with the Chairman subject to necessary due diligence and permissions.**
5. **Noted a further report to approve the final Full Business Case for Phase 2 of the development programme will be brought to Committee in December 2016.**

9. OUT OF BOROUGH ACQUISITIONS

The Chairman introduced the item reminding Members that the scheme is about purchasing 38 properties in Luton and offering them for rent to Barnet Council tenants. He continued that the policy has been to Housing Committee for consideration, review and approval. The Housing Committee will also be looking at the Tenancy Strategy.

Councillor Moore expressed her concerns that whilst she understood the principle, the strategy could lead to real challenges, such as dividing communities and families. She feared that tenants could be compelled to move to Luton rather than being given the choice. In response, officers advised that there is an appeal process.

Councillor Cooke noted Housing Committee's agreement to the scheme should have been made clearer in the report to ARG Committee.

Following discussion, Councillor Zinkin asked for an amendment to clarify the recommendation and raised a motion for an amendment, which was seconded. The Chairman requested a show of hands to agree the amendment which was unanimously agreed. It was **RESOLVED**

1. **That the Committee, noting that there had been consultation with the Chairman of the Housing Committee, approve the business case for the acquisition of Out-of-Borough accommodation as outlined in Appendix A, subject to approval for the required capital expenditure from the Policy and**

Resources Committee on 1st September 2016; and that the ARG Committee's decision be reported for noting at the next Housing Committee

The vote was as follows:-

For	5
Against	0
Abstain	4

10. BRENT CROSS CRICKLEWOOD - GOWLING WLG AND BILFINGER GVA CONTRACT (PUBLIC REPORT)

The Chairman introduced the report informing Members that it related to continued procurement of specialist legal advisors.

The Commission Director for Growth and Development explained that since the original procurement, the volume of work that the legal advisors were undertaking had substantially increased as had the number of parties to the Brent Cross Agreements, and the complexity of the work,

Members questioned whether there was sufficient oversight of the quality of the work being done, and how value for money was being ensured. It was agreed that the Commissioning Director for Growth and Development would work with the Assurance Director to review the approach to contract oversight and monitoring, and make any necessary improvements.

Following discussion, the Chairman moved to a vote on the recommendations as follows:-

It was **RESOLVED:**

- 1. That the Committee approved the variation of the contract value of the existing contract between the Council and Gowling WLG's to allow the Council to make payment on costs incurred to April 2018, subject to a successful review in March 2017.**
- 2. That the Committee noted the update on the price review for both Gowling WLG and Bilfinger GVA**

The vote was as follows:

For	5
Against	4
Abstain	0

11. COLINDALE FINANCIAL ASSISTANCE FOR RAF MUSEUM SITE REDEVELOPMENT

The Chairman introduced the item which all Members welcomed and supported in view of the value the Museum currently brings to the area and the future increased opportunities for local residents and the added environmental benefits.

Following discussion, Committee **RESOLVED**:

1. Subject to the approval of the Policy and Resources Committee to:

- (i) **Approve of financial assistance totalling £500,000 to the RAF museum, phased on an agreed basis over the project period 2016-2018, released subject to confirmation by the museum that the remaining balance of the shortfall (£6,151,253) has been secured.**
- (ii) **Authorise for the Commissioning Director Growth and Development in consultation with the Chairman of the Committee to agree the details of the payment programme in conjunction with the RAF Museum**

2. Approve the above at the next meeting of the Policy and Resources Committee.

12. WEST HENDON COMPULSORY PURCHASE AND COMMUNITY CONSULTATIONS AND ENGAGEMENT UPDATE

The Chairman reminded members that officers had been asked to provide a regular update.

Committee noted the report.

13. LOCALITY STRATEGY

The Chairman introduced the Locality Strategy report advising that this item and the Accommodation Review Report are linked and will be considered in succession.

Councillor Cohen said he was concerned about the report's lack of detail on how the strategy would be delivered in different locations across the borough and questioned: how touch down spaces for staff would work, the proximity of transport links to hub locations and that there appeared to have been limited staff consultation. He was in favour of having access points for residents to receive services across the borough and of family friendly hubs.

Councillor Cooke agreed and added his concerns about use of library space. He said without a key, the attached map was unclear as the coloured guidance was not explained.

Councillor Moore voiced similar concerns regarding lack of clarity on use of multiple sites and concern on piloting the use of Golders Green Library and North Finchley Library neither of which are on major transport hubs and would like to see the strategy coming back to committee following development.

Following discussion, the Chairman asked for Members to vote on the following recommendations.

1. That the Committee acknowledges and notes the contents of the Locality Strategy;

2. That the Committee approves the preferred option for locality strategy, which is: the new Colindale offices being the principal base for officers, who will also use touchdown spaces across the borough, with a new Family Friendly hub to be developed in the east of the borough;
3. That the Committee authorises Officers to search and identify a suitable location for the new Family Friendly hub in the east of the borough;

The vote was as follows:

For	4
Against	4
Abstain	0

Chairman used his casting vote to make **5 in favour and 4 against**.

A motion to refer the item up to Full Council was moved by Cllr Cohen and seconded by Cllr Narenthira. The reasons given were:

- Insufficient detail on suitable and accessible locations.
- Insufficient staff engagement on the strategy

The Chairman duly referred the item to Full Council.

14. BRENT CROSS CRICKLEWOOD COMPULSORY PURCHASE ORDER (NO 3) AND PROJECT UPDATE

The Chairman introduced the item which would start with the regular Brent Cross Update. An overview of plans for the shopping centre would be presented by Mike McGuinness of Hammerson PLC.

Mr McGuinness thanked the Chairman and commenced by informing the meeting that that today the 11th July was a momentous day as all the legal documentation for Brent Cross North and South had been completed. The CPO Inquiry sittings were also all completed on Friday 8th July.

The presentation demonstrated to Members the significance of the scheme which would result in Brent Cross becoming one of the top 4 new shopping and leisure destinations in the UK within a new 30 acre urban community with new and upgraded transport links. The development would comprise the following:

- 300 acre mixed use regeneration plan – New London Quarter
- New Town Centre – 25 year plan
- Extended Shopping Centre
- 7,500 new homes
- Major infrastructure
- 27,000 new jobs
- 7,000 jobs in Phase 1

The Chairman welcomed the update and invited questions from members who in addition thanked Mr McGuinness for an interesting and informative presentation.

Following numerous questions and queries, the Chairman introduced the main body of the Brent Cross report and informed members that there had been minor changes to CPO the boundary taking into account land that had become part of people's gardens over time and which were no longer proposed for acquisition. He then invited discussion from members on the CPO No 3 report.

There was discussion on ways to improve access to Brent Cross and Hendon underground stations for example through bus links and bespoke bus and airport style rail shuttles. The new Thameslink station was also debated and ways to improve the walking route when the new community is established. It was agreed that Transport for London should be kept in the loop as Brent Cross develops. Councillor Cooke asked whether a transport route is being safeguarded for a potential rapid transport system and what the projection is for shoppers by car in 2021. The response was that modal shift will change constantly over time and people will begin to change the way they plan their journeys in response to Brent Cross developments for example in line with new work and leisure patterns. Currently there is no evening economy. Councillor Cornelius talked about the likely increase in cycling as permeability from the north improves as a result of a network of walking and cycling routes.

Councillor Rosenberg raised the point that in a project of this size it is important to understand the implications of fluctuations in the commercial floorspace rental market and construction costs.

Councillor Zinkin requested that Ward Councillors be invited to community meetings by Hammerson, similar to those undertaken by Argent Related. Mike McGuinness agreed to consider how best to achieve this.

Councillor Grover queried whether there are conditions attached to pre-letting agreements and was informed that a stepped approach has been adopted starting with anchor stores, which are the draw for other retailers, and moving on to major space users.

Councillor Cooke asked whether the North London Waste Authority's (NLWA) plans to relocate the rail transfer station at Hendon would interfere with development plans for the Brent Cross area. Officers responded that this had been factored into the timetable. Councillor Cooke also asked for the meeting to note that NLWA's Pinkham Way site - which had previously been considered for residual waste management facilities - will remain allocated for employment uses, even though expansion of the Edmonton plant is proposed.

Following discussion, the Chairman invited Members to vote on the report recommendations.

Committee **RESOLVED:**

That the content of this report was noted and recommended 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 CPO Plans and pursuant to section 13 of the Local Government (Miscellaneous Provisions)**

Act 1976 to acquire new rights in respect of the land shaded blue on the CPO Plans.

- **Authorise the appropriate Chief Officers to settle the final form and content of the draft CPO, the CPO Plans and Statement of Reasons.**
- **Authorise the appropriate Chief Officers to take all necessary steps to secure confirmation of the CPO and the acquisition of all third party interests in the CPO and of the new rights. This authorisation includes the publication and advertisement of the CPO, serving statutory notices, and seeking confirmation of the CPO.**
- **In pursuance of its statutory duty to treat, authorise the appropriate Chief Officers to enter into agreements and make undertakings, contracts and transfers on behalf of the Council with third parties having an interest in the CPO or for the creation of new rights or with parties otherwise affected by the CPO to facilitate the development.**
- **Authorise the appropriate Chief Officers following confirmation of the CPO to authorise the publication and service of all appropriate notices of confirmation of the CPO and to make one or more general vesting declarations or serve notices to treat and notices of entry (as appropriate) in respect of the land within the CPO (“the Order Land”).**
- **Authorise the appropriate Chief Officers to initiate or take part in any arbitration or proceedings before the Upper Tribunal (Lands Chamber) or the Courts in order to resolve any disputes as to compensation or other payments payable for any interests in the Order Land or arising from the making or confirmation of the CPO or securing possession of any part of the Order Land or title to any part of the Order Land.**

The vote was as follows:

For	5
Against	0
Abstain	4

**15. ACCOMMODATION OFFICE OPTIONS REVIEW - FINAL BUSINESS CASE (FBC)
PUBLIC**

The Chairman introduced the item which he reminded the Committee has been considered on previous occasions but which now has a full business case.

Following the officer presentation, Councillor Narenthira mentioned her concern that over 500 members of staff will not have parking. She also asked whether officers had been asked their views on the proposal and on smarter working, and asked for the decision to be delayed pending a full consultation with staff.

Councillor Rosenberg asked whether it will be possible to look at the accommodation office in terms of improving transport links to the site vis a vis a referral to Environmental Committee to look at transport routes to key sites within the strategy looking at cycle

lanes and traffic light prioritisation. The new office could then be used as a catalyst to a travel plan for the area.

Following discussion, the Chairman asked for Members to vote on the following recommendations.

1. **That the Committee acknowledge and note the contents of the Full Business Case (FBC);**
2. **That the Committee approves the preferred option for Barnet Council's office accommodation to start construction of a new build development at Colindale;**
3. **That the Committee authorises the entering into a Design and Build Contract with Galliford Try Construction for the Colindale Office and agrees to delegate to the Director of Resources authority to sign the contract;**
4. **That the Committee approve the elements of the IT and IM strategy that are the main enablers to the Colindale programme as set out in para 1.4.6-12;**

The vote was as follows:

For	4
Against	4
Abstain	0

Chairman used his casting vote to make **5 in favour and 4** against.

A Motion to refer item up moved by Cllr Narenthira and seconded by Cllr Cohen. The reasons given were:

- Insufficient engagement/consultation with staff.

The Chairman duly referred the item to Full Council.

16. ASSETS REGENERATION AND GROWTH COMMITTEE FORWARD WORK PLAN

The Chairman introduced the forward work plan and noted that Finchley and Golders Green Area Committee had referred an item to be added to a future ARG agenda. He invited Cllr Zinkin to introduce the item.

Councillor Zinkin outlined briefly the concerns relating to HGV movements in The Vale, Cricklewood from Donaghue Skip Hire and Waste Management. The request was "that officers investigate the feasibility of relocating Donoghue due to concerns about health and safety particularly for the children who attend the three schools on the Donoghue's main route. This is considered to be an urgent issue due to the potential safety issues arising and the Assets Regeneration and Growth Committee is therefore requested to receive a report at its next scheduled meeting on 5 September."

The Chairman invited discussion on the proposal, recommended that the item is added to the Committee work programme (for reasons outlined above) and requested a vote on the addition.

The vote was as follows:-


For (adding to the work programme)	8
Against	0
Abstain	1

It was **Resolved**

That Committee noted the report and instructed adding *Exploring Options to re-locate Donoghue* - to the September Work Programme.

17. **MOTION TO EXCLUDE THE PRESS AND PUBLIC FOR EXEMPT REPORTS**
18. **ACCOMMODATION OFFICE OPTIONS REVIEW - FINAL BUSINESS CASE (FBC) EXEMPT**
19. **BRENT CROSS CRICKLEWOOD - GOWLING WLG AND BILFINGER GVA CONTRACT EXEMPT REPORT)**
20. **ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT**

The meeting finished at 9.50 pm

	<p>Assets Growth and Regeneration Committee</p> <p>5 September 2016</p>
<p style="text-align: right;">Title</p>	<p>Member’s Item – Councillor Narenthira</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Sheri Odoffin: sheri.odoffin@barnet.gov.uk 020 8359 3104</p>

<h3>Summary</h3>
<p>The report informs Assets Growth and Regeneration Committee of a Member’s Item and requests instruction from the Committee.</p>

<h3>Recommendation</h3>
<p>1. That the Assets Growth and Regeneration Committee’s instructions are required on whether to bring a detailed report to a future meeting, receive a written briefing or take no further action.</p>

1. WHY THIS REPORT IS NEEDED

1.1 Councillor Narenthira has requested that a Member’s Item be considered on the following matter:

"I request that ARG is provided with an update on progress against the Community Asset Strategy Implementation Plan, which was agreed by the committee a year ago.

Please include:

- a. details of any plans for commercial use of community assets versus opportunities to encourage community participation
- b. an analysis of the level of rents/leases agreed, including details of organisations that have received financial assistance from the council.
- c. details of how much financial, social and community value has been realised from the council's community assets.
- d. what success there has been in encouraging other community groups to form community hubs
- e. what scope there is for widening the council's strategy to include dealing with other vacant buildings like empty shops and offices to bring them back into use for the community and thereby help town centres and deliver our town centres' strategy"

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Committee is requested to give consideration to the Member's Item and provide instruction as to whether they wish to receive a detailed report on the issue raised at a future meeting, receive a written briefing or take no further action.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies, such as the Health and Wellbeing Strategy, and the Barnet Joint Strategic Needs Assessment.

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

5.2.1 None in the context of this report.

5.3 Social Value

5.3.1 Members Item's provide an avenue for Members to request Officer reports for discussion within a Committee setting at a future meeting.

5.4 Legal and Constitutional References

5.4.1 The Council's Constitution (Meeting Procedure Rules, Section 6) notes that a Member (including Members appointed as substitutes by Council will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a Committee or Sub-Committee on which s/he serves. Members items must be within the term of reference of the decision making body which will consider the item.

5.3.2 There are no other legal references in the context of this report.

5.5 Risk Management

5.5.1 None in the context of this report.

5.6 Equalities and Diversity

5.6.1 Member's Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.7 Consultation and Engagement

5.7.1 None in the context of this report.

5.8 Insight

5.8.1 The process for receiving a Member's Item is set out in the Council's Constitution, as outlined in section 5.4 of this report. The Committee will be requested to consider the item and determine any further action that they may wish in relation to the issues highlighted within the Member's Item.

6. BACKGROUND PAPERS

6.1 E-mail to Governance Service dated 23 August 2016

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	<p>AGENDA ITEM 7</p> <p>Assets Regeneration and Growth Committee</p> <p>5 September 2016</p>
<p style="text-align: right;">Title</p>	<p>Report of Head of Governance – Brent Cross Cricklewood Compulsory Purchase Order (No. 3) and Project Update Report</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A - Brent Cross Cricklewood Compulsory Purchase Order (No. 3) and Project Update Report.</p> <p>Appendix B – Proposed Boundary of CPO3 Plan 1 of 2</p> <p>Appendix C – Proposed Boundary of CPO3 Plan 2 of 2</p> <p>Appendix D – Draft Statement of Reasons</p> <p>Appendix E – Proposed Station Layout</p> <p>Appendix F – Consultation Update</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk</p>

<h2>Summary</h2>
<p>The Brent Cross Cricklewood Compulsory Purchase Order (No. 3) (CPO3) and the Project Update Report was presented at the Assets, Regeneration and Growth (ARG) Committee on 11th July for approval by the ARG Committee. Due to a drafting error, the report contained an erroneous recommendation which requested the ARG Committee to note the report and refer the decision to Full Council for approval rather than approving the decision as per the committee’s terms of reference. This report is required to rectify the error by re-presenting the report to the ARG Committee with the correct recommendations to enable</p>

the decision to be approved.

Recommendations

1. The Committee is requested:

- **To make a compulsory purchase order (CPO) 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 CPO Plans and pursuant to section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to acquire new rights in respect of the land shaded blue on the CPO Plans.**
- **To authorise the appropriate Chief Officers to settle the final form and content of the draft CPO, the CPO Plans and Statement of Reasons.**
- **To authorise the appropriate Chief Officers to take all necessary steps to secure confirmation of the CPO and the acquisition of all third party interests in the CPO and of the new rights. This authorisation includes the publication and advertisement of the CPO, serving statutory notices, and seeking confirmation of the CPO.**
- **To authorise the appropriate Chief Officers to enter into agreements and make undertakings, contracts and transfers on behalf of the Council with third parties having an interest in the CPO or for the creation of new rights or with parties otherwise affected by the CPO to facilitate the development.**
- **To authorise the appropriate Chief Officers following confirmation of the CPO to authorise the publication and service of all appropriate notices of confirmation of the CPO and to make one or more general vesting declarations or serve notices to treat and notices of entry (as appropriate) in respect of the land within the CPO (“the Order Land”).**
- **To authorise the appropriate Chief Officers to initiate or take part in any arbitration or proceedings before the Upper Tribunal (Lands Chamber) or the Courts in order to resolve any disputes as to compensation or other payments payable for any interests in the Order Land or arising from the making or confirmation of the CPO or securing possession of any part of the Order Land or title to any part of the Order Land.**

1. WHY THIS REPORT IS NEEDED

- 1.1 It is within ARG’s terms of reference within the Council Constitution to approve Compulsory Purchase Orders. Officers intended for the CPO3 report that went to the ARG Committee on 11th July 2016 approve a number of recommendations in order for the Council to make CPO3 . However the wording of the recommendations in the report incorrectly requested that ARG Committee note and recommend the recommendations to full Council for approval, rather than approving a decision to make CPO3 as per the

Committee's terms of reference. The ARG Committee are therefore requested to take the decision based on the correct recommendations as outlined above.

- 1.2 The Committee should be aware that following the 11th July 2016 resolution, CPO3 was sealed on 25th July and the statutory notices of making CPO3 were published and served on 28th July. In light of the error in the recommendations to the ARG Committee, CPO3 has since been withdrawn and all affected parties have been notified. The letter which informed affected parties of the withdrawal of CPO3 explained that the decision was to be taken back to ARG on 5th September.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The rationale and purpose in seeking authority to make CPO3 is explained paragraphs 1.2 - 1.2 above, at appendix A and in the final draft Statement of Reasons at Appendix D.
- 2.2 There has been no material change to the detail set out in the Report at Appendix A. Nor has there been any change to the proposed CPO3 boundary as shown on the plans at Appendix B and C. The draft Statement of Reasons at Appendix D to this Report has been updated from that which was provided to ARG Committee in July to reflect the latest position.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 N/A

4. POST DECISION IMPLEMENTATION

- 4.1 Assets, Regeneration and Growth committee decisions will be minuted and implemented through the Head of Governance.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the Project Update Report at Appendix A.

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

- 5.2.1 Attached at Appendix A is the Brent Cross Cricklewood Compulsory Purchase Order (No. 3) and Project Update Report, that was submitted to this Committee on 11th July 2016; this details the funding arrangements proposed. In summary, initial finance will be provided by the current budget for the Thameslink project (£16.650m), and additional borrowing. Ultimately the costs will be financed from either Argent Related, if appropriate, or the Council's share of business rate growth.

5.3 Legal and Constitutional References

- 5.3.1 'Council Constitution, Responsibility for Functions Annex A' states that ARG is responsible for Asset Management including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 5.3.2 'Council Constitution, The Management of Assets, Property and Land Rules' states that "The 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 use of, or dispose of Assets within its Asset Portfolio."
- 5.3.3 Full ARG Committee terms of reference include "delegating functions to officers as set out in Annex B of the Council Constitution".

5.4 Risk Management

- 5.4.1 As set out in the Project Update Report at Appendix A. In addition, the Council recognises the political sensitivities of pursuing a compulsory purchase order. By reviewing and scrutinising the decisions and reports borne out of CPO3, the Council is fulfilling its duty to safeguard the Council from risk.

5.5 Equalities and Diversity

- 5.5.1 As set out in the Project Update Report at Appendix A.

5.6 Consultation and Engagement

- 5.6.1 See Appendix F.

6. BACKGROUND PAPERS

- 6.1.1 As set out in Appendix A - F.

	<p>Assets, Regeneration and Growth Committee 11 July 2016 (Appendix A)</p>
<p style="text-align: center;">Title</p>	<p>Brent Cross Cricklewood Compulsory Purchase Order (No. 3) and Project Update Report.</p>
<p style="text-align: center;">Report of</p>	<p>Interim Deputy Chief Executive and Commissioning Director, Growth and Development</p>
<p style="text-align: center;">Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Urgent</p>	<p>No</p>
<p style="text-align: center;">Key</p>	<p>Yes</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix 1 of 2 Plan of Proposed Boundary of CPO3 Appendix 2 of 2 Plan of Proposed Boundary of CPO3 Appendix 3 Draft Statement of Reasons Appendix 4 Proposed Station Layout Appendix 5 Consultation Update</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Karen Mercer, Project Director Re, Karen.Mercer@barnet.gov.uk, 0208 359 7563</p>

Summary

This report requests that the Committee approves the making of a compulsory purchase order (CPO) in respect of the land and interests needed to deliver the Thameslink Station phase in the Brent Cross Cricklewood Regeneration Scheme in respect of land to the south of the North Circular as shown on the plans at Plan 1 of 2 and Plan 2 of 2 (“the CPO Plans”).

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 CPO Plans and pursuant to section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to acquire new rights in respect of the land shaded blue on the CPO Plans.

- To authorise the appropriate Chief Officers to settle the final form and content of the draft CPO, the CPO Plans and Statement of Reasons.
- To authorise the appropriate Chief Officers to take all necessary steps to secure confirmation of the CPO and the acquisition of all third party interests in the CPO and of the new rights. This authorisation includes the publication and advertisement of the CPO, serving statutory notices, and seeking confirmation of the CPO.
- In pursuance of its statutory duty to treat to authorise the appropriate Chief Officers to enter into agreements and make undertakings, contracts and transfers on behalf of the Council with third parties having an interest in the CPO or for the creation of new rights or with parties otherwise affected by the CPO to facilitate the development.
- To authorise the appropriate Chief Officers following confirmation of the CPO to authorise the publication and service of all appropriate notices of confirmation of the CPO and to make one or more general vesting declarations or serve notices to treat and notices of entry (as appropriate) in respect of the land within the CPO (“the Order Land”).
- To authorise the appropriate Chief Officers to initiate or take part in any arbitration or proceedings before the Upper Tribunal (Lands Chamber) or the Courts in order to resolve any disputes as to compensation or other payments payable for any interests in the Order Land or arising from the making or confirmation of the CPO or securing possession of any part of the Order Land or title to any part of the Order Land.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is requesting that the Assets, Regeneration and Growth Committee approve the making of a compulsory purchase order (“the CPO”) and other related steps in order to acquire the land and interests and new rights needed to facilitate the delivery of Thameslink Station phase of the comprehensive regeneration of Brent Cross Cricklewood on land to the south of the North Circular. The extent of the land proposed to be acquired pursuant to the CPO is shown edged red and shaded pink on the plans at Appendix Plan 1 of 2 and Plan 2 of 2 (“the CPO Plans”). The acquisition of new rights is sought over the land shaded blue on the CPO Plans.
- 1.2 The Committee will recall that on 17 March 2016, the Assets, Regeneration and Growth Committee approved the making of a compulsory purchase order in respect of CPO3 and other related steps in order to acquire the land and interests needed to enable part of the station phase 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 was shown shaded pink on the plans at Appendix Plan 1 of 2 and Plan 2 of 2 attached to that report. Since the 17 March 2016 resolution, the extent of land acquisition required has been amended and it is therefore necessary to seek a fresh approval for the making of the CPO.

- 1.3 The amendments to the boundary include the addition of land adjacent to the A5, which is required to provide the proposed relocated waste transfer station; and the addition of land over which new permanent rights need to be acquired for the purposes of construction of the station and infrastructure within the phase and permanent rights in respect of the vehicular and pedestrian bridges proposed over the Midland Mainline railway. The land to the rear of Brent Terrace which was previously included within the proposed CPO boundary has now been removed as this is no longer needed for the construction of the Midland Mainline Bridge or Spine Road. Further details are set out within the report.
- 1.4 This report therefore seeks the Committee's approval to the making of a CPO (referred to for the purposes of this report as CPO3) as set out in the recommendations of this report in respect of the land shown on the CPO Plans appended to this report. The purpose in seeking to make the CPO is set out in this report and in the Draft Statement of Reasons which is attached at Appendix 3.
- 1.5 The Committee will recall that on 1 June 2015, it decided as a matter of principle that the Council was prepared to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire the land required to deliver the early delivery of the Thameslink Station in order to support the comprehensive regeneration of the Brent Cross Cricklewood area. The Committee noted that the negotiations to acquire the land and interests in the areas required to deliver the Thameslink Station by private treaty had commenced and it approved the entering into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition. The Committee also noted that work was being undertaken to prepare for a possible compulsory purchase order together with the associated documentation and, if necessary, a further report would be brought back to the Committee seeking authority to make a CPO.
- 1.6 The Council's purpose in seeking to acquire the land and new rights shown on the CPO Plans is to facilitate the development, re-development and improvement of the land by way of a mixed use scheme, comprising commercial, retail, residential, hotel, conference and leisure development; community facilities; car parking, infrastructure and highway works; new rail station, station buildings, railway sidings, rail stabling facilities and associated rail infrastructure; rail freight facilities; a waste transfer facility; public realm and environmental improvement works ("the CPO3 Development"). This forms what is known as the Thameslink station phase of the wider Brent Cross Cricklewood regeneration area), one of the largest regeneration opportunities

in London, a long-standing objective of the Council and key regeneration priority of the London Mayor.

- 1.7 In order to authorise officers to make and pursue CPO3, 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 within the attached Draft Statement of Reasons.
- 1.8 The CPO3 Development forms part of the wider Brent Cross Cricklewood regeneration scheme (“BXC”). An extant outline planning permission exists for the BXC regeneration reference F/04687/13 dated 23 July 2014 (the “s.73 Permission”).
- 1.9 As the Committee is aware, two separate compulsory purchase orders CPO1 and CPO2 have already been made for the first phase of BXC and a joint inquiry commenced on 17 May 2016. The Inquiry is due to close on 6 July 2016
- 1.10 BXC CPO 1 will facilitate the improvement and extension of the Brent Cross Shopping Centre to the North of the BXC area; the provision of infrastructure associated with and required for the redevelopment of the 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.
- 1.11 BXC CPO 2, which relates to the remaining part of the first phase of the BXC area to the South of the North Circular, will facilitate a mixed use development including residential and retail development; community and leisure facilities; car parking; infrastructure and highways works, public realm and environmental improvement works. This part of the scheme is to be delivered by Argent Related and LBB through a joint venture company.
- 1.12 Both CPOs 1 and 2 will facilitate the delivery of Phase 1 of the BXC scheme.
- 1.13 The CPO3 Development comprises two main components:

- 1) The “**Thameslink Station**”. This part of the scheme is to be delivered by the Council, and comprises:
 - a) The Thameslink Station - works to facilitate the new station development and the remediation of brownfield land needed to support the comprehensive regeneration of the area;
 - b) Thameslink Station entrance buildings (east and western entrances) and service points providing access to the new Thameslink Station which is essential to the Integrated Transport Strategy for the wider BXC development;
 - c) A new pedestrian overbridge in combination with a new station concourse over the Midland Mainline railway and linking the area to the west of the railway to the remainder of Brent Cross South (BXS);
 - d) The Midland Mainline Bridge (“MML Bridge”) – creating a new vehicular link from the A5 on the western side of the railway, to the Thameslink Station, and beyond to the remainder of BXS on the eastern side of the Midland Mainline;
 - e) Spine Road North – which, in accordance with the Integrated Transport Strategy, will link the proposed Midland Mainline Bridge with the proposed Transport Interchange T1, new Station and Station Square, and which will continue along High Street South into the expanded Brent Cross Shopping Centre;
 - f) A new pedestrian and cycle path - will provide a link from Brent Terrace to the new MML Bridge / Spine Road North.
 - g) A Rail Freight Facility – the relocation of an existing rail freight facility from the east to the west side of the railway which will release railway land for development. A modern freight facility will be provided which is better able to meet market demand, and provide a long term future for those facilities;
 - h) New Waste Handling Facility – the provision of a new road based waste transfer station to replace the existing rail based Hendon Waste Transfer Station, which will be relocated from the east to the west side of the railway, releasing land for the construction of the MML Bridge, the Spine Road and mixed use development. The new waste facility will provide a modern facility with road connections; and
 - i) Relocated Rail stabling and sidings – the location of the new Thameslink Station is currently occupied by the East Midland Train sidings and a dis-used rail freight building. The existing sidings will be relocated to the south east of the site adjacent to the newly commissioned Thameslink Sidings, enabling facilities to be combined.

- 2) The “**Station District**”. This part of the scheme is to be delivered by Argent Related and LBB through the joint venture company, and comprises:
- a) Station Quarter (West) – providing a significant amount of business and employment use together with a mix of residential, retail, leisure uses and public realm;
 - b) Station Square – a significant new public square that anchors the western end of the High Street South and connects the heart of Brent Cross South to the new Transport Interchange and a variety of other transport modes which will cluster around the Station;
 - c) Brent Terrace (North – Building Zone BT2) – which will provide in the region of 900 new homes together with retail, a crèche and other community facilities in a series of courtyard buildings around internal communal gardens; and
 - d) Brent Terrace Park – Neighbourhood Park 3 and associated Green Corridor 8 as defined in the s.73 Permission, the provision of which may be delivered in two phases with the northern section delivered with Spine Road North.
- 1.14 In order to facilitate the delivery of the CPO3 Development it is necessary for the Council to acquire the land interests and new rights within the Order Land as identified on the CPO Plans.
- 1.15 As explained below, discussions are now well under way with a view to acquiring the necessary land interests and rights to deliver the Thameslink station phase. Given the need to secure all land to ensure delivery of the scheme and the realisation of the public benefits, the Council is of the view that a CPO is required so as to provide the certainty of land assembly in the event that it is not possible to acquire the necessary interests by negotiation. The Council will continue in parallel with the CPO process to negotiate with owners and occupiers of land to secure property by agreement.
- 1.16 As with CPO1 and CPO2, the appropriate power is Section 226(1) (a) of the Town and Country Planning Act 1990. This enables authorities with planning powers to acquire land compulsorily if they think that to do so will facilitate the carrying out of development, redevelopment or improvement on, or in relation to, the land. The power in section 226(1)(a) is subject to subsection (1A) of section 226, which provides that the acquiring authority must not exercise the power unless they think that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has administrative responsibility.
- 1.17 DCLG Guidance on Compulsory Purchase Process and the Crichton Down Rules (2015) (“the CPO Guidance”) sets out guidance for local authorities regarding the making of CPOs. The Guidance includes key policy tests which

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need to be satisfied before a CPO can be confirmed. Before resolving to make a CPO members must be satisfied that there is a compelling case in the public interest for making and promoting a 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 referred to below.

- 1.18 As indicated in Section 3 below and set out in Draft Statement of Reasons, the Thameslink station will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and by doing so promote a more rapid pace of development and delivery of wider economic and social benefits. It is an essential component of the Integrated Transport Strategy to ensure the comprehensive regeneration of BXC.
- 1.19 The CPO3 Development includes the relocation of the existing Strategic Rail freight facility and Hendon Waste transfer station from the east to west side of the railway lines as envisaged by the BXC s.73 Permission, providing a long term future for these facilities.
- 1.20 The CPO3 Development also includes the station quarter elements of Brent Cross South comprising residential, commercial, community, retail and leisure uses alongside public transport improvements. These transport improvements include the transport interchange adjacent to the station, and the spine road linking the Midland Mainline Bridge to the Station Square, along the southern high street and into the expanded Brent Cross Shopping centre in accordance with the integrated transport strategy approved by the s.73 Permission. The station quarter elements of the project will be taken forward and funded by Brent Cross South JVLP.
- 1.21 The delivery of the Thameslink Station itself is a key element in achieving the objective of creating a regional town centre that offers priority to sustainable transport modes including rail, bus, cycling and walking.
- 1.22 Accordingly, officers are of the view that a compelling case in the public interest for making and promoting a CPO is made out, that the use of the powers is both necessary and proportionate, and that the well-being benefits which will result from the proposed regeneration outweigh the interference with the rights of human rights of those affected.
- 1.23 The Guidance advises that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights (ECHR) (right to the peaceful enjoyment of property) and, in the case of a dwelling, Article 8 of the ECHR (right to respect for private and family life, home and correspondence).
- 1.24 Before deciding whether to authorise the making of CPO3, the Committee must therefore consider whether the exercise of compulsory powers, and the public benefit that this will bring, outweighs the interference with the human

rights of those affected by CPO3 that the exercise of the compulsory powers will necessitate.

2. PROJECT UPDATE

Brent Cross North

- 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 was granted. Planning permission is therefore now in place for the scheme.
- 2.2 Since then the Brent Cross North Partners have focussed on discharging the relevant pre-reserved matters planning conditions and preparing the necessary reserved matters applications in respect of the critical infrastructure to be provided to support the shopping centre and comprehensive regeneration of the area.
- 2.3 The Committee will recall that on 17 March 2016, the Committee noted that the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement as set out in the Exempt Report to the Committee report 30 November 2015, was being progressed. The documentation has now been agreed and is being completed in parallel with the Brent Cross South documentation.
- 2.4 The Brent Cross North Partners are also now progressing the detailed design of the shopping centre. Discussions on the detailed design are underway, and it is anticipated that a reserved matters application will be submitted in early 2017. This is running in parallel with highway and infrastructure workstreams. The Brent Cross North Partners are continuing to work with TFL and the Council's highways team to progress the transport modelling work to support the detailed design and to inform the required highway infrastructure agreements.
- 2.5 The anticipated construction start date is early 2018, with phased opening and a target completion date end of 2021.
- 2.6 As requested by the Assets, Regeneration and Growth Committee on 17 March 2016, the Brent Cross North Development Partners will be providing a presentation to members at the meeting outlining next steps.
- 2.7 The Committee is also advised that the Council and its partners are currently reviewing the project governance arrangements in place and any amendments will be reported to Committee in September 2016.
- 2.8 As aforementioned the CPO1 Inquiry will shortly close. In relation to land acquisitions, the Council has now agreed heads of terms with eight residential owners in the CPO1 area, and the council has completed three acquisitions.. It is anticipated that the Council will complete further acquisitions shortly.

- 2.9 Similarly, the Council has reached agreement with commercial owners and has completed on two acquisitions(Lewis Properties and Dixons land)

Brent Cross South

- 2.10 As the Committee is aware, on 3 March 2015 the Council approved the appointment of Argent and Related Companies PLC (Argent Related) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme through a staged OJEU procurement process.
- 2.11 On 17 March 2016, the Committee formally re-confirmed Argent Related as the Council's development partner and approved the business plan and legal documentation as detailed below so that the Joint Venture can be created to deliver the south side regeneration. The Committee also noted that the Council had agreed the terms of reference for the Shareholder Board for the Brent South Joint Venture and the composition and Membership of the Shareholder Board, as per paragraphs 2.13, 2.14 and 2.15 of the report to Full Council on 1 March 2016; Approved the establishment of LBBCo for Brent Cross South and approved the Best Consideration Mechanism as detailed in the Project Agreement and authorise the Section 151 Officer to determine Best Consideration in accordance with the Project Agreement.
- 2.12 The legal documentation, including the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation (including a Compulsory Purchase Indemnity Agreement) are now agreed and are in the process of being completed, upon which the JVLP will be formally created.
- 2.13 In February this year, the Argent Related commenced the procurement process to select a Registered Provider (RP) for the first phase. A Pre-Qualification Questionnaire was issued to a number of Registered Providers (RPs) to register their expression of interest to participate in this tender process. The CPO2 Development Partners received eight PQQ and have now shortlisted three potential RPs. An Invitation to Tender will be issued in August with a view to selecting the preferred RP by October 2016. As part of this process, residents will be consulted and will have the opportunity to participate in selection of the RP.
- 2.14 The JVLP will also be developing further the BXS Business Plan considered by the Committee at the 17 March 2016 meeting. It is anticipated that the updated Business Plan will be submitted to the LBB Shareholder Board for approval later this year.
- 2.15 In respect of land acquisitions, GL Hearn are currently negotiating head of terms with six residential owners within CPO2 and these acquisitions are due to be completed shortly. As the Committee is aware, the Council has already acquired commercial properties within the CPO2 area.

Thameslink Station Phase

- 2.16 The Committee is aware the Council has been working with the GLA, HM Treasury, DCLG and Department for Transport for the last two years to develop the Business Case and funding strategy to bring forward the station phase proposals.
- 2.17 The Outline Business Case was considered by the Finance Sub-Committee in February 2015. Following this, the Government announced in its March 2015 Budget Statement that the government will provide £97m grant funding and ring-fence the local 50% share of business rate growth to support the London Borough of Barnet and the Greater London Authority plans for the regeneration of Brent Cross, and facilitating the delivery of 7,500 new homes.
- 2.18 This funding commitment was reaffirmed by the Chancellor in the November 2015 Spending Review.
- 2.19 The Council submitted the Full Regeneration Business Case to HM Government on 22 January 2016. The Business Case was reviewed by the Department of Communities and Local Government Finance Sub-Committee on 25 February 2016, following which the Chancellor again reconfirmed the funding commitment in the Budget Statement on 16 March 2016, which confirmed that *“The government has approved the full business case for a new Thameslink station at Brent Cross Cricklewood, unlocking 7,500 new homes. This follows the Government’s previous commitment to provide £97 million of grant funding and ringfence the local share of business rates”*.
- 2.20 Under the proposals, the Council will receive a grant of £97m from the Treasury, and will borrow the remaining funds required to build the station. This borrowing will be repaid by ring-fencing the local share (i.e. the 30% currently retained by the Council and the 20% currently retained by the Greater London Authority) of business rate growth delivered by the expansion of the shopping centre.
- 2.21 To support the business case and the delivery of the station phase, the Council entered into a Design Services Agreement with Network Rail in July 2015 to take forward a feasibility study on the options for the station design in accordance with Network Rail’s GRIP (Governance Railway Investments Projects) procedures to develop a single option selection (known as GRIP 3).
- 2.22 The main purpose of this exercise was to establish the required rail-side track works and location of the platforms to provide an updated cost estimate and design to support the Full Business Case as well as to progress to and inform the detailed design stage (known as GRIP 4) with full approval from Network Rail and the Department of Transport. The GRIP 3 (Single Option Selection) for the new Thameslink Station, which undertaken by Network Rail supported by Capita and Carillion, is now complete.
- 2.23 As reported to the Committee previously, the emerging design is based on two island platforms (four faces) long to accommodate 12 car Thameslink Class 700 trains with a stopping pattern of 8 trains per hour in the 3hr peak and 4 trains an hour off peak on the slow lines. This will require track re-

alignment works, overhead line, signalling and telecoms for the station area, sidings and the Midland Mainline Bridge.

2.24 As the Committee will recall, the Committee subsequently approved on 17 March 2016:

- the Station Single Option Design as shown at Appendix 5 of that report; and noted the funding and delivery strategies for the Brent Cross Cricklewood Thameslink Station project;
- the commencement of the detailed design of the station (known as GRIP 4) and associated work packages within the station phase of the Brent Cross South; and delegate to the Chief Operating officer permission to agree terms and enter into the Design Service Agreement with Network Rail to deliver the railway works elements of the GRIP 4 process.
- the revised spend in respect of Thameslink as detailed in the report and noted that Policy and Resources will be recommended to approve the budget.

2.25 The Council's Policy and Resources Committees on 17 May 2016 and 28 June 2016 authorised an increase in the Council's capital financing requirement to accommodate the borrowing required for the station and associated infrastructure works.

2.26 Work has commenced to develop the single option to and progress the approval in principle design work (GRIP 4), including the undertaking of environmental surveys. The ecology survey is underway and the topographical survey is scheduled for early October 2016. Design feasibility work has also concluded the positioning of the station bridge as shown on the plan attached at Appendix 4. The Design Services Agreement is currently being negotiated with Network Rail and will be concluded by the end of July 2016.

2.27 The Committee will recall that on 1 June 2015, the Committee confirmed, as a matter of principle, that the Council was prepared to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire the land required to deliver the early delivery of the Thameslink Station.

2.28 The Committee also noted that negotiations to acquire the land and interests in the areas required to deliver the Thameslink Station by private treaty had commenced and approved entering into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition as detailed above.

2.29 Network Rail own a significant proportion of the Order Land. The Committee will be aware that the Council, through the proposed acquisition of Cricklewood Regeneration Limited, will be able to exercise an option in respect of the land outside of the operational area required for the railway and

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within Network Rail's ownership. The CPO is proposed to include this land to ensure that all interests in that land which could otherwise prevent the delivery of the development can be acquired.

- 2.30 In addition to Network Rail, the Council is consulting and negotiating with a number of other stakeholders in the area in order to bring forward the CPO3 Development.
- 2.31 In relation to the proposed 'open access' freight facility ('open access' being where all freight operating companies have equal access rights to any rail freight facility on the network, with the freight facility owner charging the same cost all freight operating companies for use of the facility and any additional needs, e.g. storage and handling, to be negotiated separately) which will replace the existing Rail Freight Facility, the Council has been actively pursuing negotiations with the current leaseholder of the existing facility, DB Cargo, since 2014. Negotiations with DB Cargo are continuing to provide DB Cargo the opportunity to take the lead on the design, delivery and management of the new open access facility. However, in the absence of having reached an agreement, and given the need to guarantee the delivery of the new freight facility, and for it to be brought forward in a co-ordinated manner alongside the remainder of the CPO3 Development, it has been necessary for the Council to include the existing freight facility in the CPO. Whilst discussions will continue with DB Cargo in parallel with the CPO process, the Council is developing its own detailed proposals for the new freight facility to ensure that its delivery is not frustrated or delayed.
- 2.32 The NLWA currently lease the Hendon Waste Transfer Station from Network Rail for the purposes of a waste handling facility. The Council has been in extensive discussions with NLWA regarding their proposed relocation and has sought to identify an alternative site. The Council is currently in discussions with NLWA regarding the proposed terms of relocating to the Selco site to the west of the railway and is also in discussion with Hammerson to agree terms to acquire the site. The Selco site (2 Geron Way) is currently owned by Hammerson (the Council's joint venture partner on BXN) and occupied by Selco on a lease that expires in December 2016. The Council have agreed terms with Hammerson for the purchase of the property with vacant possession.
- 2.33 GL Hearn are undertaking negotiations on behalf of the Council in relation to 106 Brent Terrace and Cemex, Brent Terrace and the land adjacent to Unit 7 Staples Corner Industrial Estate.
- Terms have been agreed with the freeholder of 106 Brent Terrace for the purchase of their interest and exchange of contracts will occur shortly, with completion in November 2016. 106 Brent Terrace is occupied by Clockwork Removals and the Council, through GL Hearn, is seeking to agree terms to acquire their interest.
 - Correspondence has been issued to Cemex in respect of the acquisition of their interest and discussions are being progressed

through their appointed representatives. The Council are continuing to try and engage with Cemex to purchase their interest by agreement and identify their relocation requirements.

- Discussions have been held with the freeholder of Unit 7 Staples Corner Retail Park as to the acquisition of his interest and will continue to be progressed in an effort to acquire the land by agreement. Cineworld, who have a right to use the car park, has been approached but there has been no response to date.

2.34 The land included in the proposed CPO3 has been amended since the 1 June 2015 and 17 March 2016 Committee meetings reflecting progress in the scheme design and delivery strategy. The main changes to the CPO3 boundary are as follows:

- The inclusion of land 2 Geron Way to facilitate the proposed relocation of the Hendon Waster Transfer Station as indicated above.
- The exclusion of land to the rear of Brent Terrace, which is owned by Network Rail but used as gardens by some of the residents on Brent Terrace. This land is no longer needed to facilitate the construction of the Midland Mainline Bridge and Spine Road linking the bridge to the new High Street.
- The inclusion of land to acquire new rights over the land which is shown shaded blue on the CPO Plan attached at Appendices 1 and 2. These rights can be summarised as follows:
 - Rights required for the MML Bridge – rights to enter onto the land for the purposes of the construction of the new MML Bridge, including crane oversailing rights, the rights to pass and repass over the MML Bridge once constructed, rights to run service media and rights of access for maintenance purposes.
 - Rights required for the Pedestrian Bridge - rights to enter onto the land for the purposes of the construction of the new pedestrian bridge over the Midland Mainline Railway, including crane oversailing rights, the rights to pass and repass over the pedestrian bridge once constructed, rights to run service media and rights of access for maintenance purposes.
 - Rights to enter and use land during construction – rights to enter and use land for the purposes of a temporary construction compound during the construction of the CPO3 Development.

2.35 The Council has continued negotiations to acquire the land and interests within the Order Land by private treaty, and whilst progress is being made with landowners, a compulsory purchase order is required to ensure that land assembly can be completed within a reasonable timeframe.

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- 2.36 Running parallel to this, the Council and Network Rail are working jointly to obtain the necessary regulatory approvals from the Office of Rail and Road in respect of the proposed changes to the operational railway (which will constitute “Network Change” in regulatory terms) through a procedure called the Complex Project Procedure. Network Change is the regulatory process which must be adhered to when a proposed material change to the operation of the Rail Network or of trains operated on the rail network.
- 2.37 The Council and Network Rail are currently preparing the scoping document in accordance with the Complex Projects Procedure outlining the approach to be adopted to obtain the Network Change approval for publication by Network Rail as project sponsor by the end of July 2016.
- 2.38 The procurement strategy to deliver the station and associated work packages is under development. It is anticipated that this will be reported to the Committee later this year so that competitive tender documentation can be issued in early 2017 to enable a start on site in early 2018. The target opening date for the station remains late 2021.

3. REASONS FOR RECOMMENDATIONS

- 3.1 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 believes that the acquisition of the Order Land will facilitate the carrying out of development, both of the CPO3 Development and also the regeneration of the wider BXC area.
- 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. The Council does think that the development of the Order Land is likely so to contribute.
- 3.3 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.
- 3.4 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.
- 3.5 The Guidance on Compulsory Purchase Process and The Crichel Down Rules for the Disposal of Surplus Land Acquired by, or under the Threat of, Compulsory Acquisition (October 2015) (“CPO Guidance”) provides guidance on the use of these compulsory purchase powers. The Introduction to the CPO Guidance states that:

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and

efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life.”

- 3.6 The main body of the CPO Guidance provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Tier 2, Section 1 provides specific guidance for local authorities on the use of their powers under Section 226. Paragraph 65 provides that:

“This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate.”

- 3.7 The Council’s purpose in seeking to acquire the land and new rights shown on the CPO Plans is to facilitate the development, re-development and improvement of the land by way of a mixed use scheme, comprising commercial, retail, residential, hotel, conference and leisure development; community facilities; car parking, infrastructure and highway works; new rail station, station buildings, railway sidings, rail stabling facilities and associated rail infrastructure; rail freight facilities; a waste transfer facility; public realm and environmental improvement works (“the CPO3 Development”). This forms what is known as the Thameslink station phase of the wider Brent Cross Cricklewood regeneration area), one of the largest regeneration opportunities in London, a long-standing objective of the Council and key regeneration priority of the London Mayor.
- 3.8 Projects of this scale and nature require co-ordination of substantial amounts of resource across large areas of land, involving many different types of tenure and discussions with key stakeholders. The lead-in process to develop a major infrastructure project such as the CPO3 Development is very lengthy as it involves site assembly, planning, design, funding, and extensive changes to the existing highways and infrastructure network, including the network change required for the changes to the operational railway land.
- 3.9 As explained above and in the Statement of Reasons, the Station Phase works are focused on two areas: (i) the delivery of the new Thameslink Station, Midland Mainline Bridge and Spine Road, which form an essential part of the ITS, and (ii) the integration of the station and the surrounding lands with the Station District and the wider BXC development. The earlier than planned delivery of the Thameslink Station will accelerate the delivery programme of both the residential and commercial accommodation within BXS, but for the station to make its maximum contribution to the BXC scheme its integration within the wider development is key. To achieve this, the relocation of the existing Hendon Waste Transfer Facility is required, thereby releasing the eastern landing site of the new station bridge for development as part of the Station Square. The acquisition of 106 Brent Terrace and the Cemex site will allow both the delivery of the Spine Road and the full

integration of the Station District development with the adjoining Brent Terrace and Market Square development areas.

- 3.10 The certainty of having control of the whole of the Order Land is therefore vital to the delivery of the Thameslink Station and to the regeneration of the Station District both of which contribute towards the regeneration of the remainder of BXS. The Thameslink proposals connect into the Station Quarter (West) at the western part of BXS, and the two developments are closely linked. It is essential that the two facets of the CPO3 Development are progressed in a manner that reflects and respects the connectivity between the two development areas. Furthermore, to ensure that BXS is delivered in a comprehensive manner, there is a need to integrate the Station Quarter (West) with adjoining development, notably that which will be facilitated by CPO2. In order to secure the delivery of the wide range of significant public benefits that the CPO3 Development (and the wider BXC proposals) will bring, it is essential for the proposals to come forward in a comprehensive and co-ordinated manner.
- 3.11 The complex works and logistical arrangements needed to deliver the Thameslink Station requires the acquisition of the Order Land for the purposes of decommissioning and remediating under-utilised operational rail land. It will be necessary to establish a large, safe construction compound, which is capable of being separated from operational rail land so as to not interfere with services. The construction period will last approximately 4 years. Thereafter, this “brownfield” land will be released for development as part of BXS. It is anticipated that land will be released in phases to ensure that the momentum of delivery is maintained.
- 3.12 Paragraph 76 of the CPO Guidance provides 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 Local Plan for the area or, where no such up-to-date Plan exists, with the draft Local Plan and the National Planning Policy Framework;
 - 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;
 - whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.
- 3.13 Members must consider these factors in deciding whether to make CPO3.

- 3.14 As to the first factor (planning policy), 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 CPO3 land, including remediation works to facilitate the new station development, is an essential phase of that regeneration and the integrated transport strategy needed to enable and accommodate development being brought forward across the wider BXC development. The CPO3 development has the benefit of the planning permission that has been granted for the comprehensive regeneration of the area.
- 3.15 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.
- 3.16 As to the second factor (contribution to well-being), as explained above, the use of CPO powers to facilitate the redevelopment and regeneration of the land shown on Appendix Plan 1 of 2 and Plan 2 of 2 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 in the Appendices, and in the wider BXC area. The detail of the public benefits are set out later in this report and in Section 8 of the Draft Statement of Reasons.
- 3.17 As to the third 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 including through development in other locations. All of the Order Land is required for the CPO3 Development. 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. This is given further consideration in section 4 below.
- 3.18 Paragraph 13 of the CPO Guidance advises that it will be difficult to show conclusively that the compulsory acquisition of land is justified in the public interest if the acquiring authority cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale.
- 3.19 There is a clear strategy for the development of the Order Land, based on the s.73 Permission. It is likely that, if CPO3 is confirmed, the development, redevelopment and improvement for the purposes of which the Order has been made will be delivered.
- 3.20 As explained in section 9 of the Draft Statement of Reasons, the Council has secured funding for the delivery of the Thameslink Station. For the Station District, a development partner, BXS LP, has been appointed with access to the necessary resources, and a joint venture agreement to deliver the CPO3 proposals will shortly be entered into. Funding is available to deliver the CPO3

Development timeously (paragraph 14 of the CPO Guidance) and there are no likely impediments to the scheme (paragraph 15 of the CPO Guidance).

- 3.21 Paragraph 2 of the CPO Guidance refers to the taking of steps by an acquiring authority to acquire land by agreement where possible.
- 3.22 Whilst landowners have been contacted, and negotiations have taken place and are ongoing, (as explained in more detail in section 10 of the draft Statement of Reasons) it is clear that, unless the Order is confirmed, the Council and BXS LP 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. Therefore, unless CPO3 is confirmed, the disparate land ownership and the process of land assembly will inevitably delay the delivery and progression of the CPO3 Development, which is an essential stage of the wider BXC regeneration through a comprehensive scheme that includes CPO1 and CPO2 (Paragraphs 74 and 75 of the CPO Guidance).
- 3.23 Accordingly, the Council considers that the tests in section 226(1)(a) and section 226(1)(A) of the Town and Country Planning Act 1990 are met, the CPO Guidance is satisfied, and there is a compelling case in the public interest for the confirmation of the Order.

Benefits of the Brent Cross Cricklewood Scheme

- 3.24 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.
- 3.25 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.
- 3.26 The BXC scheme will create a new town centre and residential quarter, uniting the areas north and south of the North Circular, 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 jobs, and an additional 4,000 permanent jobs over the next 5-7 years, and 27,000 overall. About 99,000 sqm of additional retail and commercial floorspace will be provided on the land proposed to be the subject of CPO1.
- 3.27 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

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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.

- 3.28 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.
- 3.29 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.
- 3.30 The Thameslink phase of the development, as well as the delivery of a new passenger station 12 minutes from St Pancras handling 5 million passengers per annum, will include a new bridge over the Midland Mainline linking the A5 to the new road, public transport, pedestrian and cycle network connecting to Station Square transport interchange and serving the wider BXC development. The pedestrian and cycle network will be further improved by the provision of a new pedestrian bridge which will be combined with the new station concourse over the railway and linking the area to the west of the railway to the new BXC town centre.
- 3.31 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'.
- 3.32 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".

- 3.33 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.
- 3.34 The policy basis for the regeneration of BXC is therefore clear, and attention must now focus on delivery and the key issue of land assembly.
- 3.35 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.
- 3.36 In order to achieve a comprehensive approach, the planning permission and Property Development and Co-operation Agreements completed with Hammerson and Standard Life in 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.

Public Benefits of CPO3

- 3.37 The report asks the Committee to recommend the making of the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No 3) 2016.
- 3.38 The CPO3 Development will make a very significant contribution to the economic, social and environmental well-being of the area and will also be an important catalyst to the development of the wider BXS area.
- 3.39 The Thameslink Station will facilitate the delivery of important and wide ranging public benefits including a new station for 5 million passengers per annum, 12 minutes from St Pancras station, as part of the Integrated Transport Strategy to enable and accommodate the entire BXC development.
- 3.40 It will, through development of a bridge over the Midland Mainline, create a new link from the A5 to the new Spine Road to be delivered as part of BXC, which, together with the new pedestrian bridge over the Midland Mainline will significantly improve the public transport, pedestrian and cycle network, including connecting the Thameslink Station transport interchange with the wider BXC development. The Midland Mainline Bridge will also connect the CPO3 Development with the existing Edgware Road area, establishing a relationship between the two areas promoting permeability and connectivity

throughout. These improvements will provide enhanced connectivity for the community and will break down the dominance of infrastructure across the BXC area.

- 3.41 The new rail freight facility will provide an improved “open access” development providing two 450m freight sidings connecting to the existing mainline railway. The facility will operate as an aggregate import and storage terminal serving up to four different operators. The existing facility is rarely used for its intended rail-based purpose with only one operator, North London Waste Authority, using it at present, principally by road.
- 3.42 The new Waste Handling Facility to be located on the Western side of the development will provide a modern waste facility capable of handling up to 175,000 tonnes of municipal waste per annum. The facility also provides for easier and segregated transport routes to and from the facility. In comparison to the current facility, the new facility will create an improved environment for the local population due to the modern air filtration systems and waste disposal technology that will be utilised at the new site.
- 3.43 The significantly improved public transport accessibility as a result of the development of the Thameslink Station will provide a platform for delivering sustainable, high quality and high density development across the remainder of BXS. The Thameslink Station and the Station District are very closely linked, and the development of the entirety of the Order Land by way of the CPO3 Development represents a real opportunity to secure the comprehensive regeneration of the entire BXS.
- 3.44 By accelerating the delivery of the Thameslink Station, including the provision of the Midland Mainline Bridge, which will connect into the Brent Terrace Spine Road North, and the proposed Thameslink Station Bridge, which will connect on the east side into the proposed transport hub at Station Square; this provides the opportunity for land to be released for development at an earlier stage for the regeneration of BXS, acting as a catalyst for regeneration. The material improvements in the accessibility of the area by the delivery of the Thameslink Station will therefore help realise the regeneration of the area to its full potential.
- 3.45 The Thameslink Station will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and by doing so promote a more rapid pace of development across the remainder of BXS and the delivery of wider economic and social benefits. It is an essential component of the Integrated Transport Strategy to ensure the comprehensive regeneration of the Brent Cross Cricklewood area and will provide a catalyst for earlier investment in order to secure the anticipated regeneration.
- 3.46 The Station District will deliver new residential accommodation (including affordable housing), contributing significantly to the achievement of the Mayor’s Housing Strategy for London and that of the Council.
- 3.47 It will deliver much needed commercial and business development, which will provide opportunities for jobs; the range of employment generating floorspace will improve not only the quantum of jobs but also the diversity of employment opportunities available and accessible to local people. The improved

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accessibility of the site as a result of the transport improvements will also increase employment opportunities in the wider area.

- 3.48 There will be a demonstrable improvement of visual appearance and environment of the Order Land. Parts of the area are dominated by fragmented and industrial land uses, and have a low visual quality. The delivery of the Station District, and the links over the Midland Mainline, will integrate the area with the remainder of BXS, and will deliver a significantly improved urban environment. The proposed new public realm around the station and new transport interchange, with surrounding retail and leisure uses, will contribute to a vibrant, bustling environment, where people can work, live and play.
- 3.49 The delivery of the new neighbourhood park NH3 (referred to as Brent Terrace Park within the s73 Permission) will be part of the additional quantum of new open space provided within BXC. Brent Terrace Park is proposed to be a linear park providing an attractive outlook for existing properties on Brent Terrace and high quality green open space for both existing and new residents. The park will also form part of the proposed green corridor (GC8).
- 3.50 The development of the Order Land will also contribute to the remediation of contaminated land. Some of the current and previous uses have resulted in contamination of the land. In order to create a high quality and safe environment, soil remediation to satisfactory levels will be necessary.
- 3.51 The development of the Order Land will also play a vital role in the wider regeneration of the BXC area including the provision of the integrated town centre with its range of services and facilities.
- 3.52 These benefits, and those described in section 8 of the draft Statement of Reasons, 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 CPO3 Development could be assembled within any reasonable timeframe.

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 Thameslink station phase of development would be by agreement. It is clear however, that unless CPO3 is made and confirmed, the Council would be unlikely to be able to assemble the land and interests needed within a reasonable timescale to support the wider BXC regeneration area development. In these circumstances, there is a significant risk that regeneration of key areas to the south of the North Circular and to complete the Integrated Transport Strategy 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 3 and whether it is necessary to include all of these.
- 4.3 All of the land shown on the plan at Appendix Plan 1 of 2 and Plan 2 of 2 is needed in order to ensure that the CPO3 Development can be delivered.
- 4.4 The Thameslink station and the Midland Mainline Bridge are essential to the delivery of the ITS to enable and accommodate the development being brought forward across the wider BXC regeneration areas.
- 4.5 The relocation of the Waste Facility west of the railway is a key component of the S73 planning permission to facilitate the comprehensive regeneration of BXC and will also ensure a facility is provided that meets the requirements of NLWA and the Council.
- 4.6 The development of railway and other land will also allow completion of a key route running from Market Square along High Street South to Station Square and connecting to the A5 on the western side of the Midland Main Line to enabling comprehensive development
- 4.7 The Council does not consider that there are any alternative means which would achieve its purposes in seeking to deliver the Thameslink Station, Station District, and/or the remainder of the comprehensive BXC scheme. No alternative proposals have been put forward by the owners of the land, or any other persons, for its re-use. Nor are there any alternative locations which are suitable for the purpose for which the land is being acquired. The location of the Thameslink Station is within the parameters set by the section 73 Permission and has been subject to a detailed design process involving Network Rail. The station is appropriately located to deliver the wider comprehensive development requirements as defined in Development Plan policies, to best serve the wider Brent Cross Cricklewood development and help to deliver the required modal shift in transport use.

5. POST-DECISION IMPLEMENTATION

- 5.1 It is proposed that, if authorised, the CPO will be made (executed) as soon as reasonably practical after the date the Council approves the CPO. The CPO is anticipated to be made by the end of July and an inquiry could be held before the end of the year.
- 5.2 A specialist land referencing company (TerraQuest) has already 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 order map, forms the CPO.
- 5.3 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. Service and advertisement of the statutory notices will take place very shortly after the CPO is made.
- 5.4 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).
- 5.5 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 CPO3 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 2016. 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.
- 5.6 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 CPO 3 should be confirmed. The Secretary of State will then make his decision. This is to be expected by Summer 2017.
- 5.7 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.

6. IMPLICATIONS OF DECISION

Corporate Priorities and Performance

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- 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 Thameslink station phase will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and by doing so promote a more rapid pace of development and delivery of wider economic and social benefits. It is an essential component of the Integrated Transport Strategy to ensure the comprehensive regeneration of the Brent Cross Cricklewood regeneration.

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

- 6.4 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.

- 6.5 The Project Agreement and corporate documentation between Argent Related and the Council, which deals with the delivery of the redevelopment and regeneration of the land to the south of the North Circular is now agreed and currently being completed.
- 6.6 A CPO Indemnity Agreement, under which the Argent Related provide the Council with an indemnity in respect of the costs of promoting the CPO and the compensation payable to third parties in respect of whose land and interests are acquired pursuant to the CPO to deliver the station quarter elements of BXS is anticipated to be completed prior to making the CPO.
- 6.7 The delivery of the Station, Midland Mainline Bridge and waste and freight facilities, including land acquisitions, will be funded by public sector initially from the existing Council capital budgets (as approved by the Assets, Regeneration and Growth Committee on 17 March 2016 and Policy and Resources Committees on 17 May 2016 and 28 June 2016) and also HM Government grant funding and public sector borrowing.
- 6.8 As detailed above, HM Government in March 2015 announced £97 million of funding and ring fencing of the local 50% share of business rate growth to support the London Borough of Barnet and the Greater London Authority's (GLA) plans for the regeneration of Brent Cross. This was re-confirmed by the Chancellor in the November Spending Review 2015, and again in the March Budget Statement. The Grant Agreement now being progressed and will be issued prior to the Council making the CPO.
- 6.9 The GLA issued the Mayoral Direction on 17 March 2016 confirming the funding package for the proposed new Thameslink Station. This includes creation of a designated area by the Secretary of State which will allow the Council to retain 50% of the growth in business rate income locally for a period up to 15 years overall.
- 6.10 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. This is being met by the existing Thameslink Station and land acquisitions budget as approved by the Committee on 17 March 2016 and Policy and Resources Committee on 28 June 2016. The current budget for the Thameslink project, as approved on 28th June, is £16.650m. In addition, Policy & Resources Committee agreed, on 17th May 2016, an increase to the capital financing requirement, to enable borrowing to provide initial finance for Brent Cross Cricklewood. Ultimately, the CPO3 acquisition costs will be financed from either Argent Related, if appropriate, or the £97m grant referred to above.

Legal and Constitutional References

- 6.11 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.
- 6.12 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.
- 6.13 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 CPO Plans at Appendix 1 and 2, which identifies land over which new rights are required for construction and for the delivery of the MML and pedestrian bridges.
- 6.14 The Secretary of State will only confirm CPO3 if he is satisfied that there is a compelling case in the public interest to do so.
- 6.15 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.
- 6.16 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”.
- 6.17 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 CPO3 would be lawful, justified and proportionate.

- 6.18 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
- 6.19 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
- 6.20 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
- 6.21 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

- 6.22 The key project risks are explained in the report to the Committee on 17 March 2016. In relation to the CPO, the key risks can be summarised as follows:
- 6.23 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.
- 6.24 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 will be reviewed by leading counsel.
- 6.25 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.

Equalities and Diversity

- 6.26 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

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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.

- 6.27 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.
- 6.28 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.
- 6.29 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.
- 6.30 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.
- 6.31 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

- 6.32 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.
- 6.33 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. An update is provided at Appendix 5.

- 6.34 Consultation with the rail industry stakeholders has been undertaken, and continues, via a regular Station Project Board Meeting, membership includes, TfL, DfT, Train operating Companies (GTR & EMT) Network Rail and designers.
- 6.35 Further rail industry meetings have taken place with DfT in support of the Transport Business Case and have included GTR for acceptance of the time table modelling.

Communication and Consultation update

- 6.36 The Council and its Development Partners have carried out widespread consultation and engagement with residents within BXC and in the surrounding area in relation to the scheme proposals. This has included sending out consultation letters to more than 20,000 local residents and businesses, including the parts of Brent and Camden adjacent to the planning application boundary, in relation to the planning applications.
- 6.37 The proposals have been subject to full consultation through the planning process, and contact has also been made with all known residents, owners and occupiers of residential and non-residential properties and discussions are ongoing regarding the acquisition of the interests and the relocation options for those affected. The Council, and its Development Partners and their advisors, have engaged with residents directly as well as through the Whitefield Estate Steering Group and Open Meetings, Resident Surgeries and through other organised meetings including the Cricklewood Community Forum.

CPO1

- 6.38 The Whitefield Estate residents within the CPO1 Order Land have been consulted on designs of the replacement homes in Plots 53 and 54 of the RMA, through a series of workshops organised by the CPO1 Developer which included training on understanding plans and design workshops. This was followed briefing sheet sent to residents which included information about the design and layout of the replacement homes. Residents were also involved in the selection of the Catalyst Housing Group, a leading Registered Provider, to deliver and manage the replacement homes.
- 6.39 The Council and its Development Partners met with the CPO1 Whitefield Estate Sub Steering Group on the 12 May 2016, to provide a progress update.
- 6.40 The Council has also agreed terms with eight residential homeowners and have acquired properties in Claremont Way and Whitefield Avenue.

CPO2

- 6.41 Following the formation of BXS LP, a series of meetings and events is planned to step up engagement between the Residents Steering Group and BXS LP. This includes a recruitment effort to increase participation in the Whitefield Residents Steering Group, as well as general information meetings

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to which all residents will be invited. It is envisaged that this group will be the forum for future consultation on the design, timing and delivery of the new replacement homes. Concurrently, the Council with GL Hearn and PEP (Resident Independent Advisor) continue to run a programme of resident surgeries and workshops for Council tenants and leaseholders.

- 6.42 Argent Related and Barnet Council have appointed Soundings to lead an early community consultation around the Brent Cross South regeneration scheme. Soundings is organising a number of consultation events in July 2016 with the CPO2 Whitefield Residents and with residents and community groups in the Brent Cross South wider area.

CPO3

- 6.43 Over the last few months the Council and Argent Related have consulted with residents in Brent Terrace and will be continuing their discussions with all affected land owners in this area.

Additional Activities

- 6.44 Over the last 4 months, PEP the Resident Independent Advisor has held resident surgeries on the following dates Wednesday 16th March 2016, Wednesday 16th March 2016, Saturday 19th March, Wednesday 20th April 2016, Saturday 30th April 2016, Tuesday 3rd May 2016, Thursday 12th May 2016 and Tuesday 17th May.
- 6.45 The Council has held special CPO Surgeries on Saturday 30th April 2016, Tuesday 3rd May 2016 and Thursday 12th May 2016, in the lead up to the CPO Inquiry which commenced on Tuesday 17th May 2016.

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?CommitteId=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 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>
- 7.12 Assets, Regeneration and Growth Committee dated 15 December 2014 noted progress on the Brent Cross Cricklewood project.
<http://barnet.moderngov.co.uk/documents/s19845/BXC%20update%20-%20Publish.pdf>
- 7.13 Urgency Committee, 26 February 2015 (Decision Item 1)
<https://barnetintranet.moderngov.co.uk/documents/s21721/Annex%201%20report%20to%20Urgency%20Committee%2026%20February%202015.pdf>
- 7.14 Full Council dated 3 March 2015 approved the appointment of Argent and Related Companies PLC (Bidder Z) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme; the selection of Gateway Barnet consortium comprising Far East Consortium, Countryside Properties and Notting Hill Housing Trust (Bidder Y) as the Council's reserve development partner for the Brent Cross Cricklewood South Scheme; authorise Officers to work up the Business Plan, Project Agreement and documentation necessary to form the joint venture for consideration and approval by Assets, Regeneration and Growth Committee prior to formally entering into the joint venture contract and authorised the Commissioning Director (Growth and Development) to determine the exact structure of the joint venture arrangement.
<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>
- 7.15 Full Council dated 3 March 2015 approved 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 to deliver (CPO1); 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; 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 ; 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 ; 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; and 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 home loss and disturbance to those tenants.

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

- 7.16 Full Council on 3 March 2015 approved 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 to deliver the first south side phase (known as CPO2) 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 and secure its confirmation; 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; 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 and 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..
- <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MID=7819#AI11444>

- 7.17 Assets, Regeneration and Growth Committee dated 1 June 2015 noted progress on the Brent Cross Cricklewood project; A) approved the terms for the draft Collaboration Agreement between the Council and Argent and Related Companies as set out in the Exempt Report; B) authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Collaboration Agreement; Confirmed as a matter of principle, that the Council is prepared to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire the land edged red on the plan at Appendices A & B; noted that a) the appropriate Chief Officers are commencing negotiations to acquire by private treaty the land and interests in the areas required to deliver the Thameslink Station as shown on the plan at Appendices A & B 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; and that the

appropriate Chief Officers are undertaking the work needed to prepare for a possible Compulsory Purchase Order (CPO) together with the associated documentation and, if necessary, will bring a further report back to the Committee seeking authority to make a CPO in respect of the land shown on the plan at Appendix C.

<http://barnet.moderngov.co.uk/documents/s23463/Brent%20Cross%20Cricklewood%20Station%20Project%20Update%20-%20REPORT.pdf>

- 7.18 Assets, Regeneration and Growth Committee dated 30 November 2015 approved the terms for the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement and authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement and any required subsequent changes in the associated commercial documentation; noted progress on land acquisitions within the CPO red line boundary and that the CPO Inquiry for Brent Cross Cricklewood CPO1 and Brent Cross Cricklewood CPO 2 is scheduled for 17 May - 17 June 2016; approved the Brent Cross South Joint Venture Structure that will inform the Project Agreement and documentation necessary to form the Brent Joint Venture; noted the establishment of the Shadow Joint Venture Board and gave approval for the terms of reference for Shadow Shareholder Board for the Brent Cross South Joint Venture to be drawn up including a process for appointing Members for agreement at the next practicable meeting of the Council; and noted progress on the Thameslink Station project, in particular the station design and funding strategy.

<http://barnet.moderngov.co.uk/documents/s27725/Brent%20Cross%20Cricklewood%20Project%20update.pdf>

- 7.19 Council 1 March 2016 noted the report of Assets, Regeneration and Growth Committee on 30 November 2015 as attached at Appendix 1 which approved the Joint Venture Structure and authorised the establishment of a Shadow Shareholder Board for the Brent Cross South Joint Venture, and that its terms of reference and membership to be drawn up for Council approval; noted the Brent Cross South Joint Venture Structure at Appendix 3 attached to the report of the Assets, Regeneration and Growth Committee on 30 November 2015; agreed the terms of reference for the Shadow Shareholder Board for the Brent South Joint Venture as outlined in paragraph 2.15; agreed that the composition and Membership of the Shadow Shareholder Board be agreed, as per paragraphs 2.13 and 2.14 of the report; noted the decisions outlined in Appendix 2 which will be required by the Shadow Shareholder Board as detailed in the Project Agreement and Shareholder and associated documentation necessary to form the Brent Cross South Joint Venture; and noted that the Project Agreement, Shareholder Agreement and associated documentation will be reported to Assets, Regeneration and Growth Committee on 17 March 2016 for approval and that that report will recommend that the Chief Executive be authorised in consultation with the Leader to finalise the documentation.

<http://barnet.moderngov.co.uk/documents/s29974/Report%20to%20Council%20Report%20of%20Assets%20Regeneration%20and%20Growth%20Committee%20-%20Brent%20Cross%20Cricklewood.pdf>

7.20 Assets, Regeneration and Growth Committee 17 March 2016 (Decision Item 14) 1).Noted that the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement as set out in the Exempt Report to the Committee report 30 November 2015, which authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement and required subsequent changes in the associated commercial documentation are being progressed and will be completed in parallel with the Brent Cross South documentation.2) Noted that Council agreed the terms of reference for the Shareholder Board for the Brent South Joint Venture and the composition and Membership of the Shareholder Board, as per paragraphs 2.13, 2.14 and 2.15 of the report to Council on 1 March 2016. 3.Re-confirmed Argent Related as the joint venture development partner in accordance with the OJEU procurement process as approved by the Committee on 22 July 2014. 4).Approved the detailed terms of the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation (including Compulsory Purchase Indemnity Agreements) as set out in this report and the Exempt Report to the Committee; Authorise the Chief Executive in consultation with the Leader to finalise and complete the documentation associated with the JVLP and enter into contract with JVLP. 5) Approved the establishment of LBBCo for Brent Cross South. 6.) Approved the Best Consideration Mechanism as detailed in the Project Agreement and authorise the Section 151 Officer to determine Best Consideration in accordance with the Project Agreement. 7.Approved the Brent Cross South Business Plan as attached to the Exempt report.; 8.Noted progress on land acquisitions within the CPO red line boundary and preparation for the CPO Inquiry for Brent Cross Cricklewood CPO (CPO1) and Brent Cross Cricklewood CPO (CPO 2) scheduled for 17 May - 17 June 2016. 9). Approved the Station Single Option Design as shown at Appendix 5; and note the funding and delivery strategies for the Brent Cross Cricklewood Thameslink Station project; 10) Approved the commencement of the detailed design of the station (known as GRIP 4) and associated work packages within the station phase of the Brent Cross South; and delegate to the Chief Operating officer permission to agree terms and enter into the Design Service Agreement with Network Rail to deliver the railway works elements of the GRIP 4 process; 11) Approved the revised spend in respect of Thameslink as detailed in the report and note that Policy and Resources will be recommended to approve the budget. 12.) Noted progress on the land acquisition strategy to deliver the station phase and that a separate report is being considered by this Committee to resolve to make a CPO to deliver this element of the Brent Cross Cricklewood regeneration project.
<http://barnet.moderngov.co.uk/documents/s30516/Brent%20Cross%20Cricklewood.pdf>

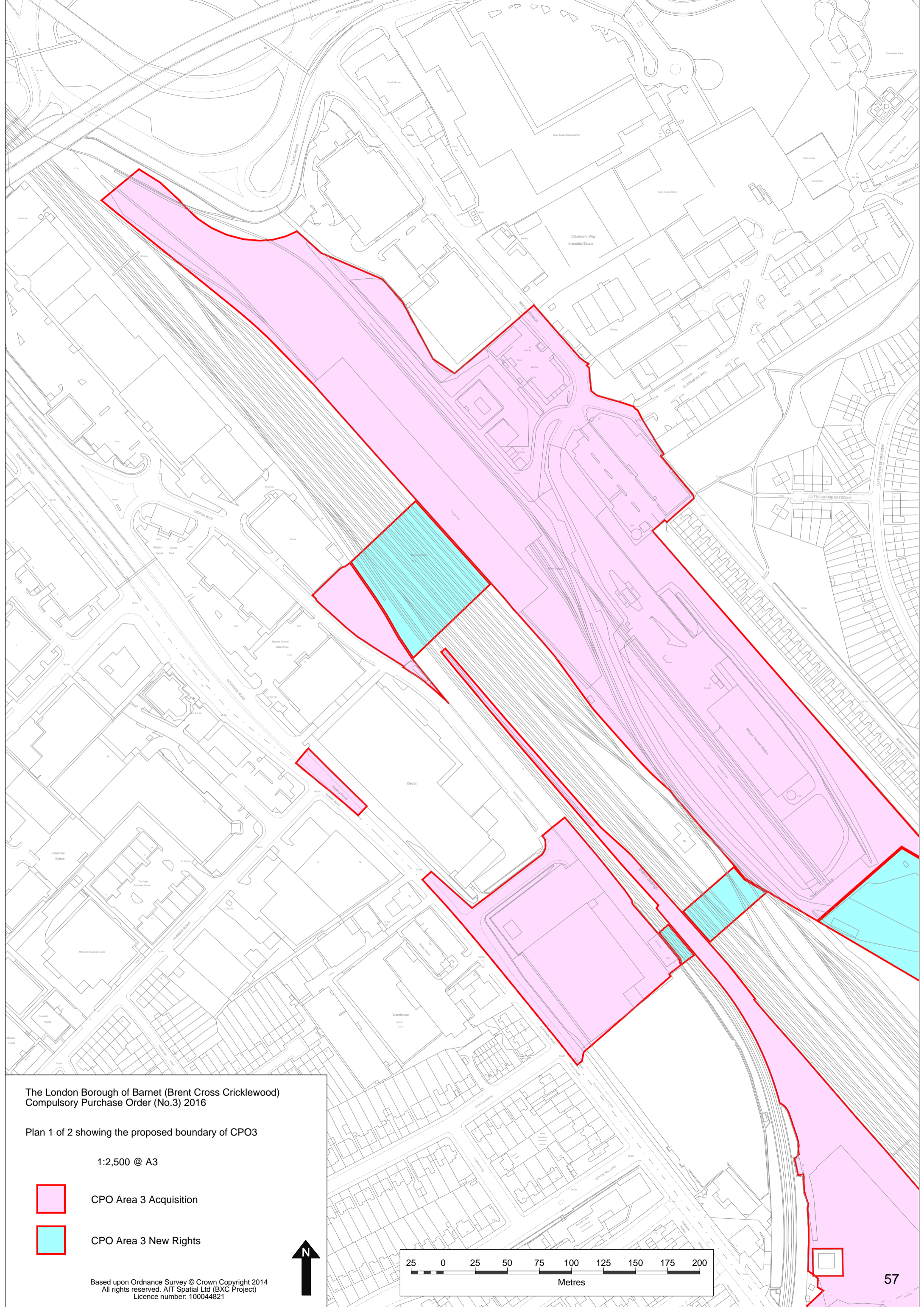
7.21 Assets, Regeneration and Growth Committee 17 March 2016 (Decision Item 13) approved:that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land shaded pink on the plan at Appendix 1 of 2 Plan and 2 of 2 Plan; that the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation, including the Statement of Reasons, and take all action

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needed to pursue the CPO and secure its confirmation and 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.

<http://barnet.moderngov.co.uk/documents/s30532/Brent%20Cross%20Cricklewood%20Compulsory%20Purchase%20Order%20No.%203.pdf>

- 7.22 Policy and Resources Committee Committee: 17 May 2016 approved the addition of the GRIP 4 detailed design costs to the capital programme as per para 1.4.8; the increase to the capital financing requirement and required changes to the Treasury Management Strategy to accommodate borrowing requirement in relation to Brent Cross Cricklewood programme, as set out in para 1.6.6; noted the total funding requirement as detailed in para 1.6.6 and notes that it will be requested to consider and to approve this in subsequent relevant budget setting cycles (as detailed in para 1.6.5); approved engagement with the council's treasury advisors to find more preferential rates than Public Works Loan Board (PWLB) to secure funding; and authorised officers to continue to work with DCLG and GLA to ring fence the growth in business rates from Brent Cross North in order to pay back the borrowing requirement.



The London Borough of Barnet (Brent Cross Cricklewood)
Compulsory Purchase Order (No.3) 2016

Plan 1 of 2 showing the proposed boundary of CPO3

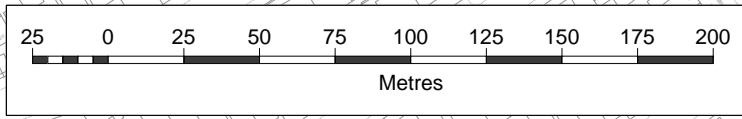
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CPO Area 3 Acquisition

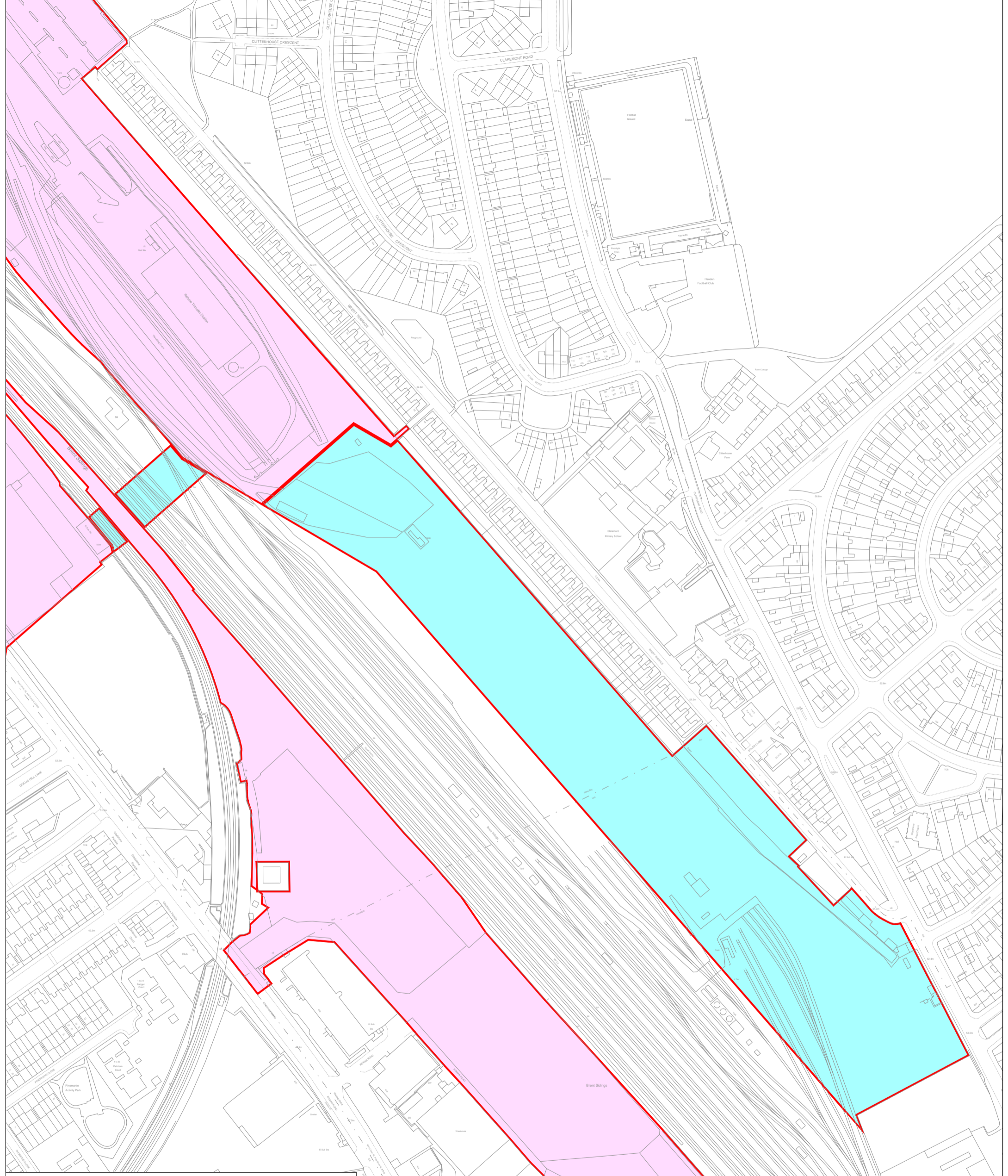


CPO Area 3 New Rights



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The London Borough of Barnet (Brent Cross Cricklewood)
Compulsory Purchase Order (No.3) 2016

Plan 2 of 2 showing the proposed boundary of CPO3

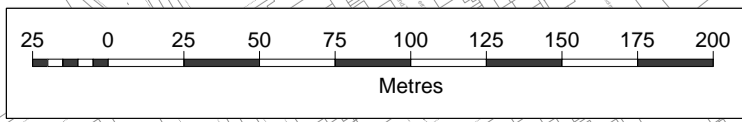
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CPO Area 3 Acquisition



CPO Area 3 New Rights



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THE TOWN AND COUNTRY PLANNING ACT 1990

AND

THE ACQUISITION OF LAND ACT 1981

AND

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

THE LONDON BOROUGH OF BARNET

(BRENT CROSS CRICKLEWOOD) COMPULSORY PURCHASE ORDER (NO.3) 2016

STATEMENT OF REASONS

CONTENTS

Clause		Page
1	INTRODUCTION	2
2	THE NEED FOR REGENERATION	3
3	DESCRIPTION OF THE BXC DEVELOPMENT	4
4	LOCATION AND DESCRIPTION OF THE ORDER LAND.....	7
5	PLANNING HISTORY OF THE ORDER LAND	11
6	PLANNING FRAMEWORK.....	15
7	THE NEED AND JUSTIFICATION FOR THE ORDER.....	21
8	ECONOMIC SOCIAL AND ENVIRONMENTAL WELL-BEING.....	23
9	DELIVERY AND RESOURCES.....	25
10	LAND NEGOTIATIONS.....	28
11	RELATED ORDERS AND SPECIAL KINDS OF LAND	29
12	HUMAN RIGHTS ACT	29
13	CONCLUSION: COMPELLING CASE IN THE PUBLIC INTEREST	30
14	CONTACT DETAILS OF CONTACTS	32
15	INQUIRIES PROCEDURE RULES	32
16	LIST OF DOCUMENTS.....	32
Appendices		
1	Plan showing the extent of Order Land	33

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 on [], entitled The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016 ("**the Order**") and submitted to the Secretary of State for Communities and Local Government for confirmation.
- 1.2 The Order was made having regard to the Guidance on Compulsory Purchase Process and The Criche Down Rules for the Disposal of Surplus Land Acquired by, or under the Threat of, Compulsory Acquisition (October 2015) ("**the CPO Guidance**").
- 1.3 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 in the Order are referred to as "**the Order Land**" and are shown on the plan appended to this Statement of Reasons. The Council is the local planning authority and the local highway authority for the Order Land.
- 1.4 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 commercial, retail, residential, hotel, conference and leisure development; community facilities; car parking, infrastructure and highway works; new rail station, station buildings, railway sidings, rail stabling facilities and associated rail infrastructure; rail freight facilities; a waste transfer facility; public realm and environmental improvement works ("**the CPO3 Development**").
- 1.5 The CPO3 Development forms part of the wider Brent Cross Cricklewood ("**BXC**") regeneration scheme. An extant outline planning permission exists for the BXC regeneration scheme reference F/04687/13 and dated 23 July 2014 (the "**s.73 Permission**").
- 1.6 The regeneration of BXC, 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 (see further detail below in Section 5).
- 1.7 The principal components of the CPO3 Development, which are otherwise known as '**The Station Phase**' of the BXC regeneration scheme, are as follows:
- 1.7.1 The "**Thameslink Station**", which comprises the new Thameslink railway station; the Thameslink station entrance buildings; the provision of railway sidings, rail stabling facilities and associated rail infrastructure; a new rail freight facility; the relocation of the existing waste transfer facility; a new road bridge and a new pedestrian link over the Midland Mainline railway; and the Spine Road (North) which will provide a link from the A5 to the west of the railway to Station Square to the east; and
- 1.7.2 The "**Station District**", which comprises new public realm and associated highways infrastructure for the proposed public square and transport interchange known as Station Square; mixed use and residential development focussed around Station Square; business and employment uses with an associated mix of residential, retail and leisure use within the Station Quarter (West); and new homes, retail and community facilities within Brent Terrace (North).
- 1.8 The Thameslink Station development will be delivered by the Council in partnership with Network Rail. The Station District development will be delivered by a joint venture, known as Brent Cross South Limited Partnership ("**BXS LP**"), between the Council and Argent Related (which is itself a joint venture partnership between Argent and Related Companies), which has been established to deliver regenerative development to the south of the A406 North Circular Road ("**Brent Cross South**" or "**BXS**").

- 1.9 The Council considers that the CPO3 Development will contribute significantly to the economic, environmental and social well-being of its area by delivering important public benefits as referred to in Sections 7 and 8 below.
- 1.10 The Council's Assets, Regeneration and Growth Committee authorised the making and promotion of the Order at its meeting on [] September 2016.
- 1.11 Two other separate compulsory purchase orders have been made by the Council to facilitate the development of other land as part of the comprehensive BXC regeneration scheme:
- 1.11.1 The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.1) 2015, has been made to deliver part of the first phase of BXC, principally on land to the north of the A406 North Circular ("**Brent Cross North**" or "**BXN**") which comprises the major redevelopment and improvement of the existing Brent Cross Shopping Centre ("**BXSC**"); residential, retail, office, leisure and community uses; and major highways and transport infrastructure to support both the BXSC and the regeneration of the BXC area, including a 'Living Bridge' over the A406 which will connect BXN with BXS ("**the CPO1 Development**"). The CPO1 Development is being delivered by Hammerson and Standard Life Investments ("**the CPO1 Development Partners**"); and
- 1.11.2 The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No.2) 2015, has been made to facilitate the development of part of the first phase of BXS, by way of a mixed use scheme comprising residential, retail, office and leisure development; community and educational facilities; new public realm; car parking; infrastructure and highways works; and a new Market Square ("**the CPO2 Development**"). The CPO2 Development is to be delivered by BXS LP.
- 1.12 The Secretary of State for Communities and Local Government directed that a public local inquiry be held to determine whether CPO1 and CPO2 should be confirmed. The inquiry into both orders commenced on 17th May 2016 and closed on 27th July 2016.

2. THE NEED FOR REGENERATION

- 2.1 The redevelopment of BXC is a long-standing objective of the Council due to the existing poor environment and urban structure. Extending to around 151 hectares in total, it is one of London's major regeneration schemes. BXC is defined to the west by the Edgware Road (A5) and the Midland Mainline railway line, and to the east by the A41, and is bisected east to west by the A406 North Circular Road. It is adjacent to Junction 1 of the M1 (Staples Corner) and includes the existing Brent Cross Shopping Centre and Bus Station as well as the existing Sturgess Park to the north of the North Circular Road.
- 2.2 Approximately two thirds of BXC lies to the south of the North Circular Road (approximately 100 hectares) and comprises under-utilised brownfield land, including the Brent South Retail Park, the Whitefield Estate, Whitefield Secondary School, Mapledown Special School and Claremont Primary School, and Hendon Leisure Centre, the Hendon Waste Transfer Station, Claremont Way Industrial Estate, the Railway lands, and Cricklewood Railway Station to the far south. The area also includes Clarefield and Claremont Parks, and Clitterhouse Playing Fields.
- 2.3 The BXC area is dominated and constrained by the existing road network and rail infrastructure. Although extremely well connected by road, and adjacent to tube and rail lines, the area suffers from poor public transport accessibility, particularly within BXS. The existing transport infrastructure creates a busy and hostile environment. The North Circular Road comprises a significant barrier between the communities to the north and to the south. In addition to the infrastructure forming a physical barrier between communities, the environment is unattractive to pedestrians and cyclists.
- 2.4 Substantial change needs to be effected, and significant amounts of new infrastructure need to be provided, if the area's potential to deliver much needed new homes and significant job opportunities is to be realised as envisaged by the national, regional and local planning

policy guidance as well as the Council's Corporate Plan and other strategies. The delivery of the CPO3 Development, as a key part of the wider BXC regeneration, is an important element of achieving that ambition.

- 2.5 The comprehensive regeneration of BXC is reliant on the delivery of an Integrated Transport Strategy ("**ITS**") providing efficient public transport, reducing the need for cars and parking space, improving traffic flows and permitting increased development densities. The various strands of the Thameslink Station development, including the delivery of the railway station itself together with the improvements to the public transport network by the provision of a new Midland Mainline bridge, linking the A5 and station transport interchange via a new spine road to the Station District and CPO2 Development, is an essential component of the ITS.
- 2.6 Accessibility to good public transport is one of the key drivers of demand for the proposed new housing and commercial development within BXS. The delivery of the CPO3 Development, will significantly enhance the accessibility and the attractiveness of the wider BXC scheme and enable the realisation of important regeneration benefits. The CPO3 Development is therefore an integral part of the ITS and necessary to facilitate and accommodate the comprehensive development of BXC. It will improve the Public Transport Accessibility Level ("**PTAL**") of BXC, which will permit higher density development, and ensure that the new development is delivered in a sustainable manner which promotes the use of public transport. The Station Phase is being brought forward sooner than originally envisaged under the s.73 Permission, so that it is delivered alongside Phase 1 of BXC, ensuring that it forms an integral part of BXC, and laying the foundations to enhance the pace of delivery of the remainder of BXS.
- 2.7 In summary, BXC has the potential to become a new and much needed economic centre for London, combining housing (with a guaranteed minimum of 15%, and up to a cumulative target of 30%, affordable homes with the potential for each phase to deliver up to 50% subject to viability), employment, retail, leisure and social infrastructure such as schools, public realm and green space. This 'new town centre for London' will offer benefits to both the local population and, through its strategic location and enhanced connectivity, the whole Greater London region.

3. **DESCRIPTION OF THE BXC DEVELOPMENT**

- 3.1 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).

- 3.2 This aim accords with the Council's regeneration and corporate policy objectives for the area, and with national and London strategies, as identified in section 6 below of this Statement of Reasons. Throughout the Council's various strategic documents and the s.73 Permission itself, there is a consistent message that development must be comprehensive, creating a town centre environment bringing together a mix of retail, commercial, leisure and residential uses. The Council's approach to the delivery of BXC (as described in section 9 of this Statement of Reasons) is squarely aimed at ensuring the comprehensive nature of the development while recognising that development of this scale takes many years to complete.

- 3.3 The core elements of the BXC regeneration vision are:

- 3.3.1 the creation of an attractive, mixed use, vibrant town centre;
 - 3.3.2 the delivery of a large number of new homes (approximately 7,550) of mixed tenure including affordable homes;
 - 3.3.3 the development of an improved and accessible public transport offer;
 - 3.3.4 an environmentally sustainable development which provides residents, workers and visitors with the opportunity to reduce their carbon footprint;
 - 3.3.5 a high quality urban environment with a long term management regime; and
 - 3.3.6 the creation of safe and attractive routes through the site which integrate with the surrounding area.
- 3.4 The BXC proposals cover two main areas:
- 3.4.1 **Brent Cross North:** covering approximately 50 hectares of land to the north of the North Circular Road, and which includes the majority of the CPO1 Development to be delivered by the CPO1 Development Partners; and
 - 3.4.2 **Brent Cross South:** covering approximately 100 hectares of land to the south of the North Circular Road, and which includes part of the CPO1 Development and the CPO2 and CPO3 Developments to be delivered by the Council and by BXS LP.
- 3.5 The s.73 Permission provides for the BXC development to be delivered over seven phases. Phase 1 will be facilitated in part by CPO1 and in part by CPO2.
- The CPO1 Development**
- 3.6 The CPO1 Development will deliver Phase 1A (North) and Phase 1B (North) of the s.73 Permission. This includes:
- 3.6.1 The extended and reconfigured Brent Cross Shopping Centre;
 - 3.6.2 Brent Cross Main Square and High Street North;
 - 3.6.3 Highways infrastructure to support the BXN development and Phase 1 (South), as well as some of the key highways infrastructure for BXS. This includes junction improvements, and new bridges over the North Circular, seeking to overcome the existing physical barrier between the communities north and south of the North Circular Road;
 - 3.6.4 A new pedestrian and cycle only bridge (the Living Bridge) linking the development areas and communities north and south of the North Circular Road;
 - 3.6.5 A new bus station providing extra capacity and much improved facilities and links (including to Cricklewood Railway Station and Brent Cross Underground Station);
 - 3.6.6 Works to divert the River Brent and the creation of Riverside Park;
 - 3.6.7 New housing units including replacement residential units for some of the homes and sheltered housing which will be lost from the Whitefield Estate; and
 - 3.6.8 Improvements to Sturgess Park, Clitterhouse Playing Fields and Claremont Park.
- 3.7 Reserved matters for all items in Phase 1A (North) of the s.73 Permission have been secured. The detailed design for Phase 1B (North) is currently still evolving and it is anticipated that it will be submitted for approval by the CPO1 Development Partners through a reserved matters application in 2017.

The CPO2 Development

- 3.8 The CPO2 Development comprises part of the Market Quarter and part of the Eastern Lands Development Zones (as defined in the s.73 Permission). The CPO2 Development lies at the heart of BXS and is a vital and early part of the regeneration of BXS. It will be brought forward alongside the enhancements to existing public realm within Claremont Park and Clitterhouse Playing Fields, which together will form the initial core of development of BXS.
- 3.9 The design of the CPO2 Development will be worked up in detail through applications for reserved matters approvals, and will include:
- 3.9.1 Around 1100 homes (of which a proportion will be affordable, including the replacement Whitefield Estate units, and further provision to accord with the s.106 Agreement requirements);
 - 3.9.2 Small and medium enterprise business space;
 - 3.9.3 Education and community space, including the replacement Claremont School;
 - 3.9.4 Retail floorspace at ground level, including a foodstore;
 - 3.9.5 High quality public realm and green spaces, including 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; and
 - 3.9.6 New streets and cycle routes (including a new high street) which will create an attractive and active environment.

The CPO3 Development

- 3.10 The CPO3 Development is formed of two main components:
- 3.10.1 The **Thameslink Station**, which comprises:
 - 3.10.1.1 The Thameslink Station – including works to facilitate the new station development and the remediation of brownfield land needed to support the comprehensive regeneration of the area;
 - 3.10.1.2 Thameslink Station entrance buildings (east and western entrances) and service points providing access to the new Thameslink Station which is essential to the ITS for the wider BXC development;
 - 3.10.1.3 A new pedestrian overbridge in combination with a new station concourse over the Midland Mainline railway and linking the area to the west of the railway to the remainder of BXS;
 - 3.10.1.4 The Midland Mainline Bridge (“**MML Bridge**”) – creating a new vehicular link from the A5 on the western side of the railway, to the Thameslink Station, and beyond to the remainder of BXS on the eastern side of the Midland Mainline railway;
 - 3.10.1.5 Spine Road North – which, in accordance with the ITS, will link the proposed Midland Mainline Bridge with the proposed Transport Interchange T1, new Station and Station Square, and which will continue along High Street South into the expanded Brent Cross Shopping Centre;
 - 3.10.1.6 A new pedestrian and cycle path – will provide a link from Brent Terrace to the new MML Bridge/Spine Road North;

- 3.10.1.7 A Rail Freight Facility – the relocation of an existing rail freight facility from the east to the west side of the railway which will release railway land for development. A modern freight facility will be provided which is better able to meet market demand, and provide a long term future for those facilities;
 - 3.10.1.8 New Waste Transfer Facility – the provision of a new road based waste transfer station to replace the existing rail based Hendon Waste Transfer Station, which will be relocated from the east to the west side of the railway, releasing land for the construction of the MML Bridge, the Spine Road North and mixed use development. The new waste facility will provide a modern facility with road connections; and
 - 3.10.1.9 Relocated Rail Stabling and Sidings – the location of the new Thameslink Station is currently occupied by the East Midland Train sidings and a dis-used rail freight building. The existing sidings will be relocated to the south east of the site adjacent to the newly commissioned Thameslink Sidings, enabling facilities to be combined.
- 3.10.2 The **Station District**, which comprises:
- 3.10.2.1 Station Quarter (West) and Brent Terrace (North) – providing a significant amount of business and employment uses together with a mix of residential, retail and leisure uses, and public realm;
 - 3.10.2.2 Station Square – a significant new public square that anchors the western end of the High Street South and connects the heart of Brent Cross South to the new transport interchange and a variety of other transport modes which will cluster around the Station; and
 - 3.10.2.3 Brent Terrace Park – Neighbourhood Park 3 and associated Green Corridor 8 as defined in the s.73 Permission, the provision of which may be delivered in two phases with the northern section delivered with Spine Road North.
- 3.11 Section 9 of this Statement of Reasons provides further details regarding the delivery of the CPO3 Development.
- 3.12 The delivery of the entire BXS is anticipated to take 20 years, beginning with the CPO2 Development for which a start on site is expected in 2018, and which will form the initial core of the development of BXS. The CPO3 Development will provide transport infrastructure, both to serve the CPO1 and CPO2 Developments, and to act as a catalyst for the delivery of the remainder of BXS. It will also complete the High Street and the link to the A5, which connects the CPO1, CPO2 and CPO3 Order Lands, therefore contributing to the comprehensive development of BXC.

4. **LOCATION AND DESCRIPTION OF THE ORDER LAND**

- 4.1 Details of the land and 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**"). Much of the land within the CPO3 boundary is railway land owned by Network Rail and used for industrial/storage and distribution uses.
- 4.2 Set out below is an overview of the land to be acquired and its principal existing uses, together with a summary of why it is necessary to acquire the land for the CPO3 Development. References to 'Plots' below are to the CPO Plots delineated on the Order Map.

The Railway Lands (East) Description

- 4.3 The “**Railway Lands**” are an extensive area of land identified as a development zone and shown on Parameter Plan 001 containing buildings positioned to the east and west of the railway tracks which fall within the ownership of Network Rail.
- 4.4 That part of the Railway Lands to be acquired which is situated to the east of the railway tracks incorporates a mixture of uses, including:
- 4.4.1 Plots 5 and 6 comprise scrub land that lies between the cement batching facility at Brent Terrace owned and occupied by Cemex (land and premises to the west of Nightingale Works), and the access road leading to the railway sidings and the Hendon Waste Transfer Facility;
 - 4.4.2 Plot 9 comprises of a single storey brick building located to the west of the Cemex concrete batching plant that is accessed via the railway sidings access road and is currently occupied by Carrillion. Adjacent to this building is an electricity substation (plot 10) which is held on a lease by UK Power Networks;
 - 4.4.3 Plots 11 and 12 comprise open storage land and railway sidings used for waste recycling which are occupied by GB Railfreight who use the sidings to export construction waste materials by rail and Scrap Metal Recycling who use the area as a yard for the storage of scrap metal for export by road; a large shed (Jerich Shed) which is a disused intermodal freight facility previously used for transferring palletised products from rail to road; and an area of land occupied by trees and vegetation located to the west of the houses on the southern section of Brent Terrace;
 - 4.4.4 Plot 13 comprises the Hendon Waste Transfer Station which incorporates a large warehouse, open storage land and railway sidings. The property is accessed off the northern section of Brent Terrace and has a site area of 2.46 hectares (6.08 acres) with the warehouse having an area of 2,700 sq. m. (29,062 sq. ft.). The freehold interest in the property is held by Network Rail Infrastructure Limited. North London Waste Authority (“**NLWA**”) let the land where it is used as a rail and road served Waste Transfer Station.

Railway Lands (East) – Need for the land

- 4.5 Most of the land to the east of the Midland Mainline railway will, once decommissioned, be used as a construction and laydown compound to support the complex works required to deliver the new Thameslink Station platform and buildings and the MML Bridge. The construction period is expected to last at least 4 years. Once completed, non-operational land will be released for development and will form part of the Station District and Brent Terrace Development Zones.
- 4.6 The detailed design and methodology for constructing the bridge over the Midland Mainline railway and the approach road has not yet been developed. However, the bridge needs to be approximately 6 metres above the railway, which means that it will be about 4 metres above the level of Brent Terrace. The approach road to the bridge, the Spine Road North, is planned to be formed with retained earth embankments sloping away from the bridge with the road at a gentle gradient. Access may be required across the narrow strip of non-operational railway land at the rear of Brent Terrace during the construction. If so agreement will be sought for this purpose from the owner.
- 4.7 The existing Hendon Waste Transfer Station site sits directly in the path of the proposed new MML Bridge and Spine Road North. Once acquired, the existing assets will be demolished and removed from the site, enabling the remediation of the land and construction of a retained earth embankment to support the Spine Road North. Piled abutments will also be constructed forming the eastern end of the MML Bridge. Upon completion of the MML Bridge and Spine Road North the remaining land will be released for development as part of the Brent Terrace Development Zone, which will predominantly comprise residential and community uses, and the green corridor.

Railway Lands (West) - Description

4.8 That part of the Railway Lands to be acquired which is situated to the west of the railway line comprising the following plots of land:

- 4.8.1 The land identified as Plots 27, 28, 29 and 34 on the Order Map is the Downside Goods Yard, Edgware Road. It comprises a large parcel of open storage land measuring 4.87 hectares (12.03 acres) that was formerly railway sidings. The land, which is accessed from Edgware Road, is divided into a number of smaller plots which are utilised for the storage of items such as scaffolding, motor vehicles (including scrap) and building materials and waste. Advertising hoardings are located on the northern side of the entrance to the site. The freehold interest is in the ownership of Network Rail who have granted a long lease to DB Cargo (UK) Limited who in turn have sub-let the land to Euro Storage (UK) Limited, NCC Cars, Pearce Leane Scaffolding Limited, RJ Auto Servicing and Primesight. Euro Storage's business is the letting of open storage land and they further sub-let the land to a number of individuals and businesses;
- 4.8.2 Where Plot 34 adjoins Edgware Road there are advertising hoardings that are let to Primesight;
- 4.8.3 Plot 35 is a thin strip of land formed of overgrown vegetation that sits between the Goods Yard and the railway; and
- 4.8.4 Plots 25 and 26 is an area of land that sits adjacent to the railway which is covered with vegetation. An area of this land (Plot 26) has been cleared to allow for a telecommunications mast (operated by EE Limited) to be erected.

Railway Lands (West) – Need for the Land

4.9 The operational railway land to the west leased by DB Cargo (UK) Limited and used for storage and distribution uses is required for the delivery of the new rail freight facility. Once operational, the rail freight facility will enable the storage and transfer of building materials and aggregates from and to rail based freight wagons.

106 Brent Terrace – Description

4.10 106 Brent Terrace is identified as Plots 7 and 8 on the Order Map. The property is located at the southern end of the northern section of Brent Terrace and comprises of two warehouse units constructed in the late 1980s. The buildings are of steel portal frame construction with the elevations formed of blockwork at the lower level and metal cladding on the upper part. The roof is pitched and is constructed of profiled metal sheets incorporating roof lights. The warehouses occupy the eastern part of the site with an access road running through the middle. On the western part of the site is a designated area for the parking of cars (18 spaces) and an area of hard standing for the parking of larger vehicles. Unit 1 (the northernmost unit) comprises 1,824.08 sq. m. (19,828 sq.ft.) of accommodation that is divided between the large warehouse and office accommodation spread over three floors. Unit 2 comprises 557.98 sq.m. (6,006 sq.ft.) of accommodation that is divided between a warehouse area and a small amount of office accommodation over two floors.

106 Brent Terrace – Need for the Land

4.11 Together with the Cemex Plant (see below), 106 Brent Terrace is situated in an important position, forming part of the area where three development zones (Station District, Market Quarter and Brent Terrace) converge. The new Spine Road North extends along the western boundary of the land resulting in a portion of the site being required for the construction of the road. Once construction of the road is complete, the site will form an important part of the Brent Terrace Development Zone and the Station Quarter Development Zone.

Land and Premises to the west of Nightingale Works, Brent Terrace ('Cemex Plant') – Description

- 4.12 The Cemex Plant is identified as Plot 4 on the Order Map. It comprises a parcel of land measuring 0.25 hectares (0.61 acres) that is situated on the western side of Brent Terrace, immediately north of the road's junction with Claremont Way. The freehold of the land is owned by Cemex UK Operations Limited who occupy the site, operating a concrete batching plant. Situated against the northern boundary of the site is a shed measuring circa 185sq.m. (1,991 sq.ft.) which is used for the batching with the remainder of the site, which has a tarmacadam surface, used in part for the parking of vehicles and as a circulation area for cement trucks and other vehicles. Within the site is an electrical substation.

Cemex Plant - Need for the Land

- 4.13 The Cemex Plant site is required initially for the construction of the Spine Road North which will cross the western part of the site before turning and extending across the northern part of the site where the shed currently resides. On completion of the construction of the road, the remainder of the site will form an important development plot within the Station District Development Zone, situated on the corner of the point where the Station District and Market Quarter Development Zones converge.

2 Geron Way – Description

- 4.14 The land is identified as Plots 21 and 23 on the Order Map. It comprises a warehouse and associated surface car park located on the west side of the railway line and on the south side of Geron Way. The property has an internal area of 5,779 sq.m. (62,209 sq.ft.) The property is owned by Hammerson UK plc and is occupied by Selco Builders Merchants.

2 Geron Way – Need for the Land

- 4.15 This land is required initially to enable the piled abutments and the approach ramp for the MML Bridge to be constructed. Once this work is completed the land will be used to construct the new Waste Transfer Facility and junction improvements.

Land at 400 Edgware Road – Description

- 4.16 The land is identified as Plots 32 and 33 on the Order Map. 400 Edgware Road is a large research facility and office building, however no part of the building itself is proposed to be acquired. Plot 32 comprises a small triangle of land in the north west corner of the site, consisting of a boundary wall and landscaped area with Plot 33 forming an area of land that extends around the northern perimeter of the site which forms of part of the car park and boundary treatment of the property.

Land at 400 Edgware Road – Need for the Land

- 4.17 The land is required in order for junction improvements to be undertaken for the access to the new rail freight facility.

Land to the east of 1 Geron Way – Description

- 4.18 The land is identified as Plot 17 on the Order Map and comprises a thin strip of land that sits alongside the properties boundary with the public highway. The land is currently occupied by steel palisade fencing and grassland.

Land to the east of 1 Geron Way – need for the Land

- 4.19 The land is required in relation to improvements to be undertaken at the Geron Way/Edgware Road junction.

Land adjacent to Unit 7 Staples Corner Retail Park, Geron Way – Description

- 4.20 The land is identified as Plot 15 on the Order Map and comprises a surface car park which sits directly to the south east of Unit 7, Staples Corner Retail Park, which is a six screen cinema operated by Cineworld Group plc. No part of the building itself is proposed to be acquired. The car park provides 83 spaces and falls within the freehold title of Unit 7 Staples

Corner which is owned by Alphachoice Limited. Cineworld are holding over on their right to use the spaces under the terms of their lease. An electricity substation is situated on the eastern boundary of the site which will be unaffected.

- 4.21 Immediately to the south-east of the car park is an area of overgrown land that is identified as Plot 16 on the Order Map which is in the ownership of Hammerson Cricklewood Limited. To the west of the car park is an area of paved land that sits between the car park and the public footpath which is identified as Plot 14 on the Order Map.

Land adjacent to Unit 7 Staples Corner Retail Park, Geron Way – Need for the Land

- 4.22 This land is required to provide the western station access incorporating escalators and lifts to the pedestrian overbridge combined with station concourse, ticket office and cycle parking facilities. The entirety of the car park land will be required as a work site for the construction of the pedestrian bridge.

Highway known as Brent Terrace and Claremont Way – Description

- 4.23 A section of highway is included in the Order and is shown on the Order Map as Plots 1, 2 and 3. The highway falling within Plot 1 is known as Brent Terrace with Plot 2 forming part of Claremont Way. Plot 3 forms a public footpath than extends along the eastern side of 106 Brent Terrace and connects the northern and southern parts of Brent Terrace.

Highway known as Brent Terrace and Claremont Way – Need for the Land

- 4.24 The highway land is required for the construction of the buildings that will form the eastern part of the Station District Development Zone along its interface with the Market Quarter Development Zone and the Brent Terrace Development Zone.

New Rights to be Acquired

- 4.25 The Order seeks the acquisition of new rights over the land which is shown shaded blue on the Order Map. The proposed rights, in summary, comprise the following:
- 4.25.1 **Rights required for the MML Bridge – (Plot 36)** – rights to enter onto the land for the purposes of the construction of the new MML Bridge, including crane oversailing rights, the rights to pass and repass over the MML Bridge once constructed, rights to run service media and rights of access for maintenance purposes.
 - 4.25.2 **Rights required for the Pedestrian Link – (Plots 37 and 38)** – rights to enter onto the land for the purposes of the construction of the new pedestrian bridge over the Midland Mainline Railway, including crane oversailing rights, the rights to pass and repass over the pedestrian bridge once constructed, rights to run service media and rights of access for maintenance purposes.
 - 4.25.3 **Rights to enter and use land during construction – (Plot 39)** – rights to enter and use land for the purposes of a temporary construction compound during the construction of the CPO3 Development.

5. PLANNING HISTORY OF THE ORDER LAND

- 5.1 BXC (including the Order Land) was identified as an 'Opportunity Area' by the Mayor in the first London Plan in 2004, leading to the publication of the 2004 Development Framework. The policy background is considered in more detail in section 6 of this Statement below.
- 5.2 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.

- 5.3 As explained in the introduction section of this Statement of Reasons, the s.73 Permission was subsequently granted on 23 July 2014. A related section 106 Agreement was completed on 22 July 2014 ("**the s.106 Agreement**"). The s.73 Permission permits the development of BXC, including the Order Land, subject to updated conditions that facilitate more efficient delivery of the wider BXC.
- 5.4 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 transfer 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 transfer facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the development.
- 5.5 The s.73 Permission permitted uses are:

	Total Scheme (sqm)
Residential (Class C3)	712,053
Retail and Related Uses (Classes A1 - A5) - North	78,133
Retail and Related Uses (Classes A1 - A5) - South	32,794
Business (Class B1)	395,297
Hotel (Class C1)	61,264
Leisure (Class D2)	26,078
Community Facilities (Class D1)	34,615
General Industrial/Storage & Distribution incl. WHF and Rail Freight (Classes B2 B8)	61,314
Rail & Bus Station (Sui Generis)	2,533
Private Hospital	18,580
Petrol Filling Station	326

Total**1,422,987**

- 5.6 The s.106 Agreement contains planning obligations relating to the provision and funding of infrastructure and other mitigation relating to 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 provision, bus network mitigation, pedestrian and cycle links and the creation or appointment of various groups, plans, strategies and co-ordinators.
- 5.7 The primary purpose of the s.73 Permission was to make changes to the planning conditions imposed on 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 entire regeneration area. The main changes were:
- 5.7.1 Creation of the Living Bridge over the North Circular Road to improve pedestrian and cycling connectivity across the site and provide better integration between the northern and southern components of the development;
 - 5.7.2 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;
 - 5.7.3 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
 - 5.7.4 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.
- 5.8 As part of the application for the s.73 Permission the CPO1 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.
- 5.9 The s.73 Permission reflects the fact that Phase 1 of BXC is proposed to be delivered in sub phases which are essentially divided between the north and south of the A406 North Circular. This is consistent with the Council's and CPO1 Development Partners' revised delivery responsibilities, including the Council's role in delivering the regeneration to BXC. These, and other changes to the 2010 Permission, were designed to enable the strategic vision for the comprehensive regeneration of BXC as a whole to be delivered in a timely, effective and beneficial manner.
- 5.10 BXC is supported by the ITS. This makes substantial provision for public transport and other sustainable modes of travel whilst also providing appropriately for car based travel. This recognises that the car will continue as a significant mode of travel in the BXC site, but the proposals also include the provision of a high quality 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, also provides increasingly attractive alternatives to car use, particularly during the peak travel periods.
- 5.11 The ITS is incorporated in the original Transport Assessment that was approved pursuant to the 2010 Permission and the s.73 Permission. The ITS identifies the separate but complementary components that will deliver the transport vision set out in the Cricklewood, Brent Cross and West Hendon Regional Area Development Framework.

- 5.12 The Transport Vision referred to in the ITS includes the following principles:
- 5.12.1 Create a new outer London town centre that will reduce journeys into central London during periods of peak travel demand;
 - 5.12.2 Mixed-use development that creates opportunities for short local trips and linked trips, especially by non-car modes of travel;
 - 5.12.3 New and improved public transport services that provide additional capacity, new links between areas and an overall higher standard of service;
 - 5.12.4 Integration between modes of travel to facilitate access by public transport to the area;
 - 5.12.5 Improved accessibility and convenience to walking and cycling routes to make journeys easier and more attractive; and
 - 5.12.6 Limited new parking associated with development to discourage the use of the car for non-essential journeys.
- 5.13 The ITS also embodies the following underlying principles:
- 5.13.1 Meeting an unrestrained demand for car travel through the provision of new highway network alone would be unacceptable as to do so would fail to encourage use of more sustainable modes, particularly during peak travel times;
 - 5.13.2 Delivery of the strategy over a long development period requires flexibility to respond to changing conditions but always within parameters and controls established by the s.73 Permission;
 - 5.13.3 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 necessary progression towards the overall mode share targets;
 - 5.13.4 In order to overcome initial transport constraints, significant new infrastructure is being provided; and
 - 5.13.5 As each element of transport infrastructure is brought forward the improvements provided will cater for the full BXC development, making best use of investment and reducing the overall impact of any subsequent construction works.
- 5.14 At the core of the ITS is the provision of a fully integrated and, as far as achievable, sustainable public transport network of appropriate travel modes, to provide a good quality and attractive level of service provision for those visiting the BXC site and the surrounding area whilst at the same time maintaining the level of service on the highway network to avoid any detriment arising through the proposed development.
- 5.15 The provision of sustainable modes of travel will be achieved through a number of measures, including the construction of the new Thameslink Station, that will enable the proposed scheme and existing communities to access the planned uplift in capacity of Thameslink services passing through the area.
- 5.16 Transport policy support for the BXC development has been predicated upon the delivery of sustainable regeneration, which in transportation terms minimises the need for 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. The transport infrastructure and highways works that will be facilitated by CPO3 will make a major contribution to improving accessibility to and permeability through the BXC wider area (including the Order Land), and will promote the use of sustainable transport modes in accordance with national, regional and local transport policies. 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 encourage and promote alternatives to the private car.

6. **PLANNING FRAMEWORK**

6.1 **National Planning Policy**

- 6.1.1 The National Planning Policy Framework ("**NPPF**") published on 27 March 2012 sets out the Government's planning policies for England and how they are to be applied. 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.
- 6.1.2 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.
- 6.1.3 Paragraph 17 of the NPPF identifies twelve core planning principles of which the following are of particular relevance:
- 6.1.3.1 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;
 - 6.1.3.2 encourage the effective use of land by reusing brownfield land;
 - 6.1.3.3 promote mixed use developments;
 - 6.1.3.4 actively manage patterns of growth to make the fullest possible use of public transport; and
 - 6.1.3.5 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.
- 6.1.4 The NPPF also specifically requires planning policies to be positive and plan for the management and growth of centres over the plan period to ensure the needs for retail, leisure and other main town centres are met in full.
- 6.1.5 The NPPF 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.
- 6.1.6 The NPPF requires Local Planning Authorities ("**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 LPAs should ensure that there is sufficient land available to support economic growth, particularly in areas well served by transport infrastructure.
- 6.1.7 The Government issued the National Planning Practice Guidance in 2014 to assist with the implementation of the NPPF.

6.2 Regional Planning Policy

The London Plan

- 6.2.1 The London Plan 2015, like its 2004 predecessor, identifies BXC as an 'Opportunity Area'. Policy 2.13 indicates that the Mayor will provide proactive encouragement, support and leadership for partnerships preparing and implementing opportunity area planning frameworks to realise the growth potential in these areas. Policy 2.13 also states that development proposals within Opportunity Areas should (inter alia):
- 6.2.1.1 Support the strategic policy directions for the Opportunity Areas set out in Annex 1 and adopted opportunity area planning frameworks;
 - 6.2.1.2 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;
 - 6.2.1.3 Contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity; and
 - 6.2.1.4 Support wider regeneration (including, in particular, improvements to environmental quality) and integrate development proposals into the surrounding areas especially areas for regeneration.
- 6.2.2 Annex 1 of the London Plan (2015), in Table A1.1 sets the Cricklewood/Brent Cross Opportunity Area (which includes West Hendon) 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 states that:
- "Subject to office demand, a potential Strategic Outer London Development Centre (see Policy 2.16). Brent Cross/Cricklewood also has significant potential for wider economic development, new housing and regeneration, capitalising on public transport improvements including Thameslink and the Northern Line upgrade. The 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 centre 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."*
- 6.2.3 Annex 1 also defines the Opportunity Area planning framework of BXC as 'adopted', which refers to the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework.
- 6.2.4 Annex 2 identifies Brent Cross as a regional shopping centre but with the potential to change classification over the plan period to a Metropolitan town centre.
- 6.2.5 Policy 2.16 identifies Strategic Outer London Development Centres. Table 2.1 identifies Brent Cross with a 'retail' strategic function and BXC 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.

6.2.6 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.

6.2.7 It is noted in Annex 1 that the provision of a major waste facility in the area forms a key role within the North London Waste Strategy.

6.3 Local Planning Policy and Guidance

6.3.1 In 2004 the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework ("**Development Framework**") was adopted by the Council as Supplementary Planning Guidance. It was updated in 2005 to include the Eastern Lands. The Development Framework 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.

6.3.2 The key features for the regeneration of BXC as identified within the Development Framework's vision for the area (Chapter 2) include:

6.3.2.1 A New Town Centre – A new Town Centre on both sides of the North Circular providing a new mix of uses to the area attracting people throughout the day and into the evening;

6.3.2.2 A New Commercial District – Over 20,000 new jobs in office, media, IT and Construction sectors for local people and the new communities moving into the area;

6.3.2.3 A Sustainable Community – In the region of 10,000 new homes (including residential development at West Hendon) including affordable for local people and key workers;

6.3.2.4 High Quality Usable Green Open Space – A new park alongside Brent Terrace providing play areas and gardens. Clitterhouse Fields and Claremont Park to be improved and Clarefield Park will be re-provided. A new riverside walk along the River Brent;

6.3.2.5 Streets and Routes for Pedestrians and Cyclists – Specific Routes for cyclists and pedestrians will be created throughout the area including a new pedestrian route linking the High Street and Market Square to the Brent Cross Underground Station;

6.3.2.6 Quality of Life – Improvements or additions to existing social and cultural facilities;

6.3.2.7 Freight and Waste – A new freight facility to be established to ensure that there is adequate capacity to move consumer goods by rail. Provision of a new waste transfer facility;

6.3.2.8 Accessibility – Improvements of Public Transport Accessibility of the area through: New Main Line railway station and associated Public Transport Interchange; New Bus station with modern facilities and improved services; high quality transit system from Cricklewood Station to Brent Cross Shopping Centre and Brent Cross Underground via The New Town Centre; and

- 6.3.2.9 Deliverability – A commitment to ensuring that the development presents a deliverable solution with measurable benefits and a comprehensive approach to the area’s regeneration to both the north and south of the North Circular.

6.4 **The Council’s Local Plan – Core Strategy (2012)**

- 6.4.1 The Council’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.
- 6.4.2 The Core Strategy states that the regeneration of BXC represents (p40 para 8):
“...the largest and most important development in Barnet and one of London’s most important strategic proposals. The development includes the creation of a sustainable new mixed use town centre for Barnet and North London including substantial residential, commercial and retail uses.”
- 6.4.3 The Core Strategy was adopted in September 2012 and identifies BXC as a major Opportunity Area (p40 ‘Brent Cross – Cricklewood Regeneration Area’ para 1) Policy CS1 states that:
“As our focus of housing and employment growth we will promote opportunities on the west side of the borough in the strategically identified North West London – Luton Coordination Corridor.”
- 6.4.4 A number of Core Strategy policies expressly recognise the role that BXC is expected to play. In addition to Policy CS2, BXC’s contribution to accommodating a substantial amount of the borough’s new development including housing, office and comparison retail development are set out in Policies CS3, CS6, CS7 and CS8. Significant investment in public transport is anticipated in Policy CS9.
- 6.4.5 Policy CS7 in particular relates to transport improvements and states that the Council will seek to provide a number of specific matters including the following relevant items:
- 6.4.5.1 Inclusion of a vehicular link across the railway to connect to Edgware Road;
 - 6.4.5.2 A new railway station;
 - 6.4.5.3 Upgraded rail freight facilities; and
 - 6.4.5.4 Enhanced waste transfer station.
- 6.4.6 The Core Strategy also includes the following outputs for the development of BXC:
“The proposals include approximately 7,550 housing units, of which, subject to a viability assessment, 2,250 are targeted to be affordable. The Brent Cross Shopping Centre will be transformed into an outward-facing town centre with approximately double the current amount of floorspace, which will be focused on a new High Street which traverses the North Circular Road. The application proposals comprise a net addition of 55,000m² gross comparison retail floorspace as part of town centre north. The area south of the North Circular Road will comprise a mix of town centre and residential uses and will include new schools and community uses as well as a new food superstore (to replace

the existing foodstore) and smaller retail units. The 'bridging of the North Circular Road' with a new metropolitan scale sustainable town centre will create the heart and focus of activities at the 'hub' of Brent Cross Cricklewood. In the later phases of the development a new office quarter is proposed to the north west of the area (south east of the existing Staples Corner) which will be served by a new railway station in the later phases of the development. A new 'state of the art' bus station is proposed at the Brent Cross Shopping Centre, linked to the realignment and enhancements of the River Brent corridor."

6.4.7 Amongst the supporting infrastructure noted in the Core Strategy to be delivered as a part of the comprehensive delivery of the Brent Cross Regeneration area are the following which are of particular relevance to the Order:

- 6.4.7.1 a new station;
- 6.4.7.2 the delivery of open spaces and squares;
- 6.4.7.3 extensive improvements to the road network;
- 6.4.7.4 a new Waste Transfer Facility; and
- 6.4.7.5 a new Rail Freight Facility.

6.5 **Saved Policies of Chapter 12 of the Council's UDP (2006)**

6.5.1 The majority of policies within the UDP, including those contained within Chapter 12, were saved in May 2009 by direction from the Secretary of State under Schedule 8 of the Planning and Compulsory Purchase Act 2004. The Local Plan replaced the policies of the UDP with the exception of Chapter 12 relating to BXC and the saved policies contained within it. Development within BXC therefore continues to be subject to the control of the saved UDP Chapter 12 policies. 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."

6.5.2 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.

6.5.3 The 2006 UDP recognised the unique characteristic of the BXC site and the relationship between the railway lands and the strategic links to the rest of London and beyond (paragraph 12.3.21). It therefore identified the need for future development to be linked to an enhanced role for public transport and works towards a modal shift from car use to public transport.

6.5.4 Policy C7 promotes transport improvements in the Regeneration Area, as well as seeking to facilitate strategic transport links to and through the development, including improved vehicular links to the A406, new railway and bus stations, rail freight facilities and a rail link to an improved waste transfer station to service the north London waste transfer station.

6.6 **The Council's Corporate and other policies**

The Council's Corporate Plan 2015-2020

6.6.1 The regeneration of BXC will be a major contributor to achieving the Council's priority objectives in its Corporate Plan 2015-2020 and Corporate Plan Addendum and Targets 2016/17.

6.6.2 BXC is at the heart of the Council's programme of major growth and regeneration which will be delivered over the next decade and beyond to ensure that the borough is able to manage significant population growth in new and improved neighbourhoods, supported by major investment in supporting facilities and infrastructure. This is highlighted in the Corporate Plan Addendum which states:

"The Growth and Regeneration Programme [contributes to the Corporate Plan priorities by] building more than 20,000 new homes by 2025 – the most in outer London – across our seven major growth and regeneration sites, in particular Colindale and Brent Cross Cricklewood, and delivering a pipeline of new homes on council land with current plans for over 700 homes including 320 new council homes."

The Council's Housing Strategy - 2010-2025

6.6.3 The regeneration of BXC is a key component of the Council's Housing Strategy as the scheme will make a significant contribution to meeting the housing needs of the borough by providing thousands of high quality new homes.

6.6.4 The Council's Housing Strategy includes a set of core objectives including Increasing Housing Supply (Page 12). This deals with regeneration and growth and states:

"The majority of growth will be focused in Brent Cross/Cricklewood, Colindale and Mill Hill East. These areas have the capacity to deliver up to 20,000 new homes by 2029/30, of which 6,500 will come forward in the next 5 years, as well as opportunities for improvements to public transport and employment growth."

6.6.5 BXC is specifically highlighted as follows:

"Brent Cross/Cricklewood - A long term scheme which will deliver 7,500 new homes and up to 27,000 jobs over the next 20-30 years. In addition, the scheme will see a doubling in size of Brent Cross Shopping Centre, new community facilities, improved transport infrastructure and new schools. At least 15% of new homes provided will be affordable in addition to 215 homes to replace Whitefield Estate."

Entrepreneurial Barnet 2015-2020

6.6.6 Entrepreneurial Barnet 2015-2020 sets out, through the Council's economic development strategy, that the Council is committed to supporting the economy to grow and to improving living standards by boosting incomes, opportunities and well-being for people in Barnet.

6.6.7 Barnet is the largest borough in London by population, with a strong economy based predominantly on significant numbers of small businesses. The borough has more businesses registered than any other outer-London borough. Many of these businesses are owned by residents (40%). By contrast, Barnet has a much lower than average proportion of large businesses.

6.6.8 High demand for land to build housing, and a relatively short supply of industrial and commercial land mean that Barnet is likely to remain a small business economy over the medium to longer term. The exception is the development of BXC, which offers a significant opportunity to create a new business hub for Barnet, hosting businesses of different sizes, including larger national and international firms, and headquarters operations. The s.73 Permission provides for approximately 395,297 sq.m. of office floorspace. The majority of the office

floorspace will be in the Station District adjacent to the new train station, and 5,396 sq.m. of office floorspace is proposed within the Brent Cross East Zone.

- 6.6.9 Whilst growth will create significant economic opportunities, it must be supported by the requisite infrastructure improvements to ensure that those opportunities are maintained into the longer term. Businesses rely on high quality communications and transport networks. The CPO3 Development will contribute considerably to a significantly enhanced public transport network.

6.7 **Draft Planning Policy**

Draft North London Waste Plan

- 6.7.1 The seven North London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan ("**NLWP**"). Once adopted, the NLWP will form part of the 'Development Plan' for the relevant North London boroughs. The NLWP must be in general conformity with the London Plan and consistent with other documents in borough local plans.

- 6.7.2 The NLWP has two main purposes:

6.7.2.1 to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2032 to manage waste generated in North London; and

6.7.2.2 to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

- 6.7.3 The draft NLWP was published in July 2015. It recognises that the existing rail linked Hendon Waste Transfer Station is due to be redeveloped as part of BXC. The site of the new Waste Transfer Facility at Geron Way/ Edgware Road approved in the s.73 Permission is identified in Figure 13 of the draft NLWP as a proposed new waste site (site reference S01-BA). In addition to the Hendon Waste Transfer Station, three other existing waste management sites within BXC are identified in Table 15, Schedule 1 in Appendix 2 of the draft NLWP as existing safeguarded waste sites in North London. These are:

6.7.3.1 PB Donoghue (site reference BAR 3);

6.7.3.2 McGovern Brothers (site reference BAR 6); and

6.7.3.3 Cripps Skipp's (Ground Waste Recycling) (site reference BAR 7).

- 6.7.4 The latter two sites fall within the CPO2 Order Land. The draft NLWP (para 8.10) recognises that the regeneration of BXC will affect existing waste sites. The draft NLWP is required to be updated to take into account changes to the NLWA's strategy.

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 believes that the acquisition of the Order Land will facilitate the carrying out of development both of the CPO3 Development and also the regeneration of the BXC area.

- 7.2 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. For the reasons set out below and elsewhere within this Statement of Reasons, the Council is of the firm view that the CPO3 Development will so contribute.

- 7.3 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.
- 7.4 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to compulsorily acquire such new rights over land as are specified in a compulsory purchase order.
- 7.5 The CPO Guidance provides guidance on the use of these compulsory purchase powers. The Introduction to the CPO Guidance states that:
- "Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life."*
- 7.6 The main body of the CPO Guidance provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Tier 2, Section 1 provides specific guidance for local authorities on the use of their powers under Section 226. Paragraph 65 provides that:
- "This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate."*
- 7.7 The CPO3 Development accords with the criteria at paragraph 76 of the CPO Guidance. In particular, the purpose for which the Order Land is to be acquired fits in with the adopted planning framework for the area; the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social and environmental wellbeing of the area; and that purpose could not be achieved by any other means such as alternative proposals put forward by owners of the land or alternative locations.
- 7.8 Projects of this scale and nature require the co-ordination of substantial amounts of resources across large areas of land, involving many different types of tenure and discussions with a large number of key stakeholders. The lead-in process to develop a major infrastructure project such as the CPO3 Development is very lengthy as it involves site assembly, planning, design, funding, and extensive changes to the existing highways and infrastructure network, including the network change required for the changes to the operational railway land.
- 7.9 As explained earlier in this Statement of Reasons, the Station Phase works are focused on two areas: (i) the delivery of the new Thameslink Station, Midland Mainline Bridge and Spine Road North (which form an essential part of the ITS); and (ii) the integration of the station and the surrounding lands with the Station District and the BXC development. The earlier than planned delivery of the Thameslink Station will accelerate the delivery programme of both the residential and commercial accommodation within BXS, but for the station to make its maximum contribution to the BXC scheme its integration within the wider development is key. To achieve this, the relocation of the existing Hendon Waste Transfer Facility is required, thereby releasing the eastern landing site of the new station bridge for development as part of the Station Square. The acquisition of 106 Brent Terrace and the Cemex site will allow both the delivery of the Spine Road North and the full integration of the Station District development with the adjoining Brent Terrace and Market Square development areas.
- 7.10 The certainty of having control of the whole of the Order Land is therefore vital to the delivery of the Thameslink Station and to the regeneration of the Station District. The

Thameslink proposals connect into the Station Quarter (West) at the western part of BXS, and the two developments are closely linked. It is essential that the two facets of the CPO3 Development are progressed in a manner that reflects and respects the connectivity between the two development areas. Furthermore, to ensure that BXS is delivered in a comprehensive manner, there is a need to integrate the Station Quarter (West) with adjoining development, notably that which will be facilitated by CPO2. Therefore, in order to secure the delivery of the wide range of significant public benefits that the CPO3 Development (and the wider BXC proposals) will bring, the proposals need to come forward in a comprehensive and co-ordinated manner.

- 7.11 The complex works and logistical arrangements needed to deliver the Thameslink Station requires the acquisition of the Order Land for the purposes of decommissioning and remediating under-utilised operational rail land. It will be necessary to establish a large, safe construction compound, which is capable of being separated from operational rail land so as to not to interfere with services. The construction period will last at least 4 years. Thereafter, this "brownfield" land will be released for development as part of BXS. It is anticipated that land will be released in phases to ensure that the momentum of delivery is maintained.
- 7.12 The Council is of the view that the redevelopment and improvement of the Order Land through the CPO3 Development will contribute significantly towards the achievement of the economic, social and environmental well-being of its area. Moreover, all the interests and new rights included in the Order need to be acquired at the outset in order to meet the development programme.
- 7.13 The Council does not consider that there are any alternative means which would achieve its purposes in seeking to deliver the Thameslink Station, Station District, and/or the remainder of the comprehensive BXC scheme. No alternative proposals have been put forward by the owners of the land, or any other persons, for its re-use. Nor are there any alternative locations which are suitable for the purpose for which the land is being acquired. The location of the Thameslink Station is within the parameters set by the s.73 Permission and has been subject to a detailed design process involving Network Rail. The Thameslink Station is appropriately located to deliver the wider comprehensive development requirements as defined in Development Plan policies, to best serve the wider BXC development and help to deliver the required modal shift in transport use.
- 7.14 The Council considers that there is a compelling case in the public interest for the Order, so that the substantial public benefits the CPO3 Development (as part of the wider BXC development) will bring can be realised.

8. ECONOMIC SOCIAL AND ENVIRONMENTAL WELL-BEING

- 8.1 The CPO3 Development will contribute very significantly to the economic, social and environmental well-being of the area and will also be a catalyst for the development of the wider BXS area (itself part of the overall BXC regeneration scheme).
- 8.2 The BXC scheme will create a new town centre and residential quarter, uniting the areas north and south of the North Circular, providing an attractive and vibrant place to live and work.
- 8.3 The Thameslink Station will facilitate the delivery of important and wide ranging public benefits including most notably the new station itself which is a key component of the ITS and is expected to cater for 5 million passengers per annum.
- 8.4 Through development of a vehicular bridge over the Midland Mainline, the CPO3 Development will create a new link from the A5 to the new Spine Road North to be delivered as part of BXC. This, together with the new pedestrian and cycle link over the Midland Mainline, will significantly improve the public transport, pedestrian and cycle network,

including improving the flow of traffic on the highway network by relieving pressure on the Staples Corner junction, and will connect the Thameslink Station transport interchange with the wider BXC development. The Midland Mainline Bridge will also connect the CPO3 Development with the existing Edgware Road area, promoting permeability and connectivity between these areas. These improvements will provide enhanced connectivity for the community and will break down the dominance of infrastructure across the BXC area.

- 8.5 The new Rail Freight Facility will provide an improved 'open access' development providing two 450m freight sidings connecting to the existing mainline railway. 'Open access' is where all freight operating companies have equal access rights to any rail freight facility on the network, with the freight facility owner charging the same price to all freight operating companies for use of the facility and where any additional requirements, e.g. storage and handling, are negotiated separately. This new facility will replace the existing Rail Freight Facility and will operate as an aggregate import and storage terminal serving up to four different operators. The existing facility is rarely used for its intended rail-based purpose with only one operator, NLWA, using it at present, principally by road.
- 8.6 The new Waste Transfer Facility to be located on the western side of the development will provide a modern waste facility capable of handling up to 175,000 tonnes of municipal waste per annum. The facility also provides for easier and segregated transport routes to and from the facility. In comparison to the current facility, the new facility will create an improved environment for the local population due to the modern air filtration systems and waste disposal technology that will be utilised at the new site.
- 8.7 The significantly improved public transport accessibility as a result of the development of the Thameslink Station will provide a platform for delivering sustainable, high quality and high density development across the remainder of BXS. The Thameslink Station and the Station District are very closely linked, and the development of the entirety of the Order Land by way of the CPO3 Development will itself facilitate the comprehensive regeneration of the whole of BXS.
- 8.8 By accelerating the delivery of the Thameslink Station, including the provision of the Midland Mainline Bridge (which will connect into the Spine Road North) and the proposed Thameslink Station Bridge (which will connect on the east side into the proposed transport hub at Station Square), the PTAL for the area will increase significantly. Early delivery of the station will therefore significantly promote the use of sustainable transport by the future proposed new residential and commercial uses. Furthermore, land will be released for development at an earlier stage for the regeneration of BXS, thereby acting as a catalyst for further regeneration. The improvements to the accessibility of the area by the delivery of the Thameslink Station will therefore help realise the regeneration of the area to its full potential.
- 8.9 The Thameslink Station will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and by doing so will help to promote a more rapid pace of development across the remainder of BXS and the delivery of wider economic and social benefits.
- 8.10 The Station District will deliver new residential accommodation (including affordable housing), contributing significantly to the achievement of the Mayor's Housing Strategy for London and that of the Council.
- 8.11 It will deliver much needed commercial and business development, which will provide opportunities for jobs. The range of employment generating floorspace 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.
- 8.12 There will be a demonstrable improvement in the visual appearance and environment of the Order Land. Parts of the area are dominated by fragmented and industrial land uses, and have a low visual quality. The delivery of the Station District, and the links over the Midland Mainline, will integrate the area with the remainder of BXS, and will deliver a significantly improved urban environment. The proposed new public realm around the

station and new transport interchange, with surrounding retail and leisure uses, will contribute to a vibrant, bustling environment, where people can work, live and play.

- 8.13 The delivery of the new neighbourhood park NH3 (referred to as Brent Terrace Park within the s73 Permission) will be part of the additional quantum of new open space provided within BXC. Brent Terrace Park is proposed to be a linear park providing an attractive outlook for existing properties on Brent Terrace and high quality green open space for both existing and new residents. The park will also form part of the proposed green corridor (GC8).
- 8.14 The development of the Order Land will also contribute to the remediation of contaminated land. Some of the current and previous uses have resulted in contamination of the land. In order to create a high quality and safe environment, soil remediation to satisfactory levels will be necessary.
- 8.15 The development of the Order Land will also play a vital role in the wider regeneration of the BXC area including the provision of the integrated town centre with its range of services and facilities.
- 8.16 These benefits contribute towards demonstrating that there is a compelling case in the public interest for the confirmation of the Order. Moreover, without the Order it is very unlikely that the land and interests needed for the CPO3 Development could be assembled within a reasonable timeframe.

9. DELIVERY AND RESOURCES

- 9.1 The CPO3 Development comprises a number of elements, the responsibility for the delivery of which is described below.

Delivery of the Thameslink Station

- 9.2 The Council is responsible for delivering the new Thameslink Station. It is therefore working closely with Network Rail, who are the project sponsors for the regulatory process which must be followed when a material change is proposed to the operation of the rail network or of trains operated on the rail network ("**Network Change**"), in order to deliver the alterations to the operational railway lands which will facilitate the new station development and the remediation of brownfield land needed to support the comprehensive regeneration of BXC. Discussions regarding the contractual arrangements between the Council and Network Rail which will enable the transfer of land owned by Network Rail to the Council for the delivery of the CPO3 Development are at an advanced stage. Furthermore, the Council and Network Rail are working together to deliver a scoping document ('Complex Projects Procedure') outlining the approach to be adopted to obtain the necessary approvals for Network Change.
- 9.3 The Council is also responsible for the delivery of the following:
- 9.3.1 The relocation of the NLWA Waste Transfer facility from the east of the mainline to the west to facilitate the Thameslink Station development;
 - 9.3.2 New Pedestrian link – combined with the new station concourse over the railway and linking the area to the west of the railway to the new BXC town centre;
 - 9.3.3 Spine Road North – which will link the proposed Midland Mainline Bridge with the proposed Transport Hub T1, new Station and Station Square;
 - 9.3.4 Midland Mainline Bridge – creating a new link from the A5 to the new Spine Road North, public transport, pedestrian and cycle network connecting with the Thameslink Station transport interchange and serving the wider BXC development; and

- 9.3.5 New Rail Freight Facility – to release “brownfield” railway land for re-development and provide a modern “Open Access” freight facility better able to meet demand.

Public sector funding commitment for the Thameslink Station

- 9.4 The public sector has committed to fund and build the Thameslink Station. This funding commitment was reaffirmed by the Chancellor of the Exchequer in the Budget Statement on 16 March 2016, which confirmed that *“The government has approved the full business case for a new Thameslink station at Brent Cross Cricklewood, unlocking 7,500 new homes. This follows the Government’s previous commitment to provide £97 million of grant funding and ringfence the local share of business rates”*.
- 9.5 Under the proposals, the Council will receive a grant of £97m from the Treasury, and will borrow the remaining funds required to build the station. This borrowing will be repaid by ring-fencing the local share (i.e. the 30% currently retained by the Council and the 20% currently retained by the Greater London Authority) of business rate growth delivered by the expansion of the shopping centre.
- 9.6 In this regard, the Council’s Policy and Resources Committee on 17th May 2016 authorised an increase in the Council’s capital financing requirement to accommodate the borrowing required for the station and associated infrastructure works.
- 9.7 The Council is confident, given the commitment of the public sector to funding the station and to delivering the comprehensive regeneration of BXC, that the resources are available to deliver the Thameslink Station.

Delivery of the Station District

- 9.8 BXS LP is responsible for the delivery of the following:
- 9.8.1 Station Quarter (West) and Brent Terrace (North) – providing a significant amount of business and employment uses together with a mix of residential, retail and leisure uses and public realm;
- 9.8.2 Station Square – a significant new public square that anchors the western end of the High Street South and connects the heart of Brent Cross South to the new transport interchange and a variety of other transport modes which will cluster around the Station; and
- 9.8.3 Brent Terrace Park – Neighbourhood Park 3 and associated Green Corridor 8 as defined in the s.73 Permission, the provision of which may be delivered in two phases with the northern section delivered in conjunction with Spine Road North.

Contractual and funding arrangements for the delivery of the Station District

- 9.9 In order to secure the comprehensive regeneration of the entire BXS area, including those elements which form part of the CPO3 Development, the Council has procured a partnership with Argent Related to deliver the development to BXS, beginning with the CPO2 Development. The Council commenced the procurement process in July 2014, with the aim of selecting a development partner who would work up detailed proposals for the development of land to the south of the North Circular and prepare a robust business plan for delivering them. It attracted significant market interest, and culminated in the selection of Argent Related as preferred developer for BXS in March 2015.
- 9.10 On 17th March 2016 the Council’s Assets, Regeneration and Growth Committee authorised the Council to enter into a partnership with Argent Related by way of a limited partnership agreement, shareholder agreement and associated project documentation to establish the

Brent Cross South Limited Partnership (BXS LP) to deliver BXS, including the CPO3 Development. This documentation was concluded on 11th July 2016.

- 9.11 Under these arrangements, the Council will invest its land into the BXS LP and Argent Related will act as development manager procuring the delivery of infrastructure to produce serviced development plots. Argent Related will be responsible for bringing funding and investment into the project, both directly and where appropriate from third party sources.
- 9.12 Argent's projects include the regeneration of the King's Cross area and the award-winning Brindley Place mixed use scheme in Birmingham. They have a significant and successful track record in delivering complex multi-phased mixed-use developments.
- 9.13 Related Companies is a privately owned real estate firm based in New York, and in addition to carrying out major development projects it manages approximately \$1.5 billion of equity capital on behalf of sovereign wealth funds, public pension funds and the like. Related Companies also develop, own and manage a large number of privately rented residential units, and their expertise in this area will be beneficial to the scheme.
- 9.14 The Council is therefore satisfied that the funding and resources will be available to deliver the Station District.

Planning

- 9.15 As explained in section 5 above, outline planning permission by way of the s.73 Permission has been granted for the BXC scheme, including the CPO3 Development. The s.73 Permission permits BXC to be brought forward in phases. CPO1 and CPO2 will facilitate the delivery of Phase 1 of BXC.
- 9.16 The s.73 Permission currently envisages that the new railway station will be delivered in Phase 5 of the development. However, as explained above, the public sector is proposing to fund and build the Thameslink Station as an earlier phase in the development to ensure the comprehensive regeneration of BXC. It is proposed to combine the related Thameslink elements into a single phase/sub-phase to enable a more holistic approach to the delivery of the different elements within the Railway Land Zone. As a consequence of this approach, in addition to moving the Thameslink Station and Rail Stabling Facility from Phase 5 into an earlier phase/sub-phase, the proposed Rail Freight Facility and Midland Mainline Bridge are also to be brought forward from Phase 4. The permitted Waste Transfer Facility is currently anticipated as Phase 1 development (sub phase 1B). A smaller facility reflecting up to date waste requirements will be delivered on Plot 62 (as referred to in the s73. Permission) pursuant to a new full 'drop-in' planning application within the original phasing programme to precede and facilitate the Thameslink Station development. A revised rail freight facility reflecting up to date rail freight requirements may also be delivered pursuant to a 'drop-in' application.
- 9.17 These proposed changes to the phasing of the approved development will need to be addressed through applications made pursuant to the conditions attached to the s.73 Permission and amendments to the related Section 106 obligations. Other modifications may be pursued by way of applications under Section 96A of the Act or by way of drop-in applications.
- 9.18 The Council does not consider that the nature of the changes proposed in relation to the early delivery of the Thameslink Station and associated infrastructure would give rise to any planning impediments to the delivery of the scheme as the principle of the uses has been established by the s73 Permission.
- 9.19 A pre-application consultation opinion request for the re-phasing of the Thameslink Station, including the new stabling sidings and Rail Freight Facility, relocation of the Waste Facility and Midland Mainline Bridge, was submitted to the Local Planning Authority in March 2016. Condition 4.2 of the s.73 Permission provides a mechanism within the permission to change the delivery phasing of different elements. It is anticipated that an application under Condition 4.2 will be made in January 2017 and that the necessary reserved matters applications, drop-in applications, and non-material amendment applications relating to specific elements will be submitted at the same time or shortly thereafter.

- 9.20 Insofar as the Station District is concerned, BXS LP have undertaken a detailed interrogation of the s.73 Permission masterplan and have proposed the introduction of certain changes to the illustrative masterplan, in order to improve the BXC scheme.
- 9.21 Initial discussions between Argent Related and the Council in relation to these proposed changes have taken place. Whilst the exact detail of the proposed changes is not yet known, the principles of the scheme will remain the same. The Council does not consider that changes proposed would be likely to give rise to any planning impediment to the delivery of the CPO3 Development.
- 9.22 It is evident from the above that the Council has a clear idea how it intends to use the Order Land. Furthermore, the Council considers that all the necessary resources are likely to be available to achieve that end within a reasonable timescale, and there are no planning, financial or other impediments to the delivery of the CPO3 Development.

10. **LAND NEGOTIATIONS**

- 10.1 In addition to Network Rail, the Council is consulting and negotiating with all of the relevant stakeholders in the area in order to bring forward the CPO3 Development.
- 10.2 An 'open access' freight facility is proposed. The Council has been actively pursuing negotiations with the current leaseholder of the existing facility, DB Cargo (UK) Limited, since 2014. Negotiations with DB Cargo (UK) Limited are continuing, with DB Cargo (UK) Limited expressing that they wish to deliver the facility themselves, taking the lead on the design, delivery and management of the new open access facility. However, to date the Council has not been presented sufficient detail on any aspect of DB Cargo (UK) Limited's proposals. In the absence of this detail, and given the need to guarantee the delivery of the new freight facility, and for it to be brought forward in a co-ordinated manner alongside the remainder of the CPO3 Development, it is necessary for the Council to include the existing freight facility in the Order. Whilst discussions will continue with DB Cargo (UK) Limited in parallel with the CPO process, the Council is developing its own detailed proposals for the new freight facility to ensure that its delivery is not frustrated or delayed.
- 10.3 The NLWA currently lease the Hendon Waste Transfer Station from Network Rail for the purposes of a waste transfer facility. The Council has been in extensive discussions with NLWA regarding their proposed relocation and has sought to identify an alternative site. The Council is currently in discussions with NLWA regarding the proposed terms of relocating to the new waste facility to the west of the railway (CPO Plot 23), and is also in discussion with the owners to agree terms to acquire the site.
- 10.4 2 Geron Way is currently owned by Hammerson (the Council's joint venture partner on BXN) and occupied by Selco on a lease that expires in December 2016. The Council have agreed terms with Hammerson for the purchase of the property which is to be transferred with vacant possession.
- 10.5 GL Hearn are undertaking negotiations on behalf of the Council in relation to 106 Brent Terrace and Cemex, Brent Terrace and the land adjacent to Unit 7 Staples Corner Industrial Estate.
- 10.6 Terms have been agreed with the freeholder of 106 Brent Terrace for the purchase of their interest and exchange of contracts is expected to occur in December 2016.
- 10.7 106 Brent Terrace is occupied by Clockwork Removals and the Council, through GL Hearn, is seeking to agree terms to acquire their interest.
- 10.8 Correspondence has been sent to Cemex in respect of the acquisition of their interest and discussions are being progressed through their appointed representatives. The Council are continuing to try and engage with Cemex to purchase their interest by agreement and identify their relocation requirements.

10.9 Discussions have been held with the freeholder of Unit 7 Staples Corner Retail Park as to the acquisition of his interest and will continue to be progressed in an effort to acquire the land by agreement. Cineworld, who have a right to use the car park, has been contacted but there has been no response to date.

10.10 The Council will continue to seek to acquire all of the remaining third party interests in land by agreement but considers that the use of its compulsory purchase powers is necessary to ensure that the Order land can be acquired within a reasonable timescale allowing the scheme to proceed.

11. RELATED ORDERS AND SPECIAL KINDS OF LAND

11.1 The Order Land does not contain any of the special kinds of land such as listed buildings, ancient monuments, conservation areas or open space.

11.2 The apparatus of statutory undertakers or utilities will be protected, diverted or replaced as necessary.

11.3 There are no requirements for additional information as referred to in paragraphs 154(vii) and (xi) of the CPO Guidance or in the light of Government policy statements.

11.4 As explained above, the Council is promoting two separate compulsory purchase orders (CPO1 and CPO2) to deliver regeneration to the north (CPO1) and south (CPO2) of the North Circular, with its development partners Hammerson and Standard Life Investments (CPO1), and Argent Related (CPO2), as part of the comprehensive BXC development. The inquiry into CPO1 and CPO2 was heard jointly, and the inquiry closed on 27th July 2016.

11.5 Each of the three CPOs is justified on its own merits as each will deliver significant public benefits and will make a vital contribution to the social, economic and environmental well-being of the BXC area. Taken together, the development that will be facilitated by the three CPOs will constitute a major component of BXC, which (as previously explained) is a priority objective for the Mayor of London and the Council.

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 CPO3 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 CPO3 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. 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.
- 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. If objections are received, a public inquiry will be held into the Order, and those whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided under national law.

13. **CONCLUSION: COMPELLING CASE IN THE PUBLIC INTEREST**

- 13.1 The CPO Guidance sets out guidance for acquiring authorities regarding the making and confirmation of CPOs. This includes key policy tests which the Secretary of State will expect to be satisfied before a CPO is confirmed.
- 13.2 Paragraph 76 of the CPO Guidance advises that, in deciding whether or not to confirm a CPO, the Secretary of State can be expected to consider factors including the following:
- 13.2.1 whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up-to-date framework exists, with the draft Local Plan and the NPPF;

- 13.2.2 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; and
- 13.2.3 whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.
- 13.3 As to the first factor (the planning framework for the area), the s.73 Permission for the regeneration of BXC gives effect to the policy requirement found in the Core Strategy and saved policies of the UDP, which reflect the London Plan, for a comprehensive approach across the whole area so that its potential can be fully realised. The area is identified as an Opportunity Area in the London Plan, and as such is one of the Mayor's key regeneration areas. The CPO3 Development will contribute towards the achievement of the Council's strategic objectives. 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 happens.
- 13.4 As to the second factor (contribution to well-being), as explained above, the use of CPO powers to facilitate the redevelopment and regeneration of the Order Land will contribute very significantly towards 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 Order Land and in the wider BXC area. The CPO3 Development will deliver significant public benefits, including the delivery of the Thameslink Station which is integral to the delivery of the BXC ITS. The CPO3 Development will also facilitate the wider BXC regeneration project by providing part of the BXS core development, which is essential to place-making and will help to increase the pace of delivery of new homes.
- 13.5 As to the third 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 including through development in other locations. All of the Order Land is required for the CPO3 Development. 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.
- 13.6 Paragraph 13 of the CPO Guidance advises that it will be difficult to show conclusively that the compulsory acquisition of land is justified in the public interest if the acquiring authority cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale.
- 13.7 As explained above, there is a clear strategy for the development of the Order Land, based on the s.73 Permission. It is likely that, if CPO3 is confirmed, the development, redevelopment and improvement for the purposes of which the Order has been made will be delivered.
- 13.8 The Council has secured funding for the delivery of the Thameslink Station. For the Station District, a development partner, BXS LP, has been appointed with access to the necessary resources, and a project agreement to deliver the proposals has been entered into. Funding is available to deliver the CPO3 Development timeously (paragraph 14 of the CPO Guidance) and there are no likely impediments to the scheme (paragraph 15 of the CPO Guidance).
- 13.9 Paragraph 2 of the CPO Guidance refers to the taking of steps by an acquiring authority to acquire land by agreement where possible.
- 13.10 Whilst landowners have been contacted, and negotiations have taken place and are ongoing, it is clear that, unless the Order is confirmed, the Council and BXS LP 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. Therefore, unless CPO3 is confirmed, the disparate land ownership and the process of land assembly will inevitably delay the delivery and progression of the CPO3 Development, which is an essential stage of the wider BXC regeneration through a comprehensive scheme that includes CPO1 and CPO2 (Paragraphs 74 and 75 of the CPO Guidance).

- 13.11 Accordingly, the Council considers that the tests in section 226(1)(a) and section 226(1)(A) of the Act are met, the criteria in the CPO Guidance is satisfied and that there is a compelling case in the public interest for the confirmation of the Order.

14. **CONTACT DETAILS OF CONTACTS**

- 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:

David Conboy, CPO and Regeneration Director, GL Hearn Limited of 280 High Holborn, London, WC1V 7EE. Tel: 020 7851 4811. Email: David.conboy@glhearn.com.

- 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, 2nd 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:

- 16.1.1 the Order, Order Schedule and Order Map;
- 16.1.2 report to the committee and decision notice and section 106 agreement relating to the s.73 Permission ref: F/04687/13 dated 23 July 2014;
- 16.1.3 ARG report and minutes of [] September 2016 authorising the making of the Order;
- 16.1.4 National Planning Policy Framework 2012;
- 16.1.5 London Plan 2015;
- 16.1.6 London Borough of Barnet Core Strategy 2012;
- 16.1.7 London Borough of Barnet UDP 2006 – Saved Policies; and
- 16.1.8 Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework.

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

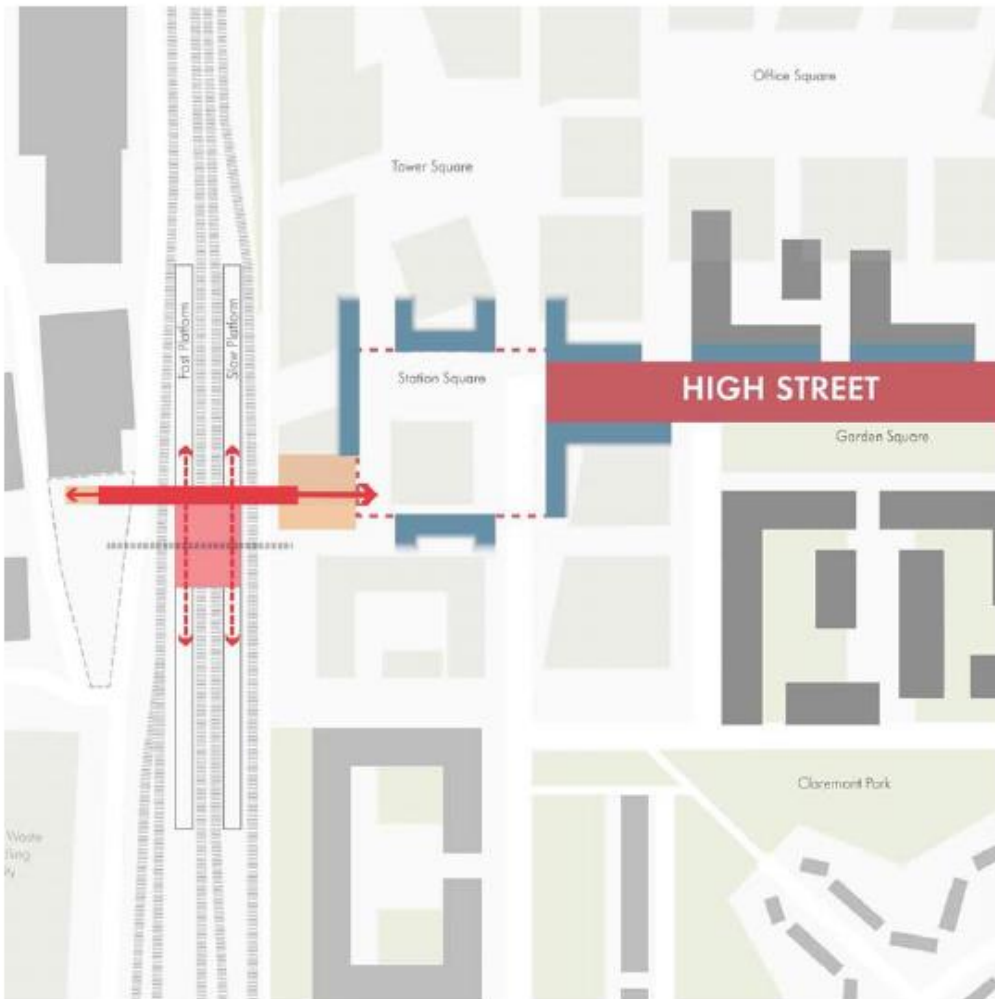
Barnet House, Planning Reception, 1255 High Road, Whetstone, N20 0EJ, Tel: 0208 359 2000 during the following hours: 9am-1pm and 2pm until 5pm Monday to Friday; and

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, Saturday 9:30am to 5pm and Sunday 2pm to 5pm.

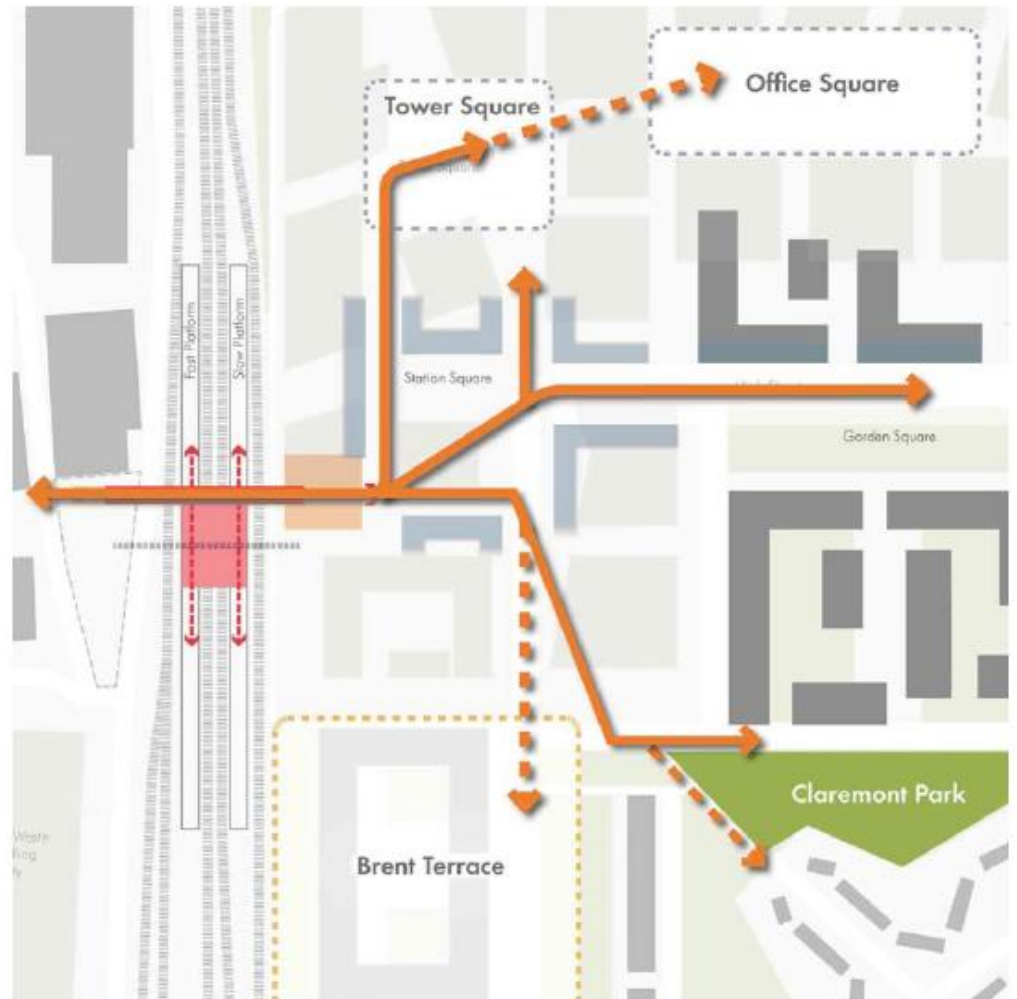
APPENDIX 1

Plan showing the extent of Order Land

NORTHERN STATION RELATIONSHIP WITH HIGH STREET & ACTIVE FRONTAGE



NORTHERN STATION - RELATIONSHIP WITH WIDER MASTERPLAN



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Brent Cross Cricklewood Regeneration Scheme

Communication and Consultation update

The Council and its Development Partners have carried out widespread consultation and engagement with residents within BXC and in the surrounding area in relation to the scheme proposals. This has included sending out consultation letters to more than 20,000 local residents and businesses, including the parts of Brent and Camden adjacent to the planning application boundary, in relation to the planning applications.

The proposals have been subject to full consultation through the planning process, and contact has also been made with all known residents, owners and occupiers of residential and non-residential properties and discussions are ongoing regarding the acquisition of the interests and the relocation options for those affected. The Council, and its Development Partners and their advisors, have engaged with residents directly as well as through the Whitefield Estate Steering Group and Open Meetings, Resident Surgeries and through other organised meetings including the Cricklewood Community Forum.

CPO1

The Whitefield Estate residents within the CPO1 Order Land have been consulted on designs of the replacement homes in Plots 53 and 54 of the RMA, through a series of workshops organised by the CPO1 Developer which included training on understanding plans and design workshops. This was followed by a briefing sheet sent to residents which included information about the design and layout of the replacement homes. Residents were also involved in the selection of the Catalyst Housing Group, a leading Registered Provider, to deliver and manage the replacement homes.

The Council and its Development Partners met with the CPO1 Whitefield Estate Sub Steering Group on the 12 May 2016, to provide a progress update.

The Council has also agreed terms with eight residential homeowners and have acquired properties in Claremont Way and Whitefield Avenue.

CPO2

Following the formation of BXS LP, a series of meetings and events is planned to step up engagement between the Residents Steering Group and BXS LP. This includes a recruitment effort to increase participation in the Whitefield Residents Steering Group, as well as general information meetings to which all residents will be invited. It is envisaged that this group will be the forum for future consultation on the design, timing and delivery of the new replacement homes. Concurrently, the Council with GL Hearn and PEP (Resident Independent Advisor) continue to run a programme of resident surgeries and workshops for Council tenants and leaseholders.

A Brent South Information Briefing Day is being held on the 6th and 9th July for the CPO2 Whitefield Residents, where residents will receive scheme updates and information about the Registered Providers selection process.

CPO3

Over the last few months the Council and Argent Related have consulted with residents in Brent Terrace and will be continuing their discussions with all affected land owners in this area.

Additional Activities

Over the last 4 months, PEP the Resident Independent Advisor has held resident surgeries on the following dates Wednesday 16th March 2016, Wednesday 16th March 2016, Saturday 19th March, Wednesday 20th April 2016, Saturday 30th April 2016, Tuesday 3rd May 2016, Thursday 12th May 2016 and Tuesday 17th May.

The Council has held special CPO Surgeries on Saturday 30th April 2016, Tuesday 3rd May 2016 and Thursday 12th May 2016, in the lead up to the CPO Inquiry which commenced on Tuesday 17th May 2016.

Also, Argent Related have appointed Soundings whose principle aim is to help develop a Community Consultation Strategy, which will ensure going forward that the masterplanning / project development / design process is fully informed by community engagement. Soundings are organising a number of consultation events throughout July 2016 with the residents and community groups in the wider Brent Cross South area. These events include community liaison meetings and the first one is being held on 7th July at the Whitefield School.



ASSETS, REGENERATION & GROWTH COMMITTEE

5th September 2016

Title	GRAHAME PARK PLOTS 10, 11 AND 12 COMPULSORY PURCHASE ORDER
Report of	Cath Shaw - Commissioning Director, Growth and Development
Wards	Colindale
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1 – CPO Plan
Officer Contact Details	Martin Smith, Regeneration Manager (RE) Martin.smith@barnet.gov.uk, 0208 359 747671

Summary

This report seeks authority to make a Compulsory Purchase Order (CPO) at Grahame Park for Plots 10, 11 and 12 (the Concourse). The use of Compulsory Purchase Orders will be an option of last resort and will only be utilised where third party interests cannot be acquired through private treaty negotiations. Authority is sought to make, seek confirmation and implement up to three separate CPOs for the acquisition of third party proprietary interests within Stage B of the development..

The CPO will be promoted using statutory powers under the Town and Country Planning Act 1990.

Recommendations

That the Asset, Regeneration & Growth Committee agrees:

- 1.1 to authorise the making of up to three CPOs;**
- 1.2 that the appropriate Chief Officer be authorised to issue and sign the order, notices and certificates in connection with the making, confirmation and implementation of the CPO(s)**

- 1.3 that the appropriate Chief Officer be authorised to make General Vesting Declarations (GVDs) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve notices to treat and notices of entry (if required) following confirmation of the CPOs;**
- 1.4 that the appropriate Chief Officer be authorised to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a GVD or service of a notice of entry relating to the CPOs if it was considered appropriate to do so;**
- 1.5 that the appropriate Chief Officer be authorised to transfer all properties and proprietary interests acquired pursuant to the CPO(s) to Choices for Grahame Park in accordance with the terms of the Principal Development Agreement dated 30th January 2007;**
- 1.6 that the appropriate Chief Officer be authorised to take any further necessary actions to secure the making, confirmation and implementation of the CPO(s);**
- 1.7 that, subject to any necessary consent from the Secretary of State, approval be given to the sale of retained council houses to existing home-owners whose properties are due for demolition within the Grahame Park estate, and to the corresponding acquisition of their current homes.**

1. WHY THIS REPORT IS NEEDED

- 1.1.1 In January 2001 the Council embarked upon a scheme for the regeneration of the Grahame Park Estate (“the Estate”) which aimed to transform it into a thriving, mixed tenure community with improved transport links and enhanced community facilities. On 30th January 2007 the Council entered into a Principal Development Agreement (PDA) with Choices For Grahame Park (CFGP) a special delivery vehicle created by Genesis Housing Association (GHA).
- 1.1.2 The regeneration of the Grahame Park Estate is a key priority for the Council. This is set out in saved policies from the London Borough of Barnet UDP 2006, the Adopted Core Strategy 2012 and within the associated Development Plan Documents (DPDs).
- 1.1.3 The estate was constructed in the late 1960s. Due to its design, layout and construction it is characterised by a number of issues such as:
 - poorly defined public and private space;
 - lack of orientation within the estate;
 - no clear connection between the estate and the surrounding Colindale streets;
 - unappealing entrances to blocks and poorly maintained internal communal areas;

- building fabric in need of repair and upgrade to meet current environmental and building standards
- 1.1.4 Through the regeneration Scheme the housing stock will be significantly improved to meet current building and construction standards, improving the environmental and social wellbeing of the area. Overall the regeneration Scheme will also include training and employment opportunities for residents within the borough, as well as proposals for a new health centre, community hub, and children's centre, together with improved transport links, improving the economic, social and environmental well-being of the area.
- 1.1.5 The Council remains committed to securing the delivery of the overall Scheme, and the need for the comprehensive redevelopment of the Estate is recognised in adopted planning policy including the NPPF, the London Plan, the Barnet Core Strategy and Saved policies from London Borough of Barnet UDP 2006 and adopted Development Management Policies (DMP).
- 1.1.6 The Regeneration Scheme will deliver the following real and tangible benefits:
- Residential homes built to Lifetime Standards, incorporating higher standards of build quality applying Secure by Design principles and achieving a tenure blind design;
 - Mixed and balanced communities delivered through a wider choice of tenure and unit mixes, offering wider opportunities for home ownership and creating sustainable, inclusive and mixed communities;
 - The transformation of unappealing groups of buildings and disconnected external spaces into thriving and cohesive neighbourhoods through the integration of the Estate with its surrounding context (achieved through public parks, play spaces and community facilities);
 - The removal of the Concourse which represents a significant obstacle to vehicular movement in the locality;
 - Public realm improvements to the whole area
 - Improved green spaces and play spaces.
- 1.1.7 At present properties within the Estate fail to meet Decent Homes Standards. Taking into account the significant investment required to bring the existing buildings up to current standards and the commitment to secure the comprehensive regeneration of the Estate, the Council considers that there is a compelling case in the public interest to secure the delivery of the Scheme (and its associated benefits). To that end, the Council intends to utilise the powers under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 because it is not certain that it, or GHA will be able to acquire all third party proprietary interests and/or rights by agreement.
- 1.1.8 On 8 September 2014, officers presented a report to members of this Committee providing an update on the progress made to date on the Grahame Park Regeneration Scheme in addition to setting out a proposal for Stage B of the Scheme. As previously reported, the Scheme is divided into

two distinct stages; A and B. Stage A is currently underway and is divided into nine phases. In total, Stage A will deliver 685 homes of which, 332 (49%) will be residential units for sale on the open market or rent and 352 (51%) will be affordable housing homes. The 352 affordable homes are made up of 235 social rent, 38 affordable rent and 80 shared ownership.

- 1.1.9 A review of Stage B, undertaken by RegenFirst on behalf of the Council and completed August 2013, identified a significant viability gap and the need for public sector investment. On 12 September 2014, GHA submitted a major bid relating to the Grahame Park Regeneration Scheme. GHA secured a £56m Government loan in March 2016. This loan will be used to progress Stage B of the Scheme and in particular the demolition of the Concourse. It is envisaged that those secure tenants falling within Plots 10, 11 and 12 of the Concourse will be the first to be decanted into the new homes being built on Plots 5 and 6 which are within Stage A of the Scheme. The balance of the remaining secure tenants in Plots 12 will move into the newly built homes on Plot 10.
- 1.1.10 GHA have approximately three years within which to expend the funding. In order to advance the demolition of the Concourse, CFGP will require vacant possession of the land. Within the Concourse there are approximately 630 residential units and 31 commercial units of which 25 units are third party proprietary interests (i.e. interests held by parties other than the Council). In the first instance, the Council and CFGP will seek to acquire all third party proprietary interests through private treaty negotiations however, in order to secure the delivery of the Scheme officers are seeking a resolution in principle for the Council to exercise compulsory purchase powers where necessary. The power to compulsorily acquire third party proprietary interests would only be exercised as a last resort in the event that those interests cannot be obtained by private treaty.
- 1.1.11 On 15th December 2014 Officers presented a report seeking authorisation to commence the preparation of the CPO and this work has now started with the appointment of land referencers to identify third party proprietary interests, and serve appropriate notices. This work has now been completed subject to late alterations in the redline boundary to include access arrangements whilst works are taking place. The Secretary of State approved the Council's application under the Housing Act 1985 Schedule 2 Ground 10A, by way of a Decision letter dated 11th February 2016. This gives grounds for possession in respect of dwellings let under secure tenancies.
- 1.1.12 The Council achieved vacant possession of the land required to deliver Stage A of the Scheme without the need to exercise compulsory purchase powers and it is envisaged that works in respect of that Stage will be completed by January 2018.

2 REASONS FOR RECOMMENDATIONS

- 2.1 The CPO(s) are required to provide certainty with regard to the demolition and regeneration of the Concourse area. Without a Compulsory Purchase Order

as a 'backstop', it would be very hard to assemble the site through private treaty negotiations.

- 2.2 The Council is obliged under the terms of its Development Agreement with GHA to progress the CPO for Grahame Park.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The only alternative to seeking Compulsory Purchase powers would be to try to acquire the properties and interests required to progress the scheme by private treaty. Without a Compulsory Purchase Order as a 'backstop', it would be very difficult to assemble the site through private treaty negotiations.

4 POST DECISION IMPLEMENTATION

- 4.1 Post ARG, delegated authorities will be sought for the final CPO proposals and separate applications for each CPO will be made to the Secretary of State. It is likely that CPO inquiries will be necessary for the CPO(s) applications. Once formal decisions are received, vesting dates will be agreed and the appropriate legal notices issued.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The vision for 2020 expressed within the Council's corporate plan 2015- 2020 emphasises the principles of fairness, responsibility and opportunity and the following strategic objectives.

- 5.1.2 The council, working with local, regional and national partners, will strive to ensure that Barnet is the place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

- 5.1.3 The regeneration of the Grahame Park regeneration estate also supports the Sustainable Community Strategy for Barnet 2010–2020 through the following objectives:

- A new relationship with citizens - the new developments will offer more choice and promote independence by providing a number of different housing options such as shared ownership to residents and to other people in the wider community.
- A one-public-sector approach - the Council is working together with other public sector partners to ensure the delivery of the schemes.

- A relentless drive for efficiency - the Council is working with development partners to ensure that the scheme is delivered in the most cost effective way.

5.1.4 The regeneration scheme also complies with strategic objectives in the Council's Housing Strategy 2010-2025 which include:

- Increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and promoting mixed communities and maximising opportunities available for those residents wishing to own their own home.

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

5.2.1 The Council has agreed the terms of a Compulsory Purchase Order Indemnity Agreement (CPOIA) with GHA. Under the terms of the CPOIA GHA is required to cover all of the Council's costs in relation to the preparation, making, confirmation and implementation of up to three Compulsory Purchase Orders. These costs include the purchase price or any compensation for any land or interest which the Council has to acquire either pursuant to the Compulsory Purchase Order or in consequence of the service of valid blight notices, including all payments made pursuant to the Compulsory Purchase Act 1965 and the Land Compensation Acts 1961 and 1973; any statutory interest payable and the Council's reasonable and proper internal and external costs including legal and surveying and other professional costs are also covered by the indemnity agreement.

5.2.2 As all CPO costs – including land acquisitions, legal costs and staff time – are covered by the CPO Indemnity Agreement, there is no financial risk to the Council.

5.2.2 The Council and GHA have put in place a Scheme team including surveyors, legal officers and land referencers to work towards making the necessary orders for the CPO(s).

5.2.3 The CPO process is a last resort and the Council and GHA are committed to negotiating the voluntary acquisition of third party interests.

5.3 Social Value

5.3.1 As indicated in sections within this report, the Grahame Park regeneration project will secure wider social, economic and environmental benefits.

5.4 Legal and Constitutional References

5.4.1 The Council has the power through various enactments to make Compulsory Purchase Orders and to apply to the Secretary of State for confirmation of those orders. The Management of Asset, Property and Land Rules with the Council Constitution, outlines the governance structure within which the council may acquire, lease, act as landlord, licence, develop, appropriate,

change use of or dispose of Assets within its Asset Portfolio. In addition it states that the Council may delegate responsibility to Authorised Service Providers to manage the Council's Asset Portfolio on its behalf in accordance with specific rules, and in accordance with any approved scheme of delegation maintained by the Council and published on the Council's website.

Town and Country Planning Act 1990 Powers

- 5.4.2 Section 226 (1) (a) of the Town and Country Planning Act 1990, (as amended by the Planning and Compulsory Purchase Act 2004), provides that a local authority shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area if they are satisfied that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. However the power must not be exercised unless the authority thinks that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of their area. The compulsory acquisition of third party proprietary interests and/or rights in the CPO land will enable the delivery of Plots 10, 11 and 12 in accordance with an agreed programme and will provide certainty with regard to land assembly and the implementation of the Scheme. The ability to deliver Plots 10, 11 and 12 will enable the Council and GHA to progress the delivery of future phases and the Scheme in its entirety.
- 5.4.3 The third party proprietary interests to be included within the CPO(s) are shown on the redline drawing attached at Appendix 1. The CPO land largely comprises estate properties.
- 5.4.4 In using the enabling powers pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, the Council is using the most specific powers available to it for the purposes of the redevelopment of the Grahame Park estate properties required to deliver Stage B.
- 5.4.5 Government guidance on the use of compulsory purchase powers is set out in "Guidance on Compulsory Purchase Process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion" 2015 ("DCLG CPO Guidance"). That guidance states that compulsory purchase orders should only be made where there is a compelling case in the public interest.
- 5.4.6 In resolving to make CPO(s) the Council has had full regard to the DCLG CPO Guidance. The regeneration of the Grahame Park Estate provides a compelling case for the making of the CPO. The existing housing stock is outdated and does not meet current environmental and building standards. The Grahame Park regeneration proposals will improve the economic and social well-being of existing and future residents through the creation of training / job opportunities (e.g. during construction phases of development), updated housing stock, proposals for a health and children's centre and

community centre and improved transport links. Vacant possession of each phase will be required in advance of its implementation.

Human Rights

5.4.7 The Human Rights Act 1998 requires (amongst others things) that every public authority acts in a manner which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”). The following parts of the Convention are relevant to the Council’s exercise of its compulsory purchase powers:

Article 1 of the First Protocol – the right to peaceful enjoyment of possessions;
Article 8 – respect for private and family life and home.

5.4.8 A decision to make CPO(s) must strike a fair balance between the public interest in the regeneration of the land and interference with private rights. Bearing in mind the fact that the exercise of compulsory purchase powers is a statutory process, the provisions for compensation to be paid to those affected and the compelling case in the public interest for the regeneration, it is considered that the interference with private property rights is necessary, proportionate and strikes a fair balance towards meeting the Council’s objectives.

5.4.9 Those affected by the CPO(s) will be informed and advised of their right to make representations to the relevant Secretary of State, to be heard at public inquiry and of a fair entitlement to compensation (where applicable). Throughout the process the Council will ensure that rights of individuals are protected in line with Article 6: right to a fair hearing.

5.4.10 The Council’s Constitution outlines the terms of reference of Assets, Regeneration and Growth Committee which includes: to develop and oversee a Regeneration Strategy; develop strategies which maximise the financial opportunities of growth; oversee major regeneration schemes including those of key social housing estates; and all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

5.4.11 The Constitution also sets out specific terms of reference relating to land disposals. The Management of Asset, Property and Land Rules govern how the Council may acquire, lease, act as landlord, licence, develop appropriate, change use of, or dispose of assets within its asset portfolio. Specific aims of the Management of Asset, Property and Land Rules outline how to apply the terms of reference.

5.5 Risk Management

5.5.1 The delivery of the Scheme is dependent upon the ability of the Council and GHA to acquire all third party proprietary interests in the land and/or rights over the land.

- 5.5.2 The Scheme is to be implemented in accordance with an agreed phasing plan. In order to ensure Scheme viability (and delivery) the commencement and completion of each phase has to occur within a defined timeline. Both the Council and GHA are committed to entering into negotiations with third party freeholders and leaseholders with a view to acquiring their interest in the land by way of private treaty. However, in the event that negotiations become complex and protracted any delay to the completion of the land assembly process will pose a significant risk to the delivery of the Scheme.
- 5.5.3 Given the lengthy construction programme to deliver the Scheme in its entirety, on 14th December 2014, the Cabinet Resources Committee resolved in principle, to the making of up to three separate CPOs in order to safeguard the delivery of the Concourse plots in the event that the Council and GHA are unable to acquire all third party proprietary interests and/or rights in the land through private negotiations within required timescales.
- 5.5.4 This report seeks a resolution to make up to three CPOs. Appendix 1 of this report shows the area over which the compulsory acquisition of land and/or rights are required for these CPOs.
- 5.5.5 Whilst it is hoped that all proprietary interests can be acquired by negotiation, the Scheme cannot proceed with the risk that negotiations may not prove successful in all cases. If confirmed by the Secretary of State, the CPO(s) will secure the delivery of Plots 10, 11 and 12 of the Scheme.
- 5.5.6 The land assembly exercise is also dependent upon tenants relocating from their existing properties to other suitable alternative premises within an identified construction timetable. Any delays in achieving vacant possession could risk the deliverability of the scheme. By a letter dated 11th February 2016, the Secretary of State granted Ground 10A approval for the redevelopment of Plots 10, 11 and 12 of Grahame Park regeneration scheme under Part V of Schedule 2 to the Housing Act 1985. In the first instance officers will seek to rely on that approval to obtain vacant possession of properties occupied by secure tenants. In order to further mitigate this risk, it is also proposed that all tenures, including premises occupied under a secure tenancy on the estate, would be included within the proposed CPOs for the Scheme.

CPO Indemnity Agreement

- 5.5.7 Costs incurred by the Council relating to the compulsory purchase process (including compensation payments and claims arising from blight notices) will be met by GHA in accordance with the CPO Indemnity Agreement (“CPOIA”). The Council – through Re – has procedures in place to monitor costs against the agreed estimate. Costs will be approved by both GHA and Re.
- 5.5.8 Once CPO(s) have been made, the Council will be exposed to potential blight claims from owners of properties included within the CPO areas. The CPOIA will indemnify the Council against any payments made following a blight notice.

5.5.9 If confirmed by the Secretary of State, CPO(s) must be implemented within three years (this period can be extended to a further three years (making a total of six years) by the service of Notice to Treat and then a Notice of Entry on the proprietors of the relevant interests.

5.5.10 The Council and GHA are confident that the regeneration of plots 10, 11 and 12 is viable and remain committed to the delivery of the Scheme in its entirety.

5.6 Equalities and Diversity

5.6.1 The Council is committed to improving the quality of life and wider participation for all in the economic, educational, cultural, social and community life of the Borough. The Grahame Park Regeneration Scheme will provide a mix of affordable and private sale properties. The new mixed tenure housing will improve the community cohesion in an area with a highly diverse population. It will provide increased choice and opportunity for Barnet residents. This supports the overall aim of the Council's Equalities Policy and the Council's duties under the Equality Act 2010.

5.6.2 At present the Grahame Park Estate does not reflect a mixed and balanced community, with a heavy bias towards social rent. The regeneration proposals seek to address this imbalance through the delivery of a range of residential tenures across the site e.g. private housing, a new range of intermediate housing, wider range of unit sizes across all tenures and 10% of all residential units meeting Wheelchair Standards. The Scheme seeks to improve the demographic of the Estate to provide a step change in the levels of social inclusion to create a sustainable, mixed and cohesive community.

5.6.3 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.

5.6.4 The Council is aware that within the Grahame Park estate there may be residents for whom English is a second language. The Council will offer a translation service when sending out CPO literature; additionally all those affected will be advised to seek independent legal advice so they fully understand the CPO process.

5.6.5 All owners and/or residents within the CPO boundary will be affected by the Compulsory Purchase Orders. The Council and its partners will endeavour to reduce this effect by extensive consultation. Consultation has and will continue to be undertaken with the residents and wider community to ensure that the Scheme reflects local needs. In this regard, the Council and GHA appointed an Independent Resident Advisor to work with the residents on the estate. A Partnership and Residents Board has been established which meets

on a regular basis to discuss the regeneration proposals with the Council and its partners.

5.6.6 Having had due regard to its duty under the Equality Act 2010, the Council is confident that the delivery of the Scheme will contribute towards the social, economic, educational and cultural improvements for existing and future residents. It will also increase levels of social inclusion within a mixed and diverse community.

5.7 Consultation and Engagement

5.7.1 Consultation has and will continue to be undertaken with the residents and wider community to ensure that the Scheme reflects local needs. In this regard, the Council and GHA appointed an Independent Resident Advisor to work with the residents on the estate. A Partnership and Residents Board has been established who meet on a regular basis to discuss the regeneration proposals with the Council and its partners.

5.7.2 Barnet Council in partnership with GHA have carried out the following consultations in the last 12 months:-

- Grahame Park Supplementary Planning Document workshops – February 2016
- Ground 10A Consultation for Plots 10, 11 and 12 – November 2015
- Design Consultation for Plots 10, 11 and 12 – June and July 2016
- Various drop in surgeries held in May, June and July 2016

5.8 Insight

Disposal of Retained Council Stock

5.8.1 One of the greatest difficulties facing those existing homeowners whose homes are due for demolition, but who want to remain in the area for reasons such as employment and children's schooling, is the substantial value difference between their existing home and the new homes.

5.8.2 A range of measures is proposed, including brokering transactions between those who wish to remain and those in properties not due for demolition, but who wish to move. Additionally there is some provision within the business plan for equity mortgage assistance and for shared ownership. As the Council owns a number of properties that are not due for demolition, it is proposed that a limited number of those that are not currently occupied under secure tenancies should be offered as a property exchange, with payment made for any differential in either direction.

5.8.3 There are currently 21 properties owned by the Council not let on secure tenancies and that are not due for demolition. The expected value of these properties is such that at most there would be a small balance payable to a limited number of displaced homeowners, and overall the balance would be in

favour of the Council. However, in the event that the Council is required to pay a balance in respect of any of the transactions that do proceed, then this would be reimbursed by GHA.

- 5.8.4 Any balance received by the Council would be paid to GHA in the form of grant, subject to the Council's powers to recycle the capital receipts.
- 5.8.5 One consequence of this policy would be to further reduce the number of homes available for letting by the Council. However, as each such transaction would produce a saving to the regeneration business plan, the full value of the savings, taking into account the payments to or by the Council, would be used by GHA to provide additional rented homes within the regeneration project and it is anticipated there would be minimal loss in social rented homes.
- 5.8.6 This option was offered previously to the Stage A homeowners and was taken up by seven of them. This would have been one of the factors that helped to avoid the Stage A CPO from having to go to an inquiry.

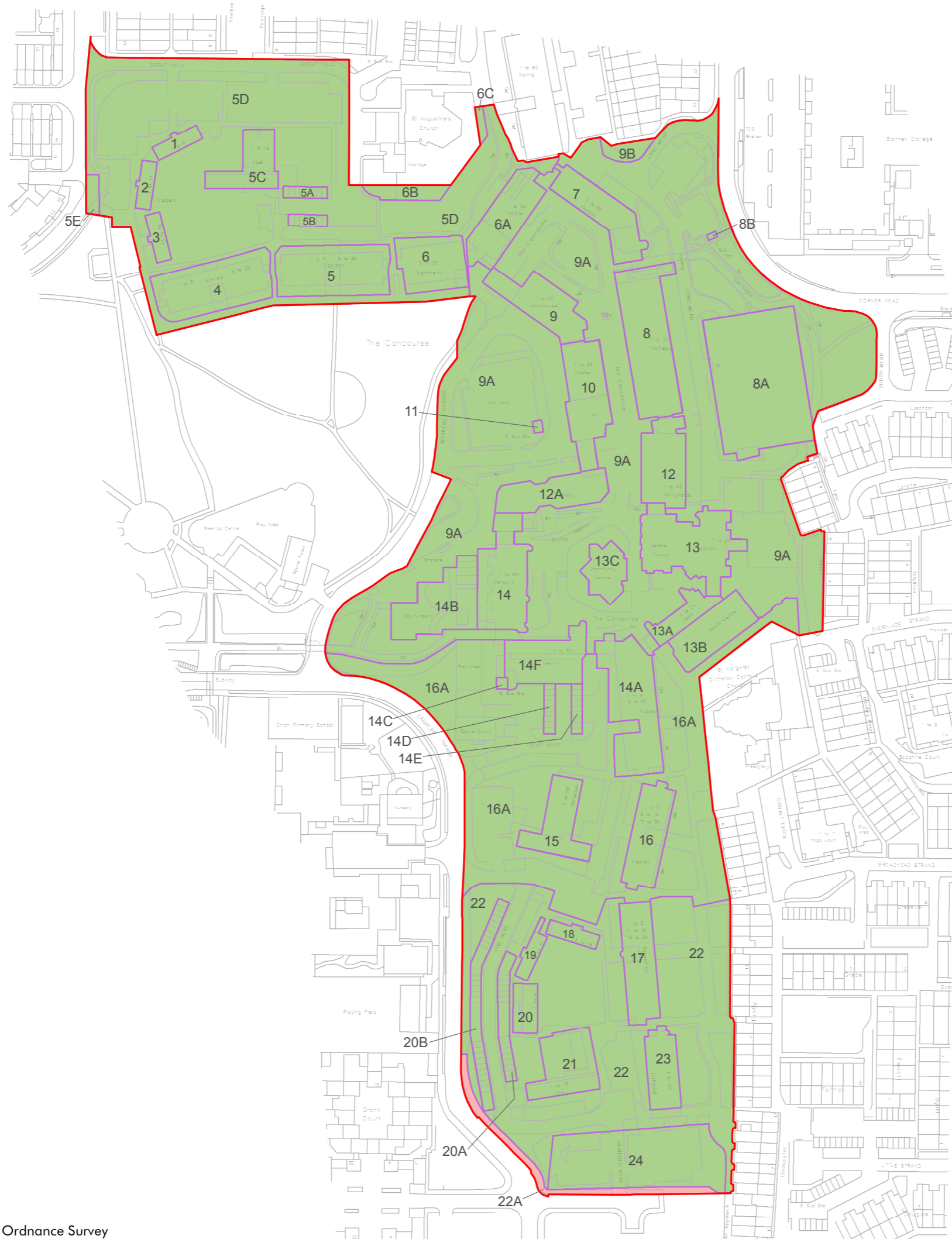
6. BACKGROUND PAPERS

Full Council, 16th December 2014, Grahame Park Regeneration Project

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=7816&Ver=4>

Policy & Resources Committee, 17th May 2016, Grahame Park SPD

<http://barnet.moderngov.co.uk/documents/s31831/Barnets%20Local%20Plan%20-Draft%20Grahame%20Park%20Estate%20Development%20Supplementary%20Planning%20Document%20SPD.pdf>



NOTES:

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R	DESCRIPTION	BY	DD	MM	YY
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KEY:

- RED LINE BOUNDARY
- REGISTERED LAND
- UNREGISTERED LAND

COMMISSION:
GRAHAME PARK
2614

DRAWING:
LAND REFERENCE PLAN

SCALE: 1:2,000 @ A3

DATE: 09/08/2016

DRAWING NUMBER: PA-2614-LR-R7

REVISION: R7 DRAWN BY: CH

Drawing units are in metres © 2016 PERSONA ASSOCIATES

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	AGENDA ITEM 9 Assets Growth and Regeneration Committee 5th September 2016
Title	Land at Copthall Playing Fields, Page Street, NW7 - CCFSA
Report of	Anisa Darr – Director of Resources
Wards	Mill Hill
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1: Existing Sites Appendix 2: Indicative Proposals Plan Appendix 3: Draft Heads Of Terms Appendix 4: CCFSA Newsletter – March 2014
Officer Contact Details	Chris Smith – Head of Estates 020 8359 2987 Chris.smith@barnet.co.uk Michael Gillespie – Area Lead Surveyor 020 8359 2774 Michael.gillespie@barnet.co.uk

<h2>Summary</h2>
<p>An in principle decision is sought to agree the letting of circa 1.66 Ha of land at Copthall Playing Fields (Shown approximately on the attached plan, highlighted in white in Appendix 1) to Camden Community Football and Sports Association ‘CCFSA’. Any agreement would be subject to, and conditional upon, CCFSA obtaining planning consent for their proposals (Appendix 2 highlighted in red) and agreeing the Heads of Terms (Appendix 3) for sports and community use, as well as being conditional upon any other necessary statutory consents required.</p> <p>Further details of their proposals are contained in the main body of this report.</p> <p>The Copthall School site, falls under the Community Asset Strategy (CAS) in line with other</p>

sports clubs in the Borough. The prospective occupiers (CCFSA) will, as a result, be eligible for a rent subsidy, which will be calculated using the Community Benefit Assessment Tool (CBAT) and be supported by an appropriate business case detailing their plans for the site.

In principle the CCFSA plan is to extend their involvement from Chase Lodge into the Copthall Site and create a “Trophy” floodlit, full size artificial pitch with a small stand, holding up to 100 people. In addition they are looking to add a further junior pitch on to the complex. All of these proposals will involve the CCFSA in a significant capital investment to redevelop the site; this will be reflected in a rental incentive contained within the lease.

All discussions at this stage have been conducted and will remain on a ‘*without prejudice*’ and ‘*subject to contract*’ basis.

Recommendations

- 1. That, subject to the CCFSA obtaining all relevant planning consents, the Committee approve negotiations to be undertaken to agree a lease to CCFSA on the following basis:**
 - a. A term of 125 years at a headline rent, yet to be confirmed, such rent to be assessed via the CBAT and any rent subsidy to be applied to the rent payable shall be subject to 5th yearly reviews of both the CBAT assessment and headline rent.**
 - b. The lease granted shall fall outside the protection provisions of section 24 to 28 of the Landlord & Tenant Act 1954 part 2 and in accordance with the draft Heads of Terms as detailed in Appendix 3.**
 - c. That in the event CCFSA fail undertake a meaningful start on site within a two year time frame, from the date of completion of legal formalities, the site will revert to the Councils control.**
- 2. That, subject to agreeing the Heads of Terms, as detailed herein the agreement for lease and lease will be authorised in accordance with the CBAT and Management of Assets, Property and Land Rules.**

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is needed to seek approval to grant a 125 year lease on circa 1.66 Ha of land, at Copthall Playing Fields, to CCFSA. Final terms and extent of the area required, is to be agreed, pending CCFSA obtaining Planning Consent for their development proposals. The planning and subsequent development proposals shall all be CCFSA’s cost.

- 1.2 Camden Community Football and Sports Association (CCFSA) is a registered charity currently operating The London Marathon Playing Fields at Chase Lodge.
- 1.3 The Chase Lodge site is on the northern boundary of the Copthall School which burned down some 35 to 40 years ago and has lain derelict since.
- 1.4 The CCFSA bought the 16 acre London Marathon Playing Fields at Chase Lodge site from Camden Council in March 2010, which at that time comprised of 4 operational pitches, derelict buildings and abandoned tennis courts. The site now has 12 football pitches of various sizes, incorporates 2 artificial turf pitches along with multi user games area, including 2 basketball practice courts. Further, the project has enabled ladies teams to participate due to the upgrading of the changing room facilities.
- 1.5 The CCFSA plan is to extend their involvement from Chase Lodge into the Copthall Site and create a "Trophy" pitch, which is a floodlit full size artificial pitch with a small stand, holding up to 100 people. In addition they are looking to bring an additional junior pitch on to the complex.
- 1.6 Because the Copthall site sits within the Green Belt, there are very limited uses that the site can be used for, sports facilities is one such use that meets those criteria. The site will be developed as sports playing pitches together with any ancillary buildings that Planning may grant.
- 1.7 The land in question is currently unmade ground within the larger Copthall Playing Field campus. It is unoccupied and is currently designated as Greenbelt and Public Open Space within the current planning frame work.
- 1.7.1 A planning brief for the Copthall estate is going to Policy and Resources on 1 September 2016. It includes the following text in relation to this land:

"New outdoor sports facilities are proposed for the land between the existing pathway along the old railway line and the Mill Hill rugby club. The CCFSA propose a full size all weather pitch with flood lighting and stand (circa 100 seats) and associated parking and changing facilities on the site of the former Copthall Girls School - a derelict piece of land - this proposal would bring this site back into use."
- 1.8 Further the Council is currently developing a Playing Pitch Strategy in line with Sport England guidelines. The pitches at the Chase Lodge Playing Fields, together with the other pitches on the wider Copthall site, are included within the scope of the strategy; the initial findings of which are currently being consulted on with the individual governing bodies of the relevant sports. Sign-off by the governing bodies is scheduled for the end of September. Following this, the draft strategy will be submitted to the November meeting of the Environment Committee for adoption by the Council.

- 1.9 The recommendation set out in this report will ensure that the asset is brought into use to the wider community the benefits of which and will be economically advantageous for the Council in the long term.
- 1.10 The preferred site requirement for CCFSA is shown on the attached plan (Appendix 2) and is heavily outlined in red. This plan also shows the area of land required by the Council for the relocation of the existing Greenspaces Depot.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The land is derelict unmade ground within the Greenbelt, located within the larger Copthall Playing Field campus. The potential letting to CCFSA will provide additional formal sports playing pitches and bring with it CCFSA investment.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Do nothing – To take this stance would leave the land unutilised with the result that the benefit to the local community of the CCFSA's plans would not be realised. Further, it would be likely that the leaving of the site in its current condition will expose the council to the ongoing expenditure, associated with securing the site from illegal encampments and use. It was for these reasons that this option was rejected.
- 3.2 Not to include the parcel of land requested by the CCFSA and be used to develop the facilities as suggested, means that this option will not deliver or would delay the community social benefits as set out under paragraph 5.3.1 above. This will also run contrary to the resolution to engage set out in the ARG committee report dated September 2015.
- 3.3
- 3.4 To delay the decision on the CCFSA lease until the adoption of the Playing Pitch Strategy would delay the project, as the Strategy document is not due for sign off until the 27th of September.

4. POST DECISION IMPLEMENTATION

- 4.1 The site falls under the Community Asset Strategy (CAS) in line with other sports clubs within the Borough. The prospective occupiers (CCFSA) will then be eligible for a rent subsidy which will be calculated using the Community Benefit Assessment Tool (CBAT) and be supported by an appropriate business case, detailing plans for the site.
- 4.2 The Heads of Terms and extent of the land to be leased will be agreed and form the basis of the final Agreement to Lease and Lease. All of these documents to be drafted by HB Law and signed off in accordance with the Management of Asset, Property and Land Rules.

5. IMPLICATIONS OF DECISION

- 5.1 **Corporate Priorities and Performance**

5.1.1 The Council's Corporate Plan 2015-20 states that the Council, working with local, regional and national partners, will strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life.
- where people are helped to help themselves, recognising that prevention is better than cure.
- where responsibility is shared, fairly.
- where services are delivered efficiently to get value for money for the taxpayer.

5.1.2 The grant of this lease will support the corporate plan by bring an asset online and assist the tenant's long term business plan.

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

5.2.1 All costs related to planning permission and the sites subsequent development will be borne by the CCFSA

5.2.2 Following acceptance of these recommendations, a market rental value will be agreed and a subsidy calculated using the Community Benefit Assessment Tool.

5.3 **Social Value**

5.3.1 The CCFSA's aims and objectives for this site have been well documented (see attached CCFSA newsletter dated March 2014 – Appendix 4). They seek to encourage a wider more inclusive use of the facilities rather than appealing to a narrow segment of society. They are running junior boys, girls and lady's football teams giving them access to facilities that otherwise would not be available at little expense to the authority. They are therefore providing more diverse and accessible facilities to a wider community, securing more inclusive participation in sports

5.4 **Legal and Constitutional References**

5.4.1 Local authorities are given powers under Section 123(2) of the Local Government Act 1972 (as amended) to dispose of land held by them in any manner they wish. Except with the consent of the Secretary of State for Communities and Local Government, a council cannot dispose of land, other than for the grant of a term not exceeding seven years, for a consideration less than best that can reasonably be obtained. A general consent dated 2003 has been issued by the DCLG, this can be used where the value foregone is less than £2 Million and the proposed lease would be for the social, environmental or economic well-being of the residents of the Borough.

5.4.2 Section 123 of the Local Government Act 1972 requires the Council to advertise the disposal of Public Open Space in a local newspaper for two

consecutive weeks and to consider any objections received.

Should this process be required in relation to this site, any objections will need to be considered before the Council decides whether to proceed. This can be dealt with by a member or an officer provided that the appropriate authority has been delegated to them.

- 5.4.3 The Council Constitution, The Management of Asset, Property and Land Rules, Appendix 1, Table A sets out the acceptance thresholds which provides authority for the action. Financial arrangements up to £100,000 can be approved by a Director or Deputy Chief Operating Officer as per the Authorised Delegated Powers provisions, unless the matter is for less than best consideration, in which case it must be considered by ARG.
- 5.4.4 In deciding whether to give the rent subsidy the council will need to check whether this would amount to state aid, which would be unlawful.
- 5.4.5 Under the Green Belt (London & Home Counties) Act 1938, green belt land can be used only for recreation or agriculture and the lease shall reflect this. The lease may need the consent of the Secretary of State for Health under the 1938 Act, should this be the case advertising of the site will be required and any responses will need to be conveyed to the Secretary of State.

5.5 Risk Management

- 5.5.1 The proposals have been considered as to whether the issues involved give rise to significant levels of public concern or policy considerations. As the site is designated as Greenbelt and Public Open Space, there may be objections however we thus far are satisfied that there are no concerns. However, when a planning application is submitted it is possible that it may meet with local objections due to loss of green belt and or public space.
- 5.5.2 It has been identified that there is a risk that traffic flow and parking may be affected in respect of the site however, this matter will be dealt with as part of the planning application.
- 5.5.3 In order to mitigate the low risk of the project not progressing within agreed timescales, a clause shall be inserted within the legal agreements that, in the event CCFSA fail undertake a meaningful start on site within a two year time frame, from the date of completion of legal formalities, the site will revert to the Councils control.
- 5.5.4 There is a potential risk that the proposal by the CCFSA will not align with the emerging Playing Pitch Strategy once it is adopted. The risk will be greater understood once the strategy has been signed off by the sport's governing bodies at the end of September 2016.
- 5.5.5 There is a risk that the removal of this parcel of land from any new potential master plan area for Copthall could reduce the opportunities for improvements in the site and reduce the impact of potential outcomes in the longer term.

5.6 Equalities and Diversity

- 5.6.1 Under the 2010 Equality Act, the Council must have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act: b) advance equality of opportunity between those with a protected characteristic and those without; c) promote good relations between those with a protected characteristic and those without. The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion and belief; sex; sexual orientation. It also covers marriage and civil partnership with regards to eliminating discrimination.
- 5.6.2 The proposal does not raise any issues under the Council's Equalities Policy and does not have a bearing on the Council's ability to demonstrate that it has paid due regard to equalities as required by the legislation. No immediate equality impacts are anticipated as a result of this proposal.

5.7 Consultation and Engagement

- 5.7.1 A number of Stakeholder meetings have taken place over the last 12 months, to enable the Council to arrive at this position. Stakeholders have been engaged in design meetings, and a number of informal meetings to discuss the Heads of Terms leading to this paper.

6. BACKGROUND PAPERS

6.1 A Resolution to engage with the CCFSA was passed at the ARG Committee on Monday the 7th September 2015

6.1.1 <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=8310&Ver=4>

6.1.2 <http://barnet.moderngov.co.uk/documents/g8310/Printed%20minutes%207th-Sep-2015%2019.00%20Assets%20Regeneration%20and%20Growth%20Committee.pdf?T=1>

6.2 The Community Asset Strategy and Implementation Plan's

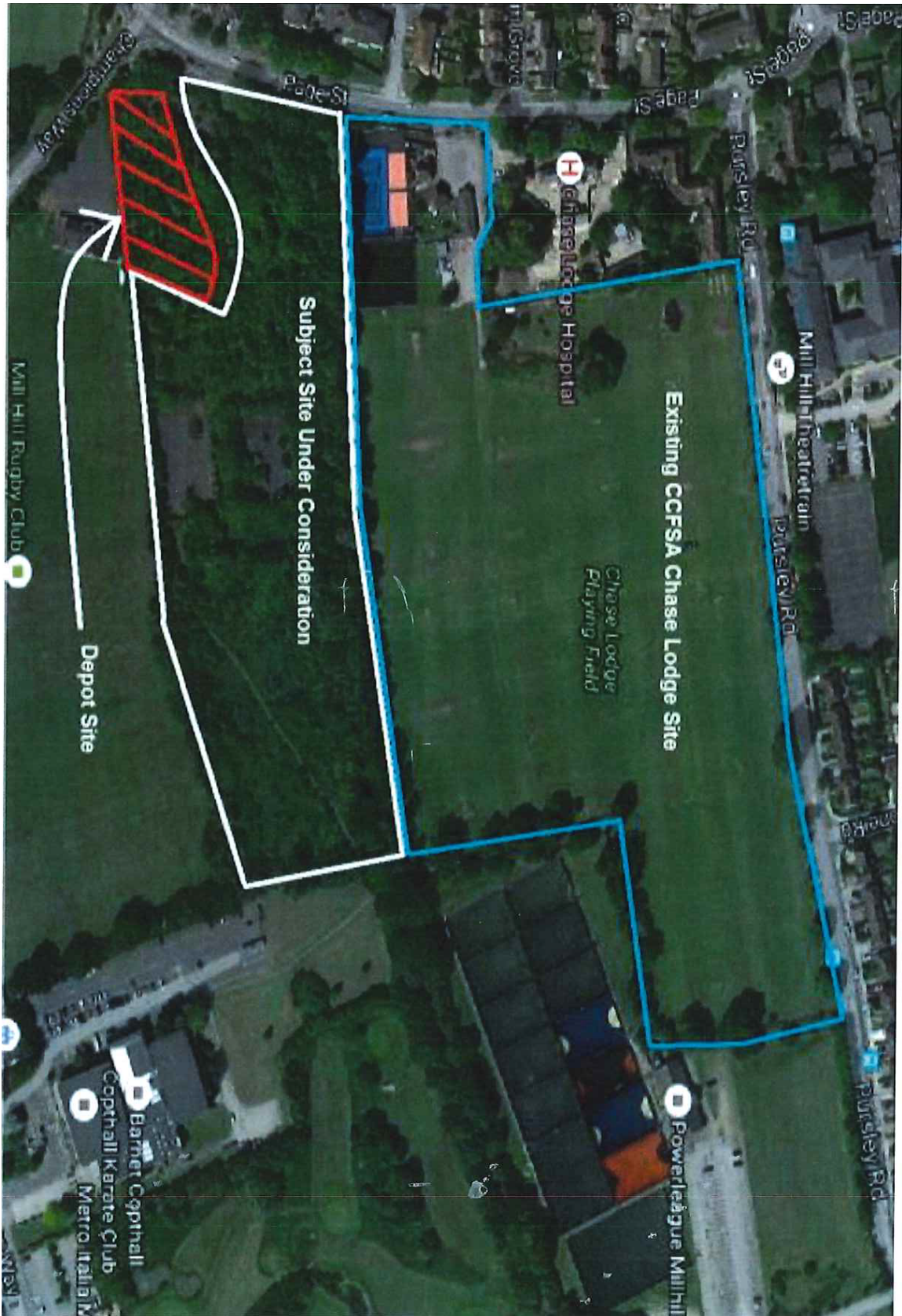
6.2.1 <https://barnet.moderngov.co.uk/documents/s25649/Appendix%201%20-%20Community%20Asset%20Implementation%20Plan.pdf>

6.2.2 <https://barnet.moderngov.co.uk/documents/s25574/Appendix%202%20-%20Community%20Asset%20Strategy.pdf>

6.3 The Community Benefit Assessment Tool

6.3.1 <https://barnet.moderngov.co.uk/documents/s32739/Community%20Benefit%20Assessment%20Tool.pdf>

Appendix 1 – Existing Sites



Appendix 2 – Planned Proposals



hampson williams <small>ARCHITECTS & PLANNERS</small> <small>147-151 LONDON ROAD, LONDON EC4A 3DF</small> <small>TEL: 020 7753 4141</small> <small>WWW.HAMPSONWILLIAMS.COM</small>	Chase Lodge <small>PROPOSED SITE PLAN</small> <small>DATE: 15/09/2023</small> <small>SCALE: 1:1000</small> <small>PROJECT NO: 2023-01-01</small>	FOR INFORMATION
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Appendix 3 – Heads of Terms

DRAFT HEADS OF TERMS

(Subject to Contract and Subject to Committee Authority)

Lease of Land at Cophall Playing Fields

- 1 LANDLORD:** The Mayor & Burgesses of The London Borough of Barnet
North London Business Park
Oakleigh Road South
London
N11 1NP
Tel: 020 8359 2000
- 2 LANDLORD'S SOLICITOR:** Legal Services to Barnet and Harrow Council
Harrow Council
PO Box 2
Civic Centre
Station Road
Harrow
HA1 2UH
(DX 30450 HARROW 3)

For the attention of Jennifer Affie
Internal Ext: 8474
Tel: 0208 416 8474
Fax: 0208 424 1557
Email: jennifer.affie@harrow.gov.uk
- 3 TENANT:** Camden Community Football and Sports Association (CCFSA)
16 Eton Road
London
NW3 4SS

- 4 **TENANT'S SOLICITOR:** TBA
Tel:
- 5 **THE PROPERTY:** Land at Copthall Playing Fields, Page Street, London NW4 1HY

As outlined red on the plan at Appendix 1 (area circa 1.66 Ha *to be confirmed*)
- 6 **RENT:** The headline rent as yet to be determined

The rent payable will be assessed via the Community Benefit Assessment Tool (CBAT) and any subsidy applied will offset the rent payable (subject to the 5th yearly review of the CBAT and headline rent).

A 'rent incentive' will be offered which will take account of the level of the CCFSA's capital contribution, after which the assessed CBAT rent will be payable in advance on the usual quarter days.

The rent to be reviewed at the end of the 5th Year and thereafter on every 5th anniversary to market rent to which will be assessed via the CBAT.
- 7 **TERM:** 125 years from "*date to be agreed*" the tenancy to be excluded from sections 24 to 28 of the Landlord and Tenant Act 1954.
- 8 **USER:** For use as a sports facility and ancillary Community use.

Not to use the Property otherwise than:

(a) for the purposes of the provision of Classes D2 (Cinemas, concert halls, bingo halls, dance halls, swimming baths, skating rinks, gymnasiums, other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms).
- 9 **COMMUNITY USE** The premises to be available to Community Groups in line with clause 8.
- 10 **DEVELOPMENT AGREEMENT LONG STOP DATE** An agreement for lease shall be entered into between the parties. To ensure that the project moves forward within agreed time scales a clause will be inserted within the agreement that should the CCFSA fail to make a meaningful start on site by the 2nd anniversary of the completion of formalities the property shall revert back within the Councils control.

11	CONSTRUCTION	Subject to obtaining all relevant consents and approvals, and with the prior written consent of the Landlord, such consent not to be unreasonably delayed or withheld, the Tenant shall be permitted to construct sports playing pitches and ancillary buildings on demised area.
12	MAINTENANCE AND REPAIR:	Full Repairing and Insuring Lease
13	SERVICES	The Tenant is to be responsible for the payment of all Utilities premises as well as for the payment of rates.
14	ALTERATIONS:	The Tenant shall not carry out any additions or alterations to the Property with the prior written consent of the Landlord, such consent not to be unreasonably delayed or withheld,
15	ALIENATION:	Not to assign, underlet or part with or share possession of any part of the Property without the prior written consent of the Landlord.
16	INSURANCE:	The Tenant is to insure the Property in respect of the usual perils.
17	FORFIETURE	The Lease can be terminated inter alia if Tenant does anything which either directly or indirectly causes or is likely to cause the Council's reputation to be brought into disrepute and/or which in the opinion of the Council acting reasonably is contrary to the spirit of the Declaration.
18	AGREEMENT COSTS	The tenant shall cover the legal fees (£974) and Surveyors fees (£500) in relation to the preparation of the lease.
19	SUBJECT TO	<ol style="list-style-type: none"> 1. The Council's formal authority. 2. Planning 3. Contract. 4. Lease. 5. Any third party consents.

Appendix 4 – CCFSA Newsletter Page 1



Chase Lodge New Development

Building Capacity - Growing Participation

March 2014



About Chase Lodge

Camden Community Football and Sports Association (CCFSA) is the registered charity operating Chase Lodge. They purchased the 16 acre site from Camden Council in March 2010 with funding provided by The Marathon Trust to create a permanent home for Hampstead Football Club (HFC). HFC has over 30 teams including 9 girls' teams, an all-abilities academy and 2 womens' teams. The youngest members are just 3 years old (non-competitive) and the oldest are 18.

The club is a Football Association Charter Status club and with over 400 playing members is the largest youth football club in North London.



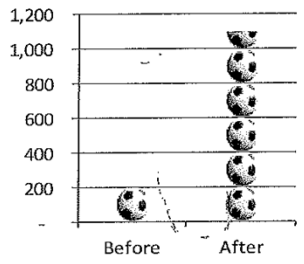
At the time CCFSA acquired the site, there were four pitches which had limited usage, typically a total of 8 matches per week. There were derelict buildings and abandoned tennis courts with only one single communal changing room which restricted the usage of the site and prevented girls' teams from playing.

In the four years CCFSA have been running the site they have transformed the facility. With a permanent on-site groundsman, the site now has a total of 12 football pitches ranging from U8 pitches through

to a full size, seniors pitch. The changing facilities have been amended to allow both boys and girls changing and in 2013 the disused tennis courts were transformed into 2 artificial turf, five a side pitches, a multi-use games area (MUGA), along with two basketball practice half courts.

On a typical weekend, all 12 pitches are fully utilised on Saturdays and Sunday mornings. On Sunday afternoons the site hosts a number of Jewish Football League teams. During the week the site is open to adult teams who train at the facilities and it is used by many local schools, as well as being the home for Middlesex University's football teams.

Players using Chase Lodge each week



Usage of Chase Lodge has risen more than five fold since being taken over by CCFSA

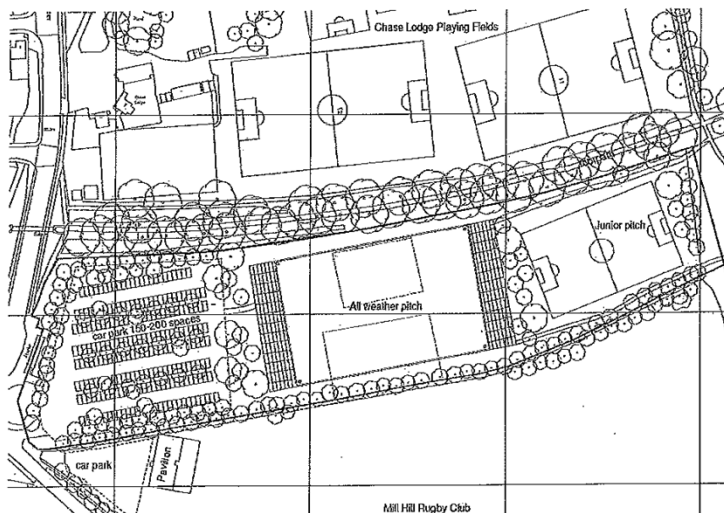
Key Statistics:

- 12 grass pitches
- 2 new 4G 5-a-side pitches
- New MUGA
- Up to 48 matches played each weekend
- Up to 750 players on a Saturday and over 1,100 players per week using the site
- Changing rooms enhanced
- Site entirely re-fenced
- New five a side pitches
- Up to 180 volunteers in attendance each Saturday
- Over 50% of junior players are girls
- 2 womens' teams created
- Over £1 million of grant funds accessed to redevelop the site
- CCFSA is entirely self funding with no cost to Barnet Council

New development will add:

- New high quality junior pitch
- Full size 4G 'Trophy Pitch'
- Capacity for additional 240 players each weekend
- New bark trail
- New outdoor gym equipment

The New Development



CCFSA have identified a derelict site sitting between Chase Lodge and Mill Hill Rugby Club. Land Registry suggests the front part of the site is owned by the former Middlesex County Council (possibly inherited by Barnet Council) and the rear part of the site appears to be unregistered land. Research would suggest that both pieces of land were part of the original Chase Lodge site and was separated only by the building of the railway line. CCFSA have received funding from Marathon Trust to commission a site masterplan including this derelict land. It would allow the creation of two new pitches and provide sufficient on-site parking for the expanded site. CCFSA have held discussion with Marathon Trust and, at this stage, they have indicated that they would be prepared to consider funding to acquire and redevelop the site.

We are therefore seeking to clarify and, if necessary, purchase Barnet's interest in the site.

Development Impetus

Prior to Saracens moving into Copthall, parents and family members of players could park on the surrounding streets. The new parking restrictions have limited the support team members can bring. With only 20 on-site parking spaces and 30 visitor parking places for the whole community on Page Street, it has restricted the number of family members that players can bring in support, typically grandparents who cannot walk the very long distances from outside the CPZ. It has also deterred some teams from using the site on Saracen match days. In a few cases, volunteers have received verbal abuse from away team supporters when they have been ticketed for parking in the wrong place on Saracens' matchdays which are not clearly signed.

CCFSA have investigated expanding on-site parking but the only potential area has severe access limitation and it would also take up the space where two new junior pitches could be located.

The new development also offers the option to develop a 'Trophy Pitch' – a floodlit, full size artificial turf pitch with a small grandstand holding up to 200 people (100 seated and 100 standing). This would allow a semi professional team to play on site. As part of the original proposal it was intended that Kentish Town FC would play at Chase Lodge – they previously played in Copthall but were evicted when Saracens took over the site. Kentish Town FC play in the Spartan South Midlands League Division One, Step 5 in the National League System and need facilities that meet FA specification. Currently they are playing at Hillingdon, well away from their established fan base. Developing the 'Trophy Pitch' with artificial turf would enable Kentish Town to return to their previous fan base, re-establish the link between the junior player pool and a senior club. It would also allow much greater usage as it could be used as a full sized pitch or be subdivided into three five-a-side pitches when Kentish Town are not playing at home, a fantastic community resource for the Borough.

In total, the new development could create capacity for an additional 240 players each weekend in high quality, well maintained facilities, as well as creating ancillary sports facilities for their families and friends.

The new development includes provision for a bark trail and outdoor gym equipment to allow other family members to participate in sports activity whilst their children/siblings are participating in football and sport on the main Chase Lodge site.



The Short Term Need

In the immediate short term, there is a need to find at least 50 car parking spaces to meet the demand of the current users. The pitches are let in three, 2 hour slots on Saturdays and Sundays with up to 240 players plus officials in each slot. Currently there are only 20 on-site parking places plus between 10 and 20 available on-street visitor spaces. Even with car sharing, there is a significant deficit of parking spaces which means that some parents simply drop off their children but do not come in to spectate. This can create safeguarding issues with younger children.


The derelict site has hardstanding in the section immediately fronting Page Street which we believe, with very little effort, could act as temporary car parking for approximately 50-60 cars and which could be brought into use in a matter of weeks. Granting a temporary licence to use this space, while the Council's broader strategy for Copthall is finalised, would overcome an immediate problem.

CCFSA have been trying to address this problem since the CPZ was announced over a year ago but to date no resolution has been found. The longer the current situation continues, the greater the risk that it will stifle growth of Chase Lodge and prevent hundreds of children playing sport in high quality, safe surroundings and threaten the investment made by funding bodies, such as Sport England and the Marathon Trust to name but two.

We hope that, at the very least, Barnet will grant permission for the temporary use of the derelict site for car parking while the Council's strategy is being finalised, with the objective of purchasing and redeveloping the site in the longer term. We would ask Officers and Councillors to kindly consider our request.

Contact:
Diane Culligan, Chair, CCFSA
Email: dianeculligan@hotmail.com
Mob: 07973 309879



	<p>Assets Regeneration and Growth Committee 5 September 2016</p>
<p style="text-align: right;">Title</p>	<p>Brent Cross Cricklewood Update Report</p>
<p style="text-align: right;">Report of</p>	<p>Interim Deputy Chief Executive and Commissioning Director, Growth and Development</p>
<p style="text-align: right;">Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 - Updated Regeneration Programme</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Karen Mercer, Programme Director Re, Karen.Mercer@barnet.gov.uk, 0208 359 7563</p>

Summary

This report provides a progress update since the last Committee on 11 July 2016 on key areas of activity across the Brent Cross Cricklewood programme.

Recommendations

The Committee is requested to note the content of this report.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report provides a progress update on the comprehensive regeneration of the Brent Cross Cricklewood area since the last Committee meeting on 11 July 2016.

Background

- 1.2 As the Committee is aware, Hammerson UK and Standard Life Ltd (the Brent Cross North Partners/HSL) will deliver the redevelopment of the shopping centre at Brent Cross and the land around it, together with the northern elements of the infrastructure required to support the comprehensive regeneration proposals. The Council with Argent Related will deliver the southern parts of the Brent Cross Cricklewood Regeneration masterplan, including the southern elements of the infrastructure and the land to be redeveloped in connection with the station improvements. The Council is leading on the delivery of the new Thameslink Station within the regeneration area, working together with public sector partners. The Council is committed to steering and supporting the delivery of community engagement activities across the regeneration programme.
- 1.3 A summary of the key decisions relating to the regeneration scheme is set out in Section 6 of this report.
- 1.4 A progress update since the last Committee on 11 July is set out below and Members are referred to the July report for further context.

Brent Cross North

- 1.5 The Committee will recall that on 17 March 2016, the Committee noted that the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement as set out in the Exempt Report to the Committee report 30 November 2015, was being progressed. The documentation was completed on 11 July 2016 in parallel with the Brent Cross South documentation.
- 1.6 At the Assets Regeneration and Growth Committee meeting on 11 July, a presentation was received from the Brent Cross North Development Partners demonstrating the significance of the scheme which would result in Brent Cross Shopping Centre becoming one of the top four new shopping and leisure destinations in the UK.
- 1.7 In terms of progress update, the Brent Cross North Partners are continuing to progress the detailed design of the shopping centre and it is anticipated that a reserved matters application will be submitted to the Local Planning Authority in early 2017. This is running in parallel with highway and infrastructure workstreams. The Brent Cross North Partners are continuing to work with TFL and the Council's highways team to progress the transport modelling work to support the detailed design and to inform the required highway infrastructure agreements.
- 1.8 The anticipated construction start date remains early 2018, with phased opening and a target completion date end of 2021.

- 1.9 The CPO1 Inquiry formally closed on 27 July 2016 and the Council is continuing to negotiate with landowners. In addition, heads of terms are agreed with eight residential owners within CPO1 to purchase their properties and the Council has completed on four of these acquisitions.
- 1.10 Similarly, the Council has reached agreement with 13 commercial owners and it has completed on 115-119 Brent Terrace and the Former DSG site. In addition, the Council is negotiating lease terms with a number of business owners on the Claremont Industrial Estate.
- 1.11 The Committee is also advised that the Council and its partners are currently reviewing the project governance arrangements in place. Any amendments will be reported to Committee in December this year.

Brent Cross South

- 1.12 The legal documentation, including the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation (including a Compulsory Purchase Indemnity Agreement) was completed on 11 July 2016, and the Joint Venture Limited Partnership (JVLP) formally created.
- 1.13 The JVLP Board has been established and meets monthly. Directors comprise Cath Shaw, Interim Deputy Chief Executive and Commissioning Director, Growth and Development, Anisa Darr Director of Resources and Stephen McDonald Director of Place.
- 1.14 The first LBB Shareholder Board meeting is currently being set up for October 2016. The Board will inform on the review of the Brent Cross South (BXS) Business Plan and the emerging proposals for the first phase.
- 1.15 The JVLP will be updating the BXS Business Plan approved by the Committee at the 17 March 2016 meeting. It is anticipated that the updated Business Plan will be submitted to the LBB Shareholder Board for approval later this year and will be reported to the next Assets, Regeneration and Growth Committee on 12 December 2016.
- 1.16 In respect of land acquisitions, GL Hearn is continuing to negotiate heads of terms with residential owners within CPO2 and six acquisitions are due to be completed shortly. As the Committee is aware, the Council has already acquired commercial properties within the CPO2 area.

Thameslink Station Phase

- 1.17 The Council is continuing to work with the GLA, HM Treasury, DCLG and Department for Transport to develop the funding strategy to deliver the new Thameslink Station and associated infrastructure within the regeneration area.

- 1.18 The Full Regeneration Business Case was reviewed by the Department of Communities and Local Government Finance Sub-Committee on 25 February 2016, following which the Chancellor again reconfirmed the funding commitment in the Budget Statement on 16 March 2016, which confirmed that “The government has approved the full business case for a new Thameslink station at Brent Cross Cricklewood, unlocking 7,500 new homes. This follows the Government’s previous commitment to provide £97 million of grant funding and ringfence the local share of business rates”.
- 1.19 Under the proposals, the Council will receive a grant of £97m from the Treasury, and will borrow the remaining funds required to build the station. This borrowing will be repaid by ring-fencing the local share (i.e. the 30% currently retained by the Council and the 20% currently retained by the Greater London Authority) of business rate growth delivered by the expansion of the shopping centre. The grant agreement and funding letter with DCLG and GLA are currently being finalised.
- 1.20 To support the business case and the delivery of the station phase, the Council entered into a Design Services Agreement with Network Rail in July 2015 to take forward a feasibility study on the options for the station design in accordance with Network Rail’s GRIP (Governance Railway Investments Projects) procedures to develop a single option selection (known as GRIP 3).
- 1.21 The Design Services Agreement (DSA) to take forward the approval in principle design work (GRIP 4) is currently being negotiated with Network Rail and should be concluded by the end of September 2016. The Council is progressing a variation to the existing DSA to enable the necessary environmental survey work to progress in advance of the completing the GRIP 4 DSA. The ecology survey is underway and the topographical survey is scheduled for early October 2016.
- 1.22 The Committee approved the making of the CPO Order on 17 March 2016 to acquire the land required to deliver the early delivery of the Thameslink Station. As a result of changes to the CPO3 plan, a further report seeking re-confirmation of making the Order for the site plans is being considered by this Committee on 5th September 2016.
- 1.23 In this regard, negotiations to acquire the land and interests in the areas required to deliver the Thameslink Station by private treaty are continuing, and progress is being made. These negotiations are summarised in the CPO3 Report being considered by this Committee.
- 1.24 As previously reported to Committee, the Council and Network Rail are progressing the required approvals for the changes to the operational railway, known as Network Change. The first round of formal consultation with the rail industry was successfully completed on the 15 August. Further liaison is ongoing with all rail industry stakeholders and the next formal consultation is scheduled for mid 2017 which incorporates the changes to the non-operational railway boundaries.

- 1.25 The Council is also now starting to consider the procurement options to delivery of the work packages within the Thameslink Project, and it is anticipated that this will be reported to the next Committee meeting for Members consideration.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The comprehensive regeneration of Brent Cross Cricklewood 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 10,000 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.
- 2.2 The area is significantly constrained by the existing road network and rail infrastructure, which creates a poor environment for those who live and work there. Nevertheless, given its location at the connection between the M1 and A406, the regeneration area has the potential to be a major and attractive gateway into London. The potential accessibility of the area is further enhanced by its connection with the A5 and A41, and its close proximity to the Northern Line at Brent Cross station, the Midland mainline, and Brent Cross bus station.
- 2.3 One of the reasons why the area has not been redeveloped to date is the need for substantial infrastructure 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 infrastructure to be funded and delivered, for the benefit of Brent Cross Cricklewood as a whole. In particular, in addition to major improvements to existing roads and public transport and social infrastructure, the proposals will create strong and attractive linkages between the communities to the north and south of the North Circular.
- 2.4 The development of this strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The development to the north of the North Circular alone is expected to create 3,000 construction jobs, and an additional 4,000 permanent jobs over the next five to seven years. It will provide around 91,500 sqm (net) of additional retail and commercial floorspace.
- 2.5 Brent Cross Cricklewood 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. The scheme 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.

- 2.6 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.
- 2.7 The regeneration of Brent Cross Cricklewood 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'.
- 2.8 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".*
- 2.9 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. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Alternative options have been considered and these options are summarised in previous reports.

4. POST DECISION IMPLEMENTATION

- 4.1 The Council and its advisors will continue to progress all work streams to ensure delivery of the Brent Cross regeneration proposals as outlined in this report and approved by the Assets, Regeneration and Growth Committee. The updated Regeneration Programme is attached at Appendix 1.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.2 The regeneration of Brent Cross Cricklewood supports the Council's Corporate Plan 2015-20 which states that the Council will work with local, regional and national partners to strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that prevention is better than cure
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer.

- 5.1.3 The scheme to transform Brent Cross Cricklewood will play a major role in delivering future prosperity, 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. Brent Cross Cricklewood 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 Brent Cross Cricklewood with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.

- 5.1.4 The first phase of the Brent Cross Cricklewood project includes the redevelopment of the shopping centre, creation of major new infrastructure, improved links to the existing tube station, and delivery of around 2,461 new homes over the next 8-10 years. This will create an estimated 3,000 construction jobs, and 4,000 permanent jobs. The Thameslink Station is important to the success of the regeneration scheme in both place-making as well as viability terms. However, at present the scheme does not benefit from the delivery of the station until the later phases. Bringing the station forward in the delivery programme will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and thereby improve the viability of Brent Cross Cricklewood South and will also increase the pace of delivery of new homes.

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

Brent Cross North

- 5.2.1 The Brent Cross Principal Development Agreement executed on 3 March 2015 and subsequently amended on 11 July 2016 confirms that the Brent Cross North Partners (HSL) are obliged to pay the Council's (and their consultants) costs in connection with this project.
- 5.2.2 In relation to CPO 1, there are two main elements of costs associated with any potential CPO process – the costs of preparing and promoting the CPO itself, and the compensation and consideration to be paid to those whose land and interests are acquired. In terms of the costs for resourcing the private treaty acquisitions, this will require input from internal and external resources covering various disciplines, including senior officers, legal input, surveying and valuation expertise. In respect of these acquisitions which fall in the northern part of the scheme, the HSL will meet all of these costs through the CPO Indemnity Agreement (CPOIA) executed on 3 March 2015 and subsequently varied on 11 July 2016 to reflect that the Council is leading on all residential elements south side as approved by the Committee on 30 November 2015. The indemnity is backed by security, so the Council is fully protected. The CPOIA is currently being updated.

Brent Cross South and Thameslink

- 5.2.3 In relation to the land required to deliver the first phase south side development, capital funding was approved on 4 March 2014. This funding will be later recouped from the anticipated capital receipts of the south side scheme.
- 5.2.4 The Project Agreement and corporate documentation between Argent Related and the Council, which deals with the delivery of the redevelopment and regeneration of the land to the south of the North Circular is now completed. A CPO Indemnity Agreement, under which the Argent Related provide the Council with an indemnity in respect of the costs of promoting the CPO and the compensation payable to third parties in respect of whose land and interests within CPO2 has been completed, and the CPO Indemnity Agreement for CPO3 is being progressed.
- 5.2.5 The delivery of the Station, Midland Mainline Bridge and waste and freight facilities, including land acquisitions, will be funded by public sector initially from the existing Council capital budgets (as approved by the Assets, Regeneration and Growth Committee on 17 March 2016 and Policy and Resources Committees on 17 May 2016 and 28 June 2016) and also HM Government grant funding and public sector borrowing.
- 5.2.6 The Grant Agreement and Funding Letter with DCLG and GLA are being finalised.
- 5.2.7 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. This is being met by the existing Thameslink Station and land acquisitions budget as approved by the Committee on 17 March 2016 and Policy and Resources Committee on 28 June 2016. The current budget for the Thameslink project, as approved on 28th June, is £16.650m. In addition, Policy & Resources Committee agreed, on 17th May 2016, an increase to the capital financing requirement, to enable borrowing to provide initial finance for Brent Cross Cricklewood. Ultimately, the CPO3 acquisition costs will be financed from either Argent Related, if appropriate, or the £97m grant referred to above.

5.3 Social Value

- 5.3.1 As indicated in sections within this report, the Brent Cross Cricklewood programme will secure wider social, economic and environmental benefits.

5.4 Legal and Constitutional References

- 5.4.1 The Council has a general power of competence under Section 1 of Chapter 1 of the Localism Act 2011 and this empowers the Council to enter into joint venture arrangements for the development of the south side of the Brent Cross Cricklewood regeneration scheme. Section 1 of the Localism Act 2011 provides local authorities with a broad power to do anything that individuals can do subject to any specific restrictions contained in legislation.
- 5.4.2 The Council has the power to acquire and dispose of land in accordance with Sections 120 to 123(2A) of the Local Government Act 1972, and subject to obtaining all appropriate consents and approvals. Where land has been appropriated for planning purposes, any disposal of land appropriated for such purposes is effected in reliance on Section 233 Town and Country Planning Act 1990. On any disposal of property the Council is required to have regard to the requirements of s123(2) of the LGA 1972 and Section 233 Town and Country Planning Act 1990 to ensure that any disposal is not for a consideration less than the best that can reasonably be obtained. Any land held for the purposes of part 2 of the Housing Act 1985 can be disposed of under section 32 of that Act either in reliance on a general or express consent of the consent of the Secretary of State.
- 5.4.3 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.
- 5.4.4 The procurement of a partner and other advisers for the south side of the scheme will be carried out in accordance with the relevant European Union procurement regulations and public sector procurement principles.
- 5.4.5 The Public Services (Social Value) Act 2012 requires the Council to consider whether it can achieve an improvement to the economic, social and environmental well-being of an area as part of the procurement of these

services. If so, the social value objectives identified must be written into the procurement process. All of this must be achieved with regard to value for money and in a way that is compliant with existing public procurement law. "Social value" objectives can include the creation of employment, apprenticeship and training opportunities for local people, trading opportunities for local businesses and the third sector; and the promotion of equality and diversity through contract delivery.

5.4.6 Section 111 of the Local Government Act 1972 provides that a local authority has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions.

5.4.7 Council Constitution, Responsibility for Functions states inter alia that only the full Council will exercise the following functions – All policy matters and new proposals relating to significant partnerships with external agencies and local authority companies.

5.4.8 The public sector equality duty referred to in Section 5 also required consultation to ensure the Council complies with its duties under the Equality Act 2010.

5.5 Risk Management

5.5.1 The key risks are summarised in the 11th July 2016 report.

5.6 Equalities and Diversity

5.6.1 As reported in successive meetings, the Development Proposals support achievement of the council's Strategic Equalities Objective.

5.6.2 The development proposals for the Brent Cross Cricklewood 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.

5.7 Consultation and Engagement

Brent Cross North

5.7.1 The Council and the Brent Cross North Development Partners together with Argent Related are also reviewing the communications strategy across the programme. The Brent Cross North Development Partners recently appointed Tavistock to lead on their communications and community engagement strategy.

5.7.2 An initial meeting has been held between the Council, Tavistock, Soundings

and all Partners (both north and south) to develop a communication plan and communications protocol for the different workstreams.

- 5.7.3 Joint monthly meetings between the Council and all Partners, Tavistock and Soundings are now in place to ensure that the communications strategy is integrated and co-ordinated across the Brent Cross Cricklewood programme. The next meeting is due to be held on 18 September 2016.
- 5.7.4 The Brent Cross North Development Partners have sent letters to the CPO1 residents on the Whitefield Estate, to provide an update on Catalyst the selected Registered Provider for this part of the scheme. The Brent Cross Development partners will be finalising their contract details within the next few months.

Brent Cross South

- 5.7.5 As reported in the 11th July 2016 committee report, Argent Related have appointed Soundings to advise on communications and community engagement.
- 5.7.6 Since July 2016, Soundings has set up three community liaison groups to act as consultation forums for the Development Partners to engage with residents on the wider Brent Cross Cricklewood proposals. The three community liaison groups are Cricklewood / Childs Hill, Golders Green and Dollis Hill.
- 5.7.7 The Cricklewood/Childs Community Liaison group meeting was held on 7th July 2016 at the Whitefield School. Attendees were asked to explore themes on transport links and connections, green spaces, cleanliness and maintenance, community facilities, retail, housing, leisure and entertainment, cycling and pedestrian, accessibility and safety, employment, Business and education and provide their feedback to the group.
- 5.7.8 There was a similar meeting format for the Dollis Hill Community Liaison Group which was held on 11th July 2016 at the Kingfisher Community Centre and for the Golders Green Community Liaison Group which took place on 12th July 2016 at Amelie House.
- 5.7.9 Several exhibition days were also held locally throughout July and the feedback will be used to inform the Business Plan review.
- 5.7.10 A Brent South Information Briefing was held on the 6th and 9th of July for the CPO2 Whitefield Residents, where residents received scheme updates and information about the Registered Providers selection process. Further engagement is planned with residents to ensure that they have every opportunity to engage in this process.
- 5.7.11 The Brent Cross South Development Partners have also distributing letters and newsletters to residents and further activities and events are planned.
- 5.7.12 PEP the Resident Independent Advisor continues to hold monthly resident surgeries on the Whitefield Estate.

5.7.13 GL Hearn has produced a community engagement proposal in support of the Thameslink Programme and they will ensure that the communication activities are coordinated with the Brent Cross Cricklewood programme.

6 BACKGROUND PAPERS

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

6.2 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/CeListDocuments.aspx?Committeeld=120&MeetingId=265&DF=29%2f03%2f2005&Ver=2>

6.2.1 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/CeListDocuments.aspx?Committeeld=120&MeetingId=272&DF=05%2f12%2f2005&Ver=2>

6.3 Cabinet Resources Committee, 25 March 2008 (Decision Item 16) – approved the outline terms so far agreed with the Brent Cross North 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 Property 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>

6.4 Cabinet, 21 October 2009 (Decision Item 7) – approved the terms and conditions of entering into the Development Framework Agreement and the Property 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>

- 6.5 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 Property Development Agreements regarding Brent Cross Cricklewood (as considered and approved by Cabinet in October 2009)

<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=151&MeetingId=446&DF=19%2f10%2f2010&Ver=2>

- 6.6 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/ieListDocuments.aspx?CId=151&MId=6759&Ver=4>

- 6.7 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) - approved the changes to the terms of the Brent Cross Property 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 Property 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/ieListDocuments.aspx?CId=151&MId=7702&Ver=4>

- 6.8 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>

- 6.9 Assets, Regeneration and Growth Committee dated 8 September 2014 approved that the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests in the areas shown on the plan at Appendix 1 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 and that the appropriate Chief Officers be authorised to arrange for a land referencing exercise (including the service of statutory requisitions) to be undertaken to identify all parties with interests in the land shown edged red and shaded pink and shaded blue on the plan at Appendix 1.

<http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>

- 6.10 Assets, Regeneration and Growth Committee dated 15 December 2014 noted progress on the Brent Cross Cricklewood project.

<http://barnet.moderngov.co.uk/documents/s19845/BXC%20update%20-%20Publish.pdf>

- 6.11 Urgency Committee, 26 February 2015 (Decision Item 1)

<https://barnetintranet.moderngov.co.uk/documents/s21721/Annex%201%20Report%20to%20Urgency%20Committee%2026%20February%202015.pdf>

- 6.12 Full Council dated 3 March 2015 approved the appointment of Argent and Related Companies PLC (Bidder Z) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme; the selection of Gateway Barnet consortium comprising Far East Consortium, Countryside Properties and Notting Hill Housing Trust (Bidder Y) as the Council's reserve development partner for the Brent Cross Cricklewood South Scheme; authorise Officers to work up the Business Plan, Project Agreement and documentation necessary to form the joint venture for consideration and approval by Assets, Regeneration and Growth Committee prior to formally entering into the joint venture contract and authorised the Commissioning Director (Growth and Development) to determine the exact structure of the joint venture arrangement.

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

- 6.13 Full Council dated 3 March 2015 approved 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 to deliver (CPO1); 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; 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 ; 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 ; 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; and 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 home loss and disturbance to those tenants.

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

- 6.14 Full Council on 3 March 2015 approved 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 to deliver the first south side phase (known as CPO2) 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 and secure its confirmation; 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; 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 and 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..

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MID=7819#A111444>

- 6.15 Assets, Regeneration and Growth Committee dated 1 June 2015 noted progress on the Brent Cross Cricklewood project; A) approved the terms for the draft Collaboration Agreement between the Council and Argent and Related Companies as set out in the Exempt Report; B) authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Collaboration Agreement; Confirmed as a matter of principle, that the Council is prepared to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire the land edged red on the plan at Appendices A & B; noted that a) the appropriate Chief Officers are commencing negotiations to acquire by private treaty the land and interests in the areas required to deliver the Thameslink Station as shown on the plan at Appendices A & B 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; and that the appropriate Chief Officers are undertaking the work needed to prepare for a possible Compulsory Purchase Order (CPO) together with the associated documentation and, if necessary, will bring a further report back to the Committee seeking authority to make a CPO in respect of the land shown on the plan at Appendix C.

<http://barnet.moderngov.co.uk/documents/s23463/Brent%20Cross%20Cricklewood%20Station%20Project%20Update%20-%20REPORT.pdf>

- 6.16 Assets, Regeneration and Growth Committee dated 30 November 2015 approved the terms for the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement and authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement and any required subsequent changes in the associated commercial documentation; noted progress on land acquisitions within the CPO red line boundary and that the CPO Inquiry for Brent Cross Cricklewood CPO1 and Brent Cross Cricklewood CPO 2 is scheduled for 17 May - 17 June 2016; approved the Brent Cross South Joint Venture Structure that will inform the Project Agreement and documentation necessary to form the Brent Joint Venture; noted the establishment of the Shadow Joint Venture Board and gave approval for the terms of reference for Shadow Shareholder Board for the Brent Cross South Joint Venture to be drawn up including a process for appointing Members for agreement at the next practicable meeting of the Council; and noted progress on the Thameslink Station project, in particular the station design and funding strategy.

<http://barnet.moderngov.co.uk/documents/s27725/Brent%20Cross%20Cricklewood%20Project%20update.pdf>

- 6.17 Council 1 March 2016 noted the report of Assets, Regeneration and Growth Committee on 30 November 2015 as attached at Appendix 1 which approved the Joint Venture Structure and authorised the establishment of a Shadow Shareholder Board for the Brent Cross South Joint Venture, and that its terms of reference and membership to be drawn up for Council approval; noted the Brent Cross South Joint Venture Structure at Appendix 3 attached to the

report of the Assets, Regeneration and Growth Committee on 30 November approved by the Committee on 30 November 2015; agreed the terms of reference for the Shadow Shareholder Board for the Brent South Joint Venture as outlined in paragraph 2.15; agreed that the composition and Membership of the Shadow Shareholder Board be agreed, as per paragraphs 2.13 and 2.14 of the report; noted the decisions outlined in Appendix 2 which will be required by the Shadow Shareholder Board as detailed in the Project Agreement and Shareholder and associated documentation necessary to form the Brent Cross South Joint Venture; and noted that the Project Agreement, Shareholder Agreement and associated documentation will be reported to Assets, Regeneration and Growth Committee on 17 March 2016 for approval and that that report will recommend that the Chief Executive be authorised in consultation with the Leader to finalise the documentation.

<http://barnet.moderngov.co.uk/documents/s29974/Report%20to%20Council%20Report%20-%20Report%20of%20Assets%20Regeneration%20and%20Growth%20Committee%20-%20Brent%20Cross%20Cricklew.pdf>

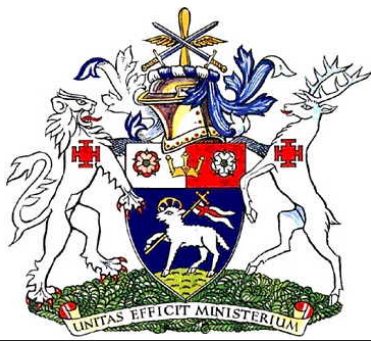
- 6.18 On 5 September 2016, Assets, Regeneration and Growth Committee are being asked to consider and approve the following recommendation; that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land to deliver the first south side phase (known as CPO2) 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 and secure its confirmation; 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; that the appropriate Chief Officers to initiate or take part in any arbitration or proceedings before the Upper Tribunal (Lands Chamber) or the Courts in order to resolve any disputes as to compensation or other payments payable for any interests in the Order Land or arising from the making or confirmation of the CPO or securing possession of any part of the Order Land or title to any part of the Order Land.

<http://barnet.moderngov.co.uk/documents/b27857/SUPPLEMENTARY%20REPORT%20-%20AGENDA%20ITEM%2014%20Brent%20Cross%20Cricklewood%20Compulsory%20Purchase%20Order%20No.%203%20and.pdf?T=9>

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BXC Regeneration Programme "Level 0"	V6 : DRAFT																																										
BXC Regeneration Programme	Date	2015		2016				2017				2018				2019				2020				2021				2022				2023				2024							
BXC Full Regeneration Business Case		Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4				
Submission FBC to GLA & DCLG	Dec-15		◆																																								
Grant Agreement DCLG & Business Rate Agreement GLA	Mar-16			◆																																							
Brent Cross North Phase 1A & 1B																																											
1A Approval S96A (Implementation)	Dec-15		◆																																								
1A Approval S96A & RMA's VE Options	Feb-16			◆																																							
1A Highway Design & Finalise S278 Agreements	Apr 16 - Dec 16																																										
CPO 1&2 Inquiry	May-16				◆																																						
CPO1&2 Confirmed	Dec-16						◆																																				
Procurement (1A & 1B)	Jan17 - Sep 17																																										
1B RMA Planning Consent	Jun-17																																										
1A Highways Enabling Works Start on Site	Sep-17																																										
1A Highways Works Construction	Jan 18 - Oct 21																																										
1B Shopping Centre Construction	Mar 18 - Oct 21																																										
1A & 1B Highways and Shopping Centre Complete	Oct-21																																						◆				
Brent Cross South																																											
LBB ARG Approval AR and Establish BXC South JV Co.	Mar-16			◆																																							
BXC South JVLP First Phase Proposal for Approval	Mar-17																																										
BXC South RMA Planning Submission	Oct-17																																										
BXC South Phase 1 Definition to be Submitted	Dec-17																																										
Design Development (Early Phases)	Apr-16 - Mar-18																																										
Procurement (Early Phases)	Dec-17 - May-18																																										
Construction Phase 1C & Station Square	May 18 - May 24																																										
Completion Station Square	May-24																																						◆				
BXC Thameslink Station																																											
Approved Station & Regeneration Full Business Case	Mar-16			◆																																							
CPO 3 Resolution	Jul-16				◆																																						
CPO 3 Inquiry	Dec 16 - Mar -17																																										
Site Investigation, EIA & Transport Modelling	Jun 16 - Mar 17																																										
Planning 4.2 Phasing Application Consent	Apr-17																																										
Design (GRIP 4) & NR AIP	Oct 16 - Jul 17																																										
CPO 3 Confirmed	Jun-17																																										
Network Change (Tranches 1 &2)	Mar 17 - Jul 17																																										
Network Change (Tranche 3)	Sep 17 - Jan 18																																										
Detailed Design (GRIP 5) Planning & Procurement	Nov 16 -Sep 17																																										
MML Bridge Fabrication & Installation	Oct 19 - Dec 20																																										
NLWA Construction	Sep 18 - Jun 19																																										
Freight Facility Construction	Mar 18 - Dec 18																																										
Station & Sidings Construction	Mar 18 - Dec 20																																										
Testing, Commissioning and Handback	May 20 - Apr 21																																										
New Station Complete & Train Services Commence	May-21																																						◆				

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ASSETS, REGENERATION & GROWTH COMMITTEE

5th September 2016

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

Summary

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

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

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

Recommendations

That the Asset, Regeneration & Growth Committee agrees:

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

1. WHY THIS REPORT IS NEEDED

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

2. REASONS FOR RECOMMENDATIONS

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

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

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

4. POST DECISION IMPLEMENTATION

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

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

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

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

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

5.3 Social Value

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

5.4 Legal and Constitutional References

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

5.5 Risk Management

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

5.6 Equalities and Diversity

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

5.7 Consultation and Engagement

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

6. BACKGROUND PAPERS

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

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

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

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

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


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

Appendix 1 – CPO2 & CPO2a Communications Update – September 2016

Dedicated West Hendon Website: <http://west-hendon.co.uk/>

Method of Communication	Purpose of Communication	Stakeholder	Date/s	Frequency	Comments
Closed Partnership Board	The Board comprises of key stakeholders which support, represent and promote the interests of all residents living on the estate.	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Resident Representatives, ITA	03/08/2016	Monthly	Development Partners provide relevant information and reports as required by the board, subject to data protection and commercial sensitivities. The architects delivered a presentation on Phase 4 (CPO2) to the Partnership Board. The design and phasing was discussed in detail in advance of the Reserved Matters Application.
Communications Meeting	Development Partners meet to discuss communications at West Hendon	London Borough of Barnet, Re, Barratt Metropolitan LLP, Barnet Homes, Hard Hat	20/07/2016 01/09/2016	Monthly	
Construction Working Group	A forum for residents to discuss construction activities and programme with the Barratt's construction team	Barratt London, Wider Community	21/07/2016 18/08/2016	Monthly	Minutes for the Construction Working Group can be found on the dedicated West Hendon Regeneration website at http://west-hendon.co.uk/construction/construction-working-group/
CPO1 (Broadway) Drop-In Session – Private tenants	A consultation event for the private tenants affected by CPO1 to meet with London Borough of Barnet and Barnet Homes to discuss their housing options	London Borough of Barnet & Barnet Homes	08/08/2016	As required	A leaflet advertising the drop-in session was posted to all private tenants (26 properties) within CPO1 (Broadway). Unfortunately only one leaseholder and no private tenants attended the session. At other meetings, private tenants have raised concerns about re-housing options, which Barnet Homes have been providing assistance with.

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	<p>Assets Regeneration and Growth Committee 5 September 2016</p>
<p>Title</p>	<p>EXPLORING OPTIONS TO RE-LOCATE DONOGHUE SKIP HIRE AND WASTE MANAGEMENT COMPANY - Assets Regeneration and Growth Committee Forward Work Plan Item</p>
<p>Report of</p>	<p>Interim Deputy Chief Executive and Commissioning Director, Growth and Development</p>
<p>Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix 1: PB Donoghue Title Plan NGL612586 Appendix 2: Map Search NGL612586</p>
<p>Officer Contact Details</p>	<p>Karen Mercer, Programme Director Re, Karen.Mercer@barnet.gov.uk, 0208 359 7563</p>

Summary

This report outlines the scope of the feasibility work to explore options to relocate Donoghue and Waste Management company as approved by the Committee on 11 July 2016.

Recommendations

The Committee is requested to note the content of this report and that the results of the feasibility work exploring the options to relocate Donoghue Skip Hire and Waste Management company will be considered by the next Assets, Regeneration and Growth Committee on 12 December 2016.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report confirms that the Council has commenced feasibility work to explore the potential options to re-locate the existing Donoghue skip hire and waste management from its present site on Claremont Road, Cricklewood, and provides a brief summary of the scope of proposed work.
- 1.2 The Committee will recall that at the last Assets, Regeneration and Growth Committee meeting, the Chairman of the Committee introduced the forward work plan and noted that Finchley and Golders Green Area Committee had referred an item to be added to a future ARG agenda. Cllr Zinkin introduced the item and briefly outlined concerns relating to HGV movements in The Vale, Cricklewood from Donoghue Skip Hire and Waste Management.
- 1.3 The request was *“that officers investigate the feasibility of relocating Donoghue due to concerns about health and safety particularly for the children who attend the three schools on the Donoghue’s main route.”*
- 1.4 This was considered to be an urgent issue due to the potential safety issues arising from the HGV transport movements and the Assets Regeneration and Growth Committee requested to receive a report at its next scheduled meeting on 5 September.
- 1.5 As the Committee is aware, Donoghue currently operates from its existing premises on the Vale as shown on the plan attached at appendix 1 and appendix 2. The site, which extends to circa 0.95 ha, is located within the Brent Cross Cricklewood regeneration area, and forms part of the Brent Cross South masterplan proposals that are being brought forward jointly by the Council and it’s development partner Argent Related. The section 73 planning permission as approved in July 2014 identifies the site as a development plot to be brought forward in phase 4 as part of the regeneration of the Brent Cross Cricklewood area. The Council does not have compulsory purchase powers in respect of the Donoghue site and does not own it. If the Council were to acquire the site it would need to be either through private treaty negotiation or a CPO would need to be sought.
- 1.6 Since the Committee meeting in July the item has been added to the Committee work programme and work has commenced to investigate and explore options to relocate the skip hire and waste management operations. The feasibility work will take approximately six to eight weeks to complete.
- 1.7 The study will include the Council:
 - Meeting with Donoghue to understand their existing operations and future requirements
 - Reviewing the traffic movements within the area and understand the safety concerns and consider the various measures taken by the Council to mitigate the effect of HGV traffic in the area in the last five years, the

consequences of those measures and the associated committee and other reports.

- Exploring options to relocate Donoghue, including undertaking a site search to identify whether an alternative site can be identified within the London Borough of Barnet and surrounding areas. This will include a risk assessment of all identified options as well as financial and funding implications.
- To work with the Council's joint venture development partner Argent Related within the terms of the agreement with Argent Related to understand and review the implications of any proposed relocation on the comprehensive regeneration of Brent Cross South given that the Donoghue site is a key development plot within the Brent Cross South regeneration area.

1.8 The findings of the feasibility work and proposed options will be reported to the Assets, Regeneration and Growth Committee at the next Committee meeting in 12 December 2016.

2. REASONS FOR RECOMMENDATIONS

2.1 To undertake the feasibility work to explore options to relocate Donoghue in accordance with the request by the Assets, Regeneration and Growth Committee on 11 July 2016.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 This report explains that the Council is exploring options to potentially relocate the Donoghue as requested by the Committee. The findings of this feasibility work and any options will be considered at the next Committee meeting.

4. POST DECISION IMPLEMENTATION

4.1 The Council and its advisors will progress the feasibility work as outlined in this report and will report a summary of the work alongside potential options to the next Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

The regeneration of Brent Cross Cricklewood supports the Council's Corporate Plan 2015-20 which states that the Council will work with local, regional and national partners to strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that prevention is better than cure
- where responsibility is shared, fairly

- where services are delivered efficiently to get value for money for the taxpayer.

5.1.1 The scheme to transform Brent Cross Cricklewood will play a major role in delivering future prosperity, 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. Brent Cross Cricklewood 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 Brent Cross Cricklewood with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.

5.1.2 The first phase of the Brent Cross Cricklewood project includes the redevelopment of the shopping centre, creation of major new infrastructure, improved links to the existing tube station, and delivery of around 2,461 new homes over the next 8-10 years. This will create an estimated 3,000 construction jobs, and 4,000 permanent jobs. The Thameslink Station is important to the success of the regeneration scheme in both place-making as well as viability terms. However, at present the scheme does not benefit from the delivery of the station until the later phases. Bringing the station forward in the delivery programme will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and thereby improve the viability of Brent Cross Cricklewood South and will also increase the pace of delivery of new homes.

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

5.2.1 The feasibility work will also consider and explore the financial and commercial issues associated any potential option, and these findings will be summarised in the report to Committee on 12 December 2016. The feasibility work will be funded initially from the land assembly budget for Brent Cross Cricklewood up to a £10k. Any further funding requirement will be set out in the next report to be considered by the Committee.

5.3 **Social Value**

5.3.1 As the Committee is aware, the Brent Cross Cricklewood programme will secure wider social, economic and environmental benefits. The proposed relocation of Donoghue Skip Hire and Waste Management outside of the regeneration area accord with the section 73 planning permission

5.4 **Legal and Constitutional References**

5.4.1 Section 1 of the Localism Act 2011 provides local authorities with a broad power to do anything that individuals can do subject to any specific restrictions contained in legislation.

5.4.2 Section 111 of the Local Government Act 1972 provides that a local authority

has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions.

5.4.3 Council Constitution, Responsibility for Functions states inter alia that only the full Council will exercise the following functions (among others) – All policy matters and new proposals relating to significant partnerships with external agencies and local authority companies.

5.4.4 The public sector equality duty referred to in Section 5.6 below also required consultation to ensure the Council complies with its duties under the Equality Act 2010.

5.5 Risk Management

5.5.1 The feasibility work will identify and review the risks associated with Donoghue continuing to operate from the Vale alongside the risks associated with the potential relocations options for consideration by the Committee.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act which outlines the provisions of the Public Sector Equality Duty (PSED), requires all Local Authorities to pay due regard to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (as defined in this Act) and those who do not have it;
- Foster good relations between people who share a relevant protected characteristic (as defined in this Act) and those who do not have it ;

5.6.2 This places a legal obligation on the Council to pay due regard to equalities in an appropriate and proportionate manner and to take account of how the Council's decisions might impact on different groups across the borough including those identified in equality legislation as protected characteristics, namely: Age, disability, gender, gender reassignment, marriage, civil partnership, pregnancy and maternity, race, sexual orientation and religion or belief and this will be taken into account as and when a decision is to be taken regarding the Donoghue site.

5.6.3 Equality and diversity issues are a mandatory consideration in the decision-making of the Council. This requires elected Members to satisfy themselves that equality considerations are integrated into day to day business and that all proposals put to committees have properly taken into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in train.

5.7 Consultation and Engagement

- 5.7.1 As part of the feasibility work, the Council will consult key stakeholders and the community to help explore the potential relocation options and have regard to their comments.

6 BACKGROUND PAPERS

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

- 6.2 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/CeListDocuments.aspx?Committeeld=120&MeetingId=265&DF=29%2f03%2f2005&Ver=2>

- 6.3 Assets, Regeneration and Growth Committee dated 8 September 2014 approved that the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests in the areas shown on the plan at Appendix 1 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 and that the appropriate Chief Officers be authorised to arrange for a land referencing exercise (including the service of statutory requisitions) to be undertaken to identify all parties with interests in the land shown edged red and shaded pink and shaded blue on the plan at Appendix 1.

<http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>

- 6.4 Urgency Committee, 26 February 2015 (Decision Item 1)

<https://barnetintranet.moderngov.co.uk/documents/s21721/Annex%201%20Report%20to%20Urgency%20Committee%2026%20February%202015.pdf>

- 6.5 Full Council dated 3 March 2015 approved the appointment of Argent and Related Companies PLC (Bidder Z) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme; the selection of Gateway Barnet consortium comprising Far East Consortium, Countryside Properties and Notting Hill Housing Trust (Bidder Y) as the Council's reserve development partner for the Brent Cross Cricklewood South Scheme; authorise Officers to work up the Business Plan, Project Agreement and documentation necessary to form the joint venture for consideration and approval by Assets, Regeneration and Growth Committee prior to formally entering into the joint venture contract and authorised the Commissioning Director (Growth and Development) to determine the exact structure of the joint venture arrangement.

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

- 6.6 Full Council dated 3 March 2015 approved 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 to deliver (CPO1); 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; 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 ; 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 ; 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; and 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 home loss and disturbance to those tenants.

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

- 6.7 Full Council on 3 March 2015 approved 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 to deliver the first south side phase (known as CPO2) 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 and secure its confirmation; 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; 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 and 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..

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MID=7819#A11444>

- 6.8 Assets, Regeneration and Growth Committee dated 30 November 2015 approved the terms for the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement and authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement and any required subsequent changes in the associated commercial documentation; noted progress on land acquisitions within the CPO red line boundary and that the CPO Inquiry for Brent Cross Cricklewood CPO1 and Brent Cross Cricklewood CPO 2 is scheduled for 17 May - 17 June 2016; approved the Brent Cross South Joint Venture Structure that will inform the Project Agreement and documentation necessary to form the Brent Joint Venture; noted the establishment of the Shadow Joint Venture Board and gave approval for the terms of reference for Shadow Shareholder Board for the Brent Cross South Joint Venture to be drawn up including a process for appointing Members for agreement at the next practicable meeting of the Council; and noted progress on the Thameslink Station project, in particular the station design and funding strategy.

<http://barnet.moderngov.co.uk/documents/s27725/Brent%20Cross%20Cricklewood%20Project%20update.pdf>

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

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H.M. LAND REGISTRY

TITLE NUMBER

NGL 612586

ORDNANCE SURVEY
PLAN REFERENCE

COUNTY SHEET
GREATER LONDON

NATIONAL GRID
TQ 2386

SECTION
SV

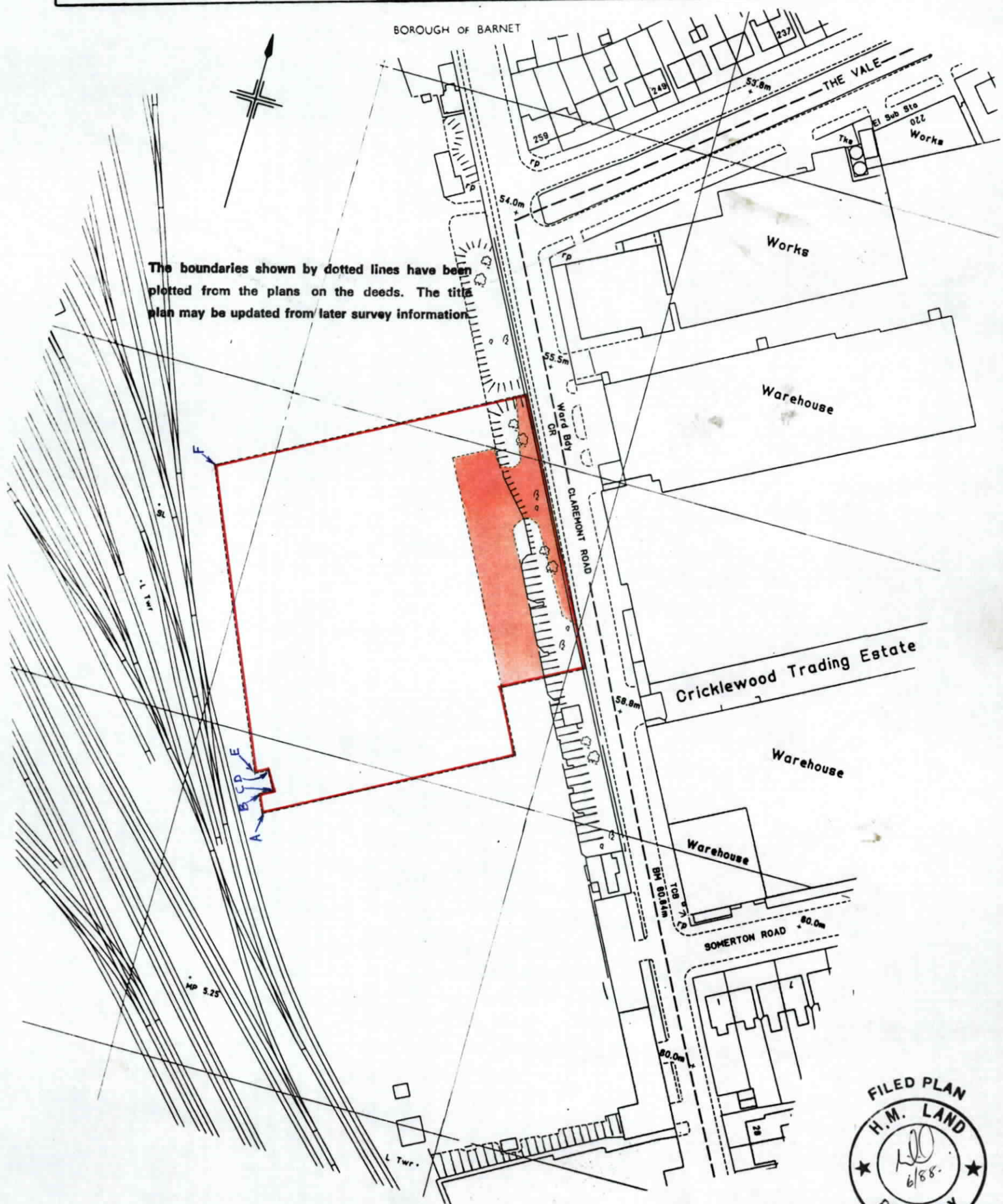
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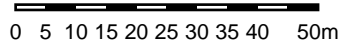
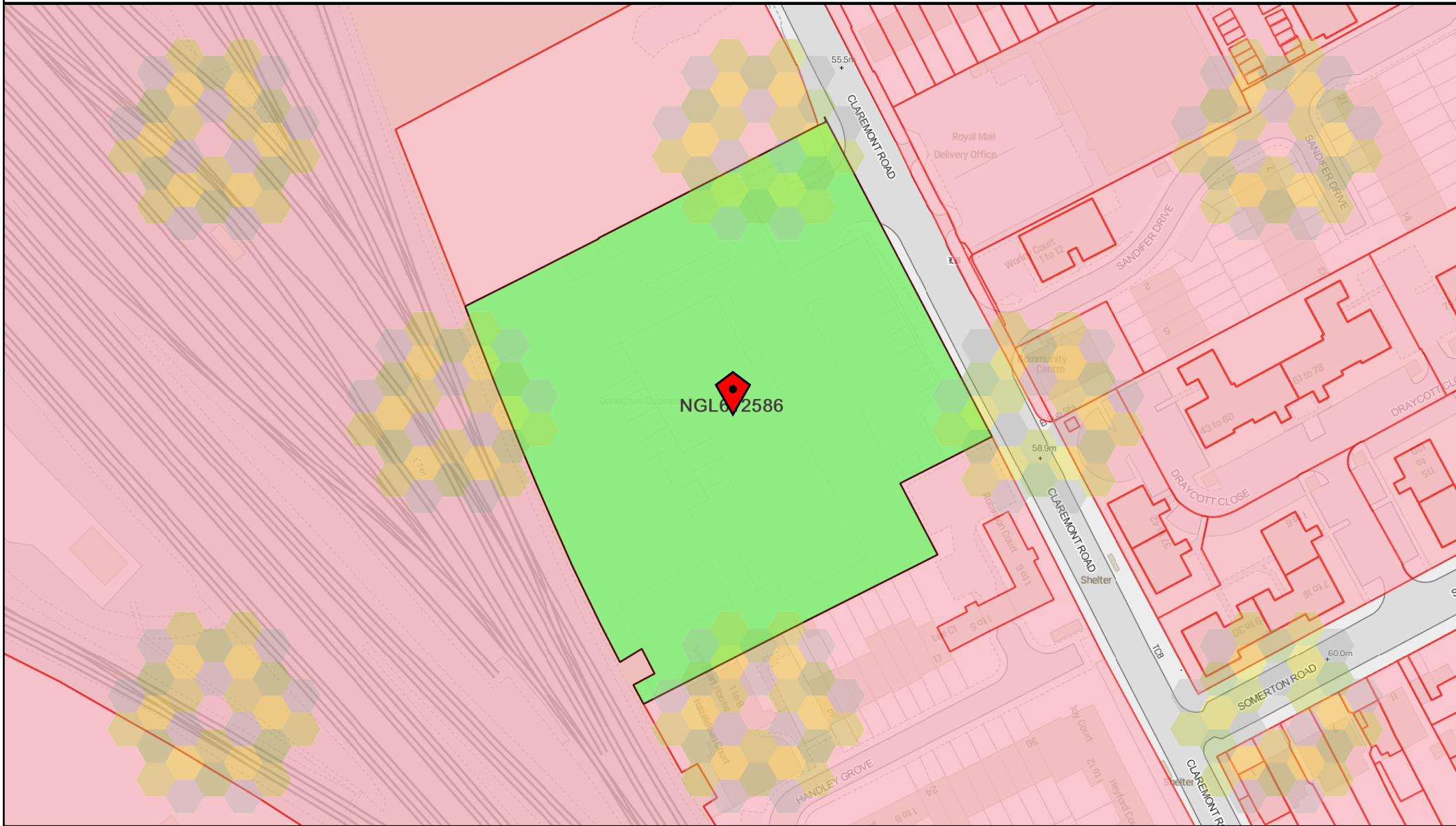
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BOROUGH OF BARNET



The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information.





Map scale 1:1250

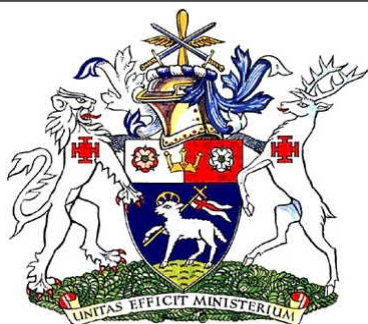
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Data last updated 10:00pm 23 AUGUST, 2016



Title number	Estate information	Address
NGL612586	Freehold	UNIT 4 DONOGHUE BUSINESS PARK, CLAREMONT ROAD, LONDON NW2 1RW UNIT 3 DONOGHUE BUSINESS PARK, CLAREMONT ROAD, LONDON NW2 1RW UNIT 2 DONOGHUE BUSINESS PARK, CLAREMONT ROAD, LONDON NW2 1RW P B DONOGHUE DONOGHUE BUSINESS PARK, CLAREMONT ROAD, LONDON NW2 1RR UNIT 1 DONOGHUE BUSINESS PARK, CLAREMONT ROAD, LONDON NW2 1RW



Assets, Regeneration and Growth Committee

5th September 2016

Title	Assets, Regeneration and Growth Committee - Work Programme
Report of	Chief Operating Officer Commissioning Director, Growth and Development
Wards	All
Status	Public
Enclosures	Appendix A - Committee Work Programme
Officer Contact Details	Sheri Odoffin sheri.odoffin@barnet.gov.uk

Summary

The Committee is requested to consider and comment on the items included in the 2016/17 work programme

Recommendations

1. That the Committee consider and comment on the items included in the 2016/2017 work programme

WHY THIS REPORT IS NEEDED

- 1.1 The Assets, Regeneration and Growth Committee Work Programme 2016/17 indicates forthcoming items of business.
- 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 Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

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 2015-20.

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 The Terms of Reference of the Assets, Regeneration and Growth Committee is included in the Constitution, Responsibility for Functions, Annex A.

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.

London Borough of Barnet
Assets, Regeneration and Growth Committee Work Programme
September 2016 - March 2017

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
December 2016			
CPO Community Engagement Update	Update on community engagement on West Hendon CPO	Commissioning Director, Growth and Development	Key Issue
CPO Community Engagement Update	Update on community engagement on Brent Cross CPO	Commissioning Director, Growth and Development	Key Issue
Grahame Park: stage B Principal Development Agreement	To consider proposals following the G/TV merger and commencement of PDA discussions	Commissioning Director, Growth and Development	Key Issue
Colindale Highway Junctions Programme	SPIR sign off	Commissioning Director, Growth and Development	Non-Key Issue
Development Pipeline Tranche 3, Phase 2 Full Business Case	seek approval for the sites	Commissioning Director, Growth and Development	Non-Key Issue
Development Pipeline Tranche 1, Housing Full Business Case	Approval of full business case	Commissioning Director, Growth and Development	Non-Key Issue
Youth Zone	Approval of the lease consider any planning objections	Commissioning Director, Children and Young People	Non-Key Issue
Regeneration Strategy	To approve an updated regeneration strategy for consultation	Commissioning Director, Growth and Development	Non-Key Issue
Tarling Road, Lease Heads of Terms & Management approach	Update and progress report	Director of Resources	Non-Key Issue
Chandos Avenue, Strategic Outline Case	Report on scheme proposals	Director of Resources	Non-Key Issue

Title of Report	Overview of decision	Report Of (officer)	Issue Type (Non key/Key/Urgent)
Daws Lane Outline Business Case	To approve the strategic case & financial outline	Director of Resources	Non-Key Issue
Tranche 2 Meadows Close Children's Centre	Outline Business Case	Director of Resources	Non-Key Issue
Accommodation Office Exempt	Accommodation Office	Director of Resources	Key Issue
March 2017			
CPO Community Engagement Update	Update on community engagement on West Hendon CPO	Commissioning Director, Growth and Development	Key Issue
CPO Community Engagement Update	Update on community engagement on Brent Cross CPO	Commissioning Director, Growth and Development	Key Issue
Business Planning Report 2017/18	Business Planning Report 2017/18	Director of Resources	Non-Key Issue
Assets, Land and Property Transactions for Approval	Assets, Land and Property Transactions for Approval	Director of Resources	Non-Key Issue
Barnet Development Pipeline Tranche 1 Housing Full Business Case		Commissioning Director, Growth and Development	
Estates	Approval of negotiating strategy and funding approval – standing item	Director of Resources	Key Issue
June 2017			
CPO Community Engagement Update	Update on community engagement on West Hendon CPO	Commissioning Director, Growth and Development	Key Issue

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
CPO Community Engagement Update	Update on community engagement on Brent Cross CPO	Commissioning Director, Growth and Development	Key Issue
Daws Lane	Consider the Business Case	Commissioning Director, Growth and Development	Non-Key Issue
Assets, Land and Property Transactions for Approval	Assets, Land and Property Transactions for Approval	Director of Resources	Non-Key Issue