

Decisions of the Assets, Regeneration and Growth Committee

24 July 2017

Members Present:-

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

Councillor Richard Cornelius Councillor Pauline Coakley Webb
Councillor Rohit Grover Councillor Ross Houston
Councillor Peter Zinkin Councillor Geof Cooke
Councillor Adam Langleben

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED - The minutes of the meeting of 24 April 2017 were agreed as a correct record.

2. ABSENCE OF MEMBERS

There were none.

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

The following interests were declared.

Councillor	Item	Interest
Cllr Ross Houston	Agenda Item 10 - Development Pipeline Tranche 3 - Affordable Housing Programme	Non-pecuniary interest as he is a member of Barnet Group Board, of which Barnet Homes is a subsidiary.
Cllr Adam Langleben	Agenda item 14 West Hendon CPO2 and 2a Communications update, and agenda item 10 Development Pipeline Tranche 3 - Affordable Housing Programme	Non-pecuniary interest as he is a trustee of the West Hendon Community Trust Fund, and also lives close to one of the sites listed in agenda item 10.
Cllr Richard Cornelius	Item 7 Brent Cross Cricklewood Update Report	Non-pecuniary interest as he is a council appointed member of Re Limited

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. MEMBERS' ITEMS (IF ANY)

None.

Prior to consideration of agenda item 7 Brent Cross Cricklewood Update Report, the Chairman moved that if there were questions on the exempt report, the order of business be varied to allow for the public report be considered directly before the exempt report at the end of the meeting. It was noted there were questions on the exempt report, and the change to the order of business was duly agreed.

7. ASSETS, REGENERATION AND GROWTH COMMITTEE COMMISSIONING PLAN 2017/18 AND ANNUAL PERFORMANCE REPORT 2016/17

The Chairman introduced the item and welcomed comments from Members.

It was **RESOLVED**:

- 1. That the Committee note progress on the Assets, Regeneration and Growth Committee Commissioning Plan in 2016/17 (Appendix A).**

- 2. That the Committee review and approve the addendum to the Assets, Regeneration and Growth Committee Commissioning Plan for 2017/18 (Appendix B).**

The votes were recorded as follows:

For	5
Against	4
Abstain	0

8. YOUTH ZONE

The Chairman introduced the report, noting that the report was to endorse finance and planning arrangements in principle. Representatives from Onside were welcomed to the meeting to respond to questions regarding the Youth Zone proposals.

Following consideration the committee voted unanimously in favour of approval of the report recommendations.

RESOLVED –

1. That, subject to OnSide obtaining all relevant planning consents and funding, the Committee approve Heads of Terms on the basis of a development agreement for a Youth Zone building to be constructed by the tenant, following which a long term lease is granted at a nominal rent with an operational agreement. Warranties in favour of the Council would be provided by the building contractor and the tenant's professional team. This is subject to appropriate safeguards in the documentation to ensure the Council's long term financial and property interests are protected.
2. That the Committee note that Montrose Playing Fields has been advertised as a public open space for disposal purposes and no objections were received.
3. That the Committee confirms that its authority be delegated to the Resources Director and the Strategic Director for Children and Young in consultation with the Chairman of the Assets Regeneration and Growth Committee to negotiate and enter into final documents as mentioned in Recommendation 1 subject to confirmation of OnSide funding, and to apply for consent from the Secretary of State for Communities and Local Government if required.

9. DEVELOPMENT PIPELINE TRANCHE 3 - AFFORDABLE HOUSING PROGRAMME

The Chairman introduced the report and invited discussion.

Following consideration the committee voted unanimously in favour of approval of the report recommendations.

A RECOMMENDATION FOR TRANSFER OF LAND AT MOUNT PLEASANT AND WESTBROOK CRESCENT TO OPENDOOR HOMES

RESOLVED - That the Assets, Regeneration and Growth Committee:

1. Approve the updated full business case for Tranche 3 Development Pipeline for the Council to dispose of the sites at Mount Pleasant, EN4 9HQ and Westbrook Crescent, EN4 9AP (the Sites) to Opendoor Homes a wholly owned subsidiary of Barnet Homes in accordance with the parameters of the updated full business case.
2. Delegate authority to Deputy Chief Executive to dispose of the Sites to TBG Open Door Ltd a wholly owned subsidiary of Barnet Homes, in accordance with the parameters of the updated full business case and pursuant to the Development Agreement dated 24 May 2017 together with authority to obtain any statutory or other consents required to dispose of this site under Housing Act 1985 and to use such of the general consents available for the disposal of the Site.

3. Resolve that the land is suitable for appropriation if necessary as it is no longer required for the purpose for which it was originally held.
4. Approve the use of Right to Buy receipts to fund building works in advance of the proposed Loan Facility as described in Paragraph 1.10 below.
5. Declare of the Sites which constitute Open Space land surplus to requirements and that, subject to the statutory advertisement and consultation, the Committee approve the disposal of such sites.
6. Delegate authority to the Deputy Chief Executive to obtain any statutory or other consents required to dispose of the Sites both under Housing Act 1985 where the Sites comprise land held under the HRA and also under s123 of the Local Government Act 1972 where land is held in the general fund. To delegate authority to use such of the general consents available for the disposal of the Site and where required to apply for consent to disposal to the Secretary of State.
7. Delegate authority to the Deputy Chief Executive to appropriate for planning purposes or any other relevant purposes of land included in the Site to enable disposal and to facilitate the building of new homes in accordance with the planning permission and the Development Agreement and to take all necessary steps that may be required to ensure statutory compliance in order to dispose of the Site and to take all necessary steps that may be required to dispose of the Site.
8. Delegate authority to the Deputy Chief Executive to implement the statutory advertising and consultation procedure in respect of any of the Site comprising Open Space land and if any objections are received to consider the same in consultation with the Chairman of the ARG committee and if then it is considered suitable; to proceed with the formal appropriation of the land to complete the disposal of the Sites.

B RECOMMENDATIONS AS REGARDS TO SHEAVESHILL PRAMSTORES COMPULSORY PURCHASE ORDER:

That the Assets, Regeneration and Growth Committee:

1. Authorise the making of a compulsory purchase order to purchase the Pram Sheds at Sheaveshill Court, and as shown on Annex 2 to secure the delivery of Sheaveshill Court New Housing Development Scheme;
- 2 Authorise the appropriate Chief Officer to negotiate and complete a Compulsory Purchase Order Indemnity Agreement to ensure that TBG Open Door Ltd indemnify the Council for the full financial costs incurred in preparing, making and implementing the CPO.
1. Authorise the commencement of all preparatory work required for the making of the CPO(s), including (but not limited to):
 - appointing a land reference company to review all relevant proprietary interests with a view to producing a draft schedule and plan for the CPO(s);

- the service of requests for information notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 on those who may be affected by the proposed CPO(s);
2. Authorise the appropriate Chief Officer to issue and sign the order, notices and certificates in connections with the making, confirmation and implementation of the CPO.
 3. Authorise the appropriate Chief Officer to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a General Vesting Declaration or service of a notice of entry relating to the CPO if it was considered appropriate to do so;
 4. Delegate authority to the appropriate Chief Officer to take any further necessary actions to secure the making, confirmation and implementation of the CPO.

10. THE DARLANDS NATURE RESERVE

The Chairman noted that the report on the Darlands Nature Reserve had been withdrawn from the agenda and would be added to the committee’s forward work programme for 4 September meeting.

11. 2-10 HERMITAGE LANE NW2

The Chairman introduced the report and invited discussion.

The Committee noted that approval was sought to progress the development opportunity to an Outline Business Case. Councillor Adam Langleben noted that reassurance would be needed as proposals are developed regarding the alternative suitable accommodation for the affected council tenants.

Following consideration it was **RESOLVED**:

1. That the Committee notes the initiation of this project
2. That subject to the approval of funding from Policy and Resource Committee, the Committee authorises procurement of a multi-disciplinary professional team if required to progress the development opportunity to an Outline Business Case.

The votes were recorded as follows:

For	5
Against	3
Abstain	1

12. FIRE SAFETY IN HIGH RISE OPERATIONAL BUILDINGS AND SHOPS UNDER FLATS

The Chairman introduced the report and invited discussion.

Following consideration the committee voted unanimously in favour of approval of the report recommendations.

RESOLVED:

- 1. That the Committee acknowledges and notes the findings of the investigations in respect of fire safety undertaken across the Council's high rise operational buildings and shops under flats**
- 2. That the Committee delegates authority to the Head of Estates, to instruct and procure further investigations at the operational buildings and where necessary act upon the findings of these investigations.**

13. WEST HENDON COMPULSORY PURCHASE ORDER 2 & 2A (CPO2 AND CPO2A) COMMUNICATIONS UPDATE

The Chairman introduced the report.

Following consideration the committee unanimously:

RESOLVED to note the communication activities undertaken regarding the West Hendon Regeneration Scheme attached at Appendix 1

14. ASSETS REGENERATION AND GROWTH COMMITTEE FORWARD PLAN - SEPTEMBER - DECEMBER 2017

The Chairman introduced the item. It was noted that the report on Darlands Nature Reserve would be added to the forward work programme for 4 September meeting.

RESOLVED to note the items included in the Work Programme.

15. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

16. BRENT CROSS CRICKLEWOOD UPDATE

The Chairman introduced the item and welcomed comments from Members.

Following consideration of the report it was **RESOLVED:**

That the Committee note:

- 1) **The content of this report and progress made on the BXC workstreams across the programme;**
- 2) **That the BXS First Phase Proposal accords with the business plan submitted to this committee for approval and is within the parameters set by the BXS Project Agreement;**
- 3) **That CBRE have confirmed the Phase Proposal with the agreed amendments represents Best Consideration in accordance with the Best Consideration Mechanism as detailed in the Brent Cross South Project Agreement, and that the indicative land value at this stage is £10.5m;**
- 4) **The progress, as set out in paragraphs 1.49 – 1.53, that has been made with private treaty negotiations to acquire land and new rights within the CPO3 Order land, and to note that in accordance with the Committee approval given on 5 September 2016 the Deputy Chief Executive will be approving the entering into by the council of agreements and undertakings with third parties who are affected by CPO3 (including DB Cargo, North London Waste Authority and Network Rail).**

That the Committee:

- 5) **Approve entering into an Integrated Programme Management Office (IPMO) co-operation agreement with Hammerson, Standard Life Investments and BXS JVLP to better manage areas of interface between BXN, BXS and Thameslink projects; and delegate to the Chief Executive in consultation with the Chairman of the Committee to negotiate and take all necessary steps to agree and enter into the IPMO co-operation agreement;**
- 6) **Approve the Brent Cross South (BXS) Business Plan and First Phase Proposal as attached to the Exempt report and summarised in Appendix 1 and 2;**
- 7) **Authorise the Chief Executive to determine that the Best Consideration requirement has been met following approval of the Business Plan by the Committee and on receipt of a formal letter on Best Consideration from the Phase Proposal Valuer;**
- 8) **Approve that the council Land Value be re-invested in BXS to secure a revenue stream;**

9) Authorise Officers to explore options for securing this investment in a way that is aligned to Argent Related's interests for consideration by the Committee later this year;

10) Authorise the Chief Executive in consultation with the Chairman of the Committee to update and make any consequential changes as may reasonably be required to the Project Agreement in light of the Business Plan and First Phase Proposal;

11) Delegate authority to the Deputy Chief Executive to agree and take all necessary steps to enter into Asset Protection Agreements with Network Rail to continue the GRIP 4 work.

The votes were recorded as follows:

For	5
Against	4
Abstain	0

17. MOTION TO EXCLUDE THE PRESS AND PUBLIC

The Chairman informed the Committee and the public gallery that the meeting would now be held in private to hear exempt papers. The room was subsequently cleared.

18. BRENT CROSS CRICKLEWOOD UPDATE (EXEMPT REPORT)

The Chairman introduced the exempt report and welcomed discussion from committee.

RESOLVED that the information in the exempt report be noted.

19. DEVELOPMENT PIPELINE TRANCHE 3 - AFFORDABLE HOUSING PROGRAMME (EXEMPT REPORT)

The Chairman introduced the exempt report and welcomed discussion from committee.

RESOLVED that the information in the exempt report be noted.

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

None.

The meeting finished at 8.48 pm