

MEETING

ASSETS, REGENERATION AND GROWTH COMMITTEE

DATE AND TIME

TUESDAY 27TH NOVEMBER, 2018

AT 7.00 PM OR IMMEDIATELY FOLLOWING HOUSING COMMITTEE.

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

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

Chairman: Councillor Daniel Thomas BA (Hons)
Vice Chairman: Councillor Gabriel Rozenberg

Richard Cornelius
Peter Zinkin
Ross Houston

Geof Cooke
Sara Conway
Kath McGuirk

Alex Prager
Sarah Wardle

Substitute Members

Paul Edwards
Nizza Fluss

Alison Moore
Laithe Jajeh

Nagus Narenthira
Thomas Smith

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 22 November 2018 at 10AM. Requests must be submitted to Faith Mwende - faith.mwende@barnet.gov.uk 02083594917

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

Andrew Charlwood – Head of Governance

Governance Service contact: Faith Mwende - faith.mwende@barnet.gov.uk 02083594917

Media Relations Contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

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ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	MINUTES OF THE PREVIOUS MEETING	5 - 12
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)	
7.	North Finchley Town Centre Development - update	13 - 22
8.	Entrepreneurial Barnet - Annual Update and Forward Plan	23 - 40
9.	Upper and Lower Fosters	41 - 54
10.	Business Planning 2019-2024	55 - 84
11.	Compulsory purchase of a long term vacant property	85 - 94
12.	Brent Cross Cricklewood - Quarterly Update	95 - 114
13.	Quarter 2 2018/19 Assets, Regeneration and Growth Performance Report	115 - 128
14.	COMMITTEE FORWARD WORK PROGRAMME	129 - 132
15.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	
16.	MOTION TO EXCLUDE THE PRESS AND PUBLIC	
17.	Exempt - Compulsory purchase of a long term vacant property	133 - 138
18.	EXEMPT - Brent Cross Cricklewood Funding and Delivery	139 - 190

	Strategy Report	
19.	ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT	

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Decisions of the Assets, Regeneration and Growth Committee

17 September 2018

Members Present:-

AGENDA ITEM 1

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

Councillor Richard Cornelius	Councillor Sara Conway
Councillor Peter Zinkin	Councillor Kath McGuirk
Councillor Ross Houston	Councillor Prager
Councillor Geof Cooke	Councillor Sarah Wardle

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED - The minutes of the meeting of 14 June 2018 were agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

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

Councillor Ross declared an interest as a Council appointed Member of Barnet Group.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Jasmin Parsons made a public comment in relation to item 8 (Mixed Tenure Housing Programme). Members asked questions following the comments, which were then answered by Jasmin Parsons.

John Cox made a public comment in relation to item 7 (Brent Cross Cricklewood – Update).

Details of the written comments and questions, and the published answers were provided with the agenda papers for the meeting.

Oral responses were given to the supplementary questions at the meeting and the audio recording is available online.

6. MEMBERS' ITEMS (IF ANY)

None.

7. BRENT CROSS CRICKLEWOOD UPDATE REPORT

The Chairman introduced the report and invited discussion on the item.

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

The Deputy Chief Executive gave further details of the current progress and answered questions from the committee. The Deputy Chief Executive also agreed to provide the reports and decision of the West London Economic Prosperity Board – details of which can be found here:

<http://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6006/Committee/277/Default.aspx>

Following consideration of the item, the Chairman moved to vote.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

The Committee resolved,

In regard to Brent Cross London to:

- 1. Note the content of this report and progress made on the BXC workstreams across the programme as set out in paragraph 1.3;**
- 2. Authorise the Deputy Chief Executive to confirm that the Funding Development Agreement (“FDA”) be entered into between the Brent Cross London Partners and L&Q to deliver the relocation of the Part 1 Whitefield Estate as contemplated by and referred to in the Brent Cross North Property Development Agreement signed on 11 July 2016, as set out in paragraph 1.8.**

In regard to Brent Cross South to:

- 3. Authorise the Deputy Chief Executive in consultation with the Chairman of the Committee to agree the template documents as required by the BXS Project Agreement as set out in paragraph 1.17; to negotiate and confirm that the Council grant the necessary Infrastructure Licences to the development management company to undertake site preparatory and infrastructure works within Brent Cross South and where current leases have expired and it is agreed that the development management company take on responsibility for the land; and to vary the BXS Project Agreement as necessary to take into account the legal documents that have been subsequently entered into in respect of CPO 3 as well as points of clarification for the benefit of both parties.**
- 4. Authorise the Chief Executive in consultation with the Chairman of the Committee to finalise and approve the heads of terms and confirm completion of the Strategic Infrastructure Charge Agreement as contemplated by the Project Agreement, as set out in paragraph 1.16.**

In regard to Thameslink to:

5. **Subject to approval by HM Government and GLA, authorise the Deputy Chief Executive on behalf of the Council to negotiate and enter into the Long Lead Procurement Implementation Agreement, as set out in paragraph 1.34.**
6. **Authorise Officers to undertake a design integration study to assess how the WLO line (Dudding Hill line) could link into Brent Cross West Station. The £50k cost estimate for the study will be funded from the Thameslink budget, as set out in paragraph 1.54.**
7. **Authorise that the Deputy Chief Executive, in consultation with the Chairman of the Committee approve the terms of variation to the D B Cargo Settlement Agreement dated 4 August 2017 and confirm that such variation be completed, as set out in paragraph 1.45.**
8. **Authorise the Deputy Chief Executive, in consultation with the Chairman of the Committee to finalise the Network Rail Contract for Sale and associated documentation in accordance with the Heads of Terms attached to the Network Rail Deed of Undertaking signed on 12 September 2017 and confirm that the contract and associated documentation be entered into, as set out in paragraph 1.64.**

8. MIXED TENURE HOUSING PROGRAMME

The Chairman introduced the report and noted that the site plans were tabled prior to the meeting. The Chairman invited discussion on the item.

Following consideration of the item, the Chairman moved to vote.

The committee voted on each recommendation separately as follows:

Recommendation 1

For	6
Against	0
Abstain	4

Recommendation 2

For	10
Against	0
Abstain	0

Recommendation 3

For	6
Against	0
Abstain	4

Recommendation 4

For 10
Against 0
Abstain 0

The Committee resolved to

1. **agrees the delivery proposals for mixed tenure housing schemes as set out in paragraphs 1.17 – 1.19 and 1.21**
2. **agrees to The Barnet Group becoming the council's preferred development partner for the delivering of mixed tenure housing on council owned sites, beginning with the "Tranche 1" sites listed in paragraph 1.18 and Hermitage Lane.**
3. **agrees in principle to the disposal of the site adjacent to Broadfields School at full market value. The terms of the disposal will be reported back to Committee in November 2018.**
4. **agrees to officers exploring the benefits and risks of transferring Hillgreen Homes into the ownership of The Barnet Group.**

9. OUTLINE BUSINESS CASE FOR 2-10 HERMITAGE LANE

The Chairman introduced the report and noted that the site plans were tabled prior to the meeting. The Chairman invited discussion on the item.

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

Following consideration of the item, the Chairman moved to vote.

The committee voted as follows

For 6
Against 4
Abstain 0

The Committee resolved to note and approve the Outline Business Case for 2-10 Hermitage Lane development scheme, attached at Appendix 1 (public and exempt).

10. MICROSITES PROGRAMME: PHASE 2 PROJECT BUSINESS JUSTIFICATION CASE

The Chairman introduced the report and invited discussion on the item.

Following consideration of the item, the Chairman moved to vote.

The committee voted as follows

For 10
Against 0

Abstain 0

The committee resolved

- 1. To approve the Business Justification Case for Phase 2 of the Microsites Programme attached at Appendix 1.**
- 2. To delegate authority to the Deputy Chief Executive in consultation with the Chairman of the Committee to agree the terms of a development agreement (including any variation or supplemental agreement to the existing agreement) and/or any associated documentation with Opendoor Homes based on the principles set out in the business case.**
- 3. To authorise the transfer of the sites listed in Table 2 (22 Edgeworth Avenue, Back Lane, Warwick Close, Underhill Court and Reets Farm Close) to be transferred to Opendoor Homes at nil value for the provision of affordable rented housing and in accordance with the terms of the agreed Development Agreement.**
- 4. To 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 on a sale at less than best consideration.**
- 5. Delegate authority to the Deputy Chief Executive to appropriate, where required, 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.**
- 6. to recommend to the Policy and Resources Committee that the Capital programme is increased by £5.7m to fund this proposal.**

11. AMENDMENTS TO THE LONDON BOROUGH OF BARNET ASSETS INCLUDED IN THE COMMUNITY ASSET STRATEGY.

The Chairman introduced the report and noted that the NW7 Hub in Mill Hill was still in the London Borough of Barnet assets included in the Community Asset Strategy.

The Chairman then invited discussion on the item.

Following consideration of the item, the Chairman moved to vote.

The committee voted as follows

For	10
Against	0
Abstain	0

The committee resolved:

1. to approve the addition of Burnt Oak Spiritualist Church and Grahame Park Library to the Community Asset Strategy.
2. to note the other assets shown in Appendix A, that are no longer part of the Community Asset Strategy

12. TOWN CENTRE CAPITAL PROJECTS AND UPDATE ON FINCHLEY CENTRAL HOUSING INFRASTRUCTURE FUND PROJECT

The Chairman introduced the report and invited discussion on the item.

Following consideration of the item, the Chairman moved to vote.

The committee voted as follows

For	10
Against	0
Abstain	0

The committee resolved:

1. to approve spend of £550,000 from the Town Centres Capital Budget for the Finchley Central Town Centre Project, to deliver physical environment interventions as identified in the Finchley Central Town Centre Strategy.
2. That in keeping with Paragraph 2.4.9, to delegate the development and approval of a business case for the Finchley Central Town Centre Project to the Deputy Chief Executive in consultation with the Chairman of the Assets, Regeneration and Growth Committee.
3. to note that in February 2018 government announced that the council was successful in its bid for £9.8m from the Housing Infrastructure Fund to support a development scheme at Finchley Central Station. This bid was made on behalf on TfL and is now subject to further due diligence by Homes England.
4. That in keeping with Paragraph 2.6.7, to delegate approval of the West Hendon Broadway Town Centre Strategy to the Deputy Chief Executive in consultation with the Chairman of the Assets, Regeneration and Growth Committee.
5. to approve spend of £60,000 from the Town Centres Capital Budget for the West Hendon Broadway Town Centre Project, to deliver public realm improvements to be identified in the West Hendon Town Centre Strategy.

13. Q1 2018/19 PERFORMANCE REPORT

The Chairman introduced the report invited discussion on the item.

Following consideration of the item, the Chairman moved to vote.

The committee voted as follows

For 10
Against 0
Abstain 0

The committee reviewed the financial, performance and risk information for Q1 2018/19.

14. COMMITTEE FORWARD WORK PROGRAMME

The committee noted the work programme.

15. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

16. MOTION TO EXCLUDE THE PRESS AND PUBLIC

The Chairman moved the motion that was duly seconded to exclude the press and public.

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

17. EXEMPT APPENDIX 1 - OUTLINE BUSINESS CASE FOR 2-10 HERMITAGE LANE

The Chairman introduced the exempt report and moved to the vote.

The Committee RESOLVED - that the information contained in the exempt appendix be noted.

18. EXEMPT BRENT CROSS CRICKLEWOOD UPDATE REPORT

The Chairman introduced the exempt report and moved to the vote.

Votes were recorded as follows;

For 6
Against 0
Abstain 4

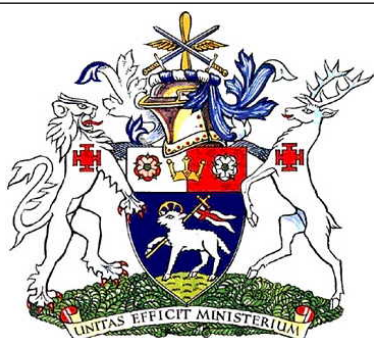
The Committee RESOLVED - to approve the recommendations contained in the exempt report.

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

None.

The meeting finished at 9.00 pm

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Assets, Regeneration and Growth Committee

27th November 2018

Title	North Finchley Town Centre Development – update
Report of	Councillor Daniel Thomas, Chairman of Assets, Regeneration and Growth Committee
Wards	West Finchley, Woodhouse
Status	Public
Urgent	No
Key	Yes
Enclosures	None
Officer Contact Details	Jamie Robinson – Head of Business, Employment and Skills Regional Enterprise jamie.robinson@barnet.gov.uk - 07921 293 884

Summary

Since 2016, the Council has been working with developer Joseph Partners to progress plans for revitalising North Finchley Town Centre. The Council entered into an exclusive agreement with Joseph Partners and developed a Supplementary Planning Document (SPD) to provide a framework for redevelopment. The Council subsequently worked with Joseph Partners to draft a Site Assembly Agreement and Land Agreement to support planning and site acquisition and to enable the Council to commit landholdings to the development.

At its March 2018 meeting, the Assets, Regeneration and Growth Committee delegated authority to the Deputy Chief Executive in consultation with the Chairman to finalise and enter into the Site Assembly Agreement and Land Agreement with Joseph Partners. There is now a need to include a third party in this agreement, for which a further Committee decision is required.

In recent months, Joseph Partners has taken steps towards securing the financial backing needed to deliver the scheme and Council officers have worked with Joseph Partners and Members to develop plans for the North Finchley Partnership Board. This report provides an update on these activities.

Officers Recommendations

- 1. That the Committee notes the progress being made with proposals for the redevelopment of North Finchley Town Centre, including steps taken to secure financial backing and the establishment of the North Finchley Partnership Board.**
- 2. That the Committee delegates authority to the Deputy Chief Executive in consultation with the Chairman of this Committee and the Chief Finance Officer to finalise and enter into a Site Assembly Agreement and Land Agreement with:**
 - Joseph Partners (either Jonathan Joseph trading as Joseph Partners, or Joseph Partners Limited); and/or**
 - U and I Group plc and/or one or more of its subsidiary companies; and/or**
 - the joint venture company or other legal vehicle or structure between (a) U and I Group plc and/or one of its group companies; and (b) Joseph Partners.**
- 3. That, in finalising and entering into the Site Assembly Agreement and Land Agreement, the Committee delegates authority to the Deputy Chief Executive in consultation with the Chairman of this Committee to extend the exclusivity period agreed with Joseph Partners in accordance with the terms of the Preliminary Agreement, should this be required.**

1. WHY THIS REPORT IS NEEDED

- 1.1 In accordance with decisions taken by the Policy and Resources Committee of 1st December 2016 and the Assets, Regeneration and Growth Committee of 12th March 2018, this report seeks approval from the Assets, Regeneration and Growth Committee to finalise and enter into a Site Assembly Agreement and Land Agreement with U+I plc and/or one of its subsidiary companies, as noted above. The Committee has already delegated authority for the Council to enter into the Site Assembly Agreement and Land Agreement with Joseph Partners.
- 1.2 Policy and Resources Committee of 1st December 2016 approved a recommendation to enter into an exclusivity agreement with Joseph Partners and not agree terms with any competing developer. The Preliminary Agreement, signed in April 2017, granted a period of two years, with a possible one-year extension. This report now seeks approval from the Committee to delegate authority to the Deputy Chief Executive in consultation with the Chairman to extend the exclusivity terms for a reasonable period should this be required to finalise and enter into the Site Assembly Agreement and Land Agreement and subsequently progress the redevelopment of North Finchley.
- 1.3 The North Finchley Town Centre Area Framework Supplementary Planning Document was adopted by Policy and Resources Committee of 13th February 2018. That Committee also agreed to establish a *North Finchley Partnership Board* to comprise representatives of local stakeholders including local Councillors, traders, businesses, landlords, Barnet Homes, residents and

community organisations, local schools, the artsdepot, faith organisations, the Council lead officer, and appropriate representative of the lead developer. This partnership board should help oversee, monitor, scrutinise and hold to account the management of the Town Centre, as well as implementation of the SPD.

2. REASONS FOR RECOMMENDATIONS

2.1 North Finchley Town Centre is one of Barnet's seven main town centres. As with high streets up and down the country, in recent years the area has been in decline, with retailers facing a range of challenges.

2.2 Since 2016, the Council has worked with local developer Joseph Partners to progress plans for revitalising North Finchley Town Centre. These include:

- Redefining the high street by researching, consulting on and defining the sustainable core of the area;
- Establishing a context for change, involving comprehensive regeneration either through acquisition, or by agreement with existing landowners;
- Curating the occupancy of the core high street, better supporting existing tenants and bringing in new ones, and utilising landlord control to incorporate flexible lease terms to encourage attractive and sustainable occupancy;
- Intensifying and repurposing the periphery of the town centre to provide additional housing, integrating high-quality residential uses into the upper parts of retained shopping areas, and providing the ability to carry out significant public realm improvements.

2.3 The Preliminary Agreement signed with Joseph Partners (then signing in his personal capacity, as Jonathan Joseph) on 24th April 2017 incorporates an exclusivity period of two years for the disposal of land within North Finchley. This expires on 24th April 2019 although it can be extended by a further one year.

2.4 One of the conditions precedent included in the Preliminary Agreement was the requirement for commitment in principle from a funder with suitable financial resources and experience to back the development and sign the Site Assembly Agreement and Land Agreement. A summary of these two agreements was provided to the Assets, Regeneration and Growth Committee in March 2018.

2.5 Securing a development partner

2.5.1 As stated, the Preliminary Agreement requires Joseph Partners to demonstrate that it has access to sufficient funding to progress the comprehensive redevelopment of North Finchley. Joseph Partners has engaged with several potential developers with the financial resources and backing required and has now agreed in principle to a joint venture with U and I Group plc ("U+I"), an experienced developer specialising in complex, mixed-use urban regeneration and development.

- 2.5.2 U+I was established in 2015 following the merger of two companies, Development Securities PLC and Cathedral Group. The company is listed on the London Stock Exchange (U and I Group PLC) and has a £9.5 billion+ portfolio of projects in the London, Manchester and Dublin city regions, including a £145.7 million investment portfolio.
- 2.5.3 The company places an onus on community engagement, delivering both social and economic change and on identifying 'worthwhile uses' from an early stage to add value and create lasting benefits. U+I is experienced in building partnerships with the public sector to deliver regeneration and development.
- 2.5.4 U+I has carried out an initial assessment of the proposed North Finchley Town Centre Project and has taken the project to its Board of Directors and Investment Committee. The company has now committed resources to undertake further due diligence and viability assessment of the scheme which is likely to continue through to Autumn 2019. A Planning Application will be developed and submitted once this process has concluded.
- 2.5.1 The intention is that the joint venture established between U+I (or an appropriate U+I group company) and Joseph Partners will act as, or guarantee the role of, 'master developer' throughout the redevelopment, calling on funders and external partners as required for different phases.
- 2.5.2 Alongside this, the joint venture has already entered into discussion with local landowners with a view to acquiring property through private treaty and are in early-stage discussions regarding the development of sites that the Council already owns in North Finchley.

2.6 North Finchley Partnership Board

- 2.6.1 In approving the North Finchley Town Centre Area Framework SPD, Policy and Resources Committee requested the establishment of a partnership board to ensure that the voices and views of stakeholders, such as residents and businesses would be heard throughout the redevelopment. This approach is also in keeping with that of Joseph Partners and U+I.
- 2.6.2 Council officers have been working with Joseph Partners, Members and others to progress plans for such a board. Terms of Reference for the North Finchley Partnership Board (NFPB) have been drafted for adoption at the first meeting. The purpose of the Board is to help oversee, monitor, scrutinise and hold to account the management of the town centre and the implementation of the SPD. The board is a non-decision making consultative group and is not a formal council committee.
- 2.6.3 There will be a communications drive to publicise the NFPB and written notices are being sent to over 20,000 households in the Woodhouse and West Finchley wards, as well as some of those living in Totteridge ward. Information about the Board has also been posted on the Council's website. Interested parties representing a range of different stakeholder groups are being invited to apply to join.

- 2.6.4 As Chair of Assets, Regeneration and Growth Committee, Councillor Thomas was asked to chair the NFPB. Ward members from West Finchley and Woodhouse will nominate two representatives to join the NFPB, one of whom will act as a Vice Chair. A second Vice Chair will also be appointed by the Chair.
- 2.6.5 Re, on behalf of the Council, is providing secretariat support (funded by the developers) and the first meeting of the North Finchley Partnership Board is scheduled for January 2019 to be held in North Finchley.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Council could choose to do nothing, and not consider ways of revitalising North Finchley. This is not recommended as it would result in the further decline of the town centre, affecting residents, businesses and visitors, and would also result in a missed opportunity to deliver new homes. As stated previously, the current approach of working with Joseph Partners is being pursued due to the lack of demonstrable market interest from other parties.
- 3.2 The Council could progress “light touch” interventions such as business engagement and shopfront improvements. Consideration was given to seeking funding and investment for capital improvements through the GLA’s *Good Growth Fund*. However, this option was discarded as the GLA has indicated that it is unlikely to provide funding for high street improvements in North Finchley.
- 3.3 Having considered the alternatives, the proposed approach of partnering with Joseph Partners and U+I to comprehensively revitalise one of Barnet’s most significant town centres should be considered an innovative one.

4. POST-DECISION IMPLEMENTATION

4.1 Next steps are:

- Full officer Delegated Powers Report (DPR) to sign Site Assembly Agreement and Land Agreement;
- Further report to ARG on valuations ensuring best consideration and disposals, if necessary;
- Support Joseph Partners and U+I to establish a Project Board (with equal representation by/on behalf of the Council and developers) which will be responsible for those elements of the development relating to public realm, public amenities and other elements of the town centre offering at North Finchley, with the intention that the Council will retain significant influence over such matters;
- Hold the first meeting of the North Finchley Partnership Board.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Economic Development strategy, Entrepreneurial Barnet, outlines Barnet's approach to supporting the local economy to grow, and developing a successful, growing suburb in a successful, growing world city. It identifies North Finchley as a main town centre.
- 5.1.2 Within Entrepreneurial Barnet, the Town Centre offer specifically outlines the Council's commitment to providing additional support to actively market and promote opportunities to developers, when dealing with main Town Centres.
- 5.1.3 Entrepreneurial Barnet directly supports delivery of the Corporate Plan 2015-20, particularly the following goals: promote responsible growth within the Borough, encouraging development and success, revitalising communities whilst protecting what residents love about the Borough.
- 5.1.4 The Housing Strategy 2015-25 highlights the role of purpose-built private rented sector housing located within or around town centres in addressing housing needs, as well as supporting labour mobility.
- 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.2.1 The adoption of the recommendations will result in no additional cost to the Council as the cost of additional resources are being recovered from Joseph Partners through a Planning Performance Agreement (PPA) and the Preliminary Agreement. Statutory planning functions will continue to be delivered through the 'business as usual' Re contract. Additional staff costs in future will be recovered through the Site Assembly Agreement.
- 5.2.2 Progressing the Site Assembly Agreement and Land Agreement will clearly have implications for Council property but the agreements are intended to optimise value for money for the Council.
- 5.2.3 There are no anticipated implications in IT or sustainability in relation to the project.
- 5.3 Social Value**
- 5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to consider how they can also secure wider social, economic and environmental benefits.
- 5.3.2 The North Finchley SPD was subject to a Sustainability Appraisal which assessed the social, economic and environmental implications of the document.
- 5.3.3 Social benefits will principally be secured through opportunities to increase housing delivery (including affordable housing), widen the range of leisure and cultural activities as well as food and drink choices and improvements to the

public realm. These activities will help to make North Finchley a more attractive destination which reflects its historic character.

5.3.4 Economic benefits will be delivered through inward investment in the development opportunities highlighted in the SPD, widening the daytime and evening economy and making the town centre more attractive to independent and national retailers as well as new residents.

5.3.5 Environmental benefits will be delivered through the re-allocation of road space, giving pedestrians and cyclists more priority, sensitive development which complements buildings of positive character, and an enhanced public realm which softens the existing hard landscape and improves air quality.

5.4 Legal and Constitutional References

5.4.1 All proposals emerging from this report must be considered in terms of the Council's legal powers and obligations, including its overarching statutory duties such as the Public Sector Equality Duty.

5.4.2 The Council's Constitution, Article 7.5, Responsibility for Functions, states that the Assets, Regeneration and Growth Committee is responsible for asset management.

5.5 Risk Management

5.5.1 The management of risk is undertaken on a continual basis and reported as part of the Council's Quarterly Performance regime and considered as part of the Performance and Contract Management Committee quarterly monitoring report. Risks are managed through the project boards and are reviewed and revised at board meetings.

5.5.2 There is a risk that satisfactory planning permission may not be obtained. This is mitigated by the extensive consultations with the planning authority which the developer has conducted and continues to conduct.

5.5.3 Underpinning the risks identified above is a more generalised risk of resistance to any proposed development by traders, local community members and others. The creation of the SPD provided an opportunity for all affected parties to fully engage with the process and the Council went above and beyond statutory consultation requirements to maximise engagement. The SPD has received strong support. Furthermore, as noted above, a Partnership Board will be established to ensure that there is an on-going means of engaging community members and that their voices will be heard throughout any future development.

5.6 Equalities and Diversity

5.6.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council.

5.6.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties and are not duties to secure a particular outcome. An equalities impact assessment was developed for the SPD and this will be revisited as the proposals develop. As part of the development of the Entrepreneurial Barnet strategy, a full Equalities Impact Assessment (EqIA) was undertaken which informed the Town Centre offering.

5.6.3 It is important that the Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - a) Tackle prejudice, and
 - b) Promote understanding.

5.6.4 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct

that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

5.7 Corporate Parenting

5.7.1 Town centre facilities benefit all residents and opportunities to work in partnership with different service areas will be explored throughout the project.

5.8 Consultation and Engagement

5.8.1 In accordance with the Statement of Community Involvement (SCI) a period of formal consultation on the draft North Finchley SPD was undertaken over a six-week period from 16th October 2017 until 27th November 2017. Consultation went beyond the benchmarks set out in the SCI most notably in terms of the 12,000 leaflets distributed to households in the N12 postal district. All comments, whether completed questionnaires or written responses, were considered with equal weight.

5.9 Insight

5.9.1 The designation of North Finchley as a main town centre was made using data on scale, population size, and growth potential. All subsequent support for the town centre – including development of this proposal – has been made on this basis.

5.9.2 The SPD consultation process provided a rich source of data and insight on North Finchley specifically.

6. BACKGROUND PAPERS

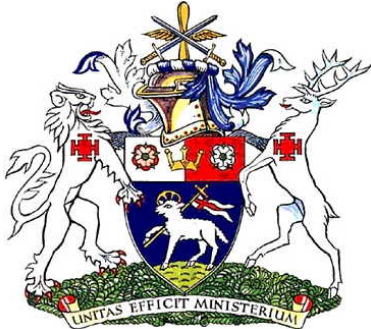
6.1 North Finchley Town Centre development, March 2018, Assets, Regeneration and Growth Committee paper
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9083&Ver=4>

6.2 North Finchley Town Centre Framework Supplementary Planning Document (SPD), February 2018, Policy and Resources Paper
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8742&Ver=4>

- 6.3 North Finchley Town Centre SPD, December 2016, Policy and Resources Paper
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8731&Ver=4>
- 6.4 Barnet Housing Strategy 2015-25
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?Id=5524>
- 6.5 Entrepreneurial Barnet 2015-20
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?Id=5385>

Assets, Regeneration and Growth Committee

27 November 2018

	<p style="text-align: right;">AGENDA ITEM 8</p> <h2 style="text-align: center;">Assets, Regeneration and Growth Committee</h2> <p style="text-align: center;">27 November 2018</p>
<p>Title</p>	<p>Entrepreneurial Barnet- Annual Update and Forward Plan</p>
<p>Report of</p>	<p>Councillor Daniel Thomas</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>No</p>
<p>Enclosures</p>	<p>None</p>
<p>Officer Contact Details</p>	<p>Rachel Williamson, Strategic Lead, Growth and Development. Email Rachel.Williamson@Barnet.gov.uk, 020 8359 7298 Jamie Robinson, Head of Business, Employment and Skills. Email Jamie.Robinson@Barnet.gov.uk</p>

Summary

This report provides an update on the 2018 programme of activity for Entrepreneurial Barnet, which the Committee first approved in 2014 and has considered annually thereafter. It sets out progress against each of Entrepreneurial Barnet's five theme areas, describing key activities that have been completed so far and areas where further activity will be undertaken in 2019. It also sets out a forward plan for actions in the coming year.

Officers Recommendations

1. That the Committee notes the progress of Entrepreneurial Barnet in 2018.
2. That the committee recommends to Council that a small business champion is appointed as mentioned in paragraph 6.2.2.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report sets out progress to date and planned future activities associated with Entrepreneurial Barnet, the borough's cross-public sector approach to becoming the best place in London to be a small business. The Committee agreed to receive an annual progress report when it approved Entrepreneurial Barnet on 15 December 2014 and this paper is the fourth such update.
- 1.2 Entrepreneurial Barnet is divided into five theme areas, each with a set of actions and outcomes: A. Getting the basics right, B. A great place to live, work and invest, C. Skilled employees and entrepreneurs, D. Improving access to markets and E. Facilitating business growth.
- 1.3 This update is divided into two broad sections. The first provides an overview of progress against each of the five theme areas. For the second time, officers have also included case studies from businesses that have benefitted from activities undertaken. The second section of the report presents a forward plan detailing key activities and decisions anticipated or planned in 2019.
- 1.4 Entrepreneurial Barnet brings together a range of different activities. Some of these are new and reflect opportunities generated by improved coordination across the public sector as a result of Entrepreneurial Barnet. For example, celebrating entrepreneurialism, or closer working with employers to create apprenticeships. Others reflect areas of existing activity that were previously occurring within individual services but now have wider value to the Barnet economy and businesses.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Entrepreneurial Barnet is focused on delivering a range of activities that will make the borough the best place in London to be a small business. This annual update reflects progress made in Year 4 of the five-year span of the Entrepreneurial Barnet approach. It is appropriate to recommend that the progress to date is noted and proposals in the Forward Plan are agreed and implemented. Entrepreneurial Barnet partners have been consulted on what they would like to see in the annual forward plan.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The purpose of this annual update is to enable the Committee to review progress and to consider the forward plan. The alternative is not to give an annual update which would weaken the ability of the Committee to track progress and ensure the Entrepreneurial Barnet strategy is delivered along the lines agreed in December 2014.

4. POST DECISION IMPLEMENTATION

- 4.1 Should the Committee approve the proposals, work will continue or commence to deliver the objectives within the forward plan and the individual areas of activity within each theme. Partnership work is essential in achieving the objectives set out in Entrepreneurial

Barnet and work will continue with Middlesex University, Barnet and Southgate College, the Department for Work and Pensions, and Barnet Homes.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The implementation of Entrepreneurial Barnet 2015-2020 directly supports the delivery of the Corporate Plan 2015-2020, particularly the following priority areas:

- There will be a broad offer of skills and employment programmes for all ages;
- Residents will see a responsible approach to regeneration, with thousands of new homes built and job opportunities created;
- Barnet's local environment will be clean and attractive.

5.1.2 The Corporate Plan is currently being refreshed and the new plan will cover the period 2019-2024. Following agreement of this plan by Council in March 2019 there is an opportunity to review the Entrepreneurial Barnet approach to ensure it remains fit for purpose.

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

5.2.1 Specific areas within Entrepreneurial Barnet that have financial implications (e.g. town centre capital projects) will be brought to the Assets, Regeneration and Growth Committee on a case by case basis. The current work programme is being managed within existing council resources. The programme also attracts a range of external funding including crowdfunding, government funding and developer funding.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

5.3.2 The Entrepreneurial Barnet approach contributes social value through creating jobs and supporting residents into employment, improving education and training, promoting health and wellbeing in the workplace, and supporting local businesses to grow. This year the council's procurement team have focused on delivering apprenticeships, providing business support and promoting the London Healthy Workplace Charter through the council's supply chain.

5.3.3 In addition, the council has developed resources that suggest how businesses can support their local community:

<https://www.barnet.gov.uk/citizen-home/business/business-responsibility.html>

5.4 Legal and Constitutional References

5.4.1 The proposals are in line with the Localism Act (2011), and particularly the General Power of Competence which is a power introduced by section 1(1) of the Localism Act 2011 which gives local authorities the power to do anything an individual can do, unless prohibited by law (and subject to public law principles).

5.4.2 Under the Council's Constitution, Article 7, Committees, Forums, Working Groups and Partnerships, the Assets, Regeneration and Growth Committee has responsibility for:

- Regeneration strategy and overseeing major regeneration schemes, asset management, employment strategy, business support and engagement.

5.5 Risk Management

5.5.1 All projects within the Entrepreneurial Barnet approach identify project-related risks and escalate these as and when this is appropriate.

5.5.2 There is a risk that if the forward plan is not approved then the vision of Entrepreneurial Barnet and the range of benefits as envisaged, such as higher business satisfaction with the council and the borough as a place to do business, or lower employment, will not be realised.

5.6 Equalities and Diversity

5.6.1 An Equalities Impact Assessment was undertaken on Entrepreneurial Barnet as a part of its development in 2014. The result was that a slight positive impact was identified from the analysis. Individual projects commissioned within the framework of Entrepreneurial Barnet will be assessed on a case-by-case basis. Under section 149 of the Equality Act 2010 the Council has the public sector equality duty as follows:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

5.7 Corporate Parenting

5.7.1 The council is supporting care leavers to secure education, employment and training. An update is given below but this includes support from JobCentre Plus, Information, Advice and Guidance, mentoring, and access to traineeships and apprenticeships.

5.8 Consultation and Engagement

5.8.1 No consultation or engagement was required as part of this paper and future consultation

and engagement will take place for individual projects as required, for example in relation to town centres improvements.

5.8 Insight

5.8.2 Insight data has been used to inform the update on progress to date and to identify areas for improvement. Key updates on information shared previously are included below.

5.8.3 Labour Market Insights

- Latest figures (Jul 2017 – Jun 2018) show that 4.6% of Barnet’s economically active population is unemployed. Barnet currently has the 11th lowest unemployment rate out of 32 London boroughs (excluding City of London). Source: Nomis Economically active - Unemployed (Model Based).
- This level of unemployment marks a 0.3% reduction in Barnet compared to the corresponding period in the previous year (Jul 2016 – Jun 2017). Source: Nomis Economically active - Unemployed (Model Based).
- While there has been a minor reduction in unemployment, recent analysis by Trust for London has highlighted that Barnet has seen a 5% increase in the proportion of employed residents with low pay (paid below London Living Wage) from 2013-2016. One-in -four people living in Barnet are low paid and 27% of jobs in the borough pay below the London Living Wage. Source:
<https://www.trustforlondon.org.uk/data/boroughs/barnet/>

5.8.4 Business Growth and Composition

- Enterprise births, deaths and survivals give an indication of the climate for enterprise in an area. Barnet has a high enterprise birth rate (business registrations per 1,000 residents), which is in line with London, and well above comparator areas. However, Barnet also has high enterprise death rates and lower enterprise survival rates than other areas.
- Self-employment and homeworking levels provide an indication of the entrepreneurial tendencies of the local population. According to the last Census, there are around 22,000 residents in Barnet who use their home as their primary work location. This equates to 13% of the working population, which is higher than comparator areas. In 2017, 22% of the population were registered as self-employed. Only Brent had a stronger level of enterprise by this measure.
- 12% of businesses in Barnet are sole traders. This is in line with London and Outer London levels.

6. BACKGROUND

6.1.1 PROGRESS OF ENTREPRENEURIAL BARNET OF 2018

6.2 This section provides an update on progress delivering Entrepreneurial Barnet over the past year. It outlines progress on individual projects and what is being done to ensure ongoing and outstanding projects are delivered.

6.3 **THEME A: Getting the basics right**

6.3.1 This theme relates to the way businesses interact with the council and public services on a day-to-day basis, including how they find information about core council services like planning and environmental health. The theme also covers our regular engagement with major developers about how their schemes will deliver jobs and apprenticeships as part of their Section 106 obligations. Finally, this theme increasingly recognises how technology can make life easier for business and reduce costs through a joined-up council “back office”.

6.3.2 In 2018 the Federation of Small Business shared a Small Business Partnership document with the council. This sets out a range of actions that the council can take to be a better partner of small business. They identify eight actions which they would like to see councils work towards over the next year. The council already has some of these in place including payment terms of 30 days and the recent consultation on introducing an Article 4 Direction to protect employment space. The FSB also ask Councillors to nominate a small business champion. This may be something councillors would like to put in place. A small business champion would be briefed on issues for small businesses, build a relationship with representative bodies and champion council events designed to support small businesses.

6.3.3 Business beneficiary case study - Vibe Markets who run markets in Cricklewood and Mill Hill.

Osita Udenson who runs Vibe Markets with her business partner Sara Borchard spoke to Barnet First in July about their experience of working with officers to develop a Market Policy for the borough and getting all the paperwork in place for their markets in Cricklewood and Mill Hill. These markets help to bring people into the town centres and get new and exciting businesses interested in the area.

They have worked with the Mill Hill Neighbourhood Forum and the Cricklewood Business Association to create markets and events that have been popular with local people. They find that it is best to go to groups of residents to have a conversation and establish the need for the project before approaching the council. Osita said ‘Local people must be the ones behind the project, they are the driving force’.

Osita Undenson said ‘the licensing officers have been very helpful. Since we worked hand in hand developing the Market Policy, we went on that learning curve together, giving us a great working relationships, where they are always approachable and open to suggestions, whilst being flexible with their solutions.’

Re’s Business Advice Service can offer free advice on street trading, planning, licensing and health and safety, providing a joined-up service for new businesses.

6.3.4 Progress over the past year

Title	Description	Notes
Business Satisfaction	Undertake a survey to better understand business priorities.	• The survey ran from 2 to 31 March 2018 and was circulated to 6,990 businesses.

Title	Description	Notes
		<p>In total, 108 responses were received. Respondents were generally more satisfied with Barnet as an area to do business (43%) than with how the council runs things (27%). Although not statistically significant, the survey supports feedback received elsewhere.</p> <ul style="list-style-type: none"> • Respondents thought the borough's three strengths as a place to do business were: <ol style="list-style-type: none"> 1. The location of the borough and the transport connections, particularly with central London 2. The attractiveness of the area, particularly its leafy nature 3. The demographics of the area and the customer base • Respondents said their three top concerns as a business operating in the London Borough of Barnet were: <ol style="list-style-type: none"> 1. Parking, congestion and the condition of roads 2. The level of business rates* 3. Availability and affordability of premises <p>* Whilst the council administers business rates on behalf of central government it does not set them.</p>
Business engagement	<p>Production of an economic insight report.</p> <p>Continued partnership working with local business networks to ensure the council understands the top issues and barriers to growth for local businesses.</p>	<ul style="list-style-type: none"> • The council has commissioned a review of the economic evidence base as part of developing the Regeneration Strategy. • Ongoing relationships with the Federation of Small Businesses and attendance by the procurement team's Small Business Champion at their networking meetings. The council has reviewed the FSB manifesto and finds good compliance with the baseline indicators. • The council also continues to cross promote opportunities led by the North London Chamber of Commerce and Enterprise. In May the council attended a session with a Chinese Trade Delegation to share information about opportunities in Barnet • Re staff have also engaged with the Federation of Master Builders
Business engagement	Continued streamlining of communications with local businesses to ensure that the council is offering joined up	<ul style="list-style-type: none"> • The Barnet business newsletter format was refreshed this year. It is sent to approximately 500 businesses and includes information such as events, business support and awards.

Title	Description	Notes
	support and signposting businesses to relevant information	
Engagement with developers	Joint work with developers to ensure construction schemes deliver jobs and apprenticeships as part of their Section 106 obligations.	<ul style="list-style-type: none"> This has been an area of strength. 26 apprentices have started on regeneration estates and other positions, including site catering staff and a resident liaison officer have been filled from within the community. Wider efforts include: development of BT Open Reach Engineering apprenticeships; development of security and stewarding opportunities.

6.4 THEME B: A great place to live, work and invest

6.4.1 This theme relates to the way businesses interact with the council and public services on a day-to-day basis, including how businesses find information about core council services like planning and environmental health. The theme also covers our regular engagement with major developers about how their schemes will deliver jobs and apprenticeships as part of their Section 106 obligations. Finally, this theme increasingly recognises how technology can make life easier for business and reduce costs through a joined-up council “back office”.

6.4.2 A significant area of work in theme B relates to supporting town centres. The Entrepreneurial Barnet approach agreed a ‘Town Centre Offer’. This describes how the council will work to support all Town Centres. Barnet has 30 town centres of all shapes and sizes, serving different roles in the wider community and economy. To reflect this, the Town Centre Offer defines different levels of support for ‘main’, ‘district’ and ‘local’ centres. For example, we encourage smaller local and district centres to take more responsibility for driving local improvements. In main centres - Chipping Barnet, North Finchley, Finchley Central, Edgware, Golders Green, Cricklewood and Burnt Oak - the Offer defines a greater level of support, reflecting the larger number of jobs and businesses they accommodate.

6.4.3 Update on the council’s work in town centres

6.4.4 The council has worked over a number of years to produce town centre strategies for main town centres. The strategy process is a good way of setting out a shared vision for an area and has also been a requirement of GLA funding processes. In the past, the council has had some success in implementing these strategies by matching limited council funds with GLA resources. This approach has been used to deliver capital projects in Chipping Barnet (Outer London Fund 2011), Cricklewood (Outer London Fund Phase 2) and Burnt Oak (High Street Fund 2015).

6.4.5 The council planned to continue to take this approach with the other main town centres. The council approved a town centre strategy for Finchley Central in 2017 and has been developing a strategy in Golders Green. However, in recent years, as funds have become scarcer the council has been looking to other ways to fund public realm improvements. In 2018, ARG agreed to fund Town Centre improvements in Finchley

Central because of the recent strategy development, because the area has not received any targeted investment in town centre improvements in recent years and because of complementary investment being made by TfL in the station re-development.

6.4.6 There has also been an opportunity in 2018 to use investment by developers to support plans in West Hendon and North Finchley. GLA funds from the current 'Good Growth Fund' are targeted towards more deprived areas. Therefore, the council was encouraged to develop ideas for bids in Burnt Oak, Colindale, Cricklewood, and West Hendon. Two of these were sufficiently developed to become full bids: a waste food training café in Burnt Oak and an enterprise centre in Colindale. Both reached Stage 2 of the process and the council will hear whether bids are successful in December.

6.4.7 Progress over the past year

Title	Description	Update
A Local Plan that supports local businesses and entrepreneurs	Developing a refreshed 'Local Plan' for Barnet that has a greater focus on employment and education space, particularly within town centres.	<ul style="list-style-type: none"> In the past year the council has produced a Town Centres Floor Space Needs Assessment and an Employment Land Study. These identified that the borough had lost employment space as a result of offices being converted into dwellings. The council ran a consultation between 1 October and 12 November to get people's views on implementing an Article 4 Direction which would require landowners to go through a full planning process if they want to convert employment space to residential. This generated 152 votes, with 80% in favour of the Article 4. The Secretary of State has been notified and we await a response.
Town Centre Offer	Support to Town Teams to take a leadership role in their local neighbourhood as well as provide information to smaller centres	<ul style="list-style-type: none"> Re has continued to support Town Teams in Chipping Barnet, Cricklewood and Edgware. They are also having early conversation with traders in West Hendon Broadway about setting up a Town Team. The Barnet Spacehive platform has been promoted to Town Teams as a way for them to raise funds for local improvements. In the past year projects have been successful in Burnt Oak, Chipping Barnet and North Finchley. Edgware traders and residents are also preparing a project. The Town Team in Chipping Barnet has also made an application through the

Title	Description	Update
Using technology to support growth	As part of the council's next wave of transformation we will ensure 'smart cities' approaches to use technology are part of our plans to improve town centres and local growth.	<p>Area Committee for improvements.</p> <ul style="list-style-type: none"> • Virgin's project lightning continues to roll out in some area of Barnet. The council has worked with Virgin to provide paving slabs to ensure the public realm looks neat. • The West London Alliance has secured £11.13m of new resources from the devolved pool of business rates through the Strategic Investment Pool (SIP) process to invest in high speed digital infrastructure for businesses and communities. This project will be delivered with TfL and GLA and see connection of a number of public buildings (and therefore surrounding communities) to the TfL's high speed fibre network.
Town Centre strategies in the 7 main town centres	<p>Support to work in North Finchley Town Centre</p> <p>Capital programme in place to deliver elements of Finchley Central strategy</p>	<ul style="list-style-type: none"> • Following adoption of the North Finchley Town Centre Framework Supplementary Planning Document in February 2018, officers have been working with development partners to progress plans for the revitalisation of the town centre. The council has also worked with Members on proposals for the North Finchley Partnership Board which is intended to help oversee, monitor, scrutinise and hold to account the management of the Town Centre, as well as implementation of the SPD • The council has assigned dedicated resources to deliver the initial elements of the Finchley Central town centre strategy. In the meantime liaison with TfL continues on plans for redevelopment of the station. This is proposed as a £240m scheme delivering 600 homes, retail and commercial space. Officers have also been engaging with a local trader group and other complementary plans including those for Victoria Park.

6.5 **THEME C: Skilled employees and entrepreneurs**

- 6.5.1 This theme focuses on developing skills and employment support, recognising that having a workforce with the right skills, behaviours and a sense of entrepreneurialism is essential to unlocking economic growth.
- 6.5.2 Many of the Barnet schemes have now been running for some time. Property developers make provision to employ and train local residents through their Section 106 obligations. This funds coordinated skills and employment support in Dollis Valley, Stonegrove, Grahame Park and West Hendon. We also work alongside JobCentre Plus in multi-agency teams who support people affected by welfare reforms, care leavers, Barnet families, residents of Burnt Oak and Childs Hill.
- 6.5.3 This year the council has attracted external funding from a variety of sources through the West London Alliance. This is being used to fund employment programmes for people who have poor health and those with drug and alcohol problems, and to fund our local BOOST, Skills Escalator and Risk of NEET projects.
- 6.5.4 Other areas of the skills and employment landscape continue to change. Local skills providers are reacting quickly to changing employer needs, for example, Barnet and Southgate College are developing an electric vehicle and hybrid learning facility and Middlesex University have developed a digital and technology solutions apprenticeship this year. West London Alliance has continued to prepare for devolution of the Adult Education Budget by developing a commissioning strategy for the sub-region called 'West London Employment, Skills and Productivity Strategy'. This is overseen by an Employment and Skills Board including employers such as Heathrow and Segro.
- 6.5.5 Business beneficiary case study- Redrow, developer of Colindale Gardens

Colindale Gardens is a major new £1 billion regeneration scheme being delivered by Redrow.

Spanning 47 acres, the new neighbourhood will comprise over 2,900 new homes, and will offer nine acres of green communal spaces, restaurants, cafes, shops and a three-form entry primary school.

In 2018 Redrow produced a film about their approach to apprenticeships, asking the council and Barnet and Southgate College to take part in sharing how they can achieve more by working in partnership. This film can be viewed [here](#). The council has supported Redrow to market their vacancies both online and by inviting them to schools and careers fairs and making introductions to local stakeholders.

Mark Parker, Managing Director at Colindale Gardens says 'Redrow has always invested heavily in people because we value our workforce ... we want people to understand how we deliver quality at Redrow and therefore we put a lot of effort into growing our team from the grassroots up'.

Redrow has a training centre at Colindale and one of their local recruits, David McGowan has been recognised for his hard work and determination at recent apprenticeship awards. David came across Redrow whilst searching online for apprenticeship

opportunities near his family home in Barnet. “Choosing to work full time in construction is the best decision I could have made. Being an apprentice means I’m able to earn a salary whilst learning my trade, and I don’t think I would have gained the same experience or learnt as much as I have if I had stayed in the classroom...What’s great about the apprenticeship scheme at Redrow is that they provide you with the opportunity to work with lots of different companies within the supply chain. This has meant that I have been able to learn from lots of different people over the last two years, providing me with a really well-rounded education in my chosen trade.’

6.5.6 Progress over the past year

Title	Description	Update
Local people benefit from jobs in regeneration sites	Work with partners to implement employment and skills obligations across Brent Cross developments- the station, shopping centre and south and ensure there are joined up pathways into jobs for Barnet’s priority groups. This also applies to Barnet’s major regeneration schemes, including Grahame Park and West Hendon.	<ul style="list-style-type: none"> • There have been some delays to the Brent Cross employment and skills triggers following the changes to the development timeline. However, some preparatory work has continued and the Brent Cross Job Shop has continued to deliver opportunities for Barnet residents. • Other regeneration schemes continue to deliver employment and skills outcomes. For example, a local resident has secured employment with Metropolitan Housing in West Hendon.
Apprenticeship Levy	Large employers make good use of their levy and smaller businesses benefit from the co-investment model	<ul style="list-style-type: none"> • The Entrepreneurial Barnet partners have shared their learning on the apprenticeship levy. Middlesex University has increased the range of public sector apprenticeships it offers. They have also run sessions on apprenticeships at the Capital West London conference and in local events.
Pathways to apprenticeships	Work with partners to create pathways that enable young people to take up apprenticeships and ensure they have the employability skills that employers are looking for.	<ul style="list-style-type: none"> • This year the council has had a focus on supporting Barnet’s care leavers into apprenticeships. The council has funded additional mentoring, information and advice and also corporately funded five apprenticeships for care leavers. Ten care leavers finished a confidence boosting engagement programme in November and went on to traineeships held at the council and with local employers. It is hoped that at the end of the traineeship many will secure apprenticeships.
Support for Universal Credit	Universal Credit Full Service will roll out in Barnet in 2018. Many partners area involved in supporting residents to	<ul style="list-style-type: none"> • Universal Credit rolled out in Barnet on May 16. The council has asked Barnet Homes to provide Universal Support on its behalf. In the first two quarters of

Title	Description	Update
claimants	manage this change and increase their digital and financial management skills	2018 the team provided support to 550 residents with budgeting advice and support to manage their claim online.
Work and health	Implementation of the project offering employment support for those with alcohol and substance misuse issues to find employment.	<ul style="list-style-type: none"> • This is progressing with an expected launch taking place in Autumn.
West London Skills Commissioning	Publication of a West London Skills Commissioning Strategy	<ul style="list-style-type: none"> • The West London Employment, Skills and Productivity Strategy was launched in early 2018 and to inform the Mayors Skills for Londoners Strategy. • West London boroughs have also been working to deliver various programmes together such as the Work and Health Programme and the West London Jobs Show which attracted almost 2,000 attendees of which 400 were from Barnet.

6.6 THEME D: Access to markets

6.6.1 This theme relates to supporting businesses and voluntary sector organisations to access public sector contracts and procurement activity, and generally to engage with the local supply chain.

6.6.2 Many of the activities in this area have now been running for some time. The Entrepreneurial Barnet partners arrange a wide-ranging programme of events for businesses. The council alone has engaged over 500 businesses through its own communications and events this year. This includes giving information and training about how to access council contracts through the Procurement Portal.

6.6.3 Business case study- Mackin Construction, a Barnet family business with a new home in Colindale

Last year's Entrepreneurial Barnet update included a case study of Mackin Construction who made useful contacts at a business breakfast held by Barnet council that ultimately helped them to win contracts.

In the past year Mackin have relocated to Colindale, meeting their aspiration to have a base in Barnet. Whilst Mackin found suitable space through their own networks the council was able to bring a number potential locations to their attention. Being based in Barnet has supported the firm to bid for further local opportunities this year.

With the council's support Mackin continue to further embed themselves in Barnet. This year Mackin have been part of an employer group who are developing the Groundworker apprenticeship standard and have been engaging with Barnet and Southgate College on

how they can develop their local workforce. They have also contributed the crowdfunding campaign for a local community initiative, the Mill Hill East Community Garden. This project was also supported by Barnet council and will transform a wasted space in to a community garden and provide opportunities for training, volunteering and education.

“Our Business began in our family home in Barnet 15 years ago. After a number of years it became necessary for us to move out of the area. Following our introduction to and engagement with the team at Barnet over the last 3yrs we have had much more success in the borough and have since moved the head office back to Colindale. This was a platform for our business to focus more attention on our local economy and give more back to the community we grew up in, something we are very proud of”, Michael and John Mackin.

6.6.4 Progress over the past year

Title	Description	Update
Developing local supply chain	Advice for local businesses to win contracts with the council.	<ul style="list-style-type: none"> The council's procurement team continued their programme of support for small businesses to learn about opportunities for winning contracts with the council.
Business Directory	Completion of the Barnet Business Directory and magazine.	<ul style="list-style-type: none"> The council has worked with Burrows to develop a Business Directory for local businesses.
Inward Investment	Work with the West London Alliance to develop a model of Inward Investment which will include an employer steering group and high-quality website	<ul style="list-style-type: none"> The Capital West London model has been successfully developed. The Capital West London Growth Summit was held on 30 October, launching a cross-borough approach to marketing the sub-region to investors.

6.7 THEME E: Business growth

6.7.1 This theme is about making sure that businesses and entrepreneurs who are looking to either establish themselves or grow have access to the information, advice and networks they need to do this.

6.7.2 Business beneficiary case study- local resident Marie Farmer wins the Entrepreneurial Barnet Competition with her Mini-Mealtimes App

In 2017 the annual competition received a number of outstanding entries and was won for the first time by a local resident.

The competition is open to students at Middlesex University, Barnet & Southgate College, Middlesex alumni, and Barnet residents with a new business idea or social enterprise that is less than two years old.

The Mini Mealtimes App allows parents with fussy-eating toddlers and new mums to wean their children onto solid food, and to gain a clear idea of how much nutrition their

child is absorbing. Marie won £3,000 in prize money to invest in her business and will receive ongoing mentoring to grow and develop her app.

The 28-year-old, who came up with the business idea during her maternity leave, said: “I’m so pleased to have won this award, as the prize money and ongoing mentoring will really help me develop my business idea further. The support you receive throughout the process is wonderful. I would definitely encourage anyone with a business idea to enter the competition next year. It gives you an extra boost of confidence and will validate your idea.”

The Entrepreneurial Barnet Competition is organised by Middlesex University, Barnet Council, Barnet and Southgate College and is supported by Hammerson PLC, which hosted the final at its headquarters in King's Cross. The 2018 competition is now open and already has 15 people wanting to enter. Promotion in Barnet First, in particular, led to an increase in new entrants.

6.7.3 Progress over the past year

Title	Description	Update
Business Support	Development and delivery of a business support approach (e.g. mentoring) to complement the range of flexible workspaces in the borough.	<ul style="list-style-type: none"> • Delivered the Pop Up Business School at Brent Cross, 5-16 November. There were 106 attendees in the first week of the training and the impact will be monitored. • The council has also been working with Middlesex University who are developing a business support and mentoring offer for student entrepreneurs.
Business workspace in council offices	Following completion of a workspace trial in libraries we will create small business space in part of the council’s officer	<ul style="list-style-type: none"> • In 2018 the council marketed a range of the commercial spaces in its libraries to flexible workspace providers. A specialist provider was selected, however unfortunately they withdrew their interest. These spaces have now been made available for other uses but council officers are working to review council property as it becomes available to assess whether workspace would be an appropriate use. • The council promotes workspace available from other partners, such as Barnet and Southgate College, WOHL institute and the NW7 community hub.
Business Competition 2018	Fourth year the competition, delivered in partnership with Middlesex University, delivered in partnership with Middlesex University and Barnet and Southgate College.	<ul style="list-style-type: none"> • The Entrepreneurial Barnet competition will be run again this year, with mentoring and prize monies provided by Hammerson.

6.8 FORWARD PLAN OF ACTIVITY FOR 2019


Theme	Title	Description	Timescale
A	Business engagement	Continued partnership working with local business networks to ensure the council understands the top issues and barriers to growth for local businesses.	On-going
A	Improving businesses' experience of dealing with the council	The council will provide a dedicated role for working to improve communication with local businesses. They will focus on sharing business support opportunities and relevant business news from across the council.	On-going
A	Engagement with developers	Joint work with developers to ensure schemes deliver jobs and apprenticeships as part of their Section 106 obligations	On-going
B	A Local Plan that supports local businesses and entrepreneurs	Focus on developing a refreshed "Local Plan" for Barnet that has a greater focus on employment and education space, particularly within town centres.	Delivery of Local Plan in 2019
B	Town Centre Offer expansion	We will continue to support Town Teams in the seven main town centres to take a leadership role in their local neighbourhood as well as providing information to smaller centres	On-going
B	Using technology to support growth	Deliver the Local Full Fibre Networks projects to improve connectivity in 'not-spots' in Barnet Ensure that digital connectivity is a key theme of the regeneration strategy, to improve town centres and local growth.	TBC June 2019
B	Delivery of a programme of Town Centre improvements	The Partnership Board for North Finchley is established and steering public realm and other improvements in the Town Centre. Consider a Good Growth Fund bid in 2019, for example, in Cricklewood. Delivery of West Hendon Broadway improvements.	Spring 2019 Summer 2019 Summer 2019
B	Town Centres and	Ongoing work with TfL and the GLA to	On-going

Theme	Title	Description	Timescale
	Transport Infrastructure	ensure that planned investments in town centres are undertaken in a way that benefits Barnet businesses and residents.	
C	Local people benefit from jobs in regeneration sites	Work with partners to implement employment and skills obligation across Brent Cross development s- the station, shopping centre and south - and ensure there are joined up pathways into jobs for Barnet's priority groups	On-going
C	Pathways to apprenticeships	Work with partners to create pathways that enable young people to take up an apprenticeship and ensure they have the employability skills that employers are looking for.	On-going
C	West London Skills Commissioning	Making the most of the devolution of Adult Education Budgets with the GLA and London Councils	On-going
C	Employment Support	Delivering the Work & Health Programme in partnership with WLA. Deliver Section 106 and business rates-funded programmes for employability (BOOST), Skills Escalator, work retention and Risk of NEET project.	On-going
D	Business Directory	Promotion of Barnet Business Directory and magazine	On-going
D	Inward Investment	Securing benefits from Capital West London investment model, continue to promote Barnet as a place in which to locate and invest	On-going
E	Business Support	Further development of a business support (e.g. mentoring) approach to complement flexible workspaces across the borough. Deliver Pop Up Business School	On-going November 2019
E	Colindale business project	To support businesses in Colindale to understand the changing customer profile and to support business-to-business cooperation	May 2019

Theme	Title	Description	Timescale
E	Entrepreneurial Barnet Competition 2019	Delivered in partnership with Middlesex University and Barnet & Southgate College.	Launched Autumn 2019

7. BACKGROUND PAPERS

- 7.1 Assets, Regeneration and Growth Committee Report, 15 December 2014
<http://barnet.moderngov.co.uk/documents/s19842/Entrepreneurial%20Barnet%20Report%20-%20Publish.pdf>
- 7.2 Assets, Regeneration and Growth Committee town centres Report, 16 March 2015
<https://barnet.moderngov.co.uk/documents/s21967/Town%20Centres%20in%20Barnet.pdf>
- 7.3 Assets, Regeneration and Growth Committee Entrepreneurial Barnet Annual Update , 30 November 2015:
<https://barnet.moderngov.co.uk/documents/s27635/Entrepreneurial%20Barnet%20Annual%20Update.pdf>
- 7.4 Assets, Regeneration and Growth Committee Entrepreneurial Barnet Annual Update , 12 December 2016:
<https://barnet.moderngov.co.uk/documents/s36560/Entrepreneurial%20Barnet%20Annual%20Update%2012%20December%202016%20FINAL%20CLEARED2.pdf>
- 7.5 Assets, Regeneration and Growth Committee Entrepreneurial Barnet Annual Update, 27 November 2017:
<https://barnet.moderngov.co.uk/documents/s43515/Entrepreneurial%20Barnet%20-%20Annual%20Update%20and%20Forward%20Plan.pdf>
- 7.6 Entrepreneurial Barnet page on the council's website: <https://www.barnet.gov.uk/citizen-home/business/Entrepreneurial-Barnet.html>

	Assets, Regeneration and Growth Committee 27th November 2018
Title	UPPER and LOWER FOSTERS
Report of	Councillor Daniel Thomas
Wards	Hendon
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix A – Upper & Lower Fosters Estate Plan, Proposed Master Plan Drawing
Officer Contact Details	Abid Arai, Development Programme Director (Re), abid.arai@capita.co.uk Cath Shaw, Deputy Chief Executive (LBB), cath.shaw@barnet.gov.uk

Summary

Upper and Lower Fosters is a typical post-war council estate comprising high-rise tower blocks and low-rise apartment buildings. This report sets out progress to date and seeks approval to spend the remaining money allocated in the original Capital budget to progress the design to the next stage and to apply for and secure planning. The progression of subsequent development phases will be reported in the Outline Business Case. The scheme impacts on c.118 pram sheds occupied by either tenants or leaseholders on the Estate vacant possession of which will be required to enable the development. The Council has considered its various options to enable the development of the site having regard to this aspect which include the possibility of using Council's compulsory purchase powers as may be required.

Officers Recommendations

- 1. That the committee notes the progress of the Upper and Lower Fosters Scheme to date**
- 2. That the committee approves the balance of Capital budget as required to: (1) progress the Upper and Lower Fosters scheme to RIBA stage 3, (2) to discharge the costs associated with the submission of the planning application and (3) the securing of an acceptable permission for that scheme and the preparation of an Outline Business Case for subsequent approval by the Committee.**
- 3. That the committee approves the making of a Compulsory Purchase Order (“CPO”) under section 17 of the Housing Act 1985 and the Acquisition of Land Act 198, in respect of acquiring such pram sheds as are required to enable the development. The making of a CPO would be an option of last resort in the event that on-going negotiations and efforts to secure vacant possession proved unsuccessful.**
- 4. That the Committee delegates authority to the Deputy Chief Executive to instigate any required advertising and consultation procedures including for the possible appropriation of the land to include the consideration in consultation with the Chairman of the Committee of any representations received resultant on any advertising/consultation as may be required to comply with any statutory requirements and to authorise such applications for any statutory consents for the development of the Scheme, if required, to proceed with the formal appropriation and development of the land.**

1. WHY THIS REPORT IS NEEDED

- 1.1** Upper and Lower Fosters estate in Hendon Ward occupies 3.06 hectares and contains 211 existing homes. There are 57 units in two low rise terraced blocks (Foster Court and Cheshir House) including sheltered housing, 88 units in two high rise point blocks (Upper Fosters) and 66 units in 5 low rise point blocks (Lower Fosters). 61 of the units are leaseholder owned, these units are spread across the blocks. There are several blocks of garages/stores on the estate, some of which are also leaseholder owned. A community hall (Cheshir Hall) is also located on the estate. The mid-20th Century estate design is of its time with much open space across the land parcel, making it suitable for new infill development to increase the supply of housing in the borough.
- 1.2** Re successfully secured £830k grant funding bid in March 2017 the balance of Capital was secured via P&R, the budget in the Capital Programme is £2.635m to planning. Following a competitive procurement process Allies & Morrison (A&M) were successfully appointed as lead Architects. Since this appointment, the community co-design process for this project

has defined what is being proposed. Residents' needs have been actively addressed by better community engagement and designing a scheme that is respectful of what is important to residents.

- 1.3 The broad scope of Stage 1 was to undertake an options analysis. The main options considered under our long list were;

Option 1 - minimum intervention – repairing the edges

Option 2 - infill and adaptation - courtyards

Option 3 - infill and adaptation - streets

Option 4 - infill and adaptation - park

Option 5 - complete redevelopment

- 1.4 All the options that were discounted as impracticable were excluded at this stage benchmarked against the key Critical Success Factors (CSFs) for the Fosters Estate. These CSFs have been used alongside the investment objectives for the project to evaluate the long list of possible options.

CSF1: community needs – current and future community needs are met by the final preferred solution

CSF2: strategic fit – the final preferred solution contributes significantly to the London Plan, LBB Corporate Plan and LBB Housing Strategy targets

CSF3: benefits optimisation – the final preferred solution optimises the potential return on expenditure and improves the overall VFM by demonstrating the achievement of both qualitative and quantitative benefits

CSF4: potential achievability – the final preferred solution enables successful and timely achievement based on a community co-design approach

CSF5: supply side capacity and capability – the ability of the market to respond to the delivery of the final preferred solution is addressed at all stages of the project to mitigate any delivery risk

CSF6: potential affordability – the co-designed solution provided by the preferred option is sufficiently viable

- 1.5 Emerging from the long list the following three options were further evaluated as part of a shortlist.

Option 1 - minimum intervention – repairing the edges

Option 2 - infill and adaptation – courtyards

Option 4 - infill and adaptation – park

- 1.6 The overall conclusion of the scoping options identified a preferred option supported by the residents, Option 4 as it addresses the issues with regards to the edges of the Fosters Estate and the parking issues identified during the community co-design process. This option has been further developed in stage 2 since February 2018 and comprises of c.199 units of which 50% will be affordable. The tenure split is broken down as follows.

- 75 Extra Care units of which 50 will be affordable
- 25 Private Extra Care

- 74 Open Market units
- 49 affordable units

- 1.7** Stage 2 also looked at issues such as bulk, scale and massing and the generic appearance of a building within its surrounding urban context, resolving and encapsulating the principles of the scheme. The Council now wishes to develop the conceptual designs with a view of progressing and submitting a planning application in Spring 2019.
- 1.8** The proposal is to progress with RIBA stage 3 with input from a contractor (Pre-Construction Services) ensuring the level of development risk the Council takes is minimised by identifying early design issues and buildability.
- 1.9** Since May 2018 the Council has held several meetings with the GLA relating to Housing Capital funding, compliance with this process requires a resident ballot. The Council made its application in September 2018 and the GLA accepted the Council's application for exemption under clause 3 of section 8 of the Capital Funding Guide in October 2018. The level of grant funding to be allocated is still under consideration and will be known shortly.
- 1.10** A procurement strategy has been developed for this project and will run in parallel to Stage 3. Having considered a number of procurement routes the Council has agreed on a Competitive Procedure with negotiations on a single stage Design & Build using a JCT contract 2016 with amendments. The 'call off' of a contractor will be competitive tendered via an appropriate Framework. A further update will be presented in the Outline Business Case

Pram sheds and Encumbrances

- 1.11** To support the proposed development on the Upper and Lower Fosters Estate, an assessment is required as to the impact of the physical layout on an estimated 118 pram sheds that currently exist on the site and rights of access having regard to the basis on which they are occupied as well as any other title matters relating to the Estate/Site of an estimated 118 Pram sheds that currently exist of the site. The Council has already engaged HB Law to undertake an initial review of rights of access and use of these Pram sheds and an initial title report has been commissioned which will be reviewed. This has in respect of the pramsheds it has been established that 61 leaseholders live within the proposed regeneration site and of these: -
- 32 leaseholder households have a pram shed/storeroom included within the demise of their lease
 - 18 have a right of use to a pram shed/storeroom
 - 11 have no rights of use
- 1.12** This assessment has allowed Barnet Council to establish that 50 leaseholders have a right of use to the pram sheds currently on site. However, the pram sheds will need to be surveyed to establish if they are being used and to identify which household (if any) is using each pram shed. The outcome of this review and any subsequent negotiations may require the Council to use its CPO powers as a last resort should private treaty negotiations fail.

2. REASONS FOR RECOMMENDATIONS

- 2.1** The phased approach adopted by the Council has meant that approval is now required as the previous recommendation capped the Capital expenditure to £1.5m, the approved

spend is £2.635m. Approval is required to commit to the additional £1.135m of expenditure to develop the scheme to Planning.

- 2.2 Significant progress has been made to date with the Community Steering Group through the co design process, further delays could jeopardize the project due to a lack of momentum and interest from the community and supply chain.
- 2.3 The Councils grant funding application is under review and an additional £10,000 per home for Shared Ownership units is available if the project starts on site by March 2020.

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

- 3.1 The following options were considered and discounted during Stage one and are detailed in the Strategic Outline Case

Do nothing:

This would limit the council's ability to deliver the much-needed affordable housing and make use of the available land for infill development. It would also result in no improvement to current issues identified on the estate such as anti-social behaviour and fly-tipping, which require physical changes to be resolved long term.

Option 1: minimum intervention

This option was discounted because it did not satisfy the investment objectives and the Critical Success factors (CSFs). As a minimum, the masterplan needs to deliver the 75-home Extra Care facility and address the issues created by the edges around the site. As a minimum intervention, the site cleared by the demolition of Cheshir House would house the new Extra Care facility, with a limited number of additional homes created around the edges. However financially, architecturally and in line with the co-design feedback, this scope was considered unsatisfactory and not taken further.

Option 2: infill and adaptation – courtyards

This option satisfied some of the investment objectives and CSFs but fundamentally it did not deliver a strong solution for the edges of the Fosters Estate, including an adequate parking solution. This design option was based on the idea that infill buildings could be added to existing buildings to create a series of smaller courtyards within the estate, thereby reinforcing its character whilst creating a clearer distinction between public, communal and private open spaces. In this option, proposed building heights would range from 2-storey mews houses to 4-storey apartment blocks. Heights and block depths were determined by the adjacent existing homes.

Option 3: infill and adaptation – streets

This option was discounted because it did not satisfy the investment objectives and the CSFs. It is not a viable development option and does not maintain the much-valued character of the Fosters Estate. This design option investigated how the misalignment between streets and buildings creates in some places a unique sequence of buildings and open spaces. We based the design concept on this quality, and combined infill additions with existing buildings to repeat this elsewhere on the site. At the same time, the additional

buildings can restore a sense of street and open space hierarchy and solve some of the current issues on the site around the edges and the definitions of public, communal and private open space.

Option 4: Complete Redevelopment

This option offered the opportunity to restore the historic relationship between buildings and streets but was discounted as it did not meet the wider masterplan brief in terms of exploring the opportunity for extending / adapting existing blocks to form more coherent overall site layout and massing. It did not address the future needs of the estate, as identified as part of the community co-design approach. It resulted in a loss of estate through street-based development and therefore highly disruptive for local and neighboring residents. The complete redevelopment offers the opportunity to restore the historic relationship between buildings and streets that used to characterise the area prior to the estate being built. Based on the existing network of routes, a combination of regular perimeter blocks and rows of terraced houses could create an efficient and dense neighborhood around a centrally located open space. However, whilst it may be an appropriate proposition for some estates, the special character of Fosters Estate would be lost in such a scenario and a more sensitive "infill and addition" approach offers a large variety of design options to address current issues whilst retaining the site's unique and valued aspects.

4. POST DECISION IMPLEMENTATION

- 4.1** Should the Committee approve the Capital spend the Council will commission RIBA stage 3 (Design Development).
- 4.2** Procurement of a contractor to support the project will commence in line with the Council's Contract Procedure Rules. Timescales for procurement are currently being established.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1** The Corporate Plan 2015-2020 has a strategic objective to "promote responsible growth, development and success across the Borough". It 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 and where services are delivered efficiently to get value for money for the taxpayer. The proposed Barnet Development Pipeline project will help meet these objectives by providing good quality private and affordable lifetime homes, through a community co-design process that strengthens community relations and confidence in the Council.
- 5.1.2** The Growth Strategy for Barnet recognised that growth is vital for ensuring the future prosperity of the Borough, and maintain Barnet as a successful London suburb.
- 5.1.3** The Council's Local Plan adopted in 2012, sets out a 15 year 'vision' to help shape the kind of place that Barnet will be in the future. It supports the delivery of new homes including affordable dwellings and the use of brownfield land for high quality and sustainable suburban development.

5.1.4 The Council's Housing Strategy, agreed in 2015 has the overarching objective of providing housing choices that meet the needs and aspirations of Barnet residents and sets out how the Council will deal with a number of challenges including high prices, a shortage of affordable housing and the potential threats to the qualities that make the Borough attractive.

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

5.2.1 The current capital programme includes a total budget provision and funding of £2.635m, this includes a £200k budget allocation from the Extra Care programme and supports the delivery of the Corporate Plan 2016-21, particularly the responsible approach to regeneration.

5.2.2 The Council has already committed c.£1.2m of which £830k was grant funding in developing a stage 2 design. Subsequent development phases will be costed and reported in the Outline Business Case taking account of the total development costs.

5.3 Social Value

5.3.1 The procurement process and community involvement strategy for this project includes an assessment of social value as a key consideration. Tenderers will be required to demonstrate how they will work with the estate residents and local community to develop their proposals with the support of the project team, and the brief for the masterplan team will include the development of meanwhile projects, employment opportunities, and a detailed community strategy for the delivery phases of the project.

5.4 Legal and Constitutional References

5.4.1 The Site is held by the Council for Part II Housing Act purposes in the Councils HRA. Any land appropriated to planning as comprised in the Site will automatically result in a transfer of that land from HRA to General Fund which will result in accounting consequences as the HRA will need to be repaid for the market value of the land appropriated.

5.4.2 Council Constitution Article 7.5 states that the remit of the Assets Regeneration and Growth Committee includes responsibility for regeneration strategy and oversight of major regeneration schemes, asset management, employment strategy business support and engagement.

5.4.3 The Council Constitution, Article 10 Table A states that Assets Regeneration and Growth Committee is responsible for authorising all accusations over 500K.

5.4.4 The Council has a range of powers including the general power of competence under Section 1 of Chapter 1 of the Localism Act 2011 to do anything that individuals can do subject to any specific restrictions contained in legislation and Section 111 of the Local Government Act 1972 which 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.

- 5.4.5 Where land is being and has been acquired or appropriated for planning purposes, pursuant to s122A of the Local Government Act 1972, the effect is that the land appropriated is cleansed of all third-party rights such as easements and covenants which has a beneficial effect for development purposes. However, the rights of those affected are commuted into compensation subject to a valid claim being made as provided for pursuant to sections 203 and 204 of the Housing and Planning Act 2016. The power of appropriation can now only be exercised on the same basis as for compulsory purchase.
- 5.4.6 Land held for the purposes of Part II of the Housing Act 1985 cannot be appropriated to planning purposes without the consent of the Secretary of State pursuant to s 19 of the Housing Act 1985 and thereafter cannot be disposed of at less than best without the consent of the Secretary of State.
- 5.4.7 The relevant areas of the Site affected by the development will need to be reviewed in terms of title matters and rights and reservations in the normal way and appropriate mitigation measures adopted.
- 5.4.8 to establish what rights over those areas may be affected to mitigate any claims against the Council by those leaseholders for actionable interference with their rights where the leases/occupational arrangements do not provide for the flexibility required.
- 5.4.9 Procurement of public works and services contracts over the relevant value thresholds must observe the requirements of the Public Contracts Regulations 2015, to include the placing of OJEU notices where such contracts are not drawn down from a compliant framework. 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.

5.5 Risk Management

- 5.5.1 The main business and service risks associated with the potential scope for this project are shown below, together with the actions to mitigate risk.

Risks and counter measures

Main Risk	Actions to mitigate risk
Programme <ul style="list-style-type: none"> • Political and Project Management • Reputation and financial 	<ul style="list-style-type: none"> • Regular engagement on a co-design basis with residents in tandem with consultant team design, costing and viability exercises • Programme and cost impact to be monitored if programme extends

Legal review <ul style="list-style-type: none"> Project management and financial 	<ul style="list-style-type: none"> Review existing site/title documentation to ensure appropriate and up to date
<ul style="list-style-type: none"> Project management and legal Compliance Project management 	<ul style="list-style-type: none"> Appoint an approved inspector consultant to support team in achieving building control compliance Co-design process engages with existing residents over masterplan design Preferred masterplan to mitigate any site security concerns Monitoring ongoing Neighbouring owners consulted where appropriate
<ul style="list-style-type: none"> Neighbourly matters Financial and project management Financial 	<ul style="list-style-type: none"> Appoint Party Wall consultant to review and manage as required Appoint Rights of Light consultant to review and manage as required Design team to work within Daylight and Sunlight guidance parameters
Surveys <ul style="list-style-type: none"> Financial and project management Financial 	<ul style="list-style-type: none"> All survey requirements and gaps addressed Commission of further surveys to assist with reliable baseline Early engagement with utility providers
Design <ul style="list-style-type: none"> Business continuity Financial Compliance Financial and project management 	<ul style="list-style-type: none"> Scheme to be considered in phases to minimise utility disruptions Undertake contamination tests Undertake ecology / acoustic / Tree Preservation Order and associated environmental assessments Pre-development enquiry submitted at early stage of project
Cost & Viability <ul style="list-style-type: none"> Financial 	<ul style="list-style-type: none"> Control by design Viability requirements established Grant Funding Application & discussions with GLA
Planning <ul style="list-style-type: none"> Political Reputational Programme 	<ul style="list-style-type: none"> Interrogate through pre-application discussions and find comparable schemes Continue public engagement
Sales and marketing <ul style="list-style-type: none"> Financial 	<ul style="list-style-type: none"> Monitor market conditions Undertake reviews of pricing Monitor increase in local / mayoral CIL and build costs
Main Risk	Actions to mitigate risk
CDM	<ul style="list-style-type: none"> Design team to discuss access and maintenance strategies as design develops Details of all overhead and below ground services to be established fully Establish existing site information
Co-design and community engagement	<ul style="list-style-type: none"> Continue to actively manage process through co-design

<ul style="list-style-type: none"> • Political and reputational • Financial and project management • Programme management and financial • Reputational, cost and programme 	<ul style="list-style-type: none"> • Ensure that financial appraisals continue on an iterative basis throughout design process • Continually keep programme under review • Ensure co-design process looks ahead to potential flashpoint issues and builds capacity in community to understand and consider • Ensure continuous feedback from community members • Ensure accurate costs and viability modelling • Ensure phasing and construction impacts are considered during all design stages
Transport and highways	<ul style="list-style-type: none"> • Ascertain if site will be referred at earliest opportunity
Future construction <ul style="list-style-type: none"> • Financial and project management • Political 	<ul style="list-style-type: none"> • Continually monitor project needs, programme and co- design feedback

5.6 Equalities and Diversity

- 5.6.1 Under the Equality Act 2010, 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 or belief; sex; sexual orientation. It also covers marriage and civil partnership with regards to eliminating discrimination.
- 5.6.2 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.
- 5.6.3 The development at Upper and Lower Fosters will make a significant contribution to the provision of additional high quality intermediate housing in the Borough to assist first time buyers, many of whom are currently priced out of the market. In addition, much needed affordable rented housing will also be provided, as well as promotion of further construction jobs in the borough.
- 5.6.4 At this stage, 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 because of this proposal; however, a full EIA will be considered in due course.

5.7 Corporate Parenting

- 5.7.1 None in the context of this report

5.8 Consultation and Engagement

- 5.8.1 Barnet Council has adopted a community engagement and co-design strategy for this project, which encourages residents to play a full role in developing the improvement proposals from design through to post-delivery.

5.8.2 Re and Barnet Homes understand that to simply 'consult' with communities experiencing regeneration is inadequate. There must be genuine, meaningful involvement that secures relationships built on trust and clear communication channels that can address issues as they arise and mitigate potential 'flashpoints'. A co-design process has been adopted for this project, led by a community engagement specialist, and community involvement has been integrated into every stage of the project development, including the procurement of the design team. A stakeholder engagement plan has been developed and approved and monitored by the project board.

5.8.3 The site is situated in an area with a strong Jewish community presence as part of a wide mix of religious and ethnic groups. The wider community is involved in the project through representation in the co-design process as well as through community open events.

5.9 Insight

5.9.1 No specific insight data has been used in this report.

6. BACKGROUND PAPERS

6.1 <https://barnet.moderngov.co.uk/documents/s36542/Upper%20and%20Lower%20Fosters.pdf>

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	<p>AGENDA ITEM 10</p> <p>Assets, Regeneration and Growth Committee</p> <p>27 November 2018</p>
<p style="text-align: right;">Title</p>	<p>Business Planning 2019-2024</p>
<p>Report of</p>	<p>Councillor Daniel Thomas</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Enclosure 1: Barnet 2024 - Draft Corporate Plan Enclosure 2: Barnet 2024 - Additional priorities and approach to delivery Appendix A: Medium Term Financial Strategy (MTFS) and savings proposals for Committee</p>
<p>Officer Contact Details</p>	<p>Cath Shaw – Deputy Chief Executive - cath.shaw@barnet.gov.uk Chris Smith, Head of Estates chris.smith@barnet.gov.uk Rachel Williamson - Strategic Lead, Entrepreneurial Barnet and Welfare Reform rachel.williamson@barnet.gov.uk</p>

Summary

The development of the council's Corporate Plan and Medium Term Financial Strategy have been aligned to cover the next five years (2019-2024). This paper sets out the priorities for the committee that make-up the corporate plan, as well as committee specific priorities. It also sets out the allocated budget for the committee and how it will meet its financial targets. The indicative savings proposals identified for the ARG Committee for 2019-2024 is £6.3m.

The budget projections through to 2024 are indicative figures. The budget will be formally

agreed each year as part of the council budget and council tax setting process, and therefore could be subject to change.

A final budget will be considered by Policy and Resources Committee on 11 December 2018 before being recommended to Council on 5 March 2019. The final Corporate Plan will be published following this.

Officers Recommendations

1. That the Committee note the corporate priorities (Enclosure 1); and approve the additional priorities and approach to delivery for this Theme Committee, as set out in Enclosure 2, for final approval by full Council.

2. That the Committee considers the initial inequalities impact assessments and approve the savings proposals, for referral to Policy and Resources Committee, set out in Appendix A, prior to final approval by full council.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is required as part of the business planning process in order to discuss and approve the priorities for the Theme Committee to 2024. Additionally, the report sets out the financial position of the Council and specifically the context for this Committee. The report also seeks Committee approval for the savings programme within its authority to be recommended to Policy and Resources Committee.

2. STRATEGIC CONTEXT

- 2.1 The council wants to create successful places, achieve great outcomes, deliver quality services and develop resilient communities. But, like all councils, it faces an increasingly difficult financial challenge, with funding sources not keeping pace with demand and uncertainty about how services will be funded in the future.
- 2.2 The council has successfully risen to its financial challenges thus far, evidenced by delivering savings in excess of £155million since 2010. It was highlighted at the June 2018 Policy and Resources Committee that the council faced difficulty in balancing its in year position with a forecast overspend of £9.5m. Since then, hard work has resulted in this being reduced however there is still some way to go to fully balance.
- 2.3 Looking forward it is anticipated that these challenges will continue. Through refreshing the council's medium term financial strategy (MTFS) the organisation now faces an anticipated budget gap of £69.9m to 2023/24. This includes the savings of £17.3m already identified for 2019-20, plus a further gap of £52.6m to 2023/24.
- 2.4 To address that gap, the council will need to make some tough decisions about priorities and how limited funds are spent. This may mean that the council stops doing some things or does them in very different ways, as well as looking at how it can find opportunities to generate more income.

- 2.5 Despite the challenges, the council is ambitious for Barnet and the people that live and work here. During this time of significant challenge, the council has seen levels of resident satisfaction remain high both in terms of satisfaction with the council as well as with the range of local services. The latest Residents' Perception Survey (Autumn 2017) indicates that 85 per cent of residents are satisfied with Barnet as a place to live and 65 per cent feel that the council is doing a good job.
- 2.6 The council must now prioritise its limited resources effectively and develop plans for the next five years to deliver both statutory duties and ambitions for Barnet within these financial constraints. The council wants to ensure residents get a fair deal by maximising opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.
- 2.7 To ensure the council has a plan that reflects local priorities, as well as a financial strategy that will support a financially sustainable position, the development of the Corporate Plan and MTFS have been aligned to cover the next five years (2019-to 2024). This will help to ensure we have a medium-term plan of how we will allocate our limited resources in line with what we want to achieve for the borough. The priorities within the Corporate Plan will be approved by Policy and Resources committee on 11 December.
- 2.8 The Corporate Plan, known as Barnet 2024, is being refreshed to reflect the priorities of the new administration who were elected in May 2018, and resident feedback on what matters. Feedback has been captured through public consultation and engagement that took place over the summer of 2018. The Corporate Plan, Barnet 2024, will set the strategic direction of the council, including outcomes for the borough, the priorities we will focus limited resources on, and how we will approach delivery.
- 2.9 The three outcomes for the borough focus on place, people and communities:
- A pleasant, well maintained borough that we protect and invest in
 - Our residents live happy, healthy, independent lives with the most vulnerable protected
 - Safe and strong communities where people get along well
- The full list of corporate priorities for the next five years that support these outcomes, and the approach to delivery, can be seen in Enclosure 1.
- 2.10 To support delivery of the outcomes in the Corporate Plan, Barnet 2024, the theme committee will be responsible for delivering any corporate priorities that fall within its remit, as well as any additional priorities that relate to matters the Committee is responsible for under its Terms of Reference.
- 2.11 These priorities will inform an annual theme committee delivery plan which will set out the key activities, performance indicators/targets, and risks in relation to the corporate and committee priorities. Delivery plans will be approved by Theme Committees in early 2019 and will be refreshed on an annual basis.

2.12 The corporate priorities relevant to this Theme Committee, the additional priorities identified for approval, and the strategic approach to delivery can be seen in Enclosure 2.

Asset Regeneration and Growth Committee Savings

2.13 In order to address the budget gap between 2019 and 2024, A range of savings and / or income generation proposals identified within the Committee’s area of responsibility can be seen in Appendix A. They are broadly summarised below:

2.13.1 Efficiency. Savings should be possible by moving to the new Colindale office and reducing office accommodation running costs accordingly. Further savings will result from exiting all NLBP leases in mid-2020.

2.13.2 Growth and income. Additional income will be generated by renting out space in existing buildings on formal leases and on an ad-hoc room hire basis. Further additional income may be generated by leasing small vacant sites to modular house builders in return for a ground rent, with reversion of the assets to LBB at the end of the lease period. Similarly, long lease options can be offered to developers for traditional commercial developments. Finally, prudent acquisitions of commercial properties within the borough, to facilitate place-shaping or other key objectives, could result in additional revenue streams. An estimate of these revenue streams has been included in the calculations.

2.13.3 Growth in Council Tax. The council’s housing delivery targets will substantially grow the Council Tax base if delivery is realised in a timely manner. The council actively seeks to drive this programme through a combination of direct housing delivery, regeneration through partnerships, as well as proactive strategic planning and policy-making to encourage private sector led growth.

2.13.4 Revised modelling of housing delivery has shown about £2.38m of additional Council Tax revenue is expected in addition to current MTFS forecasts over the 2019-24 period. Appropriate allowances for delivery risks are accounted for in relation to this figure. However, to ensure prudence, only £2.16m has been included as proposed MTFS savings to ensure appropriate allowance for any variance in the actual housing delivery profile during the period. The MTFS is therefore proposed to recognise further savings as set out in Table 1.

Table 1 – Additional benefit to the MTFS following revised housing forecasts:

MTFS 2019 - 2024					TOTAL
19/20	20/21	21/22	22/23	23/24	Addition
657	0	500	500	500	2,157

2.14 Together these proposals identify £6,294,000 of budget reductions.

3. REASONS FOR RECOMMENDATIONS

3.1 Local Government as a whole continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges

require continual longer term, robust financial and strategic planning and the recommendations in this report support this.

- 3.2 By law, the council is required to set a legal, balanced budget. These proposals are the best way of doing that by meeting financial targets and delivering outcomes and ambitions for Barnet.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 The alternative option is not to approve the MTFFS and the additional priorities. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets.

5. POST DECISION IMPLEMENTATION

- 5.1 As part of recommendation 1, following approval of the priorities that sit within this committee, plans will be developed to deliver these.
- 5.2 If the ARG committee approves recommendation 2 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 11 December as part of the MTFFS and then referred to full Council for a final decision.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

- 6.1.1 The council's corporate plan, which sets out the outcomes, priorities and approach, has been refreshed for 2019 to 2024, alongside the Medium Term Financial Strategy for the same period. The updated corporate priorities can be seen in Enclosure 1. Committees may also have specific additional priorities they will deliver alongside this. The performance indicators/targets for the corporate and committee priorities will be updated in early 2019 as part of the theme committee delivery plans.

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

- 6.2.1 The ARG Committee savings programme will contribute to the council meeting its savings target as set out in the MTFFS. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

6.3 Social Value

- 6.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

6.4 Legal and Constitutional References

- 6.4.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972, relates to the subsidiary powers of local authorities.
- 6.4.2 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority’s estimated revenue expenditure for the year in order to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund
- 6.4.3 Local authorities owe a fiduciary duty to council tax payers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council tax payers and ratepayers and the community’s interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.
- 6.4.4 These proposals will be referred to Policy and Resources Committee and then to Council so that Council can approve the budget envelope and set the Council Tax. There will be contingencies within the budget envelope so that decision makers have some flexibility should any decisions have detrimental equalities impacts that cannot be mitigated.
- 6.4.5 All proposals emerging from the business planning process will need to be considered in terms of the council’s legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010). All proposals are already, or will be, subject to separate detailed project plans and reports to committee. The detailed legal implications of these proposals are included in those reports, which will have to be considered by the committee when making the individual decisions.
- 6.4.6 The Council’s Constitution, Article 7 – Committees, Forums, Working Groups and Partnerships sets out the responsibilities of all council Committees. The ARG Committee has responsibility:
- For regeneration strategy and oversees major regeneration schemes, asset management, employment strategy, business support and engagement.
 - To submit to the Policy and Resources Committee proposals relating to the Committee’s budget for the following year in accordance with the budget timetable.
 - To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
 - To receives reports on relevant performance information and risk on the services under its remit.

6.4.7 All proposals emerging from the business planning process will need to be considered in terms of the council's legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).

6.5 Risk Management

6.5.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks associated with the saving proposals will be outlined within the Theme Committee reports as each proposal is brought forward for the Committee to consider.

6.5.2 An integral part of the Theme Committee delivery plans will be identifying any risks to delivering the corporate or committee priorities and key activities.

6.5.3 Risks will be reviewed quarterly (as a minimum) and any high-level risks will be reported to the relevant Theme Committee and P&R Committee.

6.6 Equalities and Diversity

6.6.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council. The Equality Act 2010 and the Public-Sector Equality Duty, requires elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place.

6.6.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. A lot of proposals are in formative stages so the equality impacts will need to be updated as the projects are rolled out. Many of these proposals will need to be subject to separate decisions and at this stage the decision maker will need to be equipped with an updated equality impact assessment before they can make their decision. Consideration of the duties should precede the decision. It is important that ARG Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

6.6.2.1. A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.6.2.2. Having due regard to the need to advance equality of opportunity between

persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

6.6.2.3. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

6.6.2.4. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Tackle prejudice, and
- b) Promote understanding

6.6.2.5. Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- (a) Age
- (b) Disability
- (c) Gender reassignment
- (d) Pregnancy and maternity
- (e) Race
- (f) Religion or belief
- (g) Sex
- (h) Sexual orientation
- (i) Marriage and Civil Partnership

6.6.2.6. If deemed appropriate, a project may be subject to future individual committee decisions once the budget envelope has been set by Council. The equality impacts will be updated for these decisions. As an alternative to agreeing any of the proposals, the committee would have the option of maintaining the current level of services; however this will impact on the proposed budget.

6.7 Corporate Parenting

6.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council

does.

6.8 Consultation and Engagement

6.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework
- Where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
- Exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

6.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- There is adequate time given to the consultees to consider the proposals
- There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

6.8.3 Public consultation and engagement on the Corporate Plan took place between 16 July 2018 and 23 September 2018. The findings from this have been considered and incorporated into the draft document.

6.8.4 A total of 287 questionnaires were completed and 141 residents attended the three Question Time Leader led events.

6.8.5 Key headlines from the consultation are as follows:

- A clear majority of those responding to the questionnaire agree with all the outcomes the council is proposing to focus on for the next five years, with around nine out of ten respondents (90%) agreeing with each of the councils proposed outcomes.
- There was a similar level of agreement for the priorities set out under each outcome, with 80-90% of respondents agreeing with each of the priorities. The one exception to this was 'Delivering on our major regeneration schemes' where six out of ten agreed.
- Around 80% also agreed with the approach the council has outlined to deliver its outcomes over the next five years.
- When residents were asked to comment further, the main feedback was that they wanted more detail on how the priorities would be delivered and funded. This has resulted in more detail around the strategic approach to delivery being included in the draft corporate plan.
- Further comments on the outcomes, priorities and approach were very varied, the most common themes were around; street cleansing, tackling enviro-crime and anti-social behaviour, improving air quality and investing in sustainable transport methods. This feedback has now been incorporated and reflected in the draft plan.
- Comments on our approach related to outsourcing of services, robust management of contract and service delivery arrangements and a commitment to remaining transparent in our work. There was also a clear theme around how we balance our council tax rates with being able to deliver services.
- This feedback has now been incorporated and reflected in the draft plan.

6.8.6 Public consultation with residents and businesses on the overall budget for 2019-2024 will commence on 12 December 2018 subject to agreement from the P&R Committee on 11 December 2018. The final budget will then be recommended to P&R Committee on 20 February 2018 ahead of final approval at Full Council on the 5 March 2019.

6.8.7 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.

7. INSIGHT

7.1 An exercise to revise modelling of housing delivery and Council Tax income forecasts was undertaken to ensure the most accurate and up to date picture of expected housing growth within the borough was being used to inform the assumptions within the Budget. This identified that even after making allowances for risks and delays in relation to some site delivery there was a greater number of homes likely to be built

than the Council was allowing for within its forecasts for Council Tax. Expected Council Tax income from new homes has therefore been revised accordingly.

8 BACKGROUND PAPERS

8.1 None

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DRAFT CORPORATE PLAN

October 2018



CLEAN

HAPPY

GREEN

HEALTHY

STRONG

INVEST

BUSINESSES

SAFE

INDEPENDENT



Barnet is a fantastic place, with many people choosing to call our part of London home.

As a council, we want to create successful places, achieve great outcomes, deliver quality services and develop resilient communities. As we look to the future we want to build on our unique strengths: the parks and green spaces, excellent schools and diverse communities that get along and make an active contribution.

The pace of change in our world is fast, especially technology, so it's important that we move with the times, and make the most of the opportunities that come our way. This gives us the chance to embrace change and be innovative in the way that we deliver services.

Financial challenges

Like all councils, we're in a difficult financial situation, with more and more people needing our services, less money to spend, and uncertainty about how councils are funded in the future.

Our resources are limited, so we must be clear about what we can do and ensure that we care for the most vulnerable people whilst achieving a financially sustainable balance across the services we provide.

We need to save £69million over the next five years. That's on top of the £155million we've saved since 2010. To do that, the council will need to make the decisions we need to about priorities and how we spend our limited funds. We may need to stop doing some things or do them in a very different way. We will also look at how we can find opportunities to generate more income.

Ambitions for the future

Despite the challenges, we are ambitious for Barnet and the people that live and work here. We must now prioritise and use our limited resources effectively as we develop plans for the next five years.

We developed a draft plan – Barnet 2024 - which outlined outcomes we want to achieve for the borough, and priorities to focus on. These reflected what we know are important for Barnet, based on feedback from surveys, consultations, engagement events and your councillors. We also set out an approach for how we will deliver the plan within our budget.

We wanted to hear from residents, communities and businesses, so throughout the summer we gathered feedback through an online survey and events. We have taken those views on board and now incorporated them into a final draft.

What you told us

A key piece of feedback was wanting to see more detail around how we would be delivering on the priorities we've set out, as well as how they would be funded. We understand that it's important to demonstrate our approach in how we are going to achieve what we're setting out to do.

Therefore, we have now added in information around the 5-year strategic approach to delivery for each of our priorities, giving an extra level of detail. This will be further supported by the development of annual delivery plans for each Theme Committee, which includes the responsibility of delivering any corporate priorities that fall within its remit, alongside any additional priorities specific to the committee.

Further comments on our outcomes and priorities were very varied with the most common themes being around; street cleansing, tackling environmental crime and anti-social behaviour, improving air quality and investing in sustainable transport. As these have come out as particularly important areas to you, we have now reflected them with more emphasis within our corporate plan.

Feedback was also received on our approach for how we will deliver the plan within our budget, with comments relating to outsourcing of services, robust management of contract and service delivery arrangements and a commitment to remaining transparent in our work. There was also a clear theme around how we balance our council tax rates with being able to deliver services. This has been taken on board and language has been changed to ensure there is greater clarity around these points.

What next

The Barnet 2024 plan will be published in March 2019, alongside our Medium Term Financial Strategy.

2024

WHAT WE WANT TO ACHIEVE

Our proposed focus is on three main outcomes:

OUTCOME



OUTCOME



OUTCOME



PRIORITIES

A set of key priorities that we will be focussing on sit underneath each outcome, including detail of how we intend to deliver this. This doesn't aim to capture all that the council does, rather it provides a framework to guide us.

OUTCOME

A pleasant, well maintained borough that we protect and invest in

Getting Barnet clean through efficient street cleaning services, minimising and recycling waste, and weekly bin collections

Keeping the borough moving, including improvements to roads and pavements

Getting the best out of our parks and improving air quality by looking after and investing in our greenspaces

Ensuring decent quality housing that buyers and renters can afford, prioritising Barnet residents

Investing in community facilities to support a growing population, such as schools and leisure centres

Responsible delivery of our major regeneration schemes to create better places to live and work, whilst protecting and enhancing the borough

OUTCOME

Our residents live happy, healthy, independent lives with the most vulnerable protected

Improving services for children and young people and ensuring the needs of children are considered in everything we do

Integrating health and social care and providing support for those with mental health problems and complex needs

Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life

Helping people into work and better paid employment

Encouraging residents to lead active and healthy lifestyles and maintain their mental wellbeing

Ensuring we have good schools and enough school places so all children have access to a great education

OUTCOME

Safe and strong communities where people get along well

Keeping Barnet safe

Tackling anti-social behaviour and environmental crime

Celebrating our diverse and strong communities and taking a zero-tolerance approach to hate crime

Ensuring we are a family friendly borough

Focusing on the strengths of the community and what they can do to help themselves and each other

Supporting local businesses to thrive

OUTCOME

A pleasant, well maintained borough that we protect and invest in



Getting Barnet clean through efficient street cleaning services, minimising and recycling waste, and weekly bin collections

How we will deliver this:

- Supporting residents to reduce waste to below the London average by working on initiatives that promote waste minimisation and reuse
- Working with landlords and agents to reduce the hidden 'throw away' culture in many communal dwellings
- Fully utilising new street cleansing equipment
- Reducing bin clutter in town centres by continuing to implement time-banded collections

Keeping the borough moving, including improvements to roads and pavements

How we will deliver this:

- Improving the condition of our roads and pavements
- Encouraging the use of public transport, walking and cycling through the 'healthy streets' approach
- Lobbying for improvements to public transport and bringing back disused public transport such as rail lines
- Developing a cycle network to major destinations in the borough without impeding main traffic routes
- Promoting and continuing to roll out electric vehicle charging and car clubs
- Using enforcement to increase compliance and support traffic to move smoothly and safely

2024

Getting the best out of our parks and improving air quality by looking after and investing in our greenspaces

How we will deliver this:

- Developing masterplans that deliver significant improvements to parks
- Delivering the tree planting programme across the borough to alleviate the effects of pollution
- Identifying sites for using green spaces to promote health and wellbeing
- Working with TfL and Highways England to improve air quality on the main network corridors and areas close to schools

Ensuring decent quality housing that buyers and renters can afford, prioritising Barnet residents

How we will deliver this:

- Increasing supply to ensure greater housing choice for residents
- Delivering new affordable housing, including new homes on council-owned land
- Prioritising people with a local connection and who give back to the community through the Housing Allocations Scheme
- Ensuring that good landlords continue to provide accommodation and that poor-quality housing is improved

Investing in community facilities to support a growing population, such as schools and leisure centres

How we will deliver this:

- Investing in community facilities such as;
 - new and replacement schools;
 - enhancing our indoor and outdoor sporting facilities;
 - maintaining our 21st century libraries
 - transformation of parks and open spaces

Responsible delivery of our major regeneration schemes to create better places to live and work, whilst protecting and enhancing the borough

How we will deliver this:

- Working with partners to deliver the Brent Cross Cricklewood scheme which includes; a new town centre, train station, 27,000 jobs and 7,500 new homes
- Working with The Barnet Group to deliver housing on smaller sites across the borough
- Continuing to invest in Colindale, including through;
 - progressing the development of Grahame Park
 - enhancements to Colindale tube station
 - ensuring that the major housing developments in the area contribute to an overall sense of place

OUTCOME

Our residents live happy, healthy, independent lives with the most vulnerable protected



Improving services for children and young people and ensuring the needs of children are considered in everything we do

How we will deliver this:

- Improving children's services to get a 'good' Ofsted rating
- Providing effective leadership and empowering staff
- Improving the social, emotional and mental health and wellbeing of children and young people
- Preventing young people from getting involved in violence, crime, exploitation and anti-social behaviour
- Being a good corporate parent to children in care and care leavers

Integrating health and social care and providing support for those with mental health problems and complex needs

How we will deliver this:

- Working with local NHS organisations, GPs and NHS Barnet Clinical Commissioning Group to provide more health and care services closer to home
- Working with the NHS to achieve timely discharge from hospital for patients
- Offering, and signposting to, prevention support for people to stay active and more independent in the community
- Developing joined up services for those with complex mental health needs to prevent crisis and to enable residents to fulfil their potential

2024

Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life

How we will deliver this:

- Opening new extra care schemes for people that need additional support to remain living independently
- Providing enablement services that help people regain or increase their independence
- Using technology to enhance independence and assist with care
- Offering support for carers of people with dementia
- Providing equipment that allows people to stay more independent at home

Helping people into work and better paid employment

How we will deliver this:

- Working with partners to provide employment support
- Offering employment schemes and apprenticeships on the regeneration sites
- Offering specific support to help people find work such as care leavers, people with disabilities and Universal Credit claimants
- Promoting apprenticeships across Barnet and supporting businesses to make use of the apprenticeship levy

Encouraging residents to lead active and healthy lifestyles and maintain their mental wellbeing

How we will deliver this:

- Delivering new indoor and outdoor sporting facilities and enhancing existing sporting facilities, and ensuring participation in sport and physical activity is accessible to all
- Giving residents access to health and wellbeing information and activities through the Fit and Active Barnet (FAB) framework
- Completing the implementation of the new leisure contract (which includes a range of well-being services such as; the Fit & Active Barnet Card, weight management services, falls prevention, diabetes control and dementia friendly sessions)
- Supporting people to maintain and improve their mental health and wellbeing by raising awareness, tackling stigma and discrimination and making mental health everyone's business
- Providing residents advice, guidance and screening on substance misuse and ensuring that access to treatment is available to those who need it most
- Implementing the Healthy Weight strategy focusing on promoting physical exercise and healthy eating in schools

Ensuring we have good schools and enough school places so all children have access to a great education

How we will deliver this:

- Planning and forecasting to deliver school places to meet identified needs
- Improving pupils' achievement and narrowing the attainment gap
- Improving outcomes for children and young people with special educational needs and disabilities
- Supporting children to have the best start in life and be ready for learning

OUTCOME

Safe and strong communities where people get along well



Keeping Barnet safe

How we will deliver this:

- Maintaining low levels of crime, anti-social behaviour and substance misuse on our streets
- Ensuring the effective management of offenders to reduce offending
- Supporting victims of crime and anti-social behaviour to reduce the risk of repeat victimisation
- Delivering the Violence Against Women and Girls Strategy
- Delivering a multi-agency response to violence, vulnerability and the criminal exploitation of children and vulnerable adults
- Reducing the fear of crime

Tackling anti-social behaviour and environmental crime

How we will deliver this:

- Delivering targeted multi-agency interventions in areas subjected to persistent crime, anti-social behaviour and environmental crime (such as fly-tipping and littering)
- Using enforcement tools and powers to protect communities, reduce offending and increase compliance

2024

Celebrating our diverse and strong communities and taking a zero-tolerance approach to hate crime

How we will deliver this:

- Raising awareness of Barnet's diverse communities and providing opportunities to celebrate and promote cohesion
- Preventing radicalisation and supporting victims of hate crime, including raising awareness
- Working with local community groups to respond to Hate Crime
- Mapping and building relationships with new and emerging communities

Ensuring we are a family friendly borough

How we will deliver this:

- Helping children to live in safe and supportive families and communities
- Providing services that encourage and build resilience
- Increasing the participation, voice and influence of young people
- Embedding children's rights across policies and procedures
- Ensuring children and families know about and can influence decisions that affect them

Focusing on the strengths of the community and what they can do to help themselves and each other

How we will deliver this:

- Encouraging individual and corporate volunteers to help build active communities
- Providing access to a comprehensive directory of community resources
- Supporting the voluntary, community and faith sector to build capacity for meeting the needs of residents
- Developing strong and resilient partnerships through the Communities Together Network and Barnet Multi-Faith Forum

Supporting local businesses to thrive

How we will deliver this:

- Streamlining council access for businesses and developing a clear business support offer through Entrepreneurial Barnet
- Reducing the numbers of vacant units to ensure key town centres are thriving
- Encouraging residents and local businesses to play an active role in shaping their high streets
- Supporting businesses to improve workplace health
- Making Barnet the best place in London to be a small business

OUR APPROACH

WE HAVE SET OUT BELOW HOW WE INTEND TO DELIVER BOTH OUR STATUTORY DUTIES AND AMBITIONS FOR BARNET WITHIN OUR FINANCIAL CONSTRAINTS. WE WANT TO ENSURE THAT TAX PAYERS MONEY GOES AS FAR AS IT CAN.

A FAIR DEAL

- Delivering services that matter most by making decisions to prioritise our limited resources
- Providing value for money for the tax payer and ensuring we are transparent in how we operate
- Standing up for Barnet and ensuring it gets its fair share of resources including policing and general funding

EFFICIENT AND EFFECTIVE COUNCIL

- Managing our finances and contracts robustly
- Providing residents with the assistance they need at the first point of contact and greater access to online services and support
- Treating residents equally, with understanding and respect, with all having access to quality services





APPROACH

MAXIMISING OPPORTUNITY

- Taking a commercial approach to generating income, and looking for new opportunities to generate revenue from our estate
- Making use of evolving technology and innovation to help us achieve better outcomes and become more efficient
- Capitalising on opportunities from responsible growth and development to boost the local economy

SHARED RESPONSIBILITY

- Working with residents and the community to share responsibility to ensure Barnet thrives
- Focussing on prevention and early help so residents can live independently for as long as possible
- Collaborating locally to achieve the best outcomes for Barnet

SCHOOLS

COMMUNITIES

HEALTHY

STRONG



INVESTMENT

SAFE

RESIDENTS

Assets, Regeneration and Growth Committee

This committee is responsible for developing and overseeing strategies which maximise the financial opportunities of growth and regeneration, promoting skills and enterprise, and engaging with and supporting the business community.

Introduction:

Housing and employment are essential elements to achieving a good quality of life. We will support local businesses to thrive, which in turn will create jobs and grow the economy. Through responsible regeneration, we will revitalise communities and improve the quality of life for people living in the areas of greatest need in Barnet.

Committee Priorities for 2019-2024

Corporate priority	How we will deliver this by 2024
Investing in community facilities to support a growing population, such as schools and leisure centres	<ul style="list-style-type: none"> Investing in community facilities such as; <ul style="list-style-type: none"> – new and replacement schools; – enhancing our indoor and outdoor sporting facilities; – maintaining our 21st century libraries – transformation of parks and open spaces
Responsible delivery of our major regeneration schemes to create better places to live and work, whilst protecting and enhancing the borough	<ul style="list-style-type: none"> Working with partners to deliver the Brent Cross Cricklewood scheme which includes; a new town centre, train station, 27,000 jobs and 7,500 new homes Working with The Barnet Group to deliver housing on smaller sites across the borough Continuing to invest in Colindale, including through; <ul style="list-style-type: none"> • progressing the development of Grahame Park • enhancements to Colindale tube station • ensuring that the major housing developments in the area contribute to an overall sense of place
Helping people into work and better paid employment	<ul style="list-style-type: none"> Working with partners to provide employment support Offering employment schemes and apprenticeships on the regeneration sites Offering specific support to help people find work such as care leavers, people with disabilities and Universal Credit claimants Promoting apprenticeships across Barnet and supporting businesses to make use of the apprenticeship levy
Supporting local businesses to thrive	<ul style="list-style-type: none"> Streamlining council access for businesses and developing a clear business support offer through Entrepreneurial Barnet Reducing the numbers of vacant units to ensure key town centres are thriving Encouraging residents and local businesses to play an active role in shaping their high streets Supporting businesses to improve workplace health Making Barnet the best place in London to be a small business
Additional committee priority	How we will deliver this by 2024
Efficient and cost-effective asset management	<ul style="list-style-type: none"> Effectively managing council sites and buildings to maximise capacity and ensuring that any spare space is used appropriately Identifying opportunities to expand the estate, including acquiring sites and buildings to generate additional income Ensuring that all our tenants have up to date leases and that tenants of community buildings have engaged with our community benefit assessment process

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ARG MTFS PROPOSALS

Line ref	Theme	Management Responsibility	Opportunity Area	Corporate Plan Approach: Fairness, Responsibility, Opportunity or Efficiency	Outcome Priorities	Description of saving	Consultation (How are we consulting on this proposal)	Impact Assessment			Budget										Total savings (All years)	Variance Analysis				
											2018/19		2019/20		2020/21		2021/22		2022/23				2023/24			
											£000	FTE	£000	FTE	£000	FTE	£000	FTE	£000	FTE			£000	FTE		
Efficiency																										
ARG1	Assets, Regeneration & Growth	Deputy Chief Executive	Accommodation Strategy	Opportunity		Exiting NLBP2 lease at lease termination (part year benefit in 20/21 ramping up to full benefit in 21/22)	N/A	Alt location for FS will be required (probably East Barnet Library)	Nil	Nil	330			(623)		(207)								(830)	251.52%	
ARG2	Assets, Regeneration & Growth	Deputy Chief Executive	Accommodation Strategy	Opportunity		Moving from rented accommodation to new offices in Colindale will generate savings. In addition, further savings could be generated by utilising other assets more efficiently.	N/A	This saving is achieved through reduced accommodation costs and is not expected to have a negative impact on service delivery.	This saving is achieved through reduced accommodation costs and is not expected to have a negative impact on customer satisfaction.	The equalities impact will be kept under review on implementation of the Colindale business case and locality strategy.	1,423	(250)		(750)										(1,000)	70.27%	
Total											1,753	(250)	0	(1,373)	0	(207)	0	0	0	0	0	0	0	(1,830)		
Growth and Income																										
ARG3	Assets, Regeneration & Growth	Deputy Chief Executive	Increase in Council Tax base	Opportunity		Regeneration and development schemes across the borough are projecting an increase in Council Tax over the MTFS. This increase is above current baseline	No service specific consultation required	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	This proposal is not expected to have an adverse equalities impact.	0	(657)				(500)	0	(500)	0	(500)	0	(500)	0	(2,157)	0.00%	
ARG4	Assets, Regeneration & Growth	Deputy Chief Executive	Rental opportunity	Opportunity		Income to be generated through leasing out surplus buildings / space across the portfolio.	Internal, service specific consultation will be undertaken if required.	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	Opportunity for commercial letting arrangements only so no equalities impact is	0	(150)												(150)	0.00%	
ARG5	Assets, Regeneration & Growth	Deputy Chief Executive	Rental opportunity	Opportunity		Income from renting out spare space within building on an ad-hoc basis i.e. room hire.	Internal, service specific consultation will be undertaken if required.	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	This proposal is not expected to have an adverse equalities impact.		(7)												(7)		
ARG6	Assets, Regeneration & Growth	Deputy Chief Executive	Rental opportunity	Opportunity		Lease for modular build	Planning consultation will be undertaken by prospective developers	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	This proposal is not expected to have an adverse equalities impact.				(50)										(50)		
ARG7	Assets, Regeneration & Growth	Deputy Chief Executive	Rental opportunity	Opportunity		Increased ground rent from potential development (Bunn's Lane & Hendon Campus)	Planning consultation will be undertaken by prospective developers	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	This proposal is not expected to have an adverse equalities impact.	0						(200)							(200)		
ARG8	Assets, Regeneration & Growth	Deputy Chief Executive	Rental opportunity	Opportunity		Commercial property acquisitions for improved place shaping and to meet other strategic in-borough objectives, resulting in incidental income. (estimate based on £50m capital investment)	N/A	This proposal will generate additional income for the Council and is not expected to impact on service delivery.	This proposal is not expected to have an adverse impact on customer satisfaction.	This proposal is not expected to have an adverse equalities impact.	0			(850)		(1,050)								(1,900)		
Total											0	(814)	0	(900)	0	(1,550)	0	(700)	0	(500)	0	(500)	0	(4,464)		
Overall Savings											1,753	(1,064)	0	(2,273)	0	(1,757)	0	(700)	0	(500)	0	(500)	0	(6,294)		

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Assests, Regeneration and Growth Committee

27th November 2018



Title	Compulsory purchase of a long term vacant property
Report of	Councillor Daniel Thomas
Wards	Golders Green
Status	Public with accompanying exempt report (Not for publication by virtue of paragraphs 6 of Schedule 12A of the Local Government Act 1972 as amended) as this relates to information relating to an individual, and information relating to the Council's intention in respect of further action to be taken in respect of an order or notice
Urgent	No
Key	Yes
Enclosures	None
Officer Contact Details	Belinda Livesey – Private Sector Housing Manager 0208 359 7438 Danielle Franklin - Housing Technical Officer 020 8359 5730

Summary

Empty properties place extra pressure on the housing market. The Private Sector Housing Team endeavour to work with the owners of these properties to bring them back into residential use through advice and financial assistance. Where this is not possible the appropriate enforcement action is taken.

This report recommends the making of a Compulsory Purchase Order (CPO) in relation to a long term vacant property and to give officers the discretion to proceed with any of the two options detailed in the report being consensual purchase or dispute resolution. The property identification and case details are contained within the exempt report.

Officers Recommendations

- 1. That the Assets, Regeneration and Growth Committee authorise the making of a Compulsory Purchase Order, under Section 17 of the Housing Act 1985 and the Acquisition of Land Act 1981, in respect of the property identified as 'A' in the exempt report.**
- 2. That the Compulsory Purchase Orders referred to in recommendation 1 above, is submitted to the Secretary of State for Housing, Communities and Local Government for consideration and confirmation.**
- 3. That, in the event of the Secretary of State for Housing, Communities and Local Government returning any of the Orders for confirmation by the Council, the Deputy Chief Executive be authorised to confirm the Order**
- 4. Following confirmation of the Order, to authorise the Deputy Chief Executive to proceed with the compulsory acquisition of any of the property in question**
- 5. To authorise the Deputy Chief Executive to enter into negotiations for a private treaty acquisition of the property at current market value or to enter into alternative dispute resolution with the owner**
- 6. In the event of a compulsory acquisition of property 'a', an options paper on the future use of the site will be brought back to the Assets, Regeneration and Growth Committee for a decision.**
- 7. To note that the financial costs of the CPO will be funded through the currently approved capital programme.**

1. WHY THIS REPORT IS NEEDED

- 1.1 Barnet currently has around 2,000 properties recorded with Council Tax as being long term empty. Some of these properties are in a poor condition and represent an environmental blight on the local neighbourhood and waste of the Borough's housing stock.
- 1.2 The Private Sector Housing Team, part of the Environmental Health Service within Re Ltd, work with empty property owners to secure property improvement and reoccupation. This is done through a combination of offering, in the first instance advice, support and grant aid to owners. Where this fails the appropriate enforcement action is taken depending on the response. This ranges from minor enforcement action to improve and/or secure the property to taking over of the property through Compulsory Purchase powers.
- 1.3 National experience, and the local experience of the Borough, has shown that making a resolution to compulsorily purchase a property focuses the minds of the current owner(s) to either dispose of the property or bring it back into use without further need for intervention. In the majority of cases where the Compulsory Purchase process is started,

the Council rarely reaches the situation where purchase pursuant to the CPO becomes necessary. As such, this is a very cost effective tool in bringing empty properties back into use.

- 1.4 Should the Council resolve to make the CPO ('the Orders') on the property "a"; they will be submitted to the appropriate Government Minister for confirmation. Where an objection to an Order is made by an owner and is not withdrawn, then, unless satisfied that the objection is exclusively related to compensation, the appropriate Minister must arrange for either a public local inquiry or a hearing before an inspector, appointed by the Minister. The time limit for the exercise of a Confirmed Order is three years from the time the Order becomes operative.
- 1.5 National experience of the use of Compulsory Purchase powers has demonstrated that once CPO action has been initiated, an owner may belatedly come forward with proposals. In such instances, a local authority can enter into an undertaking (in the form of a legally enforceable agreement) with the owner to bring the property back into use within an agreed reasonable time-scale and not object to the making of the CPO or to withdraw any objection and allow it to be confirmed unopposed. This would mean that the Council cross-undertakes not to implement the CPO within the agreed time period, but if the owner fails to carry out works, then the Council (the CPO having been confirmed at this stage) can move to possession. This negates the need for an Inquiry and all the costs involved in the Inquiry process.
- 1.6 The Government guidelines for the making of CPOs (the Crichel Down Rules) also provide for two other ways to proceed. The first of these is that the Council could purchase the property by consent. Once approval for making a CPO is granted, should the owner wish to, they may enter into negotiations with the Council for a sale at current market value. This would be at a similar cost as the price payable to the owner should the CPO proceed to conclusion but would save considerable Officer time and legal costs.
- 1.7 The second is the use of Alternative Dispute Resolution (ADR) techniques – This involves employing (at joint cost) a suitably qualified independent third party throughout the compulsory purchase process. This mediation might, for example, help to clarify any concerns around the principle of the compulsory acquisition of the land, while an independent valuation might help the owner with regard to the potential level of compensation eventually payable if the order were to be confirmed. The use of ADR can save time and money for both parties, while its relative speed and informality may also help to reduce the stress which the compulsory purchase process could place on an owner.
- 1.8 Once the Order is confirmed, and if there is no consensual agreement to purchase, no ADR used or no cross-undertaking agreed (or the terms of the cross-undertaking is not adhered to by the owner), the Order can be implemented either by way of Notice to Treat, or by General Vesting Declaration (GVD). The Notice to Treat procedure would enable the Council to take possession of the property very quickly. However, it would not give the Council legal ownership of the property. Ownership can only be transferred when compensation has been paid. If the level of compensation is disputed and the matter is referred to the Lands Tribunal for settlement, it may take up to two years for the Council to obtain ownership. Throughout this period it would not be possible to sell the property for refurbishment. The GVD procedure, which is the preferred route, enables possession to be obtained only three to four months after confirmation thus allowing

prompt transfer and commencement of refurbishment without waiting for compensation issues to be settled. The owner can apply for 90% advance payment of the Council's valuation. The balance of the compensation (or the whole if no advance payment is claimed) is payable on completion of the transfer of ownership. Whether the Council proceeds by way of Notice to Treat or GVD, it will also have to pay interest on the compensation from the date of entry to the date of completion of the purchase. The rate of interest is prescribed by regulation made under the Land Compensation Act 1961.

1.9 Once the Order is confirmed, the property would be sold either with a mechanism to ensure that the house is brought back into repair and habitation, or sold following improvement with a mechanism to ensure that the property is occupied.

1.10 Details of the property is contained in the Exempt Report.

2. REASONS FOR RECOMMENDATIONS

2.1 This property is considered to be a high priority for targeted enforcement work because there is little prospect of the property being returned to residential use otherwise. This is because of the lack of action taken by the owner thus far and the detrimental effect it is having on neighbouring premises and the wider community. Case details are contained in the associated Exempt Report.

2.2 Whilst there is a procedure for officers to work through to initiate CPO action this is flexible as it depends on the actions taken during the process by the empty property owner. A CPO is a significant piece of enforcement action and if at any stage the owner demonstrates a firm commitment to carry out repairs and return a property to residential use this has to be taken into consideration. As such the timescale of the CPO process vary significantly depending on the particular details of the case.

2.3 In relation to property a, a full summary of the case details is contained in the Exempt Report, but the basic details are as follows:

Property Reference A
Case summary
This vacant property is a three storey 3/4 bedroom, semi-detached property of a traditional solid brick construction.
The property was first brought to the attention of Environmental Health in July 2008 following a complaint from a neighbour concerned that the property was unsecure and vulnerable to unauthorised entry. Statutory action was taken by the Council to secure the property.
Various letters were sent to the owner with no response. A letter was sent on the 12 th June 2009 informing the owner that the Council would be considering Compulsory Purchase action.
Multiple efforts were made to engage the owner but all attempts failed and eventually the property was referred to the Councils Cabinet Resources Committee with the intention to Compulsory Purchase the property. On the 16 th March 2010 authorisation was given by the Council's Cabinet Resources Committee for a Compulsory Purchase Order (CPO) to be made.

Communication with the owner followed regarding plans for reoccupation.

Following a fire at the property a Prohibition Order was served in April 2012 to ensure no occupation of the property took place in its current condition.

The owner was written to on 3rd October 2013 outlining options to bring the property back into use. Mentioned in this letter were the option of a cross-undertaking, Alternative Dispute Resolution (ADR) and a voluntary purchase of the property.

A Compulsory Purchase Order was made on 31 January 2014 and an objection received from the Owner. A compromise was reached whereby the Owner who agreed to carry out works to restore the property to a habitable condition.

The owner entered into a Cross Undertaking in August 2014 and was given 18 months to complete the work. By agreement the Owner withdrew her objection to the CPO, which was then confirmed. Under the terms of the Cross Undertaking the Council agreed not to implement the CPO provided that the Owner complied with her promise to carry out the work. The Owner did commence the work, which was nearing completion at the time of the Cross Undertaking deadline and the owner was therefore allowed extra time in order to finish the work.

Unfortunately, the work was never completed.

Further communications were exchanged between HB Law and the owner regarding proposals for completion of the works and the timescale for completion was extended.

Despite the extra time given by extending the Cross Undertaking and the multiple attempts to engage the owner to complete the works, the property remains empty and the works are not finished.

The Empty Property Steering Group met on 13th March 2018 and agreed the best course of action would be to recommence action for a Compulsory Purchase Order.

The property was referred to the Housing Committee in June 2018 and the Committee passed a resolution to authorise Environmental Health to proceed with the Compulsory Purchase of the property.

The owner was informed of this decision in a letter dated 25th July 2018 and was given an opportunity to bring the property back into occupation. There was no response to this letter.

The officer contacted the owner and was informed by the owner that the plans are to complete the work and rent out the property. However, visits have been made to the property and there has been no progress towards bringing the property back into use.

The owner was written to again on 24th October 2018 with a final offer to use the Empty Property Agency Scheme to assist with the completion of the works. No further property

improvement has been made and it remains empty.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 There are two other possible options for dealing with this property:

- Making of an Empty Dwelling Management Orders – there is a lack of evidence of anti-social behaviour required to warrant such action
- Do nothing – this is not felt to be appropriate due to the drain on Council resources caused by long term empty properties, the pressure on the existing housing stock and the continued effect on the local community.

4. POST DECISION IMPLEMENTATION

4.1 Should the recommendation be approved, the owner of property “a” will be notified in writing. If insufficient or inadequate progress is made in bringing the property back into use, an application will be made to the Secretary of State at the Ministry of Housing, Communities and Local Government for consideration and confirmation of fresh CPO(s).

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure 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 policy meets the Council’s key Corporate Priorities detailed in the Barnet Corporate Plan 2015-2020 as follows:

- Increasing the available housing stock meeting minimum standards will help ensure that people can further their quality of life.

5.1.3 Barnet’s Housing Strategy 2010-2025 key objective is to increase the housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents. Taking CPO action contributes to this by improving the condition and sustainability of the existing housing stock.

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

The costs to the Council are divided into capital and revenue costs

Estimated Capital Cost

- a. The property has an estimated desktop valuation, in its present condition, of £765,000

The Council has an Empty Property Capital budget to assist in bringing empty properties back into residential use. This funding will be used to support the purchase of the property and any property security, repairs or improvements that need to be carried out prior to sale. It is broadly estimated that the property purchases will not all take place during 2018/19. The current capital budget for Empty Properties is as follows:-

2018/19	£2,843,000
2019/20	£2,000,000
2020/21	£467,000

- b. If the Compulsory Purchase Order is confirmed, Barnet will proceed if necessary with the acquisition of the property. Compensation will be payable to the owner based on the valuation on the date of possession, which could be higher or lower than the Council's valuation. At this time there is no way of knowing exactly whether or not the Council will be able to recover this compensation in full. In the current economic conditions it is anticipated that the risk to the Council could be high. There is however a possibility that the pressure of initiating the Compulsory Purchase procedure will be sufficient to ensure that the property owners take the appropriate action to either repair and reoccupy the property or sell the property. The owner did fail to comply with the previous Cross Undertaking, although works were completed to the property.
- c. The Planning and Compulsory Purchase Act 2004 introduced an entitlement for former owners of compulsorily acquired property to claim Basic Loss Payments. The amount is 7.5% of the value of the person's interest in the land, subject to a maximum of £75,000. The Act provides that the entitlement to Basic Loss Payment is lost if certain criteria are all met:
- a specified statutory notice/order has been served on the owner;
 - at the time the Compulsory Purchase Order is confirmed the statutory notice/order has effect or is operative; and
 - The owner has failed to comply with any requirement of the statutory notice/order.

Revenue Costs

- For the Compulsory Purchase Order and acquisition, the revenue costs of making the Orders and associated administration has been provided by funds secured previously from the North London Housing Sub Region for CPO work. These funds are currently held in the Council's reserves. The reserve is managed by Re and currently stands at £158,890.

- In-house property acquisition costs (including inspection, valuation, security and maintenance, liaison with legal services, negotiations with the owner throughout the Compulsory Purchase Order) are estimated at £15,000 per property. These costs will be financed from the reserve mentioned above.

5.2.1 While enforcement engenders the aforementioned revenue costs, once the property in question is returned to use, it will no longer generate a demand for Council resources, enabling these to be focused on other priorities. The acquisition and immediate disposal of this property may result in nomination rights for the Council to meet the needs of accepted homeless families, if the properties were sold to a Registered Social Landlord.

5.3 **Social Value**

5.3.1 Social Value considerations will be considered in relation to the disposal options for this property

5.4 **Legal and Constitutional References**

5.4.1 Section 17 of the Housing Act 1985 ('the 1985 Act') empowers local housing authorities to acquire either by agreement or compulsorily land, houses or other properties for the provision of housing accommodation. Acquisition must achieve a quantitative or qualitative housing gain.

5.4.2 In 2015 the Department for Communities and Local Government issued the document: 'Guidance on compulsory purchase process and the Crichton Down rules for disposal of surplus land acquired by, or under threat of, compulsion'. The guidance is clear that Compulsory Purchase powers only be used in the last resort and where there is a compelling case in the public interest. The action must not unduly interfere with the owner's human rights. Historically the compulsory purchase of empty properties may be justified as a last resort in situations where there appears to be no other prospect of a suitable property being brought into residential use. Authorities will first encourage the owner to restore the property to full occupation. When considering whether to confirm a Compulsory Purchase Order the Secretary of State will normally wish to know how long the property has been vacant; what steps the authority has taken to encourage the owner to bring it into acceptable use; the outcome; and what works have been carried out by the owner towards its re-use for housing purposes.

5.4.3 The Council's Constitution, Article 7.5 states that the Assets Regeneration and Growth Committee has responsibility for 'all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council'

5.4.4 The Council Constitution, Article 10 Table A states that Assets Regeneration and Growth Committee is responsible for authorising all accusations of this value.

5.4.5 In making its recommendations, the Assets Regeneration and Growth Committee should have regard to the relevant provisions of the Human Rights Act 1998, namely Article 1 to the First Protocol – 'no one shall be deprived of his possessions except in the public interest', and Article 8 to the Convention – 'the right to respect for private and family life, home and correspondence'.

5.4.6 It is considered that the potential exercise of Compulsory Purchase powers may be

justified in due course by reason of being in the public interest, authorised by law and both necessary and proportionate towards meeting the Council's Housing Strategy and the environmental, social and economic well-being of the area.

5.4.7 Local Authorities are given powers to dispose of housing land in accordance with *The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 - 2013 which came into force on 11 March 2013*, which states: A Local Authority may dispose of land for a consideration equal to its market value.

5.4.1 In the case of this empty property held for housing purposes the relevant section of those general consents is A3.3.1 which states that a Local Authority may dispose of an unoccupied dwelling-house to a person who intends to use it as their only or principal home.

5.4.2 It should be noted that any transfer to the buyer will contain a restriction that the owner must, having carried out works (where appropriate), occupy the property.

5.5 Risk Management

5.5.1 There are risks associated with compulsory purchase. These arise from two sources:

5.5.2 Financial risks - these arise if the resale value of the property, once acquired, is less than the compensation paid for it at the time that possession is taken. To reduce the risk, it is essential that the property be disposed of as soon as possible after acquisition. The corollary is that the Council would benefit from any increase in value in an appreciating market, which could be used to offset the costs of acquisition. Any shortfall would have to be funded from Council resources.

5.4.1 There is also a risk to the Council in not dealing with empty properties, both in the way central government assesses the Council's strategic housing performance and in the way residents see the ability of the Council to intervene in the problems which beset them.

5.5.3 An options paper on the onward disposal of the properties will be brought back to the Assets, Regeneration and Growth Committee for a decision.

5.5.4 If the acquisition from forced sale of this property does not proceed, no action will take place. The property will continue to deteriorate and be the subject of neighbour complaints

5.6 Equalities and Diversity

5.6.1 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.

5.6.2 The Equality Act 2010 sets out the Public-Sector Equality Duty which requires public bodies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not
 - foster good relations between persons who share a relevant protected characteristic and persons who do not
- 5.6.3 The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 5.6.4 The proposed action has been reviewed against the protective characteristics and it is considered that there will not be any specific adverse impact on any of the groups.
- 5.6.5 It is considered that requiring the improvement of this property will have a positive impact for all local residents. Empty properties can lead to residents having an increased level of area insecurity and fear of crime in their neighbourhood.
- 5.6.6 Any regulatory activity will be carried out in accordance with the current Development and Regulatory Services Enforcement Policy to ensure the objective application of powers and responsibilities.

5.7 Corporate Parenting

- 5.7.1 If the property is maintained by the Council for use by Barnet Homes, the highest priority for council housing is given to care leavers and foster carers (if they require a larger property to foster more children) through its Housing Allocation Scheme. Care leavers are placed into suitable accommodation when leaving care to allow a successful transition to independent living whilst also developing their skills by providing the right support to help them maintain their tenancies.

5.8 Consultation and Engagement

- 5.8.1 All efforts have been made to communicate regularly with the property owner.
- 5.8.2 There are legal requirements relating to the publicising of CPOs and these requirements will be adhered to.

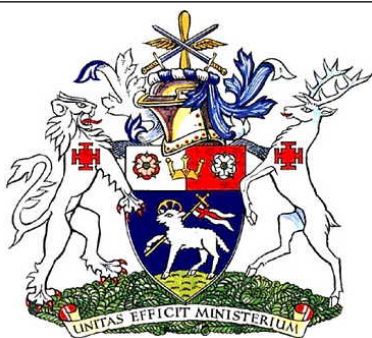
5.8 Insight

- 5.8.1 Regulatory Services work with Council Tax to identify long term empty properties and encourage property owners to bring them back into residential use.

5.9 BACKGROUND PAPERS

[Housing Committee Report 21st June 2018](#)

[Housing Committee Report Minutes 21st June 2018](#)



Assets Regeneration and Growth Committee

27 November 2018

ITEM 12

Title	Brent Cross Cricklewood Update Report
Report of	Councillor Daniel Thomas
Wards	Childs Hill, Golders Green and West Hendon
Status	Public with accompanying exempt report
Urgent	No
Key	Yes
Enclosures	Appendix 1: Station Works programme
Officer Contact Details	Karen Mercer, Programme Director Re, Karen.Mercer@barnet.gov.uk , 0208 359 7563

Summary

This report provides a progress update on the comprehensive regeneration of the Brent Cross Cricklewood (BXC) area since the last Committee meeting on 17 September and seeks the required approvals to ensure that the project momentum is maintained. It describes the work being undertaken by the Council following Hammerson's announcement to defer start on site on the Brent Cross Shopping Centre to enable Brent Cross Thameslink (BXT) and Brent Cross South (BXS) to be delivered ahead Brent Cross (London) North (BXN). It also provides an update on the BXT funding strategy and procurement strategy and seeks approval for the council to enter into the Implementation Agreement with Network Rail to deliver the Sidings and Rail Systems works, subject to the funding strategy being approved by Council on 18 December 2018, following consideration by Policy and Resources Committee (P&R) on 11 December.

Officers Recommendations

That the Committee:

- 1) Approves that the council continues to progress the revised delivery strategy with BXN and BXS to enable BXS and the station project to be delivered ahead of BXN, and authorises the Deputy Chief Executive in

consultation with the Chairman of the Committee to finalise the revised delivery strategy and agree the detail of the consequential changes required to a) the Brent Cross Property Development Agreement and Co-operation Agreement, CPO indemnity agreement and Grant Agreement and associated commercial documentation; and b) the BXS Project Agreement and required and associated legal documentation.

- 2) Note progress on agreeing an alternative funding strategy with HMG for the station works as explained in paragraphs 1.15.**
- 3) Note the Station Works Procurement Strategy approved by the Committee on 24 April 2017 is being reviewed as set out in paragraphs 1.27 and that the final strategy will be reported to Policy and Resources Committee for approval.**
- 4) Approve that the council enters into the Implementation Agreement with Network Rail to deliver the sidings and rail systems subject to the funding strategy being approved by Full Council on 18 December following consideration by Policy and Resources Committee on 11 December; and delegate authority to the Deputy Chief Executive in consultation with the Chairman of this Committee and the Chairman of Policy and Resources Committee to finalise the terms and enter into the Implementation Agreement with Network Rail.**

1. WHY THIS REPORT IS NEEDED

- 1.1 This report provides a brief update on progress since the last Committee meeting on 7 September 2018, before focusing on the following three key elements that will enable the council to let the station works contract in December (subject to further approvals) and commence main works in January 2019 that will kickstart the delivery the comprehensive development of BXC.
- 1.2 The key elements are:
 - a) BXC Delivery Strategy
 - b) Thameslink Station Funding Strategy (which will be reported to Policy and Resources Committee on 11 December 2018 for approval).
 - c) Delivery of Station Works (including NR Implementation Agreement).

BXC Programme Wide Progress Update

- 1.3 The Committee is also asked to note the following programme wide progress update:
 - There have been no further announcements from Hammerson or Aberdeen Standard in relation to the deferral of the start on Brent Cross Shopping Centre due to increased risks in the current market climate;

- Following approval at the last committee, the BXN Partners have entered into contract with L&Q to deliver the CPO1 replacement homes for the Whitefield Estate. <http://barnet.moderngov.co.uk/documents/s49228/Brent%20Cross%20Cricklewood%20Scheme.pdf>
- BXS submitted Reserved Matters Planning Applications for the next two (Plots 11 and 13) development plots on 25 & 26 October as well as a temporary open space application.
- BXS is in negotiations with Homes England to secure funding for use in delivering both physical and social infrastructure to accelerate development. An update will be provided to a future meeting of the Committee and required approvals sought.
- The BXT Early Works for the Thameslink Sidings, which include invasive species removal and ground remediation, are progressing to programme and are due to be completed by the end of December 2018.
- Planning permission for the waste transfer station was issued on 30 October 2018 following confirmation by the Mayor of London on 29 October that the Council could proceed to determine the planning application.
- The council is continuing to assemble the land within the Claremont Industrial Estate so that the BXS site preparatory works can commence in early 2019. Vacant possession of the Estate is close to being achieved with all remaining leases close to expiring and the council is working closely with remaining tenants to help relocation where possible.
- The council has issued the Housing Act 1985 Schedule 2 Ground 10A notices to council tenants within the Whitefield Estate on 6 July 2018. Following consultation with the secure tenants living on the Whitefield Estate, the Council intends to make an application to the Secretary of State for Ground 10A consent shortly, with approval expected to be received in April.
- Officers are finalising the delegated powers report and supporting information to enable the Deputy Chief Executive to appropriate the Council-owned land for planning purposes across the land required for the first phases, subject to complying with the statutory procedures for such appropriation and obtaining any necessary consents.

Key elements to allow BXT and BXS to precede BXN

a) BXC Revised Delivery Strategy

1.4 The comprehensive regeneration of the BXC area is a long-standing council objective. The scheme is being delivered in three parts:

- **Brent Cross North** (BXN) – the shopping centre expansion, critical highways infrastructure and 800 homes. Due to be delivered by Hammerson & Aberdeen Standard, owners of the shopping centre.

- **Brent Cross Thameslink (BXT)** – the new station being delivered by Barnet Council and funded in partnership with the wider public sector. Due to enter into contract with Network Rail (NR) December 2018; station opening May 2022. Any slippage in entering into the NR contract will delay station opening at least until December 2022.
 - **Brent Cross South (BXS)** – 6,700 homes, a new office location and related social and 'hard' infrastructure. Being delivered by Argent Related in joint venture with the council. Start on site due 2019, housing completions 2021/2 onwards. BXS is dependent on delivery of the station and some elements of the BXN critical infrastructure, with office development timed to coincide with station opening.
- 1.5 Substantial progress has been made on the all three projects since 2014 as set out in previous quarterly reports to the Committee to reach the point of delivery. Detailed planning has been granted for the first phases and the ability to acquire the land needed for the programme has been achieved through the confirmation of the three Compulsory Purchase Orders (CPO's) over the last 18 months. All programmes had been working to start on site by the end of December 2018. In this regard, it is critical that the BXT programme commence the main works in January 2019 to meet the May 2022 opening date.
- 1.6 As reported to the last Committee, BXN has deferred start on site for the shopping centre development. Whilst no fixed timetable has been provided, the project team are continuing to secure the necessary planning condition approvals and work with the Council's integrated project management team on construction and logistics to enable a start on site.
- 1.7 BXT has already started early site preparatory works to remove Japanese Knotweed and construction spoil from the sidings area in anticipation of the main works starting in January 2019. If BXT is to meet the station opening in May 2022, it is essential that works start in January to take advantage of the already secured rail possessions. To delay will introduce further risk and uncertainty into the programme. Working on the railway, especially on the Thameslink and Midland Main Line is incredibly challenging as evidenced by other rail projects such as Thameslink and Crossrail. Any delay to commencing station works will not only increase cost but will also delay the station opening which in turn will push back comprehensive development. It is important to note that the BXS Programme is designed around the May 2022 opening date, and any slippage will have significant implications for the rapid delivery of new homes.
- 1.8 The Council has also started to secure vacant possession of the Claremont Industrial Estate as explained above in the project update to allow BXS to undertake site preparatory works and commission the utility disconnections and asbestos surveys and demolitions within the area for the first phases of BXS. The main infrastructure works are scheduled to commence mid 2019 followed by construction of the residential buildings in late 2019 and first residential completions from 2021/2 onwards. This is dependent on the Thameslink Station project being commissioned in December 2018 and maintaining the Station opening date of May 2022.
- 1.9 To ensure that BXN's deferral does not delay the comprehensive redevelopment of BXC, the council has been working with both BXN and BXS to revise the delivery strategy to enable BXT and BXS to commence ahead of BXN. This strategy is currently being finalised and will require some changes to the planning permission and transfer in

delivery responsibility for core critical infrastructure items from BXN to the council or BXS in respect of the infrastructure works and land acquisitions. These works, alongside any S106 payments for physical works, will be funded using the critical infrastructure funding allocation that was due to be made available to BXN once works commence. The BXN Grant Agreement is being updated to reflect the revised delivery approach, and reduce the allocation to BXN accordingly.

1.10 The approval of this revised delivery strategy will create the environment that allows:

- Momentum on the BXC project to be maintained.
- Critical infrastructure to come forward from early 2019 onwards that benefits BXN, BXS and BXT and the wider community. This includes improvements to the A5/Cricklewood Lane junction.
- The Council to enter into contract with Network Rail to commence the Sidings and Rail Systems Works in January 2019 to deliver the station by May 2022.
- BXN to commence once in a position to commit.
- The platform for BXS to continue to attract anchor placemaking businesses.
- BXS to continue detailed design (having already secured detailed planning permission) and procurement of buildings, infrastructure and utilities to support a programme aimed at carrying out initial enabling works from Q1 2019 with first phase infrastructure packages to begin later in 2019 and buildings in 2020. The first new homes are due for completion in 2021/2.
- Build the BXS brand and start promoting the first market facing housing and commercial buildings, which in turn supports the delivery of housing and generation of business rates in the line with Regeneration Full Business Case approved by HMG.

1.11 The Committee is requested to approve that the Council continues to progress the revised delivery strategy with BXN and BXS to enable BXS and the station project to be delivered ahead of BXN, and authorise the Deputy Chief Executive in consultation with the Chair of the Committee to finalise this strategy and agree the detail of the consequential changes required to a) Brent Cross Property Development Agreement and Co-operation Agreement, CPO indemnity agreement and Grant Agreement and associated commercial documentation; and b) the BXS Project Agreement and required and associated legal documentation. The BXN legal documentation needs to be in place ahead of the council letting the contract for the Sidings and Rail Systems contract and commencing main works.

b) Thameslink Alternative Station Funding Strategy (which will be reported to Policy and Resources Committee on 11 December 2018 for recommendation to Council).

1.12 As the Committee is aware, the Council's investment in the station was predicated on the BXN partners commencing the shopping centre development (which secured the business rates growth that will support the borrowing costs).

1.13 The funding package in the Full Business Case (FBC) approved by HM Government (HMG) in 2016 relies on the ring-fencing of the local share of business rate growth from the expansion of the shopping centre to repay council borrowing. This was documented in the Grant Funding Agreement dated 17 January 2017. The ringfence came into effect on 1 April 2018 and lasts for 12+3 years (or until the loan is repaid if sooner).

Government grant of £97m was also provided as an alternative to the original suggestion of including the central share of business rates within the ringfence.

1.14 Given that the delay to the shopping centre expansion means that the borrowing needed to build the station cannot be contained within the existing ringfence, the council is progressing discussions with HMG to agree an alternative funding solution. In this regard, the Council/HMG have been focusing on three challenges:

- (1) ensuring that any borrowing is repayable from ringfenced business rate growth;
- (2) cashflow support for any interest payments before business rate growth is available; and
- (3) ensuring that the council is sufficiently protected against the risk if the commercial and/or shopping developments do not go ahead

1.15 All parties are working to agreeing the funding solution which will be reported to the Policy and Resources Committee on 11 December 2018. The P&R report will recommend that Full Council on 18 December approve the revised funding proposal. The report to the Policy and Resources Committee will also consider the six financial tests agreed by that Committee in July 2014 for the council to assure itself that the prudential code can be satisfied, before making the capital commitment that borrowing can be undertaken to deliver the Thameslink Station.

<http://barnet.moderngov.co.uk/documents/g7860/Public%20reports%20pack%2021st-Jul-2014%2019.00%20Policy%20and%20Resources%20Committee.pdf?T=10>

c) Delivery of Station Works (including NR Implementation Agreement).

1.16 To deliver the Station by May 2022 and secure the comprehensive development of Brent Cross South, the Council is required to enter into the Implementation Agreement with Network Rail in December 2018 as shown on the programme at Appendix 1. As part of entering in to the Implementation Agreement, one work schedule will be let to allow delivery of the programme critical sidings and railway system elements by Network Rail to maintain the programme of delivery.

1.17 The Committee will recall that on 12 March 2018, the Committee approved in principle that the Council procure Network Rail to deliver the Brent Cross West Station and Sidings. <https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9083&Ver=4> The Committee also authorised the Deputy Chief Executive to negotiate the detailed Implementation Agreement (IA) for consideration by the Committee in September 2018. The key contractual clause and cost control measures within the IA were reported to the Committee on 17 September 2018, which also anticipated that the Schedule 3 Scope of works and the emerging cost estimate that has been subject to Network Rail's internal governance procedures would be reported to this Committee so that the Committee can approve to formally enter into contract with Network Rail and proceed with delivering the station project, subject to the Thameslink funding strategy and capital commitment being approved by the Policy and Resources Committee on 11 December 2018 and Council on 18 December 2018.

1.18 There are three main elements to the BXT rail programme:

- 1) Train Operating Company (TOC) Accommodation and Fuel Farm
- 2) Railways systems and sidings work

3) Brent Cross West Station (platforms and ticket office bridge)

1.19 Since May 2018, the programme team have moved forward with GRIP 4 (outline design) and commenced some elements of the GRIP 5 (detailed design) programme. As the programme has progressed a critical path has been determined for delivery of the works to allow the station to open by May 2022. A level 1 extract of the programme is shown in appendix 1.

1.20 The sequence of the works means that:

- 1) The TOC accommodation and fuel farm needs to be complete by August 2019, meaning that a contract needs to be let for these works imminently;
- 2) The Railway systems and sidings works needs to commence on site early in the new year, to meet booked possessions in November/December 2019. To achieve this, a contract needs to be let for these works in December 2018; and
- 3) The Station platforms and the station / pedestrian access bridge which includes the ticket office do not need to begin until later, meaning the decision on the procurement strategy can be delayed until 2019. This provides an opportunity to review the procurement strategy for the Station to ensure value for money.

1) *TOC accommodation*

1.21 In order to meet the timetable to deliver the TOC accommodation, the council is intending to award the contract to provide the TOC accommodation to its framework contractor, Grahams to ensure value for money and manage existing resources to maintain programme. This will allow the Network Rail team to focus on completing the site clearance and remediation works and transition into commencing the main works for the sidings and rail systems works contract in the new year. A delegated powers report is currently being prepared setting out the justification and basis of this appointment. An update will be provided to this Committee.

2) *Rail Systems and Sidings*

1.22 Earlier this year in March, this Committee approved in principle that the Council procure Network Rail to deliver the Brent Cross West Station, Rail Systems and Sidings work and that the Deputy Chief Executive negotiates the detailed Implementation Agreement (IA) for consideration by the Committee in September 2018.

1.23 In relation to the Rail Systems and Sidings, the recommendation is to proceed with Network Rail (NR) as NR are best placed to undertake works directly on the railway as explained in the report to the Committee on 27 November 2017 and 12 March 2018. These reports set out the rationale for using Network Rail as delivery agent of the rail works and the Note from the Council's legal advisors, GWLG, summarising the risks and obligations that the Council will take on if, and when, it enters into contract with Network Rail attached at Appendix 3. The links to these reports are as follows:

ARG Committee, 27 November 2017

<https://barnetintranet.moderngov.co.uk/ielistDocuments.aspx?CId=696&MId=9435&Ver=4>

ARG Committee 12 March 2018

<https://barnetintranet.moderngov.co.uk/ielistDocuments.aspx?CId=696&MId=9083&Ver=4>

- 1.24 The works and services being undertaken by Network Rail will be contracted via an Implementation Agreement (IA) as previously reported to the Committee on 17 September 2018, which set out the cost control measures to be put in place. The Appendices to the IA include “Schedule 3” Scope of Works which has now been finalised. The emerging cost estimate is currently being reviewed by Network Rail and is subject to their internal governance process and will be formally released to the council by the end of November. In parallel, the council has instructed Currie and Brown to provide an independent view on the cost estimate, which will be reported to the Policy and Resources Committee on 11 December to inform the proposed funding strategy.
- 1.25 In addition to the cost control measure set out in the 17 September report, the Committee should note that the IA allows the council to have access to all records to which NR already has a right to access itself. This ensures that the council will have full access to verify the authenticity of costs. Further council staff and their representatives have a right (subject to notice and personal safety) to access the site and attend meetings, meaning they are able to challenge and scrutinise costs. In the event, that LBB is not happy with the estimates for the work, it does have the option of contracting some of the works outside of the IA. In particular, LBB could restrict Network Rail’s involvement to the Rail Sidings and Systems with the option of undertaking the station works directly.
- 1.26 The Implementation Agreement is now in its final draft form. The Committee is therefore asked to approve that the council enter into the Implementation Agreement with Network Rail to deliver the Sidings and Rail Systems works subject to the emerging cost estimate and funding strategy being approved by the Policy and Resources Committee on 11 December 2018 and Full Council on 18 December; and delegate to the Deputy Chief Executive in consultation with the Chairman of the Committee permission to finalise and enter in the Implementation Agreement with Network Rail following Full Council approval.

3) Station platforms and station pedestrian / access bridge

- 1.27 In respect of the station platform and station/pedestrian access bridge, there is time to revisit the procurement strategy to ensure value for money and delivery risks are fully assessed. Council officers are currently undertaking a review of the procurement options for the station. The preferred strategy will be reported to the Policy and Resources Committee on 11 December for approval. To help inform this review, a Prior Information Notice (PIN) was issued to the market on 26 October and a supplier day held on 13 November to assess market interest to undertake the works. Subject to a decision being made not to progress with Network Rail for the delivery of the station, it is envisaged an OJEU procurement process would be undertaken to identify a Network Rail approved contractor to undertake these works. The process will take six months and the Committee will be kept abreast of developments throughout the process before a final recommendation is made in relation to delivery of the station to this Committee.

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. The details of the scheme are set out in previous update reports to this Committee, including the report to the November 2017 meeting, which can be accessed on this link:

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.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Previous reports describe in detail the ways in which the regeneration of Brent Cross Cricklewood supports the Council's Corporate Plan 2015-20 as updated.

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

- 5.2.1 As stated in paragraph 1.15 of this report, the Council and other public-sector partners are working to agree the funding solution to support the borrowing required to facilitate the regeneration of the BXC area and the delivery of the 7,500 new homes.

- 5.2.2 The details of the funding solution and the borrowing required based on the Anticipated Final Cost (AFC) (including NR's emerging cost estimate for the sidings and rail systems) will be reported to the Council's Policy and Resources Committee on the 11 December 2018. In accordance with the Council's constitution, the Committee will formally recommend to the Full Council meeting on the 18 December 2018 that the Council borrow the required sums to enable the delivery of the new Thameslink station and associated infrastructure.

Budget Monitoring

- 5.2.3 The council has put in place procedures to ensure the effective monitoring of the financial performance of the BXC Programme. The BXC Governance Board comprising senior officers of the council, including the Chief Executive and the Director of Finance (s151 officer), receives a detailed report setting out the financial performance of the BXC Programme. This report includes a breakdown of the performance against the approved budgets and details of the individual Officers responsible for managing the budgets included within the BXC Programme.

Brent Cross North

- 5.2.4 The Brent Cross Principal Development Agreement confirms that the BXN Partners are obliged to pay the council's (and their consultants) costs in connection with this project –

this covers a range of costs, including land acquisitions, fees, highway works.

- 5.2.5 The Council's 2018/19 estimated recoverable revenue costs from the Brent Cross North elements totals £2.1m. This estimate has been provided to the BXN Partners.

Land Acquisitions

- 5.2.6 The approved budget for land acquisition to facilitate the BXC programme in 2018/19 and future years is £37.482m split £23.0m in 2018/19 and £14.482m in 2019/20.
- 5.2.7 Actual expenditure for the financial year to October is £10.118m. This has been spent acquiring strategic sites to enable the development of the BXC. These acquisitions were in accordance with the terms agreed in the PDA and Co-Operation Agreement with BXN as previously approved by this Committee. This cost will be recouped from the anticipated capital receipts from the sale of this land to the individual plot developers once the JVLP has provided the infrastructure to support the development of these plots.
- 5.2.8 The BXS Project Agreement provides the methodology for agreeing the Council's land value (the capital receipt), and in this regard CBRE have undertaken the necessary valuation work in respect of the signing off the inputs and assumptions to the financial model in respect of the BXS Phase Proposal. Best Consideration was confirmed by the Chief Executive on 24 November 2017.

BXC Revised Delivery Strategy

- 5.2.9 The proposed revised delivery strategy will require the council to forward fund procurement and land acquisition in early 2019. This will be drawn down from the council grant funding available to BXN as documented in the BXN Grant Agreement signed in July 2016. This agreement is being amended to allow these monies to be used for this purpose. A cashflow for FY 18/19 and 19/20 is being prepared for internal governance approvals and will be reported to the Policy and Resources Committee on 11 December 2018 for inclusion within the capital programme.

Thameslink Station

- 5.2.10 The total approved Capital Budget for Thameslink is £70.516m Current spend to date (including expenditure committed but not yet paid) is £43.97m.
- 5.2.11 The delivery of the Thameslink works, including land acquisitions, is contained within the council's capital programme and partly funded by grant of £97m from the MHCLG. To date £33.6m has been received from MHCLG to fund project costs and land acquisitions. The Council is drawing down funding on a quarterly basis. The next grant claim will be submitted to MHCLG for payment in early December 2018.

5.2.12 The Council has commissioned Re to progress the station project; signed the early works Implementation Agreement with Network Rail and exercised the land call options as set out above. Consequently, £64.4m of the approved Capital Budget has been spent or legally committed to external parties. In order to meet the May 2022 station opening, it is also necessary to pre-order long lead in items for the station and rail systems totalling £3.97m These long lead items will be ordered shortly. This leaves a remaining budget of £2.146m.

Social Value

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

5.3 Legal and Constitutional References

5.2.1 The Council's Constitution, Article 7.5 responsibility for function, states the functions of the Assets, Regeneration and Growth Committee, includes responsibility for regeneration schemes and asset management.

5.2.2 Council, Constitution, Article 10 Table A states that the Assets Regeneration and Growth Committee is responsible for authorising (1) all disposal and acquisition of land for over £500k and (2) any transaction which is a "less than best" transaction as the term is set out at s 123(2) of the Local Government Act 1972.

5.2.3 The Council has a range of powers to enter into the legal agreements envisaged by this report, including the general power of competence under Section 1 of Chapter 1 of the Localism Act 2011 to do anything that individuals can do subject to any specific restrictions contained in legislation and Section 111 of the Local Government Act 1972 which 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.

5.2.4 Additionally, 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, subject to obtaining all appropriate consents and approvals.

5.2.5 Where land is being and has been acquired or appropriated for planning purposes, any disposal of land appropriated for such purposes is effected in reliance on Section 233(3) Town and Country Planning Act 1990. On any disposal of property, the Council is required to observe 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 may 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 if appropriate. Non-vacant Housing land intended to be appropriated to planning purposes requires the consent of the Secretary of State pursuant to s 19 of the Housing Act 1985. Housing land appropriated for planning purposes cannot be disposed of at less than best consideration.

5.2.6 Procurement of public works and services contracts over the relevant value thresholds must observe the requirements of the Public Contracts Regulations 2015, to include the placing of OJEU notices where such contracts are not drawn down from a compliant

framework. 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.

5.2.7 The Council is aware of the need for any funding which is supplied (by way of the SIC for example) to be made on terms which comply with state aid law (article 107 Treaty of the Functioning of the European Union) and as such any monies will be advanced on terms which reflect the approach of a private sector investor.

5.4 Risk Management

5.3.1 Risk management has been applied across all levels of the programme. As reported to Committee in September, owners and mitigation plans are identified and risks are measured against impact and likelihood to give an overall rating. High rating risks are escalated and reported through the defined reporting procedure with top risks reported to BXC Governance Board. Currently the key risks and mitigations are summarised below:

5.3.2 Programme and funding – There is a risk that BXN does not progress or that planning dates are not achieved across the programme. This risk has been identified in previous reports and the Council is working with public sector and development partners to ensure mitigation plans are in place. The funding risk to the station project because of BXN delay has always been recognised and as detailed in this report public sector partners have been working together to agree an alternative funding strategy. As set out in the report the funding strategy aims to mitigate three key risks/issues:

1. Ensuring that any borrowing is repayable from ringfenced business rate growth
2. Provision of cashflow support for any interest payments before business rate growth is available
3. Ensuring that the council does not bear the risk if the commercial and/or retail developments do not go ahead.

5.3.3 A number of recommendations in this report are subject to this funding strategy being agreed by Policy and Resources Committee on 11 December and Full Council on 18 December. Policy and Resources Committee in July 2014 set six tests for the council to assure itself that the prudential code can be satisfied before borrowing can be undertaken. These tests will need to be reviewed to ensure they mitigate the intended risk in light of the new funding strategy.

5.3.4 A delay to agreeing the funding agreement will impact the station programme and will delay the planned opening date of May 2022 as explained in paragraph 1.20. A failure to agree a new funding agreement would lead to further risk and uncertainty as BXT is critical to delivery of BXS. Both programmes will stall and works will stop whilst a new funding solution is found. Contractors are very likely to be stood down and resources will be deployed elsewhere. Remobilisation will take time with a 2 year delay at best. It raises

the uncertainty of whether BXS and comprehensive redevelopment of BXC is delivered. There would be no delivery of homes until post end of 2023 at the earliest.

- 5.3.5 Station Delivery Date – As reported to Committee in September, there is the risk that the May 2022 station opening date cannot be achieved. This would result in additional costs due to programme prolongation as the earliest viable opening date would be December 2022 due to restrictions on timetable changes. This could be later depending on other works on the railway. Railway possessions are already being booked. To mitigate this risk there are project and programme review boards in place that regularly monitor and challenge deliverables at all levels. Specific project risks are identified and managed at the work package level with clear owners and mitigation plans for each. Any risk that results in an impact on a key milestone is reviewed by the programme team and BXC governance board taking into consideration time and cost implications alongside impacts on BXS given the interdependencies and criticality of delivery of the station on the BXS programme.
- 5.3.6 Thameslink delivery costs – as with all major programmes there is the risk that costs will increase during programme delivery. The council is already undertaking an independent review of the Network Rail cost estimate and has reviewed the procurement strategy as set out in paragraph 1.27 of this report. All emerging cost contracts entered into will require strong contract management to ensure all costs incurred are reasonable. As part of the IA the council will have open book access to all of Network Rail’s financial information relating to invoiced costs incurred on the programme. This will extend to Network Rail contractors where an emerging cost contract is in place. As referred to in section 1.25 the council also has the right (subject to notice and personal safety) to access the site and attend meetings.
- 5.3.7 Residential – There is a risk that further delays to the BXN development will lead to uncertainty for residents and business owners who are being affected by the development either through relocation or disruption from construction activities. This is being mitigated through many communication activities and resident steering groups that have been setup specifically to keep affected parties up to date with the latest programme dates.
- 5.3.8 Economic – There is a risk that the prevailing economic position for the traditional retail sector will continue. This could result in reduced demand for retail space and administration to existing retailers. To mitigate this the BXS development partners are exploring a diversification of offer for BXS.
- 5.3.9 Planning – There is a risk that the BXN Partners do not meet the timescales established in the s73 Permission. To mitigate this the regeneration team are exploring ways in which the planning permission can be amended to enable BXS and BXT to be delivered ahead of BXT.

5.5 Equalities and Diversity

- 5.4.1 As previously reported, the Development Proposals support achievement of the council’s Strategic Equalities Objective.
- 5.4.2 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.

5.6 Corporate Parenting

5.5.1 None in the context of this report.

5.7 Consultation and Engagement

Programme wide

5.6.1 As reported to the last committee the Council is continuing to work closely with development partners to implement the overarching Brent Cross Cricklewood communications strategy.

5.6.2 A schedule of briefings for councillors has been activated through the shareholder working group and all member briefing sessions to update on progress particularly in advance of key committee papers being published.

5.6.3 Argent Related has recently appointed a new BXS community liaison manager. This has provided an opportunity to reassess how community consultation and engagement is carried out and to seek a formal restructuring of efforts for the benefit of members, stakeholders and the wider community.

5.6.4 The communications group is now stepping up preparation for delivery beginning on site in 2019 and developing the appropriate channels to ensure the most up to date and relevant information is available. This includes the development of a one-stop website which is to be commissioned and launched in early 2019.

5.6.5 LBB's communications channels continue to feature progress reports and significant programme milestones including the council's magazine Barnet First and social media channels.

5.6.6 As reported to the last Committee the council continues to work with TfL and development partners to assess the impacts of planned highways improvement works and allow suitable mitigations to be implemented. A number of working groups are in place to manage these issues.

Brent Cross North

5.6.7 BXN have been routinely fielding questions about the future of their scheme on a reactive basis. Post the Autumn budget on 29 October 2018, Hammerson chief executive David Atkins indicated that the burden of business rates on big retail landlords was an ongoing issue as 'big brands shoulder 70% of the business rates burden.'

5.6.8 In a recent interview in Building Magazine, Robin Dobson director of retail development at Hammerson stated that while the company remains fully committed to the BXN expansion plans, BXN are considering the retail mix at Brent Cross shopping centre as

part of the s73 scheme. Robin confirmed: "With the changes in the retail market, we're reviewing how our plans need to change. This includes the weighting to retail as opposed to other uses. We shouldn't be limited in our outlook of how complementary mixes can act as a catalyst for additional retail footfall or the other metrics that are important for our occupiers."

5.6.9 The TFL community liaison team is due to have a regular catch up meeting with the Leader of Barnet Council this quarter on all TFL related matters in the borough including the BXC programme.

Brent Cross South

5.6.10 Given the council's commitment to delivering the south side development, a review of community engagement work has been ongoing. This includes addressing residents' concerns about how to share a more cohesive update of the regeneration programme and also to address their concern of planning blight.

5.6.11 As a result, Argent Related LBB have been working proactively to reassess the most effective way to share information with key stakeholders and residents and to seek their input in good time. The community liaison group (CLG) has met on an ad hoc basis to share forthcoming issues on the BXS scheme. In acknowledging that many of the same communities are impacted by both developments, the CLG will now meet every two months and will commit to bringing updates on both programmes and acknowledging how they interact with one another

5.6.12 In addition, residents have fed back their perception that the council is failing to address legitimate concerns of ongoing neighbourhood problems due to the promise of the regeneration programme. They are directly seeking a greater level of engagement to deal with issues such as rough sleeping, illegal trading, illegal HMOs, fly tipping, antisocial behaviour.

5.6.13 There has been a longstanding commitment to bring forward a programme of community projects across the BXS/BXT impact area starting in 2019. Proposals will seek residents input on what they view as priority and options to assist funding is currently being development.

5.6.14 A workshop was held at Whitefield School on 18 October for residents from Whitefield estate, Clitterhouse Crescent and Brent Terrace to look at the proposed design for the new Claremont Park. Views were fed back and there will be a further opportunity to review the Reserved Matters Application (RMA) before it is submitted.

5.6.15 Public exhibitions will be held on 10 and 13 November to display the plans for plots 11, 13 and the public realm which are now being determined by the LPA.

5.6.16 Further design workshops are planned before the end of the year to look at the redesign of Clitterhouse Playing Fields

Brent Cross Thameslink

5.6.17 The drop-in planning applications for the sidings track realignment and the construction

of the driver accommodation block received no comments on the Barnet Planning portal. The applicant team has been meeting with residents to ensure there is an opportunity to ask questions on any aspects and understand the implications of the plans.

Brent Cross West Station

5.6.18 The RMA for the station will be submitted in 2019. There is a commitment to bring the proposed plans back to the public for further consultation before submission. This includes the issue of step free access from pavement to train which continues to be assessed as part of the design work. The council's aspiration remains that the station should allow fully independent travel although Network Rail's requirement for the station to accommodate more than 20 varieties of rolling stock poses real engineering and technical challenges.

5.6.19 Work progresses with Network Rail to understand how they propose to deliver the best possible solution for all customers. The applicant team will meet with the Consultative Access Forum to discuss the issue before the application is submitted for determination.

Waste Transfer Station

5.6.20 The planning consent of the replacement waste transfer station received some public acknowledgement on social media channels including requests for updates on progress of highways works. This will be updated at the CLG in November.

Rail Freight Facility

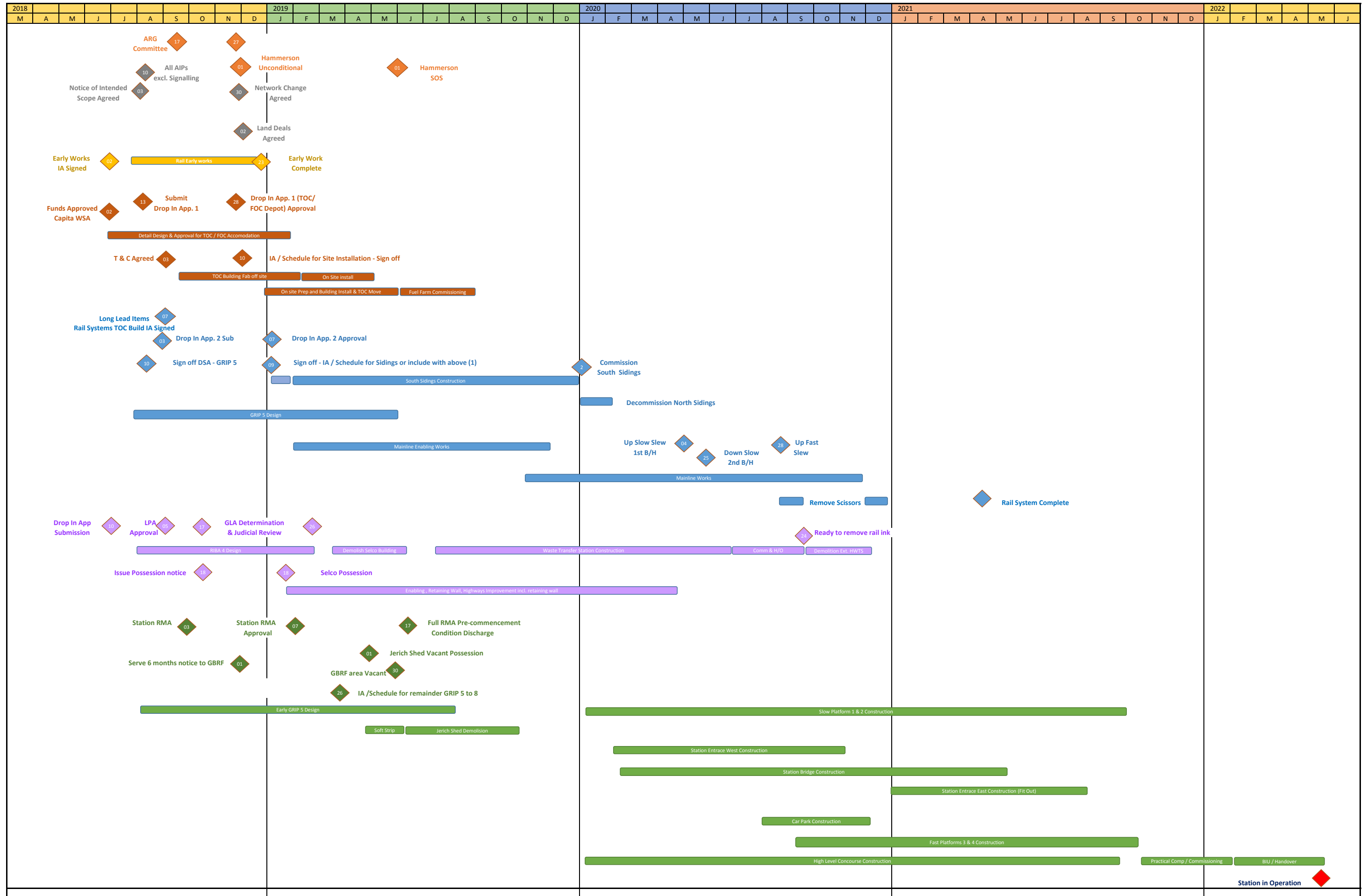
5.6.21 DB Cargo, operators of the Rail Freight Facility, met with nearby residents in September. Since then the implementation agreement has been reviewed and altered to seek their production of an integrated communication plan setting out how they propose to engage with residents and keep them updated on their construction programme.

6 BACKGROUND PAPERS

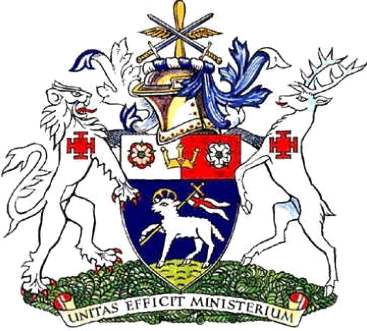
- 6.1 Assets, Regeneration and Growth Committee, 17 March 2016, item 14, Brent Cross Cricklewood Compulsory Purchase Order (No.3),
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=8312&Ver=4>
- 6.2 Assets, Regeneration and Growth Committee, 17 March 2016, item 16, Brent Cross Cricklewood
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=8312&Ver=4>
- 6.3 Assets, Regeneration and Growth Committee, 24 April 2017, Brent Cross Cricklewood Update Report
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=8641&Ver=4>
- 6.4 Assets, Regeneration and Growth Committee, 24 July 2017, Brent Cross Cricklewood Update
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9337&Ver=4>

- 6.5 Assets, Regeneration and Growth Committee, 4 September 2017, Brent Cross Cricklewood update report,
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9080&Ver=4>
- 6.6 Assets, Regeneration and Growth Committee, 27th November 2017, Brent Cross Cricklewood Update Report,
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9435&Ver=4>
- 6.7 Assets, Regeneration and Growth Committee, 12th March 2018, Brent Cross Cricklewood Update Report,
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9083&Ver=4>
- 6.8 Assets, Regeneration and Growth Committee, 14th June 2018, Brent Cross Cricklewood Update Report,
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9480&Ver=4>
- 5.1 Assets, Regeneration and Growth Committee, 7th September 2018, Brent Cross Cricklewood Update Report,
<https://barnetintranet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9764&Ver=4>

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	<h2 style="margin: 0;">Assets, Regeneration and Growth Committee</h2> <h3 style="margin: 0;">27 November 2018</h3>
Title	Quarter 2 2018/19 Assets, Regeneration and Growth Performance Report
Report of	Councillor Daniel Thomas – Chairman of Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	Alaine Clarke, Head of Performance and Risk alaine.clarke@barnet.gov.uk

Summary

This report provides an update on the Theme Committee priorities in the Corporate Plan 2018/19 Addendum for **Quarter 2 (Q2) 2018/19**, including budget forecasts for revenue and capital, progress on activities, performance of key indicators and any high level risks.

Officer Recommendations

1. The Committee is asked to review the financial, performance and risk information for Q2 2018/19 and make any referrals to Policy and Resources Committee or Financial Performance and Contracts Committee in accordance with the terms of reference of these Committees.

1. PURPOSE OF REPORT

Introduction

- 1.1 The Assets, Regeneration and Growth Committee has responsibility for regeneration strategy and overseeing major regeneration schemes, asset management, employment strategy, business support and engagement. The priorities for the year ahead (see table 1) are set out in the Corporate Plan 2018/19 Addendum, which is available online at <https://www.barnet.gov.uk/citizen-home/council-and-democracy/policy-and-performance/corporate-plan-and-performance>
- 1.2 This report provides an update on these priorities for **Q2 2018/19**, including budget forecasts for revenue and capital, progress on activities, performance of key indicators and any high level risks.
- 1.3 This report is in addition to the Q2 2018/19 Strategic Performance Report to Policy and Resources Committee (11 December 2018) and the Q2 2018/19 Contracts Performance Report to Financial Performance and Contracts Committee (17 December). These reports can be found on the committee section of the council's website at <https://barnet.moderngov.co.uk/ieDocHome.aspx?bcr=1>

Table 1: Assets, Regeneration and Growth Committee priorities for 2018/19

Priorities	Key activities
Regenerating Brent Cross Cricklewood	<ul style="list-style-type: none"> Commence the early works (utilities diversion) on Brent Cross North and works to the shopping centre and highways Start the infrastructure works for Brent Cross South Complete the design of the new Thameslink station Commence the construction of freight and waste facilities and enabling works for the station and sidings
Increasing the housing supply, including Colindale	<ul style="list-style-type: none"> Complete the first affordable housing developments by Opendoor Homes by October 2018 Complete 402 homes in Colindale, including 10 at Grahame Park Obtain vacant possession of Stag House and submit the full business case for the extra care scheme Submit the outline business cases and planning applications for the extra care scheme at Upper and Lower Fosters in Hendon
Helping people into work	<ul style="list-style-type: none"> Support people to find work through active employment schemes available on the regeneration sites Develop new programmes to reduce levels of NEET (Not in Education, Employment or Training) care leavers to ensure they have access to employment and training opportunities
Investing in key Town Centres and making Barnet the best place in London to be a small business	<ul style="list-style-type: none"> Distribute business rates relief to eligible businesses Develop materials for a business directory and inward investment portal Open a series of workspaces in libraries to support new start-ups Develop town centre strategies for North Finchley and Edgware

Budget forecasts

1.4 The forecast **revenue outturn** (after reserve movements) at Q2 2018/19 for Re Guaranteed Income and Management Fee is set out in table 2. The Re Managed Budget has been reported to Environment Committee.

Table 2: Revenue forecast (Q2 2018/19)

Service*	Revised Budget	Q2 18/19 Forecast	Variance from Revised Budget Adv/(fav)	Reserve Move-ments	Q2 18/18 Forecast after Reserve Move-ments	Variance after Reserve Move-ments Adv/(fav)	Variance after Reserve Move-ments Adv/(fav)
	£000	£000	£000	£000	£000	£000	%
Guaranteed Income	(16,549)	(15,311)	1,238	0	(15,311)	1,238	7.5%
Management Fee	17,301	17,359	58	(130)	17,229	(72)	(0.4%)

*Excludes Re managed Budget, which has been reported to Environment Committee

1.5 There is a £1.160m adverse variance as a result of a shortfall in net income compared to the total income generated by Re that is budgeted within both the General Fund and the HRA. The Grahame Park Community facility capital project has a risk of being aborted. If this occurs there will be a £0.640m risk to the revenue position

£350k Brent cross rebate as well as LBB client costs of £278k which is mainly in relation to Legal fees plus additional bad debt provision of £75k.

1.6 The projected **capital outturn** at Q2 2018/19 for Re (Regeneration) was **£62.621m** (slippage of £0.777m).

Table 2: Capital forecast (Q2 2018/19)

Service	18/19 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 18/19 Forecast	Forecast variance from Approved Budget	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000	%
BXC - Funding for Land Acquisition	23,000	0	(642)	22,358	(642)	-2.8
Colindale – Highways and Transport	1,500	0	0	1,500	0	0.0
Colindale – Parks, Open Spaces and Sports	1,665	0	(300)	1,365	(300)	-18.0
Colindale Station Works	6,500	0	0	6,500	0	0.0
Grahame Park – Community Facilities	0	0	1,000	1,000	1,000	100.0
Town Centre	720	0	0	720	0	0.0
Thames Link Station	19,258	0	0	19,258	0	0.0
Development Pipeline	181	0	0	181	0	0.0

Service	18/19 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 18/19 Forecast	Forecast variance from Approved Budget	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000	%
Development Pipeline Strategic Opportunities Fund	6,700	0	(1,067)	5,633	(1,067)	-15.9
Disabled Facilities Grants Programme	2,602	0	0	2,602	0	0.0
Refurbish and regenerate Hendon Cemetery and Crematorium	1,149	0	0	1,149	0	0.0
Hendon Cemetery & Crematorium Enhancement	116	0	0	116	0	0.0
Decent Homes Programme	0	0	232	232	232	100.0
DECC - Fuel Poverty	7	0	0	7	0	0.0
Re (Regeneration)	63,398	0	(777)	62,621	(777)	-1.2

1.7 The Brent Cross land acquisitions project is showing slippage of £0.642m. This forecast is based on the current expected spend profile following the conclusion of CPO challenges. The Development Pipeline Strategic Opportunities Fund has slipped £1.067m following further re-profiling of the budget. The Grahame Park Community Facility project initially slipped the 2018/19 budget but has now accelerated £1.000m back into 2018/19. The expenditure relates primarily to the planning and design phase however there is a risk that if planning permission cannot be sought the project will have to be aborted creating a risk to revenue.

Committee priorities

1.8 The update on Committee priorities includes performance and risk information as follows:

- Progress on activities
- Performance of key indicators¹
- High level risks from the Corporate Risk Register²
- Strategic issues/escalations related to Theme Committee.

1.9 An overall status for each of the Committee's priorities is shown in table 3. This reflects the Q2 2018/19 position on budget forecasts, progress on activities, performance of key indicators and any high level risks.

¹ RAG rating reflects the percentage variance of the result against the target as follows: On target = GREEN (G); Up to 9.9% off target = AMBER (A); 10% or more off target = RED (R). The Direction of Travel (DOT) status shows the percentage variation in the result since last year e.g. Improving (↑ I), Worsening (↓ W) or Same (→ S). The percentage variation is calculated as follows: Q2 18/19 result minus Q2 17/18 result equals difference; then difference divided by Q2 17/18 result multiplied by 100 = percentage variation. Any results not for three months of quarter, illustrated by (c) = cumulative from start of financial year; (s) snapshot at end quarter; or (r) rolling 12 months.

² The Corporate Risk Register includes strategic risks (strategic and business critical risks) and high level (scoring 15 and above) service/joint risks (service and contract delivery risks). All risks are managed in line with the council's risk management framework. The risk registers are live documents and the Q2 2018/19 Corporate Risk Register provides a snapshot in time (as at end September 2018).

Table 3: Overall status for priorities (Q2 2018/19)

Assets, Regeneration and Growth Committee priorities	Overall status
Regenerating Brent Cross Cricklewood	Amber
Increasing the housing supply, including Colindale	Amber
Helping people into work	Green
Investing in key Town Centres and making Barnet the best place in London to be a small business	Green

Regenerating Brent Cross Cricklewood

1.10 An update on Brent Cross Cricklewood was reported to ARG Committee on 17 September 2018. This reported on progress since June 2018 and sought the necessary approvals to maintain the programme over the forthcoming period. The report is available online at: <https://barnet.moderngov.co.uk/documents/s48493/Brent%20Cross%20Cricklewood%20Update%20Report.pdf>. The key updates included:

- **Brent Cross North** – discussions continue around Brent Cross funding after the decision by Hammerson to defer the start of works on the shopping centre. Partners have been preparing and submitting detailed information to satisfy the pre-commencement planning conditions that are required to be discharged before works can start. In addition, final approval in principle designs for the highways and bridge structures are being submitted for approval by the Highways Authorities (LBB, TfL and Highways England).
- **Brent Cross Thameslink** - on 28 June 2018 the council entered into the Implementation Agreement with Network Rail to undertake the early site preparatory works to remove construction spoil alongside removal/treatment of vegetation and invasive species, a temporary haulage road and site clearance and remediation for the start of the main works in January 2019. The works commenced on 23 July 2018. The detailed design of the replacement rail sidings has progressed. A drop-in application for the compound and associated facilities that are needed to operate the existing and relocated sidings was submitted on 24 August 2018. The planning application for the Waste Transfer Station was approved by the Planning Committee on 5 September 2018.
- **Brent Cross South** – partners have submitted details for the Temporary Open Space (TOS), which is required to be provided under the terms of the outline planning permission to off-set the closure of Clarefield Park in the short term. This application was made on 22 August 2018. The TOS will be one of the first improvements to be delivered as part of Brent Cross South.

A further update will be provided to ARG Committee on 27 November 2018. The report will be available online at:

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9482&Ver=4>

1.11 There are no key indicators linked to this priority in the Corporate Plan

1.12 There was one high level risk linked to this priority in Q2. This was a service risk and will be reviewed in Q3.

- **SPPC002 - Brent Cross funding strategy (residual risk score 15).** This is a new risk for Q2. If the funding strategy is not agreed in time for the required committee approvals at ARG Committee on 27 November 2018 and P&R Committee on 11 December 2018,

this could lead to delays in the Brent Cross project, including delivery of the Thameslink station.

Increasing the housing supply

- 1.13 The first site within Opendoor Homes' **affordable housing** delivery programme completed in Q2. Gordon Court (formerly Elmshurst Crescent Garages) comprises 13 homes. The business justification case and funding for phase two of Opendoor Homes' **Microsites** Phase 2 programme was approved by ARG Committee on 17 September 2018. This programme will deliver 17 homes for affordable rent. The report is available online at: <https://barnet.moderngov.co.uk/documents/s48486/Microsites%20Programme%20Phase%20%20project%20Business%20Justification%20Case.pdf>

ARG Committee also approved The Barnet Group as the preferred delivery partner to take forward **mixed tenure schemes** at five sites in the borough, including Hermitage Lane. This report is also available online at: <https://barnet.moderngov.co.uk/documents/s48466/Mixed%20tenure%20housing%20programme.pdf>. A planning application for a 56 unit scheme at Hermitage Lane was submitted in July 2018.

Work has progressed on the **extra care schemes** being delivered by Barnet Homes on behalf of the council. Construction has progressed at Ansell Court and practical completion is on track for late December 2018; although handover is likely to be early January 2019. For Stag House, vacant possession is expected to be obtained by December 2018.

There have been negotiations on the Grahame Park redesign following GLA approval of social housing levels. In addition, the Upper and Lower Fosters has been reviewed to ensure scheme viability. A GLA grant funding bid has been submitted to support the delivery of **Upper and Lower Fosters**.

The CPO Public Inquiry in relation to **Granville Road** was held in July 2018 and the council is awaiting the formal decision from the Secretary of State. The revised planning application or Phase 3 was submitted on 20 September 2018 for **Dollis Valley**. This will deliver 135 homes. West Gardens (a private open space for the benefit of Dollis Valley residents) was officially opened on 5 September 2018. Schemes at **Mill Hill East** and **West Hendon** are on track.

- 1.14 There are five key indicators linked to this priority in the Corporate Plan; and **affordable housing completions** (linked to another priority for Housing Committee) has been included for information. The **new homes completed** and **affordable housing completions** are 'Monitor only' indicators for the quarter; both have worsened since last year. **Statutory compliance with civic estate (planned inspections)** is also a 'Monitor only' indicator for the quarter and shows a delay in planned inspections. One indicator has not met the quarterly target.

New homes completed - the London Plan annual target for Barnet is 2349 and Barnet has projected that 3100 new homes will be completed in 2018/19 from a combination of regeneration schemes, The Barnet Group and private developers/developments. Surveys are undertaken in July/August of each year to confirm the number of completions in the preceding year, whereby progress on all outstanding planning consents is undertaken. Figures are based on Building Control records and do not take into account records of Approved Inspectors (private building control companies) or allow for a time-lapse in properties being completed and paperwork being recorded. New homes will only be

counted as completed where a phase or the total development is completed, which means a number of completed new homes may not be counted until the wider scheme is at completion stage. The number of housing completions is also dependent on the number of schemes granted planning permission. 211 new homes were completed by the end of Q2, including 114 from regeneration schemes. The regeneration schemes are expected to contribute 311 new homes towards the 3100 target.

- **Affordable housing completions** - 16 affordable homes were completed in Q2, compared with 113 last year. This is significantly lower than last year, but the target of 294 is expected to be achieved by year-end. 183 affordable homes are expected to be completed in Q3. However, the figures should be treated with caution as developments can slip into the following quarter and developments due to complete in the next financial year could complete earlier than expected.
- **Statutory compliance with civic estate (planned inspections) – 384 planned inspections** were carried out in Q2 (806 YTD) out of an annual programme of 1861. There have been challenges with sub-contractors and quality assurance, which has affected the timely completion of remedial work arising from the inspections to make the buildings fully compliant. This is being managed through regular contract management meetings. All planned inspections and remedial works are expected to be delivered by year-end.
- **Income from the estate (RAG rated RED) - £1.60m against a target of £1.85m.** Some lease renewals and rent reviews planned to take place in Q2 were not completed due to longer than expected negotiations with tenants or lengthy legal clearance processes. Areas still awaiting completion include Barnet Homes and NHS Clinical Commissioning Group. The target is expected to be achieved by year-end.

Indicator	Polarity	17/18 EOY	18/19 Target	Q2 18/19			Q2 17/18	Benchmarking
				Target	Result	DOT	Result	
New homes completed	Bigger is Better	2208 ³	3100	Monitor	211	↓ W -25%	282	No benchmark available
Affordable housing completions	Bigger is Better	303 ⁴	294	Monitor	16	↓ W -86%	113	No benchmark available
Homes started on site through development pipeline programme	Bigger is Better	97	Monitor	Monitor	83	↑ I	0	No benchmark available
Statutory compliance with civic estate (planned inspections)	Bigger is Better	100%	100% (1861) ⁵	Monitor	384	N/A	N/A ⁶	No benchmark available

³ This is a confirmed result (2,208) as of October 2018. The final result will be published in the GLA Annual Monitoring Report in 2019.

⁴ This is a confirmed result (303) as of October 2018. The final result will be published in the GLA Annual Monitoring Report in 2019.

⁵ The annual target may change throughout the year because of the removal of buildings due to them being closed, fall under project works or have been leased out.

⁶ 2017/18 programme covered five buildings. Q2 2017/18 result not available. The programme in Q2 2018/19 covered 94 buildings.

Indicator	Polarity	17/18 EOY	18/19 Target	Q2 18/19			Q2 17/18	Benchmarking
				Target	Result	DOT	Result	
Income from the estate (c)	Bigger is Better	£4.05m	£3.70m ⁷	£1.85m	£1.60m (R)	↑ +2.5%	£1.56m	No benchmark available
Running costs of estate (designated civic buildings only) (c)	Smaller is Better	£5.03m	£4.54m	£2.27m	£1.53m (G)	↑ -18%	£1.86m	No benchmark available

1.15 There are no high level risks linked to this priority.

Helping people into work

1.16 Universal Credit Full Service was rolled out in Barnet on 16 May 2018. Whilst Universal Credit has been available to single people since 2015 this further roll out will see more families and couples claiming Universal Credit. The Welfare Reform Task Force has continued to support Universal Credit claimants with finding work, managing their claim online and monthly budgeting. They can also help residents to claim for discretionary funds such as Advance Payments, Discretionary Housing Payments, Crisis Fund and Discretionary Council Tax Relief. In Q2, the team supported 446 Universal Credit claimants with managing the transition to the new benefit; and the council's employment projects supported 73 people into work (170 YTD).

The council has continued to promote apprenticeships as a route to good work. In Q2, Re secured 21 apprenticeships with developers working in Barnet.

Preparation is underway for the West London Jobs Show, which takes place next quarter.

1.17 There is one key indicator linked to this priority in the Corporate Plan. This is a 'Monitor only' indicator and has improved since last year.

Indicator	Polarity	17/18 EOY	18/19 Target	Q2 18/19			Q2 17/18	Benchmarking
				Target	Result	DOT	Result	
Unemployment (of people on out of work benefits) (r)	Smaller is Better	4.4% (Jan – Dec 17)	Monitor	Monitor	4.6% (Jul 17 - Jun 18)	↑ -6%	4.9% (Jul 16 - Jun 17)	London 5.1% National 4.2% (Jul 17 - Jun 18, Nomis)

1.18 There are no high level risks linked to this priority.

Investing in key Town Centres and making Barnet the best place in London to be a small business

1.19 The council has worked on proposals for the North Finchley Partnership Board, which will oversee, monitor and hold to account the management of the Town Centre, as well as implementation of the Supplementary Planning Document. The council was successful in progressing to stage 2 of the GLA's Good Growth Fund for a community training kitchen in Burnt Oak. Preparations have been made for the launch of the Entrepreneurial Barnet competition and the Pop-Up Business School, which will take place next quarter.

⁷ Annual target revised from £3.046m to £3.70m after publication of Corporate Plan 2018/19 Addendum.

Barnet has been working with the West London Alliance and marketing firm 'White Label' to develop an approach to inward investment for the area called 'Capital West London'. The Capital West London Growth Summit took place on 30 October 2018 at The Drum in Wembley and the event will be aimed at attracting Foreign Direct Investment to the area.

1.20 There are four key indicators linked to this priority in the Corporate Plan. Three are annual indicators and will be reported later in the year. **Council spend with local business** is a 'Monitor only' indicator and has been provided for information.

- **Council spend with local businesses (excluding direct debits) – 34% of council spend is with local businesses**, a slight reduction on last year. There has been a significant reduction in the number of local suppliers from 593 to 338 to remove dormant and infrequent suppliers. This consolidation has concentrated local spend with the smaller number of local suppliers.

Indicator	Polarity	17/18 EOY	18/19 Target	Q2 18/19			Q2 17/18	Benchmarking
				Target	Result	DOT	Result	
Council spend with local businesses (excluding direct debits) (r)	Bigger is Better	32% ⁸	Monitor	Monitor	34% (Jun 17 – Jun 18)	↓ W -6.1%	36% (Jun 16 – Jun 17)	No benchmark available
Business survival rate (Annual)	Bigger is Better	70.5% ⁹	5%pts more than comparable boroughs	N/A	Due Q4 18/19	N/A	N/A	Comparable boroughs 76.5% (2017, Nomis)
Vacant High Street Properties (Annual)	Smaller is Better	5.7% ¹⁰	2.5% better than comparable boroughs	N/A	Due Q4 18/19	N/A	N/A	Comparable boroughs 6.78% (2017, Nomis)
Business satisfaction with the council and area (Annual)	Bigger is Better	27%	Monitor	N/A	Due Q4 18/19	N/A	N/A	No benchmark available

1.21 There are no high level risks linked to this priority.

⁸ The indicator is reported for a 12 month period a quarter in arrears. EOY 2017/18 updated to show April 2017 to March 2018 (previously reported as 31% for January to December 2017, as a quarter in arrears).

⁹ This indicator compares Barnet's rate of improvement (from a 2011 baseline) with comparable boroughs (Brent, Bromley, Harrow, Havering). The comparable boroughs business survival rate of 76.5% represents a 1.32% pts improvement on the 2011 baseline position. Barnet's 70.5% business survival rate represents a 3.90% pts improvement on its 2011 baseline. The target represents the achievement of a minimum 6.2% pts.

¹⁰ This indicator compares Barnet's rate of improvement (from a 2011 baseline) with comparable boroughs (Croydon, Havering and Hounslow). The comparable boroughs vacancy rate of 6.78% represents a 5.82% pts improvement on the 2011 baseline position. Barnet's 5.73% vacancy rate represents a 7.57% pts improvement on its 2011 baseline. The target represents the achievement of a minimum 5.98% pts.

Contract indicators – by exception

1.22 In addition to the key indicators linked to the priorities in the Corporate Plan, Re reports on a suite of operational contract indicators (KPIs). One contract indicator (relevant to ARG Committee) has not met the quarterly target.

- **Section 106 cases cleared annually (RAG rated RED) – 66.7% against a target of 80%.**
A financial contribution due to be made prior to start of the project wasn't received due to issues with the new finance system. This is anticipated to be resolved going forward.

Indicator	Polarity	17/18 EOY	18/19 Target	Q2 18/19			Q2 17/18	Benchmarking
				Target	Result	DOT	Result	
Section 106 cases cleared annually	Bigger is Better	88.8%	80%	80%	66.7% (R)	83.3%	↓ W -20%	No benchmark available

Strategic issues/escalations

1.23 There are no strategic issues/escalations for Policy and Resources Committee.

2 REASONS FOR RECOMMENDATIONS

- 2.1 These recommendations are to provide the Committee with relevant financial, performance and risk information in relation to the priorities in the Corporate Plan 2018/19 Addendum. This paper enables the council to meet the budget agreed by Council on 6 March 2018.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4 POST DECISION IMPLEMENTATION

- 4.1 None.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The report provides an overview of performance for Q2, including budget forecasts for revenue and capital, progress on activities, performance of key indicators and any high level risks.
- 5.1.2 The Q2 2018/19 results for all Corporate Plan indicators are published on the Open Barnet portal at <https://open.barnet.gov.uk/dataset>
- 5.1.3 Robust budget, performance and risk monitoring are essential to ensure that there are adequate and appropriately directed resources to support delivery and achievement of council priorities and targets as set out in the Corporate Plan.
- 5.1.4 Relevant council strategies and policies include the following:
- Corporate Plan 2015-2020
 - Corporate Plan - 2016/17, 2017/18 and 2018/19 Addendums
 - Medium Term Financial Strategy
 - Performance and Risk Management Frameworks.
- 5.1.5 The priorities of the council are aligned to the delivery of the Health and Wellbeing Strategy.

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

- 5.2.1 The budget forecasts are included in the report. More detailed information on financial performance will be provided to Financial Performance and Contracts Committee.

5.3 Social Value

- 5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. The council's contract management framework oversees that contracts deliver the expected services to the expected quality for the agreed cost. Requirements for a contractor to deliver activities in line with Social Value will be monitored through this contract management process.

5.4 Legal and Constitutional References

- 5.4.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972, relates to the subsidiary powers of local authorities.
- 5.4.2 Section 28 of the Local Government Act 2003 (the Act) imposes a statutory duty on a billing or major precepting authority to monitor, during the financial year, its income and expenditure against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the authority must take such action as it considers necessary to deal with the situation. Definition as to whether there is deterioration in an authority’s financial position is set out in sub-section 28(4) of the Act.
- 5.4.3 The Council’s Constitution (Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. The responsibilities of the Assets, Regeneration and Growth Committee include:
- (1) Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.
 - (2) To submit to the Policy and Resources Committee proposals relating to the Committee’s budget for the following year in accordance with the budget timetable.
 - (3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
 - (4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.
- 5.4.4 The council’s Financial Regulations can be found at:
<http://barnet.moderngov.co.uk/documents/s46515/17FinancialRegulations.doc.pdf>

5.5 Risk Management

- 5.5.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. All high level risks (scoring 15 or above) associated with the priorities for this Committee are outlined in the report.

5.6 Equalities and Diversity

- 5.6.1 The Equality Act 2010 requires organisations exercising public functions to demonstrate that due regard has been paid to equalities in:
- Elimination of unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
 - Advancement of equality of opportunity between people from different groups.
 - Fostering of good relations between people from different groups.
- 5.5.2 The Equality Act 2010 identifies the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex and sexual orientation.
- 5.5.3 In order to assist in meeting the duty the council will:
- Try to understand the diversity of our customers to improve our services.

- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

5.5.4 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

5.5.5 Progress against the performance measures we use is published on our website at: www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity

5.7 Corporate Parenting

5.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

5.8 Consultation and Engagement

5.8.1 Consultation on the Corporate Plan 2015-2020 was undertaken between summer 2013 and March 2015. Consultation on the new Corporate Plan 2019-24 was carried out in the summer 2018. The Corporate Plan will be approved by Council in March 2019.

5.9 Insight

5.9.1 The report identifies key budget, performance and risk information in relation to the Corporate Plan 2018/19 Addendum.

6 BACKGROUND PAPERS

6.1 Council, 6 March 2018 – approved 2018/19 addendum to Corporate Plan <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=9162&Ver=4>

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**London Borough of Barnet
Assets Regeneration and
Growth Committee Work
Programme
November 2018 - May 2019**

Contact: Faith Mwende - faith.mwende@barnet.gov.uk 02083594917

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
27 November 2018			
North Finchley Town Centre Development - update	This report provides an update on the progress made on plans to revitalise the North Finchley Town Centre.	Deputy Chief Executive	Key
Brent Cross Cricklewood - Quarterly Update	<p>To receive a quarterly update on the Brent Cross Cricklewood Programme, and take such decisions as are required.</p> <p>To note any decisions of the Brent Cross South Shareholder Board and provide an update on community engagement.</p>	Deputy Chief Executive	Key
Business Planning report 2019/20	Agree and consider proposals for the committee in line with the Council's MTFS process.	Deputy Chief Executive	Key
Quarter 2 2018/19 Assets, Regeneration and Growth Performance Report	To receive a quarterly performance report.	Deputy Chief Executive	Non-key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
Entrepreneurial Barnet - Annual Update and Forward Plan	This report provides an update on progress towards delivering the 2018 programme of activity for Entrepreneurial Barnet. It also includes an update on the progress made on North Finchley Town Centre	Deputy Chief Executive	Key
Upper and Lower Fosters Outline Business Case	The reports seeks authority to progress with RIBA stage 3 and budgetary approval.	Deputy Chief Executive	Key
Compulsory purchase of a long term vacant property	This report recommends the making of a Compulsory Purchase Order (CPO) in relation to a long term vacant property.	Deputy Chief Executive	key
28 January 2019 – Reserve meeting			
25 March 2019			
Burnt Oak Broadway Tophatting	Outline business case for approval	Deputy Chief Executive	Key
Grahame Park	Update report - options for plots 10,11,12	Deputy Chief Executive	Key
Golders Green Town Centre Strategy	To receive a report on the proposed Golders Green Town Centre Strategy.	Deputy Chief Executive	Key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
Regeneration Strategy Update	An update on the Emerging themes and evidence base of the Regeneration Strategy	Deputy Chief Executive	Key
Brent Cross Cricklewood - Quarterly Update	<p>To receive a quarterly update on the Brent Cross Cricklewood Programme, and take such decisions as are required.</p> <p>To note any decisions of the Brent Cross South Shareholder Board and provide an update on community engagement.</p>	Deputy Chief Executive	Key
The Annual Growth and regeneration report	To receive the Annual Growth and regeneration report.	Deputy Chief Executive	Key
Q3 2017/18 Performance Report	To receive a quarterly performance report	Deputy Chief Executive	Non-Key
Assets, Land and Property Transactions for Approval	Approval of Assets, Land and Property Transactions	Director of Resources	Key

13 May 2019 – Reserve meeting

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 17

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AGENDA ITEM 18

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