

	<p>Council 1 March 2016</p>
<p>Title</p>	<p>Report of the Assets Regeneration and Growth Committee - Brent Cross Cricklewood</p>
<p>Report of</p>	<p>Commissioning Director, Growth & Development</p>
<p>Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p>Status</p>	<p>Public (with separate exempt report)</p> <p>Exempt Annex B to Appendix 1 - Not for publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 as amended (as this relates to the financial affairs of the authority and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix 1 - Report of Assets Regeneration and Growth Committee, 30 November 2015, and relevant appendices:</p> <ul style="list-style-type: none"> • Annex A - Appendix 3 to Assets Regeneration and Growth Report, • Annex B - Exempt Report of Assets Regeneration and Growth Committee <p>Appendix 2 - Schedule of Shadow Shareholder Board decisions as required by the Brent Cross South legal documentation.</p>
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Summary

This report seeks the Council's approval to terms of reference and membership of the Council Shareholder Board in respect of the Brent Cross South Joint Venture Limited Partnership as requested by the Assets, Regeneration and Growth Committee on 30 November 2015.

Recommendations

That the Council

- 1. Note the report of Assets, Regeneration and Growth Committee on 30 November 2015 as attached at Appendix 1 which approved the Joint Venture Structure and authorised the establishment of a Shadow Shareholder Board for the Brent Cross South Joint Venture, and that its terms of reference and membership to be drawn up for Council approval**
- 2. Note the Brent Cross South Joint Venture Structure at Appendix 3 attached to the report of the Assets, Regeneration and Growth Committee on 30 November approved by the Committee on 30 November 2015.**
- 3. Agree the terms of reference for the Shadow Shareholder Board for the Brent South Joint Venture as outlined in paragraph 2.15**
- 4. Agree that the composition and Membership of the Shadow Shareholder Board be agreed, as per paragraphs 2.13 and 2.14**
- 5. Note the decisions outlined in Appendix 2 which will be required by the Shadow Shareholder Board as detailed in the Project Agreement and Shareholder and associated documentation necessary to form the Brent Cross South Joint Venture.**
- 6. Note that the Project Agreement, Shareholder Agreement and associated documentation will be reported to Assets, Regeneration and Growth Committee on 17 March 2017 for approval. That report will recommend that the Chief Executive be authorised in consultation with the Leader to finalise the documentation.**

1. WHY THIS REPORT IS NEEDED

- 1.1 On 30 November 2015, the Assets, Regeneration and Growth Committee approved the Brent Cross South Joint Venture Structure to inform the Project Agreement and documentation necessary to form the Brent Cross South Joint Venture. This Structure will require that (i) certain key decisions will be taken by Shareholders in the Joint Venture and (ii) that a Joint Venture Board is established to make the day to day decisions within the parameters set by the legal documentation (including the agreed form of Business Plan and Financial Model) governing the joint venture.

- 1.2 The Committee also noted the establishment of the Shadow Shareholder Board and gave approval for the terms of reference for the Shadow Shareholder Board for the Brent Cross South Joint Venture to be drawn up including a process for appointing Members to the Shadow Shareholder Board for agreement at the next practicable meeting of the Council.
- 1.3 This report provides the terms of reference and process of appointing the Shadow Shareholder Board for the Brent Cross South project for agreement by the Council to enable the Shadow Shareholder Board to be established prior to the formal creation of the joint venture. In this regard, the Project Agreement and Shareholders Agreement and associated documentation necessary to form the Brent Cross South joint venture will be considered by the Assets, Regeneration and Growth Committee on 17 March 2016.

2. UPDATE

- 2.1 In relation to the Brent Cross South scheme, the Council is in final discussions with Argent and Related Companies (Argent Related), following the Council's approval on 3 March 2015 to appoint Argent Related as the preferred joint venture partner for the Brent Cross Cricklewood South Scheme.
- 2.2 The Council and Argent Related are now jointly finalising the business plan alongside progressing the project agreement and the corporate documentation required to govern formation of the new Joint Venture entity (JVLP). This will be reported to the Assets, Regeneration and Growth Committee on 17 March 2016 for approval, following which, the project documentation would be entered into and the JVLP formally created.
- 2.3 A Shadow Joint Venture General Partner Board (JVGP)) comprising Senior Officers from the Council and Argent Related, (who will be appointed formally as directors of the General Partner) has been established to take the necessary decisions to drive the project forward and form the emerging Business Plan, which will be considered by the Committee.
- 2.4 The Business Plan will detail the first phase which will include a mix of uses, including affordable housing, market housing as well as potentially other products such as build to rent housing; and will set out the delivery programme for that phase. The JVLP anticipates submitting planning and reserved matters applications for the components of the first phase (e.g. enabling infrastructure) in late 2016 with further reserved matters to follow shortly after in line with the delivery programme.
- 2.5 This would facilitate starting on site by the end of 2017, with the potential for the first buildings to be occupied in Winter 2019/20 in line with the Council's objectives set out in the tender documentation.

Structure of the JVLP

- 2.6 In respect of the structure of the JVLP, the Assets, Regeneration and Growth Committee on 3 March 2015 authorised the Commissioning Director, Growth and Development to determine the exact structure of the joint venture arrangement. Following discussions with the JV Partners, the Commissioning Director, Growth and Development and advisors together with Argent Related concluded that a limited partnership would best serve the purposes of the joint venture. On 30 November 2016, the Assets, Regeneration and Growth Committee approved the proposed Joint Venture Limited Partnership structure as detailed at Appendix 1, and the project legal documentation is being progressed on that basis. The Council's legal advisors, Gowling Wragge Lawrence Graham LLP (WLG), have advised that the limited partnership structure can be used as an effective means by which to form the joint venture.
- 2.7 The Council will participate in the Limited Partnership in two ways:
- First, through being an equal 50:50 shareholder in what is known as the General Partner (JVGP) - this is the corporate entity appointed by the partnership to conduct the day to day business of the partnership. The JVGP is a 'limited company' in which the Council has a 50% shareholding. The financial returns and investment will largely flow through to the Limited Partners in the Limited Partnership.
 - Secondly the Council will participate as an equal 50:50 limited partner in the limited partnership and this is where the Council's entitlement to participate in surpluses from the project, will arise through its membership of the partnership.
- 2.8 For vires reasons, the Council is advised that it should establish a wholly owned subsidiary (referred to hereafter as LBBCo) which will hold the 50% limited partner interest in the JVLP. LBBCo will receive the Council's share of surpluses, on which it will pay Corporation Tax. It should be noted that the Corporation Tax liability of LBBCo will be no greater than the Council's "share" of Corporation Tax liability had the Joint Venture been established as a company limited by shares. LBBCo will have no real role in the project other than to receive the surplus as and when it arises. It is not permitted to be involved in the day-to-day decisions of the JVLP – the decisions are for the General Partner to make and the Council has influence here through its shareholding in JVGP.
- 2.9 The General Partner will take day to day decisions to implement the JVLP's approved Business Plan, and must act in the interests of the JVLP. Council representation on the JVGP Board is made up of senior officers with authority delegated to the Chief Executive Officer to revise membership from time to time. Prior to completion of the legal documentation and formal establishment of the JVLP a Shadow JVGP Board has been established that comprises the Commissioning Director, Growth & Development, the Director of Resources and the Director of Place (Re).

- 2.10 Some decisions, most notably amendments to the Business Plan, are proposed to be reserved to the shareholders. The shareholders can act in the interests of the Council, which may not in every case be the same as the interests of JVGP and limited partnership. The Council (as shareholder) will be authorised to take decisions on behalf of the Council.
- 2.11 The Assets, Regeneration and Growth Committee approved that the Shadow Shareholder Board be different persons to the board of LBBCo when LBBCo is established. The board of LBBCo will have very few decisions to take and it is recommended that the board of LBBCo is independent of those involved in the key decisions affecting the JV.
- 2.12 The Committee also authorised officers to draw up the terms of reference of the Shareholder Shadow Board, which should include the process for appointing Members, for agreement by the Council.
- 2.13 The Council is asked to agree that this board should comprise five nominated Members, reflecting the political balance of the Council.
- 2.14 It is recommended this should include the Leader of the Council, Chairman of Assets, Regeneration and Growth Committee, Chairman of Housing Committee, Leader of the Opposition and the Shadow Lead Opposition Member of the Assets, Regeneration and Growth Committee.
- 2.15 Specifically the Board's terms of reference will include:
- Overseeing the Brent Cross Cricklewood major regeneration scheme. This will include making decisions as required by the Shareholder Agreement and Project Agreement as set out in the draft schedule attached at appendix 2. This schedule will be submitted to the Assets, Regeneration and Growth Committee on 17 March 2016 with the recommendation that the Chief Executive in consultation with the Leader finalise the schedule once the legal documentation is in its final form.
 - Resolving deadlock on issues that cannot be resolved by the board of JVGP and are referred to the Shareholders for resolution
 - Asset Management – matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council within the Brent Cross Cricklewood regeneration area when required by the legal agreements.
 - To approve any non-statutory plan or strategy relating to the Brent Cross Cricklewood regeneration area within the remit of the Assets, Regeneration and Growth Committee that is not reserved to Full Council or Policy and Resources.
 - To make recommendations to Policy and Resources Committee on issues relating to the budget and capital receipts in respect of the Brent Cross South project.

- To provide quarterly reports to the Assets, Regeneration and Growth Committee, which will include decisions made, for noting.
- 2.16 The Shadow Shareholder Board will meet monthly to monitor and review progress project, and to consider and make decisions as required by the Council in its capacity as shareholder as required by the Shareholder and Project Agreement and within the Terms of Reference as set out in paragraph 2.15 above.
- 2.17 The Shadow Shareholder Board will provide quarterly reports to the Assets, Regeneration and Growth Committee, which will include detail decisions made for noting.
- 2.18 The Council is therefore asked to agree the Terms of Reference and process for selecting members of the Shadow Shareholder Board, so that it can be set up prior to formal creation of the JVLP.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that the Council is appropriately resourced and represented as shareholder in the Brent Cross South joint venture limited partnership; and ensure that any required decisions by the Council as shareholder are expedited to maintain momentum on delivery of the regeneration of the Brent Cross Cricklewood area.
- 3.2 The comprehensive regeneration of Brent Cross Cricklewood is a long-standing objective of the Council and a key regeneration priority of the Mayor of London. At 151 Ha, it is one of the largest regeneration schemes in Europe. The London Plan identifies it as an Opportunity Area with an indicative employment capacity target of 20,000 jobs and a minimum new homes target of 10,000 homes. The Council's Core Strategy reinforces the significant comprehensive regeneration opportunity, which includes a new town centre, major new and improved transport and community facilities, and other infrastructure and public areas.
- 3.3 The development of this strategic gateway site will create a new town centre and residential quarter, uniting the areas north and south of the A406 North Circular, providing an attractive and vibrant place to live and work. It will contribute to the future prosperity of the Borough. The development to the north of the North Circular alone is expected to create 3,000 construction jobs and an additional 4,000 permanent jobs over the next five to seven years. It will provide around 91,500 sqm (net) of additional retail and commercial floorspace.
- 3.4 Brent Cross Cricklewood is a key element of the Council's regeneration and housing programme and will provide over 7,540 new homes over the next 20 years, including affordable homes and replacement homes for the Whitefield Estate. The scheme will also provide new and improved educational and

health facilities for the community, and improved open space and recreational facilities for the community to enjoy and use.

- 3.5 The regeneration of Brent Cross Cricklewood will be a major component of achieving the Council's priority objectives in its Corporate Plan 2013-2016, including to 'maintain the right environment for a strong diverse local economy', with the strategic objective under this priority being to sustain Barnet by 'promoting growth, development and success across the borough'.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 There are no alternative options.
- 4.2 If the Council does not agree to the Terms of Reference or process for membership, this will prevent or delay the creation of the Shadow Shareholder Board and ultimately of the JVLP. This will result in the Council not being properly represented as Shareholder on day to day basis, thereby limiting the Council's input into the emerging business plan and delivery programme. Decisions will continue to be made by the Assets, Regeneration and Growth Committee on a quarterly basis. Given the infrequency of meetings of the Assets, Regeneration and Growth Committee, this could cause unnecessary delay to the project, thereby frustrating delivery.

5. POST DECISION IMPLEMENTATION

- 5.1 The Shadow **LLBCo** Shareholder Board, will be created to provide input into the emerging business plan and, once formally created will make decisions as required.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

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

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

- 6.1.2 The scheme to transform Brent Cross Cricklewood will play a major role in delivering future prosperity, doubling the size of the shopping centre and linking seamlessly to a new town centre for Barnet and North London across the North Circular Road. Brent Cross Cricklewood is one of Barnet's priority regeneration areas, and will provide approximately 7,500 new homes over the

next 20 years. It is a key part of the wider revitalisation of the A5 corridor, linking Brent Cross Cricklewood with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.

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

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

6.2.1 Costs relating to the Council's participation within the limited partnership will be detailed in the legal documentation and will be reported to the Assets, Regeneration and Growth Committee on 17 March 2016.

6.3 **Social Value**

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

6.4 **Legal and Constitutional References**

6.4.1 The Council has a general power of competence under Section 1 of Chapter 1 of the Localism Act 2011 and this empowers the Council to enter into joint venture arrangements for the development of the south side of the Brent Cross Cricklewood regeneration scheme. Section 1 of the Localism Act 2011 provides local authorities with a broad power to do anything that individuals can do subject to any specific restrictions contained in legislation.

6.4.2 The Council has the power to acquire and dispose of land in accordance with Sections 120 to 123(2A) of the Local Government Act 1972, and subject to obtaining all appropriate consents and approvals. On any disposal of property the Council is required to have regard to the requirements of s123(2) of the LGA 1972 to ensure that any disposal is not at less than the best price that can reasonably be obtained. Where land has been appropriated for planning purposes, any disposal of land appropriated for such purposes is effected in reliance on section 233 Town and Country Planning Act 1990. Any land held for the purposes of part 2 of the Housing Act 1985 can be disposed of under section 32 of that Act either in reliance on a general or express consent of the consent of the Secretary of State.

- 6.4.3 Council Constitution - Management of Asset, Property and Land Rules provide the governance structure within which the Council may acquire, lease, act as landlord, licence, develop appropriate change of use of, or dispose of assets within its Asset portfolio.
- 6.4.4 The procurement of a partner and other advisers for the south side of the scheme will be carried out in accordance with the relevant European Union procurement regulations and public sector procurement principles. Negotiations with Argent/Related are continuing and the Council is within the final procurement phase of the project.
- 6.4.5 The Public Services (Social Value) Act 2012 requires the Council to consider whether it can achieve an improvement to the economic, social and environmental well-being of an area as part of the procurement of these services. If so, the social value objectives identified must be written into the procurement process. All of this must be achieved with regard to value for money and in a way that is compliant with existing public procurement law. "Social value" objectives can include the creation of employment, apprenticeship and training opportunities for local people, trading opportunities for local businesses and the third sector; and the promotion of equality and diversity through contract delivery.
- 6.4.6 Section 111 of the Local Government Act 1972 provides that a local authority has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions.
- 6.4.7 Council Constitution, Responsibility for Functions states inter alia that only the full Council will exercise the following functions – All policy matters and new proposals relating to significant partnerships with external agencies and local authority companies.
- 6.4.8 The public sector equality duty referred to in Section 5 also required consultation to ensure the Council complies with its duties under the Equality Act 2010.

6.5 Risk Management

- 6.5.1 The Council may wish to understand if there is any risk on its ability to influence the project as a result of establishing LBBCo (as a corporate intermediary allowing it to participate as a limited partner in the LP structure). LBBCo will be the entity through which the Council participates in the 'investment element' of the LP. However in order to maintain their limited liability status, the limited partners have almost no involvement in decision making of the Limited Partnership itself. Those decisions are made by the GP (a company limited by shares) which must act in the interests of the partnership as a whole. The Council will be a 'direct' 50% shareholder in the GP. Any decisions that cannot be agreed upon by the board of the GP can be referred to its shareholders who are not constrained by directors' duties. In

this way, the Council will effectively maintain equivalent control over project delivery as it would do were the JV to have been a company limited by shares.

6.6 Equalities and Diversity

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

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups;
- Foster good relations between people from different groups;

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

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

6.6.4 The Development Proposals support achievement of the council's Strategic Equalities Objective which sets out our commitment that citizens will be treated equally, with understanding and respect; have equal opportunities with other citizens and receive quality services provided to Best Value principles. The development proposals will reflect the council's aim that all residents are able to share in the benefits and take advantage of the opportunities of economic growth in the borough.

6.6.5 The council intends that the development proposals will have a positive impact on all groups identified in the 2010 Equality Act and other vulnerable groups in the borough because it is designed to share the benefits of growth with all Barnet citizens and promote inclusion and community engagement and participation

6.6.6 The council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the Borough.

6.6.7 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.

- 6.6.8 An Equalities Impact analysis was carried out in respect of the Outline Planning Application granted in 2010, which took fully into account the demographic makeup of the regeneration area and addressed the impact on the protected characteristics. This anticipated a significant positive impact from the regeneration proposals. This will be updated to assist the council in meeting the requirements of the Public Sector Equalities Duty.
- 6.6.9 The projected increase in the borough's population and changes in the demographic profile will be key factors in reflecting the aspirations and contributions of current residents.
- 6.6.10 The Census data of 2011 (as updated by the GLA population projections 2014) shows how Barnet is growing and changing. There has been a significant increase in the diversity of growth in the borough population and growth in older and younger generations has been particularly rapid. The over 65 population is forecast to grow by 10.4% in the next 5 years and 24% in the next decade.
- 6.6.11 Barnet is a racially diverse and multi faith borough and proud of community cohesion. Over a third of Barnet's citizens come from a rich diversity of black and minority ethnic groups. Christianity remains the biggest religious group (41.2%) and Barnet is home to the UK's largest Jewish community. Other significant groups are no religion (16.0%), Muslim (10.3%) and Hindu communities (6.2%).
- 6.6.12 Our reputation for excellent schools and green spaces makes us a popular destination for young families. These demographic changes present challenges both in the demand for services and the way we commission, deliver and continuously improve our services.
- 6.6.13 Barnet is a relatively affluent borough with significant pockets of deprivation and we have been successful in attracting regeneration funding to those areas in 7 major regeneration schemes. Our growth and economic strategies will reflect the importance that everyone benefits from regeneration and growth, job creation, reinvigorating communities and improved quality of life. This includes the protected characteristics outlined in the 2010 Equality Act as well as citizens and other groups in Barnet who can experience disadvantage, for example carers, lone parents and low income families, people with particular disabilities including mental health and learning difficulties, unemployed people.
- 6.6.14 Brent Cross Cricklewood is an opportunity to extend Barnet's success as a desirable and attractive suburb, by creating a new urban village for London which sets the tone for future evolution of the borough more widely and

emphasises the need to create a place that makes residents, workers and visitors feel good – inviting people to meet and spend time in the spaces, and to walk or cycle.

6.6.15 Importantly, the requirements highlight that Brent Cross Cricklewood will be place for people of all ages, with housing mix that reflects different life stages, a range of housing tenures, and public spaces which are accessible to all. It emphasises that promoting health and wellbeing and reducing dependency will be ingrained in the place.

6.7 Consultation and Engagement

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

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

7 BACKGROUND PAPERS

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

7.8 Cabinet, 29 March 2005 (Decision Item 6) – agreed to enter into a Collaboration Agreement with the development partnership (Cricklewood Regeneration Limited, Hammerson and Standard Life).
<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=120&MeetingId=265&DF=29%2f03%2f2005&Ver=2>

7.8.1 Cabinet, 5 December 2005 (Decision Item 7) – approved, amongst other matters, that 1) the Eastern Lands Addendum be adopted as Supplementary Planning Guidance; and 2) the Eastern Lands Supplementary Guidance is incorporated into the Cricklewood, Brent Cross and West Hendon Development Framework.
<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=120&MeetingId=272&DF=05%2f12%2f2005&Ver=2>

7.9 Cabinet Resources Committee, 25 March 2008 (Decision Item 16) – approved the outline terms so far agreed with the Brent Cross North Partners and Cricklewood Redevelopment Limited, including the proposals for the finalisation of the financial terms, be approved in principle subject to the outcome of Counsel's advice on procurement issues, and that the finally agreed terms for the Development Framework Agreement and the Property

Development Agreements be reported to a future meeting of the Cabinet for approval.

<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/200803251900/Agenda/Document%2015.pdf>

- 7.10 Cabinet, 21 October 2009 (Decision Item 7) – approved the terms and conditions of entering into the Development Framework Agreement and the Property Development Agreements, subject to approval of the Brookfield Europe and Hammerson Guarantor companies by the Director of Finance and the Leader of the Council, and the approval of the appropriate land transaction and financial arrangements by the Secretary of State. The approval was also subject to agreement of the plans, the historic costs and the form of the legal documents.

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

- 7.11 Cabinet Resources Committee, 19 October 2010 (Decision Item 5) – approved the changes to the terms and conditions of the Development Framework Agreement and the two Property Development Agreements regarding Brent Cross Cricklewood (as considered and approved by Cabinet in October 2009)

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

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

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=151&MId=6759&Ver=4>

- 7.13 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) - approved the changes to the terms of the Brent Cross Property Development Agreement (as considered and approved by CRC in October 2010) and the terms for the Co-operation Agreement as set out in Section 9 of this report; authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement; approved commencement of market testing through the issue of a Prior Information Notice to inform the delivery strategy for the Brent Cross Cricklewood South area; and approve that the Council enter into negotiations with landowners to acquire land required in advance of any Compulsory

Purchase Order, subject to approval of the bid for capital funding by Cabinet on 25 February 2014; and approved that the Council continue the design and development work to develop the business case and funding strategy for delivery of the Thameslink Station, subject to approval of the capital funding bid by Cabinet on 25 February 2014; and delegate authority to the Strategic Director for Growth and Environment to procure the necessary advice and consultants to progress the Brent Cross project workstreams and deal with the related contractual issues and arrangements.
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=151&MId=7702&Ver=4>

- 7.14 Assets, Regeneration and Growth Committee dated 9 July 2014 approved the procurement of a partner for the Brent Cross Cricklewood South development through an OJEU Negotiated route in accordance with the Brent Cross South Procurement and Delivery Strategy, and approved the Council's requirements for the Brent Cross Cricklewood South opportunity; and noted procurement timetable and that to meet this timetable an additional meeting would be needed to approve the selection of a preferred partner, which would be called in accordance with statutory requirements and the Council's constitution.
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=7960&Ver=4>
- 7.15 Assets, Regeneration and Growth Committee dated 8 September 2014 approved that the appropriate Chief Officers be authorised to negotiate and enter into agreements to acquire by private treaty the land and interests in the areas shown on the plan at Appendix 1 and to approve and enter into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition and that the appropriate Chief Officers be authorised to arrange for a land referencing exercise (including the service of statutory requisitions) to be undertaken to identify all parties with interests in the land shown edged red and shaded pink and shaded blue on the plan at Appendix 1.

<http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>
- 7.16 Assets, Regeneration and Growth Committee dated 15 December 2014 noted progress on the Brent Cross Cricklewood project.

<http://barnet.moderngov.co.uk/documents/s19845/BXC%20update%20-%20Publish.pdf>
- 7.17 Urgency Committee, 26 February 2015 (Decision Item 1)

<https://barnetintranet.moderngov.co.uk/documents/s21721/Annex%201%20Report%20to%20Urgency%20Committee%2026%20February%202015.pdf>
- 7.18 Full Council dated 3 March 2015 approved the appointment of Argent and Related Companies PLC (Bidder Z) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme; the selection of

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

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

- 7.19 Full Council dated 3 March 2015 approved that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land shaded pink on the plan at Appendix 1 and pursuant to section 13 of the Local Government (Misc Provisions) Act 1976 to acquire new rights in respect of the land shaded blue on the said plan to deliver (CPO1); That the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation and take all action needed to pursue the CPO and secure its confirmation; That the appropriate Chief Officers be authorised, following the confirmation of the CPO, to implement the CPO powers and acquire title to and/or take possession of the land ; That the appropriate Chief Officers be authorised to carry out the necessary procedures under Part 11 of the Housing Act 1985 and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants in the area shown shaded pink on the plan at Appendix 1 ; that the appropriate Chief Officers be authorised to approve the service of Initial and Final Demolition Notices as required pursuant to the Housing Act 2004 to suspend the right to buy on properties due for demolition which are situated on the Whitefield Estate but fall within the Brent Cross North Development and on the Rosa Freedman Centre; and that the appropriate Chief Officers be authorised to take all necessary steps to re-house secure tenants from the Sheltered Housing Units at Rosa Freeman and to pay statutory home loss and disturbance to those tenants.

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

- 7.20 Full Council on 3 March 2015 approved that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land to deliver the first south side phase (known as CPO2) shaded pink on the plan at Appendix 1 ; That the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation and take all action needed to pursue the CPO and secure its confirmation; That the appropriate Chief Officers be authorised, following the confirmation of the CPO, to implement the CPO powers and acquire title to and/or take possession of the land; That the appropriate Chief Officers be authorised to

carry out the necessary procedures under Part 11 of the Housing Act 1985 and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants in the area shown shaded pink on the plan at Appendix 1 and that the appropriate Chief Officers be authorised to approve the service of Initial and Final Demolition Notices as required pursuant to the Housing Act 2004 to suspend the right to buy on properties due for demolition which are situated on the Whitefield Estate but fall within the Brent Cross South Development..

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

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

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

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

Council; and noted progress on the Thameslink Station project, in particular the station design and funding strategy.

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