

	<h2>Assets, Regeneration and Growth Committee</h2> <h3>30 November 2015</h3>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Brent Cross Cricklewood Project update</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Commissioning Director, Growth &amp; Development</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public with separate Exempt report.</p>
<p style="text-align: right;"><b>Urgent</b></p>	<p>No</p>
<p style="text-align: right;"><b>Key</b></p>	<p>Yes</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>Appendix 1 CPO Plan                  Appendix 2 Regeneration Programme Milestones                  Appendix 3 Corporate Structure                  Appendix 4 Draft Station option layouts</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Karen Mercer, Programme Director Re,  <a href="mailto:Karen.Mercer@barnet.gov.uk">Karen.Mercer@barnet.gov.uk</a>, 0208 359 7563</p>

### Summary

This report provides an update to the Committee on progress on the Brent Cross Cricklewood Project. In particular it seeks the Committee’s approval to amendments to the legal agreements with the Brent Cross North Partners; establishes governance arrangements and recommends corporate structures for the Brent Cross South Joint Venture company; and updates on progress with land assembly and the development of plans for an additional Thameslink Station at Brent Cross South.

### Recommendations

**That the Committee**

1. A) Approve the terms for the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement as set out in the

**Exempt Report;**

**B) Authorise 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.**

- 2. Note 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.**
  
- 3. Approve the Brent Cross South Joint Venture Structure that will inform the Project Agreement and documentation necessary to form the Brent Cross South Joint Venture.**
  
- 4. To note the establishment of the Shadow Joint Venture Board and give 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.**
  
- 5. Note progress on the Thameslink Station project, in particular the station design and funding strategy.**

**1. WHY THIS REPORT IS NEEDED**

- 1.1 This report provides an update on progress on the Brent Cross Cricklewood project following the key milestones reached in March 2015.
  
- 1.2 As the Committee is aware, Hammerson UK and Standard Life Ltd (the Brent Cross North Partners) will deliver the redevelopment of the shopping centre at Brent Cross and the land around it, together with the infrastructure required to support the comprehensive regeneration proposals. The Council will take the lead on the south side to deliver, with its new joint venture partner, the southern parts of the Brent Cross Cricklewood Regeneration masterplan, including the land to be redeveloped in connection with the station improvements.
  
- 1.3 The Committee will be aware that the Council on 3 March 2015 approved the appointment of Argent and Related Companies PLC as the preferred development partner for the Brent Cross Cricklewood South Scheme. On 1 June 2015 the Committee approved the terms for the draft Collaboration Agreement between the Council and Argent and Related Companies and

authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Collaboration Agreement.

- 1.4 The Committee will also recall that on 16 January 2014 and 8 September 2014 it approved the Council entering into negotiations and concluding agreements by private treaty with owners whose land or interests are required for the delivery of the project. The Committee also approved the land referencing exercise to identify all parties with interests in the land and with whom private treaty negotiations should be conducted.
- 1.5 On 3 March 2014, following the Committee's recommendation, Council approved that two separate compulsory purchase orders (CPOs) 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 as shaded in the plan attached at Appendix 1 (appendix C of the 3 March 2014 report). This land is needed to bring forward the regeneration proposals in respect of the first phase development to deliver the redevelopment of the shopping centre and critical infrastructure (CPO1) and the BXC South proposals (CPO2 – hatched area at Appendix 1) as part of the overall comprehensive regeneration of the Brent Cross Cricklewood area.
- 1.6 The Council also authorised the appropriate Chief Officers to settle the final form and content of the CPOs and associated documentation and take all action needed to pursue the CPOs and secure their confirmation alongside authorising Chief Officers 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 and approving 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.
- 1.7 On 1 June 2015, the Committee 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 required to deliver the early delivery of the Thameslink Station. The Committee noted the negotiations to acquire the land and interests in the areas required to deliver the Thameslink Station by private treaty had commenced and approved entering into agreements and undertakings with the owners and/or occupiers of the land in the said areas so as to facilitate its acquisition. The Committee also noted that work was being undertaken to prepare for a possible Compulsory Purchase Order (CPO) together with the associated documentation and, if necessary, a further report would be brought back to the Committee seeking authority to make a CPO.

## **2. UPDATE**

### **Brent Cross North**

- 2.1 As previously reported to Committee, the Section 73 planning permission for the wider Brent Cross Cricklewood scheme (which amended the phasing of

the original planning permission and made consequential changes) was granted on 23 July 2014, following the completion of the Section 106 agreement.

- 2.2 Since then, the Brent Cross North Partners have focussed on discharging the relevant pre-reserved matters planning conditions and preparing the necessary reserved matters applications in respect of the critical infrastructure to be provided to support the shopping centre and comprehensive regeneration of the area.
- 2.3 The Brent Cross North Partners have submitted a number of reserved matters applications in respect of Phase 1A (North), which is largely an infrastructure phase. It includes necessary highways infrastructure to support the northern development as well as improvements to critical southern junctions including A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road. The infrastructure required relevant to the River Brent re-routeing and bridge works are also delivered as part of Phase 1A (North), along with the Living Bridge, Replacement Tempelhof Bridge, Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements.
- 2.4 The reserved matters for Phase 1A (North) have been broken down into four separate reserved matters submissions due to the size, scale and complexity of this initial sub phase of the Brent Cross Cricklewood Regeneration scheme. All reserved matters for Phase 1A (North) have been approved or have resolution to grant. These are summarised in the table below:

2.5 *Table 1. Phase 1A (North) Reserved Matters Approved*

<b>No.</b>	<b>Summary Description</b>	<b>Planning Reference</b>	<b>Status</b>
1.	The residential development of Plots 53 and 54.	15/00720/RMA	Approved 18 <sup>th</sup> May 2015
2.	The Open Space Improvements of Clitterhouse Playing Fields (Part 1) and Claremont Park	15/00769/RMA	Approved 25 <sup>th</sup> June 2015
3.	Open Space proposals for Central Brent Riverside Park	15/03315/RMA	Resolution to grant at Planning Committee 10 <sup>th</sup> September 2015
4.	Infrastructure Proposals including Roads and Junctions, Tempelhof and Living Bridges and diversion of the River Brent corridor.	15/03312/RMA	Resolution to grant at Planning Committee 10 <sup>th</sup> September 2015

- 2.6 Following a review of the detailed design of the infrastructure, the Brent Cross North Partners submitted further reserved matters applications in October 2015 for amendments to specific items of infrastructure within Phase 1A (North). These applications are currently under consideration and are set out in Table 2 below.

*Table 2. Phase 1A (North) Current Reserved Matters Applications*

<b>No.</b>	<b>Summary Description</b>	<b>Planning Reference</b>	<b>Status</b>
1.	Amendment to the design of Bridge Structure B1 (Replacement A406 Tempelhof Bridge)	15/06571/RMA	Under consideration
2.	Tilling Road /Brent Terrace North junction	15/06572/RMA	Under consideration
3.	River Brent Bridge 1, western and central part of re-aligned River Brent	15/06573/RMA	Under consideration
4.	Landscaping to Central Brent Riverside Park within the vicinity of River Brent Bridge 1	15/06574/RMA	Under consideration

- 2.7 The Brent Cross North Partners have now also started to progress the detailed design of the shopping centre. It is expected that pre-application discussions will commence in early 2016, with a reserved matters application to be submitted in early 2017.
- 2.8 The Brent Cross North Partners have also been working with TFL and the Council's highways team to progress the necessary transport modelling work and highway design to support the Phase 1 Infrastructure reserved matters application together with the necessary Road Closure Order strategy and preparatory work to inform the required highway infrastructure agreements. It is anticipated detailed work on the highway infrastructure agreements will commence in early 2016.
- 2.9 The anticipated construction start date is end of 2017, with phased opening from 2018 with completion date end of 2021. The current programme is set out in the Regeneration Programme Milestones attached at Appendix 1.

### **Brent Cross South**

- 2.10 In relation to the south side scheme, the Council is now in 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.
- 2.11 The Council and Argent Related are now jointly developing the business plan alongside progressing the project agreement and the corporate documentation required to govern formation of the new Joint Venture entity (JVLP), which will be reported to the Committee in March 2016 for approval. Following which, the project documentation will be entered into and the JVLP formally created.
- 2.12 To assist and guide this process, a Collaboration Agreement has been completed between the parties. This agreement provides the framework for ongoing discussions, working practices as well as setting the key milestones for the next year.
- 2.13 A Shadow JVGP Board, comprising Senior Officers from the Council and Argent Related, has been established to take the necessary decisions to drive the project forward and inform the emerging Business Plan, which will be considered by the Committee in March next year.
- 2.14 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 initial components of the first phase (e.g. enabling infrastructure) by the end of 2016, with further reserved matters to follow shortly after in line with the delivery programme.
- 2.15 This would facilitate starting on site by the end of 2017, with the potential for the first buildings to be occupied by the end of 2019 in line with the Council's objectives set out in the tender documentation.

### **Proposed Joint Venture Structure**

- 2.16 In respect of the structure of the JVLP, the 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 have concluded that a limited partnership would best serve the purposes of the joint venture as explained below. The Committee is asked to approve the proposed structure as set out at Appendix 3 to enable the project legal documentation to be developed on that basis.
- 2.17 During the procurement process for selection of a joint venture partner, bidders were supplied with a set of heads of terms which described the Council's intention to form a corporate joint venture in which it would have a 50% controlling stake. Bidders were invited to submit a compliant bid that

anticipated the joint venture being a company limited by shares. Bidders were also given the opportunity to express a preference, through the submission of a variant bid, for the joint venture to be structured as a limited partnership (LP). Argent and Related Companies expressed a preference for a limited partnership on the basis that this offered a more attractive structure for the purpose of attracting third party finance and allowed for a more efficient distribution of profits to Argent and Related Companies.

- 2.18 The Council is advised by Wragge Lawrence Graham (WLG) that the LP structure can be used as an effective means by which to form the joint venture. The Council participates in an LP in two ways. First, through being an equal 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; and second through the Council's entitlement to participate in surpluses from the project, which arises through its membership of the partnership.

### **Establishment of Shareholder Board & JVGP Board**

- 2.19 On the basis of this structure as described above and at Appendix 3, the Council will enter into the project agreement with the JVLP, which will be a limited partnership (LP). The LP must appoint a general partner (GP) to manage its responsibilities and deliver the project. The JVGP is a 'limited company' in which the Council has a 50% shareholding. The financial returns and investment flow through the LP.
- 2.20 For vires reasons, the Council is advised that it should establish a wholly owned subsidiary (referred to hereafter as LBBCo) which will be the 50% partner 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.
- 2.21 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. It is proposed that Council representation on the Board be made up of senior officers with authority delegated to the Chief Executive Officer to revise membership from time to time. As noted in paragraph 2.13 above, a Shadow JVGP Board has been established that comprises the Commissioning Director, Growth & Development, the Director of Resources and the Director of Place (Re).
- 2.22 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. The Board of LBBCo will be authorised to take decisions on behalf of the Council acting as the shareholder. The Committee is asked to agree that this board should comprise five nominated Members, reflecting the political balance of the Council.

- 2.23 The Committee is asked to authorise the establishment of the Shadow Shareholder Board and note the establishment of the Shadow JVGP Board prior to completion of the legal documentation and formal establishment of the JVLP and LBBCo, which is anticipated in March 2016, subject to the final approval of the JVLP Business Plan and legal documentation by the Committee.
- 2.24 The Committee is further asked to approve that the Shadow Shareholder Board should become the board of LBBCo when LBBCo is established, and should be authorised to make decisions (if any) on behalf of the Council as partner in the LP.
- 2.25 The Committee is also asked to authorise officers to draw up the terms of reference of the Shadow LLBCo Board, which should include the process for appointing Members, for agreement at the next practicable meeting of Council.

**Updated Delivery Arrangements and consequential changes to the PDA and Co-Operation Agreement.**

- 2.26 Since March 2015 the Shadow JVGP board has been undertaking work to develop the JVLP business plan, south side first phase proposals and delivery programme. A key objective is to understand how early delivery of the housing elements can be achieved within the context of the outline planning permission. As part of this work, the Shadow Board has been reviewing the planning and delivery obligations that the existing planning permission requires to be completed before the south side development can commence. It has also been reviewing the delivery obligations in respect of the critical infrastructure needed to facilitate the south side.
- 2.27 The Committee will be aware that the Property Development Agreement (PDA) between the Council and the Brent Cross North Partners signed in March this year requires the Brent Cross North Partners to deliver all of the critical infrastructure.
- 2.28 Together the planning obligations and reliance on the Brent Cross North Partners create a risk that any delays to the North could negatively impact the South.
- 2.29 The Council, in consultation with the Shadow JVGP Board, has drafted heads of terms setting out a package of measures that the Brent Cross North Partners will be required to contractually commit to through a Deed of Variation to the existing Property Development Agreement and Co-operation Agreement. This allows for the Council/JVLP taking on part of the cost of critical infrastructure to facilitate the south side development in return for a more favourable overage arrangement from the Brent Cross North Partners along with other measures that will support effective delivery of the South and give greater certainty that the North will progress in a timely way.



- 2.30 The draft heads of terms are set out in the Exempt Report. The Committee is asked to approve these heads of terms and authorise the Chief Executive in consultation with the Leader of the Council to agree the detail of the Deed of Variations required in respect of the Brent Cross Property Development Agreement and Co-operation Agreement and any required subsequent changes in the associated commercial documentation within the parameters of the draft heads of terms as detailed in the Exempt report.

### **Thameslink**

- 2.31 As the Committee is aware, the Council is leading on the delivery of the Station in partnership with Network Rail and public sector stakeholder partners in order to support the south-side scheme and comprehensive regeneration of the Brent Cross Cricklewood area
- 2.32 The Committee is also aware the Council has been working with the GLA, HM Treasury, DCLG and Department for Transport over the last 18 months to develop the Outline Business Case and funding strategy to bring forward the station proposals. In March this year, the Government announced in its Budget Statement that the government will provide £97m grant funding and ring-fence the local 50% share of business rate growth to support the London Borough of Barnet and the Greater London Authority plans for the regeneration of Brent Cross, and facilitating the delivery of 7,500 new homes.
- 2.33 The Council is currently finalising the Full Regeneration Business Case for submission to HM Government in December following a feasibility study on the options surrounding the station design. It is anticipated that the Business Case will be reviewed by the Department of Communities and Local Government Finance Sub-Committee in February 2016, with a final decision in March 2016.
- 2.34 As the Committee is aware, the Council entered into a Design Services Agreement with Network Rail on 24 November 2015 to take forward a feasibility study on the options for the station design in accordance with Network Rail's GRIP (Governance of Railway Investments Projects) procedures to develop a single option selection (known as GRIP 3). The main purpose of this exercise is to establish the required rail-side track works and location of the platforms to progress to and inform the detailed design stage (known as GRIP 4) with full approval from Network Rail and Department of Transport.
- 2.35 The GRIP 3 (Option Selection) for the new Thameslink Station is being undertaken by Network Rail supported by Capita and Carillion. The option selection work is substantially complete and on schedule to issue the final option report and cost estimate in early December to support the Full Regeneration Business Case submission
- 2.36 The emerging design is based on two island platforms (four faces) long enough to accommodate 12 car Thameslink Class 700 trains with a stopping pattern of 8 trains per hour 3hr peak, 4 trains an hour off peak on the slow

lines. This will also require track re-alignment works, signalling & telecoms, Overhead Lines Electrification amendments.

- 2.37 The options currently being developed for the station building include possible combinations of pedestrian footbridge, station concourse and ticketing. Potential option layouts are attached at Appendix 4. In this regard, discussions have commenced with Argent Related in respect of the interface between the Thameslink and Brent Cross South projects. It is anticipated that the detailed design of the station building and footbridges will be developed concurrently with Argent Related emerging masterplan for the station quarter.
- 2.38 The station design is being developed taking account of the aspiration to repurpose the Old Oak to Brent Cross Freight Line as a pedestrian route.
- 2.39 A Station Project Board has now been established to include all key stakeholders including Network Rail, TfL, the Freight and Train Operating Companies and London Borough of Brent.
- 2.40 An update on the Thameslink Station will be provided to the Committee in March 2016 following HM Government's decision on the Full Regeneration Business explaining next steps and including the proposal for contractor engagement and the GRIP 4 Detailed Design process.
- 2.41 The Committee should be aware the pedestrian bridges and buildings and structures associated with the proposed station that falls outside the operational railway land will be subject to further planning approvals and consideration by the Council's Planning Committee in accordance with the existing outline planning permission and the statutory planning framework. Operational changes such as track and signalling works are undertaken as permitted development.
- 2.42 The decision to proceed with the station project itself will be made by the Council's Policy and Resources Committee in accordance with the Council's Treasury Management Strategy and the Prudential Code for Capital Finance in Local Authorities, which allow councils to invest in capital projects provided they are affordable prudent and sustainable .
- 2.43 The target date for station opening remains 2021.

#### **Land Assembly and CPO**

- 2.44 As the Committee is aware, the Council has now made the two Compulsory Purchase Orders in respect of the land required to facilitate the first phase development as shown on the plan attached at Appendix 1.
- 2.45 The Orders were made on 20 April 2015. The formal statutory Notices were served on those affected by the CPO on 30 April 2015. Notices were also placed in local press as required and the statutory objection / consultation period to enable those affected by the CPOs to register their objections and make representations to the Secretary of State has now closed.

- 2.46 The Secretary of State has now confirmed that an Inquiry will be required. The Inquiry is scheduled to take place from 17 May – 17 June 2016.
- 2.47 The Secretary of State has also confirmed that a Pre-Inquiry meeting will take place, and it is anticipated that this will be held early in the New Year.
- 2.48 The Council and its Development Partners are responding to objections and undertaking necessary works such in order to prepare for the CPO Inquiry.
- 2.49 The Council and its advisors are progressing private treaty negotiations with those business and residents affected by the CPO.
- 2.50 The Council is leading on the acquisition of land within the south side compulsory purchase areas, as previously approved by Capital Resources Committee in January 2014 and Assets, Regeneration Committee in September 2014.
- 2.51 Heads of Terms have now been agreed with seven residential owners with the CPO areas, and it is anticipated that the Council will complete these acquisitions shortly. Similarly, the Council has reached agreement with commercial owners within the south side area. Each of these acquisitions will be subject to separate Officers Delegated Powers Report.
- 2.52 In order to prepare for a start on site, the Council has served an Initial Demolition Notice on properties within CPO1 area on the Whitefield Estate, to suspend the 'Right to Buy' and inform residents about the timescale for demolition. The Council served these Notices on the 19<sup>th</sup> November 2015 and these notices will be valid for a five year period (from 19<sup>th</sup> November 2015 to 18<sup>th</sup> November 2020).
- 2.53 The Council and Development Partners will continue to consult with residents throughout this process. The Council is also holding CPOs surgery meetings to meet directly with residents to discuss their concerns and next steps.
- 2.54 The Council has also commenced negotiations to acquire by private treaty the land and interests in the areas required to deliver the Thameslink Station. Progress is being made with landowners. However, it is likely that a Compulsory Purchase Order will be required and it is anticipated that a report will be brought back to the Committee seeking authority to make a CPO in March 2016. Formal land referencing will be undertaken in February 2016.

### **Programme Management Office (PMO)**

- 2.55 The Council set up a Programme Management Office PMO in 2014 to support the management and co-ordination of the regeneration programme interfaces between the three key development areas within the Brent Cross Cricklewood programme:

- Brent Cross North Phase 1A & B
  - to delivered by the Brent Cross North Partners
  -
- Brent Cross South
  - to be delivered by JVLP
- Thameslink Station Development
  - The delivery of which is being led by the Council

2.56 The PMO has developed and maintains an integrated regeneration programme based on the programmes developed for current project work streams and for the three key development areas provided the respective development planning and delivery teams. Key milestone dates for each of the key areas is included within the Regeneration Programme at Appendix 2.

2.57 The Council and delivery partners are to develop this function further to establish an integrated Regeneration Programme PMO. Its role will be to:-

- confirm strategic objectives and priorities between the Council and delivery transport infrastructure and other project stakeholders
- develop an integrated baseline programme against which monitor and report progress and the realisation of regeneration benefits, control programme change
- resolve issues, identify opportunities and manage risks

2.58 The PMO will operate to allow each project group and workstream within the three main development areas to be independently managed at project level whilst ensuring an integrated approach to design development and delivery. It will focus, in particular, on transport modelling; inter dependences in terms infrastructure and utilities capacity, phasing and construction logistics interfaces, risk management and the identification and realisation of opportunities which will add value for the project stakeholders and wider community

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

3.1 To maintain progress 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 If the Council does not approve the Limited Partnership structure for the joint venture then this will raise concerns on the part of Argent Related as it could have an adverse impact on their ability to raise finance for Brent Cross South. It could also result in a procurement challenge (by Argent Related) who had been offered the opportunity to justify such an approach as part of the procurement process.

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

- 5.1 The Council and its advisors will continue to work on the workstreams to delivery of the Brent Cross regeneration proposals as outlined in this report and approved by the Assets, Regeneration and Growth Committee.
- 5.2 Terms of reference will be prepared for the Shadow LLBCo Shareholder Board, and the Council will be asked to appoint Members to the shadow LLBCo Board at its next meeting; and the shadow LLBCo Board will meet in the new year to provide input into the emerging business plan.

#### **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 The Brent Cross Property Development Agreement executed on 3 March 2015 confirms that the Development Partners are obliged to pay the Council's (and their consultants') costs in connection with this project.

6.2.2 In relation to CPO, there are two main elements of costs associated with any potential CPO process – the costs of preparing and promoting the CPO itself, and the compensation and consideration to be paid to those whose land and interests are acquired.

6.2.3 In terms of the costs for resourcing the private treaty acquisitions, this will require input from internal and external resources covering various disciplines, including senior officers, legal input, and surveying and valuation expertise. In respect of these acquisitions which fall in the northern part of the scheme, the Development Partners will meet all of these costs through the CPO Indemnity agreement executed on 3 March 2015 unless otherwise agreed.

6.2.4 In relation to the land required to deliver the first phase development on Brent

Cross Cricklewood South, capital funding was approved on 4 March 2014. As detailed in the progress update of this report a number of residential and commercial acquisitions are now well advanced. This funding will be later recouped from the Brent Cross Cricklewood South development.

- 6.2.5 In relation to the design and development work for the Thameslink station, capital funding of £3.738m is currently available funded from the infrastructure reserve. This amount will be increased to £4.9m following approval by Policy and Resources Committee in December this year. This funding will be included in the overall Station development project cost. In relation to land assembly, the Council is only undertaking the preparatory work towards the CPO at this point in time as well as the land referencing exercise. The Council is in discussions with owners and occupiers within the south side area as approved by the Committee on 16 January and 8 September 2014.
- 6.2.6 Costs relating to the collaboration agreement will be determined as workstreams are determined. Argent Related have prepared a project plan identifying work streams on the critical path to supporting a CPO inquiry in May 2016, the Thameslink Regeneration Business Case, and producing a Business Plan to support Joint Venture project documentation in March together with cost estimates.

### **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's Constitution, Responsibility for Functions, Annex A states the terms of reference of Assets, Regeneration and Growth Committee, including
- to oversee major regeneration schemes including those of key social housing estates
  - all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 6.4.2 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.
- 6.4.3 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.

- 6.4.4 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.
- 6.4.5 Section 226(1)(a) of the Town and Country Planning Act 1990 enables the Council to exercise its compulsory acquisition powers if it thinks that acquiring the land in question will facilitate the carrying out of development redevelopment or improvement on, or in relation to, the land being acquired and that such development is likely to contribute to the achievement of any one or more of the objectives being the promotion of either the economic, social or environmental well-being of their area.
- 6.4.6 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.
- 6.4.7 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.
- 6.4.8 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.
- 6.4.9 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 key risks for this stage of work can be summarised as follows:
- 6.5.2 There is the risk that the Brent Cross North Partners do not progress the shopping centre scheme, or deliver part of the scheme but fail to deliver the critical infrastructure needed to facilitate the comprehensive regeneration of



the area. In this regard, the commercial agreements with the Brent Cross North Partners require the delivery of critical infrastructure. There is also provision within the legal agreements enabling the Council to acquire Hammerson owned land needed to deliver the south side in the event the north does not progress. Furthermore, the commercial agreements with the Brent Cross North Partners require the delivery of critical infrastructure to enable the Brent Cross Cricklewood South development to come forward in advance of the shopping development. This will ensure that the regeneration of the southern land is progressed.

- 6.5.3 Ultimately, if the Brent Cross North Partners did not proceed, the Council and Argent Related would work together to develop an alternative scheme for Brent Cross South (without any obligation on either party to do so). Legal advisors have confirmed that there would be no procurement issues in proceeding with such a scheme in the absence of Brent Cross North going ahead.

### **BXC South**

- 6.5.4 Failure to agree on a viable first phase scheme, thus preventing delivery. This is considered to be low risk given the due diligence undertaken to date to inform the delivery strategy. Nonetheless Argent Related will be invited to describe a backstop for Phase 1 and agree a deadlock process for resolving disagreements as part of the Business Plan and Project Agreement negotiation.
- 6.5.5 Failure to complete project documentation by March 2016. To mitigate this risk, the Council and Argent Related have signed the Collaboration Agreement to provide the framework and agreed milestones over the next 6 months. The Shadow JVLP Board has been established to drive the business plan and project documentation and to monitor progress, and take mitigation action if required.
- 6.5.6 Procurement risks are explained in the legal section.
- 6.5.7 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.

## **Thameslink**

- 6.5.8 Failure to secure the funding strategy for the Thameslink Station. The train station is a key element of the delivery of Brent Cross South. The delivery of the station will help to increase land values, thereby facilitating the regeneration of the Brent Cross Cricklewood area. The Council together with public sector partners (Greater London Authority, Network Rail and Transport For London) and Central Government working together to finalise the full business case and detail of the funding arrangements.
- 6.5.9 There is a risk that the Station business case and Regeneration business case and phasing of the works contained therein requires additional funding from the Council to ensure the works meets the required timescales. To mitigate this risk, a number of scenarios have been developed for phasing of the works ensuring the optimum and efficient investment in the station works bringing benefits on line with the business case assumptions.
- 6.5.10 The construction of Station is dependent on the Brent Cross North Partners starting on site October 2017. The investment phasing is dependent on the Brent Cross North Partners commencing on site and the development agreement (PDA) going unconditional by October 2017. The baseline programme has assumed Brent Cross North Partners commencing on site October 2017. A mitigation programme has been developed should the long stop date move back to October 2019, moving the commissioning of the station back from mid 2021 to mid 2023
- 6.5.11 There is a risk that capital costs associated with works impacting the operational railway could escalate. Costs associated with interventions on the operational railway tend to escalate due to a lack of key resources, Signalling, Overhead Line Electrification and railway possessions costs. To mitigate this risk, opportunities exist on this project to reduce the reliance on specialist railway contractors and construct the works in a “high-street environment” these opportunities and value engineered throughout detailed design GRIP4.

## **CPO**

- 6.5.12 Affected parties failing to be identified in any potential CPO – a specialist land referencing firm, TerraQuest, have been appointed to undertake the land referencing exercise to mitigate against this risk. Also, the discussions being held by the Council and the Development Partners with those affected when seeking to acquire their land and interests are helpful in checking the parties with interests in the area.
- 6.5.13 Non confirmation of the CPO – to mitigate this risk the Council has retained external legal advice and Neil King QC throughout the CPO process.

## **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/Data/Cabinet/200503291900/Agenda/Document%204.pdf>]
- 7.9 Cabinet, 5 December 2005 (Decision Item 7) – approved, amongst other matters, that 1) the Eastern Lands Addendum be adopted as Supplementary Planning Guidance; and 2) the Eastern Lands Supplementary Guidance is incorporated into the Cricklewood, Brent Cross and West Hendon Development Framework.  
[<http://barnet.moderngov.co.uk/Data/Cabinet/200512051900/Agenda/Document%204.pdf>]
- 7.10 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>
- 7.11 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?CommitteeId=120&MeetingId=306&DF=21%2f10%2f2009&Ver=2>

- 7.12 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/Data/Cabinet%20Resources%20Committee/201010191900/Agenda/Document%203.pdf>

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

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

- 7.14 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/mgConvert2PDF.aspx?ID=12505&ISATT=1#search=%22Brent%20Cross%20%22>]

7.15 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>]

7.16 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>

7.17 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>

7.18 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>

7.19 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>

- 7.20 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>

- 7.21 Full Council on 3 March 2015 approved that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land to deliver the first south side phase (known as CPO2) shaded pink on the plan at Appendix 1 ; That the appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation and take all action needed to pursue the CPO and secure its confirmation; That the appropriate Chief Officers be authorised, following the confirmation of the CPO, to implement the CPO powers and acquire title to and/or take possession of the land; That the appropriate Chief Officers be authorised to carry out the necessary procedures under Part 11 of the Housing Act 1985 and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants in the area shown shaded pink on the plan at Appendix 1 and that the appropriate Chief Officers be authorised to approve the service of Initial and Final Demolition Notices as required pursuant to the Housing Act 2004 to suspend the right to buy on



properties due for demolition which are situated on the Whitefield Estate but fall within the Brent Cross South Development..

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

- 7.22 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.
- 7.23 <http://barnet.moderngov.co.uk/documents/s23463/Brent%20Cross%20Cricklewood%20Station%20Project%20Update%20-%20REPORT.pdf>