

## **Decisions of the Assets, Regeneration and Growth Committee**

17 March 2016

Members Present:-

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

Councillor Pauline Coakley Webb    Councillor Rohit Grover  
Councillor Philip Cohen            Councillor Nagus Narenthira  
Councillor Geof Cooke              Councillor Shimon Ryde

The Chairman welcomed sixth form students of Politics from Barnet Youth Engagement Programme who have been observing a number of committees to gain first-hand knowledge of how local politics work in a council committee structure.

### **MINUTES OF THE PREVIOUS MEETING**

RESOLVED – that the minutes of the meeting held on 30 November 2015 be agreed as a correct record.

#### **2. ABSENCE OF MEMBERS**

Apologies for absence were received from Councillor Richard Cornelius.

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

None.

#### **4. REPORT OF THE MONITORING OFFICER (IF ANY)**

None.

#### **5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)**

None.

#### **6. MEMBERS' ITEMS (IF ANY)**

##### **6A. MEMBER'S ITEM CLLR PAULINE COAKLEY WEBB - BRENT CROSS CRICKLEWOOD CONSULTATION**

The Chairman invited Councillor Pauline Coakley-Web to introduce her Member's Item, which requested that the Assets, Regeneration and Growth Committee is provided with a full briefing on the Brent Cross Cricklewood consultation. She requested that this is undertaken with all stakeholders including residents, community groups and local businesses.

Following discussion on the item, the Chairman invited the Commissioning Director for Growth and Development to provide a verbal update on consultations undertaken to date summarised as follows:-

- As part of the planning application for the Brent Cross development in 2012/2013, a Statement of Community Involvement was produced and published on the Council's website.
- Community Consultation statements are also on the website setting out the approach to be taken by the development partners.
- Slides containing summaries of the consultation programme are also being produced for circulation and will be circulated to members. A variety of methods are being used - for example:
  - Hammerson have a database of 35,000 addresses to tap into
  - Argent are consulting in a number of non-formal ways such as being out in the community at a range of events.
  - Soundings - Consultation specialists have been appointed
  - The Chairman and Local Councillors have been consulted recently and updated

Following consideration of the item, the Committee requested for information on consultations and engagement to be a standing item on the agenda and form part of the Committee's work programme.

The Committee **RESOLVED**:

- 1. To include Community Consultation and Engagement as a regular update in the existing Brent Cross agenda item**
- 2. That Consultation and engagement form part of ARG Committee's Work Programme.**

## **7. BUSINESS HUB DEVELOPMENT**

The Chairman introduced the Business Hub report which falls under the Enterprise Barnet initiative. He noted that the report was seeking approval of the Outline Business Case involving a bid to the European Regional Development Fund for £500,000 to be match funded by £500,000 from the Council's Infrastructure Reserve - a total of £1m to support development of the Businesses Hub.

In the event that the bid was not successful the Chairman reported that the funding bid was subject to a 2 stage process whereby feedback on the bid will be received in April and if successful, further feedback will follow in the summer. If unsuccessful, then the scheme will be scaled down.

There was discussion about how the Hub clients would be selected. On the matter of differentiating between RE's business development activities and the ERDF funded business work, it was outlined that that the ERDF bid go beyond RE's contractual requirements. There was also discussion on pre-Gazelle businesses, putting checks and

balances in place to identify which businesses to support and setting the remit of the Hub.

Following consideration of the item, The Committee

**RESOLVED:**

- 1. To note the Outline Case for an independent and financially sustainable business hub set out in Appendix One.**
- 2. To approve the funding arrangements for the development of Business Hub activity and noted the role of external funding to resource it.**
- 3. To commence the development of a Full Business Case for the business hub, should external funding be secured.**

**8. ANNUAL UPDATE REPORT ON THE GROWTH AND REGENERATION PROGRAMME**

The Chairman introduced the report, which related to the Annual Update report on the Growth and Regeneration Programme. He thanked officers for producing a comprehensive report and for the work done in the last 12 months.

Members discussed the need for greater balance in the report for example, If 50% of business were doing well, this also means that 50% are not doing well and comment on this would be of use.

On new housing schemes, a request was made to receive reports on housing tenure, mix and a better breakdown of rents.

Having considered the report the Committee **RESOLVED:**

- 1. To note the officers report and approve the general progress being made towards delivering the Borough's regeneration and development pipeline schemes; and skills and enterprise activities**
- 2. To note and approve the key achievements and successes from April 2015 to March 2016, as well as expected activities in 2016/17 as set out in Appendix 1.**

**9. WEST HENDON CPO 2 & 2A (CPO2 AND CPO2A)**

The Chairman introduced the item and explained that whilst most of the property acquisitions would be undertaken through private treaties, the CPOs are necessary to provide a mechanism for the developments to take place and within reasonable timescales.

Councillor Coakley-Webb requested further details on community engagement proposals.

Members were informed that that by the end of the last CPO process, the development partners had learnt an enormous amount about how to manage the process at local level and a number of different approaches identified including the following:-

- Regeneration Partnership Board meetings
- Drop-in sessions
- News letter
- Mailouts
- Monthly construction working groups
- Bringing forward provision of a community centre
- Having officers based locally on the estate
- Meeting ward councillors

Councillor Narenthira and Councillor Coakley-Webb were keen to see improvements in the way that CPOs are handled.

Having considered the report the Committee **RESOLVED**:

- 1. To authorise the making of CPO2 and CPO2a**
- 2. To approve that the appropriate Chief Officer be authorised to issue and sign the order, notices and certificates in connection with the making, confirmation and implementation of CPO2 and CPO2a;**
- 3. To approve that the appropriate Chief Officer be authorised to make General Vesting Declarations (GVDs) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve notices to treat and notices of entry (if required) following confirmation of CPO2 and CPO2a;**
- 4. To approve that the appropriate Chief Officer be authorised to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a GVD or service of a notice of entry relating to CPO2 and/or CPO2a if it was considered appropriate to do so;**
- 5. To approve that the appropriate Chief Officer be authorised to transfer all properties and proprietary interests acquired pursuant to CPO2 and CPO2a to the relevant development partners in accordance with the terms of the restated Principal Development Agreement dated 5 February 2014;**
- 6. To approve that the appropriate Chief Officer be authorised to take any further necessary actions to secure the making, confirmation and implementation of CPO2 and CPO2a;**
- 7. To approve that the appropriate Chief Officer be authorised to appropriate to planning purposes any parcel of land within the red line planning application boundary for the scheme and/or the CPO Plan (attached – Appendix 1) which is held by the Council for another purpose subject to**

**obtaining any necessary statutory consents required and/or compliance with any statutory procedures for such appropriation.**

Votes were as follows:

For	4
Against	4
Abstain	0

The Chairman used his casting vote in favour.

Immediately following the vote Councillor Coakley-Webb, moved to refer the item to the next practicable meeting of Full Council. The referral was supported by:

- Councillor Geof Cooke
- Councillor Nagus Narenthira

Context for referral following officer presentation and debate:

- Concerns expressed regarding the process of valuations and offers made to residents;
- Although officers had maintained that lessons had been learnt through the CPO1 process some Members still had concerns (e.g. the level of affordable housing provision);
- Discussions with of local residents

The reasons given for the request to refer the item were:

- Members expressed a view that the project could have an effect of social cleansing
- Members want to ensure that the interests of residents will be protected

The Committee **RESOLVED:-**

**To refer the item to to the next possible meeting of Full Council**

## **10. COLINDALE OFFICE ACCOMMODATION**

The Chairman introduced the item and briefed the committee on the outcome of the Colindale Office planning application that went to committee on 16<sup>th</sup> March 2016.

Councillor Coakley-Webb, Councillor Cohen and Councillor Cooke felt that there should be adequate parking provision. Councillor Cooke felt that terms of reference of ARG Committee should extend to considering matters such as this.

Having considered the report the Committee **RESOLVED**:

- 1. To note the progress on the Colindale Office project;**
- 2. To note the intention that the Colindale Office Planning Committee application be reported to its meeting on 30 March 2016.**
- 3. To note that a Full Business Case (FBC) be reported to a future Committee meeting**
- 4. To approve the use of up to £2 million of the existing budget allocation for conclusion of the pre-construction activities and technical design and help maintain the current delivery programme ahead of the submission of the Full Business Case. The £2 million allocation constitutes 7.5% of the estimated overall Capital Build Budget.**
- 5. To agreed to delegate the authority to the Chief Operating Officer to settle terms and enter into the required pre-construction stage agreements**

Votes were as follows:

For	4
Against	4
Abstain	0

The Chairman used his casting vote in favour.

Immediately following the vote Councillor Cooke, moved to refer the item to the next practicable meeting of Full Council. The referral was supported by:

- Councillor Coakley-Webb
- Councillor Narenthira
- Councillor Philip Cohen

Context for referral following officer presentation and debate:

- Not convinced that legally the item can be decided upon following confirmation that that the decision cannot be taken to Full Council and no decision having been made at Planning Committee;
- Not convinced that the decision to refer to the next Planning Committee in March 2016 is relevant when the premise of the scheme without parking is flawed;
- Not convinced that the Assets, Regeneration and Growth Committee does not have the remit to comment on parking considerations relevant to the Scheme. This type of application should be in the committee's remit;
- Not convinced that amending the recommendation of the Assets, Regeneration and Growth Committee report to include "subject to planning approval" is appropriate for the scheme;

- Not convinced that there are sufficient disabled parking spaces allocated within the proposal whether on site or at RAF museum.

The reasons given for the request to refer the item were:

- Inadequate parking provision proposed
- The council is the landowner and planning applicant therefore Assets, Regeneration and Growth Committee Members should have the right to determine the types of planning applications submitted on behalf of the Council.

Committee **RESOLVED**

**To refer the item to to the next possible meeting of Full Council.**

## 11. COMMISSIONING PLAN

The Chairman introduced the next item - the Assets Regeneration and Growth Committee Commissioning Plan for the next five years 2015 - 2020.

Councillor Cook requested clarification of the figures in Appendix 1 and there was also interest in receiving more detail on the income and savings figures and targets.

Comment was made that business failure rates in the borough were not considered to be a big issue and Barnet has lower than average unemployment rates including for youth.

Having considered the report the Committee **RESOLVED**:

- 1. To approve the addendum to Assets, Regeneration and Growth Committee Commissioning Plan for 2016/17 (Appendix A).**

Votes were as follows:

For	5
Against	0
Abstain	4

## 12. DEVELOPMENT OF NEW AFFORDABLE HOMES BY BARNET HOMES REGISTERED PROVIDER

The Chairman introduced the Affordable Housing Development pipeline report which includes the outline business case for new homes on housing revenue account land in the borough and the establishment of Opendoor Homes, a wholly owned subsidiary of Barnet Homes.

Members were pleased at the news that this tranche is made up of homes for rent and asked officers to continue to consult with councillors. The Chairman requested for consultation to take place before planning permissions are granted. Comment was also made on the need for consideration to be given for parking provision on new sites as this can add to parking pressure in existing residential areas and that reports should specify sites which are intended to have the benefit of parking provision.

Having considered the report the Committee **RESOLVED**

- 1. To approve the outline business case (please see Appendix 3) for Opendoor Homes, a subsidiary of Barnet Homes, to make planning applications with a view to developing homes on Housing Revenue Account land for affordable rents.**
- 2. To approve the location of the sites included in Phase 1 of the development programme and set out in Appendix 1.**
- 3. To note that a further report regarding sites for the second phase of this development programme will be brought to Committee in June 2016.**
- 4. To agree authority and agree substitution of sites in the initial programme is delegated to the Commissioning Director, Growth & Development, subject to necessary due diligence and permissions and consultation with Ward Members.**
- 5. To note a further report to approve the final Full Business Case for Phase 1 of the development programme will be brought to Committee in September 2016.**

### **13. BRENT CROSS CRICKLEWOOD COMPULSORY PURCHASE ORDER (NO. 3)**

The Chairman introduced the item regarding the making of a CPO in respect of the land and interests needed to deliver part of the station phase in the Brent Cross Cricklewood regeneration Scheme.

The Chairman also welcomed a presentation by the Commissioning Director for Growth and Development to Committee on the legal structure of the Limited Partnership and its interface with the Limited Partnership Agreement and the Shareholder Agreement.

The Chairman expressed an interest the timeline for the shopping centre and was informed it was a 3-year build completing in 2021. Replacement of the Whitefield units will occur over time and the needs of some residents may have changed over time. Councillor Ryde highlighted that as the scheme gets closer, only then will residents be aware that there will be a huge impact on their lives. Councillor Rosenberg asked for early involvement in engagement with councillors and Committee. Members were informed that Argent has a good track record of public engagement and the regeneration of Kings Cross is evidence of this as large numbers of residents were engaged and impressed with their work. Argent have engaged Soundings to work on some early



consultation and engagement such as one to one meetings, a number of small events, exhibitions in order to take on board local concerns. Councillor Rozenberg welcomed the engagement but said that Ward Councillors have not been included yet and it is key to have a broader understanding of issues – ie traffic.

The Chairman asked that Ward Councillors are made aware of consultation events, even if not invited. Councillor Narenthira asked for wards along the A5 to be included in the wider consultation as they will be affected by the CPO and works.

With reference to option 1 referred to in the report recommendations, on request Members were offered and welcomed, receipt of information on other options available and to receive more information from Capita Rail on Grip3 which was hard to grasp because of the complexities.

Having considered the report the Committee **RESOLVED**:

- 1. To approve that a compulsory purchase order (CPO) be made pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land shaded pink on the plan at Appendix 1 of 2 Plan and 2 of 2 Plan.**
- 2. To approve that appropriate Chief Officers be authorised to settle the final form and content of the CPO and associated documentation, including the Statement of Reasons, and take all action needed to pursue the CPO and secure its confirmation.**
- 3. To approve 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.**

#### **MOTION TO EXCLUDE THE PRESS AND PUBLIC**

The Chairman informed the Committee and the public gallery that the meeting would now be held in private to hear exempt papers. The room was subsequently cleared. Councillor Richard Cornelius joined the meeting for this item.

#### **14. BRENT CROSS CRICKLEWOOD**

The Chairman introduced the item and members discussed a range of exempt matters.

Having considered the report the Committee **RESOLVED**

- 1. To note that the amendments to the Brent Cross Property Development Agreement and Co-operation Agreement as set out in the Exempt Report to the Committee report 30 November 2015, which authorised the Chief Executive in consultation with the Leader of the Council to agree the detail of the Brent Cross Property Development Agreement and Co-operation Agreement and required subsequent changes in the associated commercial**

documentation are being progressed and will be completed in parallel with the Brent Cross South documentation.

2. To note that Council agreed the terms of reference for the Shareholder Board for the Brent South Joint Venture and the composition and Membership of the Shareholder Board, as per paragraphs 2.13, 2.14 and 2.15 of the report to Council on 1 March 2016.
3. To re-confirm Argent Related as the joint venture development partner in accordance with the OJEU procurement process as approved by the Committee on 22 July 2014.
4. To approve the detailed terms of the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation (including Compulsory Purchase Indemnity Agreements) as set out in this report and the Exempt Report to the Committee; Authorise the Chief Executive in consultation with the Leader to finalise and complete the documentation associated with the JVLP and enter into contract with JVLP.
5. To approve the establishment of LBBCo for Brent Cross South.
6. To approve the Best Consideration Mechanism as detailed in the Project Agreement and authorise the Section 151 Officer to determine Best Consideration in accordance with the Project Agreement.
7. To approve the Brent Cross South Business Plan as attached to the Exempt report.
8. To note progress on land acquisitions within the CPO red line boundary and preparation for the CPO Inquiry for Brent Cross Cricklewood CPO (CPO1) and Brent Cross Cricklewood CPO (CPO 2) scheduled for 17 May - 17 June 2016.
9. To approve the Station Single Option Design as shown at Appendix 5; and note the funding and delivery strategies for the Brent Cross Cricklewood Thameslink Station project;
10. To approve the commencement of the detailed design of the station (known as GRIP 4) and associated work packages within the station phase of the Brent Cross South; and delegate to the Chief Operating officer permission to agree terms and enter into the Design Service Agreement with Network Rail to deliver the railway works elements of the GRIP 4 process.
11. To approve the revised spend in respect of Thameslink as detailed in the report and note that Policy and Resources will be recommended to approve the budget.
12. To note progress on the land acquisition strategy to deliver the station phase and that a separate report is being considered by this Committee to resolve to make a CPO to deliver this element of the Brent Cross Cricklewood regeneration project.

## **Agenda Annex BRENT CROSS CRICKLEWOOD (EXEMPT)**

Having considered the report the Committee **RESOLVED:**

- 1. To Note the contents of the public report,**
- 2. To approve recommendation 2 of the exempt report**
- 3. To approve recommendation 3 of the exempt report.**

### **15. COMMITTEE FORWARD WORK PROGRAMME**

The Chairman introduced the item, following which Members noted the report.

Having considered the report the Committee **RESOLVED:**

- That the work programme be approved**

### **16. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT**

There were none.

Vice Chairman Councillor Rosenberg thanked the Chairman for his hard work over the course of the last municipal year. Councillor Thomas thanked all Committee Members and Officers for their efforts supporting the work of the Committee.

The meeting finished at 9.34 pm