



Housing and Growth Committee 17 January 2023

Title	Brent Cross Update Report
Report of	Chair of Housing and Growth Committee
Wards	Cricklewood
Status	Public with Exempt report (Not for publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 as amended as this relates to information of a financial nature and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).
Urgent	No
Key	Key
Enclosures	Appendix 1, Brent Cross West Station (BXW) Site Progress Photographs Appendix 2, Governance Assurance Board Meeting Presentation 16 November 2022
Officer Contact Details	Luke Ward, Brent Cross Programme Director: luke.ward@barnet.gov.uk

Summary

This report updates on progress across the Brent Cross programme since the last update to this Committee on the 16th November 2022.

In particular it provides an update on the progress on site with the start of works above ground on the first plots of Brent Cross Town, and continued good progress on Brent Cross West Station construction.

The report also includes recommendations seeking authority to enter into various agreements required to continue bringing forward the Brent Cross Development.

Officers Recommendations

That the committee:

1. Note the progress across the Brent Cross programme as detailed in the report; notably the start on site of above ground works for the first plots of Brent Cross Town, and the continued good progress of the station works programme.
2. Approve the approach to carry out works to the former Hendon Waste Transfer Station to remove the council liability to pay National Non-Domestic Rates (NNDR) on the vacant premises as set out in [paragraph 1.39](#)
3. Delegate to the Chief Executive in consultation with the Chair to approve the form of the template Infrastructure Lease and template Service Charge Lease, pursuant to the project agreement, as set out in [paragraphs 1.19 to 1.22](#)
4. Delegate to the Chief Executive in consultation with the Chair to finalise and enter into the required agreements to enable the drawdown of the primary substation and energy centre on Plot 59 to enable Brent Cross Town to deliver on the net zero carbon pledge for the new town as set out in [paragraph 1.23 to 1.24](#). Agreements are expected to include;
 - i. Grant by LBB of an infrastructure lease for Plot 59 and entry by LBB into associated documents required to facilitate the granting of the infrastructure lease for plot 59 and;
 - ii. Grant by LBB of leases to various utility providers relating to the operation of the substation and energy centre on Plot 59.
5. Delegate to the Brent Cross Programme Director to agree and enter into relevant agreements with BXSLP or directly with services providers to grant required wayleaves for telecoms or other services being installed for delivery of the Brent Cross Town development, utilising the standard council wayleaves process wherever applicable, as set out in [paragraph 1.25](#)
6. And delegates to the Deputy Chief Executive in consultation with the Chair to finalise the station construction contract as set out in the Exempt report

1. Why this report is needed

- 1.1. This report provides the quarterly update on progress on the Brent Cross Programme since the last update to this Committee on 16th November 2022.
<https://barnet.moderngov.co.uk/documents/s75102/PUBLIC%20-%20BX%20HG%20FINAL%2016%20Nov%202022.pdf>
- 1.2. Since the last report progress continues to be made across the development site as can be seen in the latest drone images ([November 2022 Drone Footage](#)). The key updates for the committee to note are as follows:

- Above ground works on site for Plot 12 have commenced as can be seen from latest drone images showing the first tower cranes now erected on site. The core of Plot 12 is also now visible from the surrounding areas.
- The Reserved Matters planning application for Clitterhouse Playing Fields was submitted on 21st November 2022 following conclusion of the third round of consultation.
- Vacant possession has been achieved of Unit 2 on Brent Terrace North, which is to be developed as a meanwhile use opening later in 2023 and benefiting the new development and existing community.
- Works continue on the fit out of the new Brent Cross West Station with major construction works now completed.
- The planning application being brought forward by Chase New Homes on the Donoghue Waste management site has been submitted.



Brent Cross West Station in the foreground. Brent Cross Town in the background (December 22)

Brent Cross West Station

Works Update

- 1.3. Positive progress continues to be made at the new Brent Cross West station since the last report to this committee.
- 1.4. As can be seen from the photographs in appendix 1 the main station structure is complete, and the external envelope is nearing completion. Network Rail has completed its railways systems and sidings infrastructure work. Work on the station continues at pace with several teams working across the site installing electrical and communications systems, and finishings.

Programme Update

- 1.5. Since the last committee, rail strikes have continued to disrupt progress on site. Network Rail has worked hard with the construction contractor VolkerFitzpatrick to ensure that the effect of the disruption is minimised. Planned works were undertaken on site over the Christmas holiday.
- 1.6. The construction programme for the new year is currently under review. It is anticipated that physical works will be completed in Q1 2023 with a period of testing and commissioning to follow.
- 1.7. The Steering Group of Key Stakeholders formed to oversee station completion and handback progress in readiness for station opening will meet again in late January 2023 to review readiness for station opening and consider potential station opening dates. Key Stakeholders include Network Rail (NR), Govia Thameslink Railway (GTR), Department for Transport (DfT), Related Argent, VolkerFitzpatrick Limited, MACE and London Borough of Barnet. Once all stakeholders have agreed on the bringing into use programme the official station opening date will be confirmed. This is expected to be publicised in the coming months.
- 1.8. As previously reported work is underway to develop a communications strategy and programme of events leading up to and including the station opening. This focuses on the practicalities of preparing for a station opening, the opening event and the events leading up to the opening. For these events to be planned effectively, a firm opening date is required, which is a key objective of the handback steering group as mentioned above.
- 1.9. Site visits continue to be planned and arranged for stakeholders including local residents, schools, and local businesses, as well as national figures, industry partners, local councillors, MPs and press. It is anticipated that this work will grow as the station gets closer to completion. Careful co-ordination of visits is required as we anticipate a large amount of interest in the station opening. Further updates will be provided to the committee in the coming months.

Station Property Agreements / Operational Costs

- 1.10. The council continues to work with NR, GTR, Brent Cross South Limited Partnership (BXSLP) through the Estate Management Company (ManCo) and the DfT to finalise the property agreements required to manage the station on a day-to-day basis. This will be an area of significant focus over the coming months as the station construction programme draws to an end. Positive dialogue has taken place with DfT with further discussions scheduled in early 2023.
- 1.11. The council have completed the electricity sub-station lease with Vattenfall which enables power to be provided for the next stage of works and station opening.

Western Public Realm

- 1.12. Construction works to the western public realm are anticipated to commence early in 2023 and will be completed in time for station opening. All pre-commencement conditions for the public realm have now been approved by the Local Planning Authority.

- 1.13. In addition to the public realm works, wider pedestrian wayfinding to the west of the station is required to facilitate recommended walking routes to and from the station. Specialist resource has been procured to support this initiative.
- 1.14. More broadly, a joint programme of work is developing with the London Borough of Brent between the western side of the midland main line and the A5. This work is seeking to support Brent to develop ambitions set out in its Local Plan to deliver regeneration and place making initiatives in and around the Staples Corner industrial estate, capitalising on access to the new station, the jobs at Brent Cross Town, and creating inclusive economic growth in the wider sub-region.

Brent Cross Town

- 1.15. Further progress is being made across the site as can be seen from the latest drone footage of the development area [November 2022 Drone Footage](#).
- 1.16. Following completion of the legal agreements required to commence the first building plots at Brent Cross Town, and the announcement of wider investment into the first phase, works have started on site above ground with several tower cranes now erected and the first building core visible from the surrounding area (see image below).
- 1.17. Works are underway to develop the contractor office space that will serve the development as more plots commence over the coming years.



First tower cranes constructed and core of plot 12 now visible above ground (December 22)

- 1.18. Currently above ground works are underway on Plot 12, 25 and 202. Works on plot 13 are due to commence in January 23, Plot 14 in May 23 and plot 203 in December 2023.

Template Infrastructure Lease

- 1.19. As part of the development of Brent Cross Town the council are required to grant leases for infrastructure plots. In general, infrastructure leases will cover areas that fall outside of development plots. This will mainly cover areas of the Brent Cross Town estate such as public realm, roads and pavements (non-adopted), but also includes

plots that include infrastructure that serve the development, such as plot 59 which includes the primary substation and energy centre.

- 1.20. In order to agree Infrastructure Leases for relevant plots as they come forward, the Project Agreement requires a template infrastructure lease to be agreed that will serve as a framework for individual leases, which will be tailored where required. Discussions have been ongoing between the council and Related Argent on the form of this agreement, and the committee is asked to delegate to the Deputy Chief Executive in consultation with the Chair to approve the form of the template Infrastructure Lease pursuant to the project agreement.

Template Service Charge Lease

- 1.21. Similar to the infrastructure lease mentioned above, the council are required to enter into a template service charge lease which will act as a framework service charge agreement between the estate management company (Estate Manco) and the Council for the Brent Cross Town estate.
- 1.22. The service charge lease is between the Estate Manco and Council and sits above the Development Plot leases so that Estate Manco becomes the landlord of the plot developer. The Project Agreement requires a template form of service charge lease, which is substantially based on the template form of development plot lease. The form of development plot lease will be adapted as necessary for each development plot. The committee is asked to delegate to the Deputy Chief Executive in consultation with the Chair to approve the form of the template service charge lease pursuant to the project agreement.

Brent Cross Town Primary Substation (Plot 59)

- 1.23. Construction works on the new Brent Cross Town primary substation have progressed well as shown by the below image. The colourful wrap has now been installed and this hallmark building can be seen from the surrounding area and is expected to become a symbol for the new development. Proposals for the associated energy centre which will provide a district heating solution for the new town are currently being developed.



Brent Cross Town primary substation wrap complete

- 1.24. Following completion of works, an infrastructure lease and associated agreements will be granted to Brent Cross Town to allow drawdown of this plot. Associated agreements may be required with utilities providers relating to the operation of the substation and energy centre. The committee is therefore requested to delegate to the Deputy Chief Executive in consultation with the Chair to enter into the required agreements to enable the drawdown of the primary substation and energy centre on Plot 59. Agreements are expected to include;
- i. Grant by LBB of an infrastructure lease for Plot 59 and entry by LBB into associated documents required to facilitate the granting of the infrastructure lease for plot 59 and;
 - ii. Grant by LBB of leases to various utility providers relating to the operation of the substation and energy centre on Plot 59.

Wayleaves for utilities and services

- 1.25. As part of the Brent Cross Town development utilities and services will be installed across the estate and will connect into the surrounding area. As a result, several wayleaves will need to be granted to either BXSLP, or directly with utility/services providers. The council has a well-established process for agreeing wayleaves on council owned land, and this process will be utilised wherever possible. The committee is asked to delegate to the Brent Cross Programme Director to agree and enter into relevant agreements with BXSLP or directly with services providers to grant required wayleaves for telecoms or other services being installed for delivery of the Brent Cross Town development, utilising the standard council wayleaves process wherever applicable.

Plot 1 – Sheffield Hallam university announcement

- 1.26. Following the approval of the Reserved Matters planning application for Plot 1 on 6th October 22, Related Argent announced that Sheffield Hallam university will open its first satellite campus outside of Sheffield in Plot 1, known as 3 Brent Cross Town. The University is scheduled to open from 2025/26, with the aim of reaching a target of up to 5,000 students by 2030.
- 1.27. The establishment of the new university complements the planned development on Plot 25 which is now underway. The building will provide accommodation for 662 students, communal study and recreational areas as well as a commercial unit on the ground floor.

Clitterhouse Playing Fields Update

- 1.28. Following the conclusion of the final round of public engagement in October the full planning application for Clitterhouse Playing Fields was submitted by Related Argent on the 21st November. The full application documents and plans can be viewed on the [Barnet Planning portal](#) by using reference 22/5617/FUL.
- 1.29. The six-week public consultation period as part of the planning process is scheduled to conclude on the 6th January 2023 with the final decision on the application likely to be made at the Strategic Planning committee.

Business Plan Update and Second Phase Proposal

- 1.30. Related Argent are currently working up details on revisions to the Business Case and the second Phase Proposal, following Phase One going unconditional in June 2022. These documents are expected to be submitted to the council in early 2023 and will be included in future reports to the committee. The current driver for approval of the second phase proposal is the commencement of Plot 1 which is expected to start in May 23.

Relocation of the Whitefield Estate Part 2 – Plot 12

- 1.31. As previously reported, Plot 12 works are underway with the completion of new homes expected in 2024. Currently, L&Q is carrying out several engagement activities relating to the relocation of Whitefield Estate residents including holding 1-1 appointments with the secure tenants to discuss their allocation for the new homes. Related Argent and L&Q have invited secure tenants to attend tenant choices sessions which are being held at the Pavilion Visitors Centre from 3 to 31 January 2023. This will provide secure tenants with the opportunity to review and select colour choices for rooms in their new homes. L&Q also intend to meet with resident leaseholders, to discuss the shared equity deal. This activity should help to ensure that residents feel fully engaged with the regeneration, and any questions they have are answered.
- 1.32. L&Q has developed a communication plan for the residents which will include hosting several drop-in sessions, exhibitions, developing FAQs and producing a shared equity guide and updating the resident guide for Whitefield Estate Part 2 residents.
- 1.33. The council and BXSLP are continuing to work together to agree the strategy to secure vacant possession of the Whitefield Estate. As part of the strategy, the Council is promoting an Advanced Acquisition scheme for leaseholders. This scheme will allow leaseholders to sell their property in advance of the vesting dates and it will replace the existing Hardship Buyback Scheme. Further details about the scheme are contained within the Whitefield Estate Part 1 and 2 Delegated Power Report <https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=9053>. Letters are due to be issued to inform the leaseholders about the scheme.

Brent Terrace North Properties

- 1.34. As reported to the committee on the 16th November, BXSLP are working with a leisure operator on a proposal for Unit 2, Brent Terrace North, with the aim to upgrade the building for grass-roots sports use. The council have since secured vacant possession of the building and granted a lease to BXSLP in December 2022. This allows BXSLP to carry out enabling works to the property, due to complete early March 2023. Following the enabling works, the operator will arrange its fit out works and these are due to complete early June 2023.
- 1.35. The council is in the process of finalising terms for renewing the temporary letting for Jesus House to allow continued use of the property at 112 Brent Terrace which neighbours Unit 2. Target completion is January 2023.

Wider Economic Climate

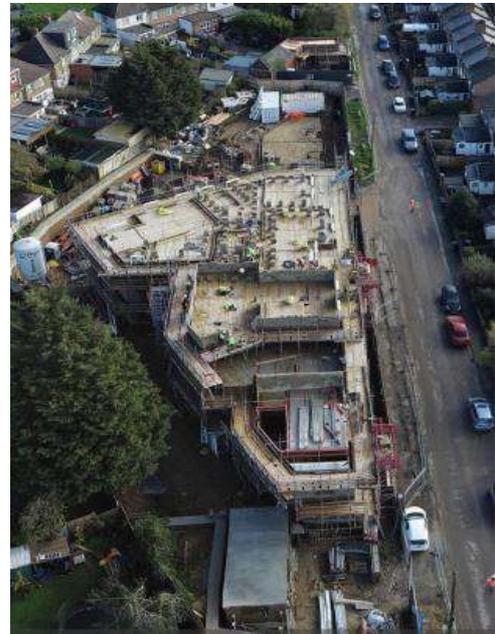
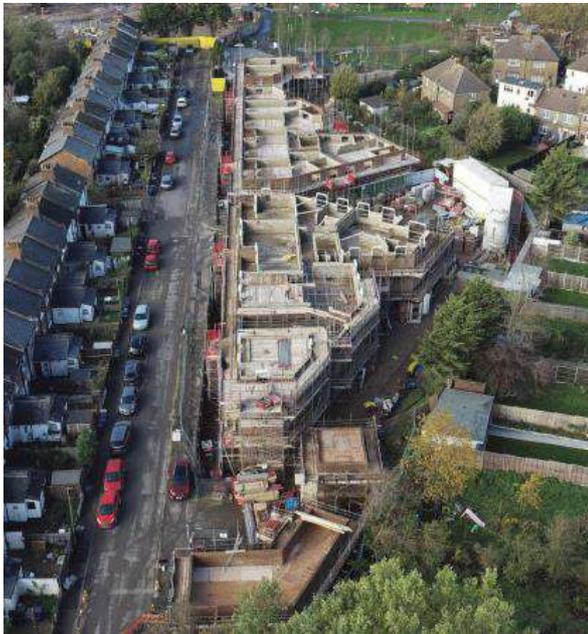
- 1.36. Despite good progress noted above and significant investment recently announced in the scheme, the ongoing economic turbulence as a result of recent national events brings uncertainty to investment markets which could result in challenges in the coming phases of the programme. Investment viability into the scheme is directly linked to

interest rates which have been increasing over the past 6 months. The current projections for future increases are lower than previously thought, however increases to rates and market volatility will have an impact on investment viability for future phases. The council and Related Argent continue to closely monitor the latest developments and assess the potential impact on the development.

Critical Infrastructure being delivered by the council

Relocation of the Whitefield Estate Part 1 – Plots 53 and 54

- 1.37. L&Q's contractor Bugler is continuing with the main construction works on Plots 53 and 54. The estimated completion of Plot 54 is scheduled for May 2023. Plot 53 construction has experienced some delays and is due to complete later in 2023. Works are progressing well on Block B (Plot 53) with fifth lift brickwork complete and scaffold lift in progress, internally mechanical and electrical services (M&E) first fix and screeding works have commenced. On Plot 54 the outer buildings brickwork is now up to roof level. See drone image of Plot 53 (Block A and B) and Plot 54 (C and D) below:



Plot 53 & 54 Construction – December 2022

New Waste Transfer Station

- 1.38. McLaughlin & Harvey have completed the RIBA Stage 3 design for the replacement Waste Transfer facility at Geron Way, incorporating the selected options from the value engineering review. The end users, the North London Waste Authority (NLWA) and LondonEnergy Ltd (LEL) have been engaged to ensure the most effective design from an operational perspective. The price and programme to develop this design to RIBA Stage 4, construct and hand over into operation, is due in early February 2023. This will provide the Council with the required information to issue the Notice to Proceed to Stage Two of the Main Works Design & Build Contract.

Hendon Waste Transfer Station

- 1.39. The former Hendon Waste Transfer Station (HWTS) has been vacant since being procured by the council as part of the purchase of Network Rail land to facilitate the

train station development. The team have been working with the environmental agency to remove the environmental permit which covers the site. Following a period of empty rates relief, the property is now attracting Non-Domestic Rates (NNDR) which the council is liable for. A strategy has been developed which may require appointing a contractor to undertake works to the property to remove the NNDR liability until such time as the land is transferred to Brent Cross Town for redevelopment. The committee is requested to delegate to the Brent Cross Programme Director to implement this strategy. The proposed works have been included in the council procurement forward plan.

Highways Works

- 1.40. The committee has previously approved the appointment of Tarmac Kier Joint Venture (TKJV) under the Highways Maintenance Framework to provide highway design and construction services on the Brent Cross project.
- 1.41. The Brent Cross Regeneration team has started engagement with TKJV to support the programme on the following schemes:
 - Brent Cross West Station western entrance public realm (Design and Construction)
 - A5 Edgware Road j/w Geron Way widening and improvements (Construction)
 - Brent Terrace north improvements (Construction)
 - Tilling Road j/w Claremont Road widening (Design and Construction)
 - Tilling Road West realignment and improvements (Design and Early contractor Involvement)
 - A5/A406/M1 junction improvement works (Design and Early contractor Involvement)

164-168 Cricklewood Broadway

- 1.42. A separate report relating to the proposed use of the site at 164-168 Cricklewood Broadway will be submitted to this committee which includes further details of the proposal for this site.

Compulsory Purchase Progress

- 1.43. The council continues to negotiate with claimants through its agent Newsteer Chartered Surveyors and remains available to conclude terms for settlements based on the CPO compensation code. Further payments have been made to claimants where negotiations have permitted.
- 1.44. The council continues with its Undertaking Agreement with Network Rail to acquire land required for the project including relocating a NR pointers heater DNO cabinet.

Whitefield Estate CPO 1 Part 1

- 1.45. CPO notices to acquire the remaining freehold and leasehold interests (6 properties) are due to vest with the council in May 2023. CPO work is underway to plan for the taking possession of leasehold units and serving any further notices as required to assist with this process. Work is underway to programme the acquisitions and associated work to ensure the smooth transfer of residents in Part 1 to new property with a single move still being provided to residents.

- 1.46. With regard to Shared Equity, the Council is proposing to settle the valuations for resident leaseholders/freeholders opting for shared equity at least six months prior to the completion of the new homes on Plots 12 and 54, as this will provide all parties with certainty on both sale and acquisition. The intention is to streamline all decisions for both Whitefield Estate Part 1 and 2 to ensure all leaseholder and freeholders are given the same opportunities.

Whitefield Estate CPO2 Part 2

- 1.47. CPO notices for this part of the estate are due to vest with the Council over March / April 2024. Newsteer are negotiating with leaseholders / agents to secure agreements for sale.
- 1.48. As reported in paragraph 1.33, the Council will be implementing an Advanced Acquisition Scheme, whereby any leaseholder wishing to sell in advance of vesting can do so. Additionally, an amended Options Agreement will remain, with an extended expiry date (until 21 March 2023) for exercising the agreement. This would suit the Homes England funding managed by BXSLP. The final terms will be delegated to Chief Officer in consultation with the Chair of the committee.

Controlled Parking Zones

- 1.49. As reported to the last committee the approach to implementing parking restrictions in the area have been split into two phases with an Experimental Traffic Regulation Order (ETRO) in the areas directly in the vicinity of the new station and Claremont Park, followed by a full Controlled Parking Zone (CPZ) covering the wider development.
- 1.50. A dedicated [ETRO/CPZ page](#) has been developed at TransformingBX.co.uk and will be updated with the latest information as the programme is implemented, with targeted communications being sent directly to affected residents explaining how the restrictions will operate and next steps.

TFL Bus Route Consultation

- 1.51. As reported to the committee on the 16th November, in June TfL started consultation on the Central London Bus Review. The council has challenged the proposals in its response to the consultation, as approximately 7.5% of the forecast bus passengers accessing Brent Cross Town would be affected by the proposed changes to the 189 and 16 routes and it will make it harder for the Brent Cross development to meet agreed modal share targets. The council await details of any proposed changes following the TfL consultation and further updates will be reported to the committee.

Promoting skills employment and opportunities

- 1.51.1. A key part of our communications strategy is to promote the opportunities for local people and businesses during the construction phase of the development and beyond.
- 1.51.2. Social value teams across the development continue to support local schools and community groups. And over the coming months we will be increasing our communications activity around jobs and skills opportunities across our sites.

1.51.3. Skills, jobs and grant opportunities can also be found at www.transformingbx.co.uk/opportunities

Donoghue Site

1.52. As reported to the committee on the 5th September, the PB Donoghue waste management site on Claremont Road has been sold to Chase New Homes, an independent housing developer. A detailed planning application has since been submitted on 26th October 2022 under planning reference 22/5238/RMA.

1.53. Following the planning process, a detailed design will be developed ahead of construction. In the meantime, the waste management site will continue to operate as usual.

Brent Cross South Retail Park

1.54. The Retail Park remains fully let.

1.55. Heads of Terms and the subsequent variation to the project agreement have been completed to provide the framework for bringing the Retail Park into the Brent Cross Town Joint Venture. Progress incorporating the Retail Park into the wider scheme will be reported to future meetings of the committee.

Brent Cross Shopping Centre

1.56. There is no further update since the last meeting of the committee. Hammerson have communicated they are developing some plans to implement some minor improvements to the area surrounding the shopping centre.

Programme Terminology

1.57. Brent Cross Town is part of the wider Brent Cross Cricklewood development, and while it is a major objective of the scheme, there are several other deliverables that form part of the comprehensive redevelopment of the area and are important to delivering the wider scheme benefits. Notably, the new Brent Cross West station as well as highway junction improvements already undertaken in Cricklewood sit outside of the delivery of Brent Cross Town.

1.58. Further to the above, it should be noted by the committee that the joint venture partnership between the council and Related Argent that is delivering Brent Cross Town is formally known as Brent Cross South Limited Partnership (BXSLP). Many of the legal agreements required to be entered into by the council are with BXSLP and therefore when delegations are required to enter into agreements the full legal entity will be referenced. In other instances where updates on progress are given, the name Brent Cross Town will be used to refer to the new town development.

2. Reasons for recommendations

2.1. The comprehensive regeneration of Brent Cross is a long-standing objective of the council and a key regeneration priority of the Mayor of London. The details of the scheme are set out in previous update reports to this Committee

3. Alternative options considered and not recommended

3.1. None in the context of this report.

4. Post decision implementation

4.1. The council and its advisors will continue to progress all work streams to ensure delivery of the Brent Cross regeneration proposals as outlined in this report and approved by the Housing and Growth Committee.

5. Implications of decision

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

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

5.1.2. The overall Brent Cross Programme position forms part of the Financial Monitoring Report being presented at this Housing & Growth Committee.

Land Acquisitions

5.1.3. The approved budget is £65.962m. Cumulative spend to date is £57.467m. The current year forecast for 2022/23 is £5.112m.

Brent Cross Town Land Acquisitions

5.1.4. The approved budget is £33.657m. Cumulative spend to date is £16.811m. The current year forecast for 2022/23 is £2.116m.

Brent Cross West Station

5.1.5. The approved budget is £388.945m. This is inclusive of the £0.033m budget addition approved at Policy and Resources Committee 13 December 2022. Cumulative spend to date to is £314.727m. The current year forecast for 2022/23 is £56.707m.

Critical Infrastructure

5.1.6. The approved budget is £55.9m. Cumulative spend to date is £44.775m. The current year forecast for 2022/23 is £9.959m.

DLUHC Grant Funding

5.1.7. The total £416.573m grant has now been received (as of July 2022). The council continue to work with Department for Levelling Up, Housing and Communities

(DLUHC) on closing off the DLUHC funded elements and will be updating further on the repayable element of the grant once income from the Brent Cross Town scheme starts to materialise.

5.2. **Legal and Constitutional References**

- 5.2.1. The council's Constitution, Article 7.5, states that the functions of the Housing and Growth Committee includes responsibility for overseeing regeneration schemes and asset management.
- 5.2.2. The council is obliged by the development documents to enter into the proposed property transactions included in this report.
- 5.2.3. Section 32 (7b) of the Land Compensation Act 1973 (the Act) provides that where a landlord obtains possession by agreement of a dwelling subject to a secure tenancy within the meaning of Part IV of the Housing Act 1985 and - (a) notice of proceedings for possession of the dwellings has been served, or might have been served, specifying ground 10 or 10A in Part II of Schedule 2 to that Act, or (b) the landlord has applied, or could apply, to the Secretary of State for approval for the purposes of Ground 10A of the development scheme including the dwelling, or part of it, the landlord may make to the person giving up possession or occupation a payment corresponding to home loss payment or discretionary payment which they would be required or authorised to make to him if an order for possession had been made on either of those grounds.
- 5.2.4. All of the activity and legal transactions contemplated in this report will be carried out pursuant to and in compliance with all relevant statutory requirements, including all procurement activity which will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as amended) or any replacement public procurement regime that may become law in the UK as applicable.

5.3. **Insight**

- 5.3.1. None in the context of this report

5.4. **Social Value**

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

5.5. **Risk Management**

- 5.5.1. Risk management has been applied across all levels of the programme. Owners and mitigation plans are identified, and risks are measured against impact and likelihood to give an overall rating. High rating risks are escalated and reported through the defined reporting procedure with top risks reported to the Brent Cross Governance Board. Currently the high-level risks and mitigations are summarised below:
- 5.5.2. **Programme and funding** – There is a risk that BXN does not progress in the form currently proposed. Whilst the funding risk to the Station delivery has been significantly mitigated through the Revised Funding Agreement with Government, the delivery of

the BXN proposals and delivery of infrastructure is an important part of the regeneration proposals.

- 5.5.3. **Station Delivery Date** – there is the risk that the station opening date may be delayed. The current programme forecasts completion of physical construction in early in 2023. There remains a risk of unforeseen delay due to cancelled railway possessions, industrial action, inclement weather etc. While the possession risk has been mitigated, railway possessions can, whilst unlikely, be cancelled due to unforeseen circumstances. The project team and Network Rail continue to work closely together to avoid, mitigate and/or manage the impact of possessions unavoidably lost. These are regularly monitored through both NR board and Rail operations assurance board.
- 5.5.4. **Station Franchise** – The current Thameslink franchise, operated by GTR, has been renewed which removes a risk of uncertainty on the station operator. There remains a small residual risk as the new station still needs to be formally accepted by the operator, however through consultation with DfT and GTR through the various project boards it has been made clear the station is to be considered as part of the franchise when it comes into use and a robust handover process has been developed with all industry stakeholders included.
- 5.5.5. **Brent Cross West delivery costs** – as with all major programmes there is the risk that costs will increase during programme delivery. As reported to previous committees the Brent Cross West budget is under pressure and this risk is being actively managed with public sector partners and contractors. The contract between the council and NR is an Emerging Cost contract. As indicated in previous reports, all emerging cost contracts entered into will require strong contract management to ensure all costs incurred are reasonable. As part of the signed Implementation Agreement the council has open book access to all of Network Rail's financial information relating to invoiced costs incurred on the programme. This extends to Network Rail contractors where an emerging cost contract is in place. As referred to in the report to the former Assets and Regeneration and Growth Committee (ARG) in November 2018, the council also has the right (subject to notice and personal safety) to access the site and attend meetings. In this regard, the regular senior level meetings between Network Rail and the council/Mace delivery are continuing to review the costs each month. Similarly, there is an on-site presence by the council/Mace delivery team to be monitoring programme and work achieved, particularly during track possessions. As indicated within this report, delivery costs have increased and put pressure on the programme budget. A funding strategy has been developed and was approved by Policy & Resources Committee on 29 September 2022.
- 5.5.6. **Brent Cross West Station Operating Costs** – As part of the original station business case and grant agreement, it was agreed that the Council would take on the shortfall in operational cost of the station until it became profitable. Work is underway to confirm the ongoing operational cost of the station which will feed into an updated model that will provide further clarity on future cost risk. Discussions are ongoing with DfT on this topic.
- 5.5.7. **Resources** - The most important control mechanism for the council is to employ experienced staff who will provide diligent review and challenge of the NR cost base and reject any costs which are not reasonably and properly incurred. The council's Client and Brent Cross West delivery team comprises professionals used to working on the railway within Network Rail and are experienced in delivering large railway

projects. There is a need to ensure resilience within the programme in the event that key persons depart the project as well as to update the succession planning strategy.

5.5.8. **Economic Change** – There is a risk that the prevailing economic position for the traditional retail sector will continue alongside residential and commercial given current market conditions. This could result in reduced demand for retail space and administration to existing retailers. To mitigate this both Brent Cross North and Brent Cross Town development partners are exploring/reviewing diversification of offer within the Brent Cross development area. Wider macro-economic shocks may also impact the residential and office markets in London.

5.5.9. **COVID 19** – In line with national statistics, this risk has reduced, but the team continues to monitor cases and impact on programme. So far programme has been maintained however the team do expect some additional challenges as impacts on the supply chain are understood. Cost impact to date is estimated at £4m. It should be noted that further risks are dependent on any changes to government guidelines which could impact the project. The project team is maintaining a COVID 19 impact tracker to ensure all unavoidable costs and delays are recorded.

5.5.10. **Availability of Materials** – Costs and availability of materials following the impacts of the pandemic and more recently the war in Ukraine is having an impact on supply chains across the world. For elements of the scheme that are close to completion such as the Brent Cross West station this is less of an issue, however for those that have yet to start construction such as the new Waste Transfer Station the impacts may be significant. The programme team continues to assess the changing situation and are taking a pragmatic approach, considering alternative materials where possible if lead times are becoming an issue

5.5.11. **Retail Park Acquisition** - The key risk associated with the acquisition of the Retail Park is ensuring that the acquisition has no negative impact on the General Fund. The council has in place the required structures and will update as required to enable it to manage the Retail Park against these short-term variables such as Covid and Brexit to ensure that the council will secure the required returns so that there will be no gap or negative impact on the General Fund.

5.6. **Equalities and Diversity**

5.6.1. As previously reported, the Development Proposals support achievement of the council's Strategic Equalities Objective.

5.6.2. The development proposals for the Brent Cross 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 Brent Cross West station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.

5.7. **Corporate Parenting**

5.7.1. None in the context of this report.

5.8. **Consultation and Engagement**

Brent Cross Cricklewood programme-wide communications

5.8.1. We continue to work with our delivery partners to ensure residents living in the development area are kept up-to-date on the project, are given clear and timely construction updates, and are aware of opportunities available to them from employment and skills, funding and new amenities.

TransformingBX.co.uk and e-newsletters

5.8.2. Since transformingbx.co.uk launched in February 2020, to provide news and construction updates to residents, there have been over 53K unique users. In the last year alone there has been over 31k showing the growing interest in the development as we near closer to the completion of Brent Cross West, open new amenities for local people, host events and launch wide-spread consultations.

5.8.3. Our November e-newsletter was sent to over 360 people covering winter events at Brent Cross Town, the Sheffield Hallam University campus announcement, Clitterhouse Playing Fields application and a case study of a local apprentice.

5.8.4. Our December [2022 e-newsletter](#) was sent to over 360 people and covered a roundup of the year transforming Brent Cross and Cricklewood, construction updates, and picture progress on Brent Cross West.

Construction updates and Brent Cross Town community newsletter

5.8.5. The latest three-month [construction update](#) was issued in December 2022 providing a forward look of construction activity for Brent Cross West, Brent Cross Town and Plots 53 and 54 (replacement homes for Whitefield Estate residents) until the end of the year.

5.8.6. Brent Cross Town also distributed its [winter community newsletter](#) in December covering the latest updates on the development.

Good news

- [Sheffield Hallam University](#): In October, we announced Sheffield Hallam University will, in future, open its first satellite campus at Brent Cross Town. The announcement marks a significant milestone on the Brent Cross Town development as the first occupier to join a 3 million square foot commercial area, which will be built next to the new Brent Cross West station.

As a university, Sheffield Hallam has proven that it values its place in the community. The Brent Cross Town campus is scheduled to open from 2025/26, with the aim of delivering courses to 5,000 students by 2030 and the focus will be on recruiting local students. In Sheffield 40% of students come from within a 25-mile radius, a recruitment model we aim to recreate in Barnet.

- [Winter lights switch on and festive events](#): In December, we promoted a winter lights events which was hosted by Brent Cross Town with local school children singing carols and local retailer hosting festive stalls. A special Chanukah event was also held on the 19 December and led by Rabbi Gershon Overlander, Director,

Chabad House of Hendon Jewish Centre and the Deputy Mayor of Barnet. Both were well attended by members of the local community.

- **[Clitterhouse Playing Fields Application Submitted](#)**: Our partner, Related Argent submitted a planning application to Barnet Council as the Local Planning Authority in November. Three public consultations ran in [October 2021](#), [March 2022](#) and [September 2022](#) inviting the community to share their thoughts on the designs of the playing fields. Almost 700 people in total visited the in-person exhibition events and viewed the consultation online. A decision is expected in the new year.
- **Celebrating local apprentices**: In December we told the stories of two apprentices recruited by Galldris to support the ground working at Brent Cross Town, [Ryan McCabe](#) and [Belul Mesfin](#). We hope their stories will encourage people to consider roles on the project as construction work continues.
- **[Brent Cross West progress](#)**: In December we shared a picture progress update on the different sections of works happening ahead of the Brent Cross West station opening.
- **[Another year of Transforming Brent](#)**: To mark the end of 2022, we brought together all of the milestones achieved and big announcements made throughout the year. We want to provide residents with a look-back on all the benefits and positive stories which have taken place in the area.

Coming up

- 5.8.7. In the new year we are working on announcing new construction jobs at Brent Cross Town and unveiling a large-scale public artwork wrapping the impressive sub-station which will provide 100% renewable energy to Brent Cross Town. Sustainability and community will be a key theme for 2023.

Community Drop-in Sessions

- 5.8.8. We continue to run monthly drop-in session on the third Thursday evening of every month at the Brent Cross Town Visitor Pavilion. Teams from Related Argent, Barnet Council and L&Q are on hand to answer questions from residents in the local area (particularly those most impacted by construction). This is in addition to regular opening hours at the Visitor Pavilion where Welcome Hosts are available daily to answer questions about the programme.
- 5.8.9. There was no drop-in session in December, but they will resume from January.

Consultations

- 5.8.10. The final round of the Clitterhouse Playing Fields consultation ran during September and a planning application was submitted in November as outlined above.

Press Coverage

5.8.11. The Sheffield Hallam University partnership announcement generated national press coverage with articles achieved in the following outlets:

5.8.12. The Sheffield Hallam University campus announcement in October generated wide-spread coverage for the project:

- [Evening Standard](#)
- [BBC](#)
- [Times Higher Education](#)
- [React News](#)
- [Insider Media Limited](#)
- [Bdaily News](#)
- [Property Industry Eye](#)
- [Examiner](#)
- [The Sheffield Star](#)
- [Construction Enquirer News](#)
- [Top Build Home](#)
- [This Is Local London](#)
- [UK Time News](#)
- [UK Yahoo!](#)
- [Barnet Times](#) also covered this with a front-page trailer.

5.8.13. The local Times newspaper series has carried several stories over past couple of months in support of the project, and alerting readers to events and announcements across the programme.

- [Volunteers from the Brent Cross West help local farm and charity GROW](#)
- [Sunrise snapshot from Brent Cross West](#)
- [Christmas Lights On event at Brent Cross Town](#)
- [Festive events at Brent Cross Town](#)

5.8.14. Property Week also ran a feature on Brent Cross Town in December: [Small details, big gains](#)

5.9. Environmental Impact

5.9.1. Brent Cross Town vision includes a commitment to developing a net zero carbon town and achieving this aim by 2030. This will be achieved through a mix of low-carbon construction, renewable power, circular economy principles, carbon offsetting — and by empowering everyone who lives and works in the new town to make low-carbon lifestyle choices of their own.

5.9.2. The new Town will be served by a new train station with bus connections which will promote use of public transport and take cars off the road. The station creates a new walking route across the midland mainline railway making this a much more feasible journey for pedestrians and cyclists in the area. Improvements to previously congested road junctions will improve idling time and traffic flows in these areas.

6. Background papers

- Housing and Growth Committee, 16 November 2022, Brent Cross Cricklewood Update Report

<https://barnet.moderngov.co.uk/documents/s75102/PUBLIC%20-%20BX%20HG%20FINAL%2016%20Nov%2022.pdf>