

<u>MEETING</u>
COUNCIL
<u>DATE AND TIME</u>
TUESDAY 3RD MARCH, 2015
AT 7.30 PM
<u>VENUE</u>
HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
5.	Minutes of the Extraordinary and Ordinary meetings held on 20 January 2015	1 - 52
11.4	Report from Assets, Regeneration and Growth Committee - 3 March 2015 - Brent Cross Cricklewood South - Selection of Preferred Partner (Public)	53 - 224
11.6	Report from Remuneration Committee - 18 February 2015 - Pay Policy Statement 2015/16	225 - 242
15.	Motion to Exclude the Press and Public That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act (as amended)	
16.	Report from Assets, Regeneration and Growth Committee - 3 March 2015 - Brent Cross Cricklewood South - Selection of Preferred Partner (Exempt)	243 - 250

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Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 20 January 2015

AGENDA ITEM 5

PRESENT:-

The Worshipful the Mayor (Councillor Hugh Rayner)
The Deputy Mayor (Councillor David Longstaff)

Councillors:

Maureen Braun	Anne Hutton	Barry Rawlings
Rebecca Challice	Andreas Ioannidis	Tim Roberts
Pauline Coakley Webb	Dr Devra Kay	Gabriel Rozenberg
Dean Cohen	Sury Khatri	Lisa Rutter
Jack Cohen	Adam Langleben	Shimon Ryde
Melvin Cohen	Kathy Levine	Brian Salinger
Philip Cohen	Kitty Lyons	Gill Sargeant
Geof Cooke	John Marshall	Joan Scannell
Alison Cornelius	Kath McGuirk	Alan Schneiderman
Richard Cornelius	Arjun Mittra	Mark Shooter
Tom Davey	Alison Moore	Agnes Slocombe
Val Duschinsky	Ammar Naqvi	Stephen Sowerby
Paul Edwards	Nagus Narenthira	Caroline Stock
Claire Farrier	Graham Old	Daniel Thomas
Anthony Finn	Charlie O-Macauley	Reuben Thompstone
Brian Gordon	Alon Or-Bach	Jim Tierney
Eva Greenspan	Reema Patel	Amy Trevethan
Helena Hart	Bridget Perry	Laurie Williams
John Hart	Wendy Prentice	Peter Zinkin
Ross Houston	Sachin Rajput	Zakia Zubairi

1. APOLOGIES FOR ABSENCE

There were none.

2. DECLARATIONS OF INTEREST

There were none.

3. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

4. COUNCILLOR RICHARD CORNELIUS - CONFERRING THE HONORARY FREEDOM OF THE LONDON BOROUGH OF BARNET

Councillor Richard Cornelius moved the motion in his name. Councillor Alison Moore seconded and spoke in support of the motion. Upon being put the vote the motion was declared carried.

RESOLVED –

In pursuance of Section 249 of the Local Government Act 1972, the Council of the London Borough of Barnet hereby do confer upon the Chief Rabbi of the United Hebrew Congregations of The Commonwealth, Ephraim Mirvis, the Honorary Freedom of the London Borough of Barnet (being the most honourable award it is in the Council's privilege to bestow). This is in recognition of the eminent services rendered by him within the borough, nationally and internationally, to the enhancement of the Jewish community and the promotion of inter-faith understanding and community cohesion.

The Council is proud of the long association Chief Rabbi Mirvis has had with the London Borough of Barnet, from his residency and leadership as Rabbi at the Finchley United Synagogue, continuing today through his work as the Chief Rabbi. Council notes his substantial contribution to the local community during this time, not least through his founding of the Kinloss Learning Centre and Morasha Jewish Primary School, alongside his work in supporting the inter-faith harmony that is such a strong feature of life in our borough.

In conferring the Honorary Freedom on Chief Rabbi Ephraim Mirvis, the Council is formally recording the high esteem in which he is held by the Council and the community and recognising his invaluable contribution to the life of the borough.

The meeting finished at 7.10 pm

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 20 January 2015

PRESENT:-

The Worshipful the Mayor (Councillor Hugh Rayner)
The Deputy Mayor (Councillor David Longstaff)

Councillors:

Maureen Braun	Anne Hutton	Barry Rawlings
Rebecca Challice	Andreas Ioannidis	Tim Roberts
Pauline Coakley Webb	Dr Devra Kay	Gabriel Rozenberg
Dean Cohen	Sury Khatri	Lisa Rutter
Jack Cohen	Adam Langleben	Shimon Ryde
Melvin Cohen	Kathy Levine	Brian Salinger
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Helena Hart	Bridget Perry	Laurie Williams
John Hart	Wendy Prentice	Peter Zinkin
Ross Houston	Sachin Rajput	Zakia Zubairi

1. APOLOGIES FOR ABSENCE

There were none.

2. ELECT A MEMBER TO PRESIDE IF THE MAYOR IS ABSENT

The Mayor was present.

3. PRAYER

In the absence of the Mayor's Chaplain who was in hospital, Vicky Golestaneh of the Baha'i Community of Barnet offered prayers.

4. DECLARATIONS OF INTEREST

It was noted that many Councillors were appointed as members to school governing bodies in the borough and that where this applied there was no need to declare an interest.

Member:	Subject:	Interest Declared:
Councillor Dean Cohen	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.
Councillor Melvin Cohen	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.
Councillor Helena Hart	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.
Councillor Ross Houston	14.1 – General Fund Housing	Non-pecuniary interest as a Council appointed Non-Executive Director of Barnet Homes
Councillor Anne Hutton	11.2 - Education and Skills; Future Delivery of Services	Non-pecuniary interest as a Member of the National Union of Teachers.
Councillor John Marshall	14.1 – General Fund Housing	Non-pecuniary interest as a Council appointed Non-Executive Director of Barnet Homes
Councillor Arjun Mittra	14.1 – General Fund Housing	Non-disclosable pecuniary interest as his mother is a Barnet Homes tenant
Councillor Hugh Rayner	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.
Councillor Brian Salinger	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.
Councillor Peter Zinkin	14.1 – General Fund Housing	Non-disclosable pecuniary interest as a private landlord of property in the Borough.

5. MINUTES OF THE LAST MEETING

The Worshipful, the Mayor clarified that Councillor Cooke declared an interest as a school Governor and not as a private landlord, and that list of declarations of interests had been corrected in the published minutes.

RESOLVED that the minutes of the Council meeting held on 16 December 2014 be approved subject to the following corrections:

1. Recording of votes on item 11.4 – be amended as Councillor Langleben was out of the room for the initial vote on the item and should not be recorded as voting on the division list.

The voting is therefore amended as follows:

For 32

Against: 30

Abstain: 0

Absent: 1

TOTAL: 63

2. Recording of votes on item 11.1 – be amended to reflect that Councillor Lisa Rutter abstained from voting and was not absent. The voting is therefore amended as follows:

For 31

Against: 31

Abstain: 1

Absent: 0

TOTAL: 63

6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor made the following announcements:

The Worshipful the Mayor congratulated all those people mentioned in the New Year's honours list.

On behalf of Council the Worshipful the Mayor wished Mr Chris Naylor, who was leaving Barnet, best wishes in his new role as Chief Executive of the London Borough of Barking and Dagenham.

The Worshipful the Mayor congratulated the Durum Ocakbasi Restaurant in Golders Green who had won the Best Customer Satisfaction award at the recent British Kebab Awards.

With regret, the Worshipful the Mayor announced the death of Bob Richardson, husband to Angela Richardson, the Mayor's Secretary. On behalf of Council the Mayor extended condolences to Angela and her family at this sad time.

The Worshipful the Mayor spoke of the terrorist attacks that took place in Paris on 7 January and added Barnet's voice to those of the citizens of France and the world in condemning these acts of terror.

In support for the families of those who lost their lives and as demonstration of Barnet's commitment that terrorism will never succeed a two minutes silence was held in remembrance.

7. ANY BUSINESS REMAINING FROM LAST MEETING

School Governor Appointments had been deferred for consideration at the last meeting of Council. The outstanding business was covered in the Head of Governance report at agenda item 12.2.

8. QUESTIONS TO THE LEADER (AND COMMITTEE CHAIRMEN IF HE/SHE HAS DELEGATED)

The questions, together with the answers provided and the text of any supplementary questions and answers, are set out in Appendix 1 to the minutes.

9. PETITIONS FOR DEBATE

There were none.

10. REPORT FROM THE LEADER

There was none.

11. REPORT FROM THE POLICY & RESOURCES COMMITTEE - COUNCIL TAX SUPPORT SCHEME

Council noted the additional information circulated as Annex 2 in relation to this item which provided additional information on the financial context.

Councillor Richard Cornelius introduced the report and moved reception and adoption. Councillor Alison Moore moved her amendment. Debate ensued.

The amendment in name of Councillor Alison Moore was put to the vote. Votes were recorded as follows:

For: 31
Against: 31
Abstain: 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted against the amendment. The amendment was declared lost.

Upon the amendment in the name of Councillor Alison Moore being put to the vote, at least ten members called for a formal division on the voting. Upon the vote being taken the results of the Division were declared as follows:

	For	Against	Not Voting	Absent
Maureen Braun		✓		

Rebecca Challice	✓			
Pauline Coakley Webb	✓			
Dean Cohen		✓		
Jack Cohen	✓			
Melvin Cohen		✓		
Philip Cohen	✓			
Geof Cooke	✓			
Alison Cornelius		✓		
Richard Cornelius		✓		
Tom Davey		✓		
Val Duschinsky		✓		
Paul Edwards	✓			
Claire Farrier	✓			
Anthony Finn		✓		
Brian Gordon		✓		
Eva Greenspan		✓		
Helena Hart		✓		
John Hart		✓		
Ross Houston	✓			
Anne Hutton	✓			
Andreas Ioannidis	✓			
Devra Kay	✓			
Sury Khatri		✓		
Adam Langleben	✓			
Kathy Levine	✓			
David Longstaff		✓		
Kitty Lyons	✓			
John Marshall		✓		
Kath McGuirk	✓			
Arjun Mittra	✓			
Alison Moore	✓			
Ammar Naqvi	✓			
Nagas Narenthira	✓			
Charlie O'Macauley	✓			
Graham Old		✓		
Alon Or-Bach	✓			
Reema Patel	✓			
Bridget Perry		✓		
Wendy Prentice		✓		
Sachin Rajput		✓		
Barry Rawlings	✓			
Hugh Rayner		✓		
Tim Roberts	✓			
Gabriel Rozenberg		✓		
Lisa Rutter		✓		

Shimon Ryde		✓		
Brian Salinger		✓		
Gill Sargeant	✓			
Joan Scannell		✓		
Alan Schneiderman	✓			
Daniel Seal				✓
Mark Shooter		✓		
Agnes Slocombe	✓			
Stephen Sowerby		✓		
Caroline Stock		✓		
Daniel Thomas		✓		
Reuben Thompstone		✓		
Jim Tierney	✓			
Amy Trevethan	✓			
Laurie Williams	✓			
Peter Zinkin		✓		
Zakia Zubairi	✓			

For: 31
Against: 31
Abstain: 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted against the amendment. The amendment was declared lost.

Votes were taken on the recommendations set out in the report.

For: 31
Against: 31
Abstain: 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted in favour of the recommendations. The recommendations in the report were declared carried.

RESOLVED that:

1. That Council adopt the draft Barnet Council Tax Support Scheme 2015 based on Option 3 (Increase the Council Tax contribution rate to 20%) as detailed in the report to the Policy & Resources Committee attached at Annex 1.
2. That Council agree the uprating of the scheme in line with Department for Work and Pension changes for Housing Benefit and working age non-dependant deductions as set out in Appendix 3.

12. REPORT FROM THE CHILDREN'S, EDUCATION, LIBRARIES & SAFEGUARDING COMMITTEE - EDUCATION AND SKILLS ALTERNATIVE DELIVERY MODEL

Councillor Reuben Thompstone introduced the report and moved reception and adoption.

Councillor Alison Moore, seconded by Councillor Kath McGuirk moved the motion "That the question be now put." Votes were declared as follows:

For: 31
 Against: 0
 Abstain: 31
 Absent: 1
 TOTAL: 63

The motion "That the question be now put." was declared carried.

The recommendations as set out in the report were put to the vote. Votes were declared as follows:

For: 31
 Against: 0
 Abstain: 31
 Absent: 1
 TOTAL: 63

The recommendations in the report were declared carried.

At least ten Members called for a formal division on the voting.

Before the vote being taken the Labour Group withdrew from the Council Chamber.

Upon the vote being taken the results of the Divison were declared as follows:

	For	Against	Not Voting	Absent
Maureen Braun	✓			
Rebecca Challice				✓
Pauline Coakley Webb				✓
Dean Cohen	✓			
Jack Cohen		✓		
Melvin Cohen	✓			
Philip Cohen				✓
Geof Cooke				✓
Alison Cornelius	✓			
Richard Cornelius	✓			
Tom Davey	✓			
Val Duschinsky	✓			
Paul Edwards				✓

Claire Farrier				✓
Anthony Finn	✓			
Brian Gordon	✓			
Eva Greenspan	✓			
Helena Hart	✓			
John Hart	✓			
Ross Houston				✓
Anne Hutton				✓
Andreas Ioannidis				✓
Devra Kay				✓
Sury Khatri	✓			
Adam Langleben				✓
Kathy Levine				✓
David Longstaff	✓			
Kitty Lyons				✓
John Marshall	✓			
Kath McGuirk				✓
Arjun Mittra				✓
Alison Moore				✓
Ammar Naqvi				✓
Nagas Narenthira				✓
Charlie O'Macauley				✓
Graham Old	✓			
Alon Or-Bach				✓
Reema Patel				✓
Bridget Perry	✓			
Wendy Prentice	✓			
Sachin Rajput	✓			
Barry Rawlings				✓
Hugh Rayner	✓			
Tim Roberts				✓
Gabriel Rozenberg	✓			
Lisa Rutter	✓			
Shimon Ryde	✓			
Brian Salinger	✓			
Gill Sargeant				✓
Joan Scannell	✓			
Alan Schneiderman				✓
Daniel Seal				✓
Mark Shooter	✓			
Agnes Slocombe				✓
Stephen Sowerby	✓			
Caroline Stock	✓			
Daniel Thomas	✓			
Reuben Thompstone	✓			

Jim Tierney				✓
Amy Trevethan				✓
Laurie Williams				✓
Peter Zinkin	✓			
Zakia Zubairi				✓

Votes were declared as follows:

For: 31
 Against: 1
 Abstain: 0
 Absent: 31
 TOTAL: 63

The recommendations in the report were declared carried.

RESOLVED –

1. That the Council note the content of the report and the outline business case.
2. That the Council agree the development of a full business case on the establishment of a joint venture company with a third party for the future delivery of the Education and Skills service.
3. That the Council authorise the commencement of the procurement exercise to identify a third party partner to inform the development of the full business case.
4. That the Council note that the outcome of the procurement exercise and a full business case for final approval will be considered by the Children, Education, Libraries and Safeguarding Committee in July 2015.

13. REPORT OF THE HEAD OF PAID SERVICE

RESOLVED - That Council designate Mr. John Hooton, the Council's Deputy Chief Operating Officer (Deputy Section 151 Officer), as the Council's Chief Financial Officer (Section 151) as required by the Local Government Act 1972 pending the appointment of a Chief Operating Officer.

14. REPORT OF THE HEAD OF GOVERNANCE

1. CHANGES TO THE CALENDAR OF MEETINGS

RESOLVED - That Council note the changes to the Calendar of meetings as set out in the table below.

Committee	Date of Meeting	New Date of Meeting
Urgency Committee	N/A	29 January 2015

Assets, Growth and Regeneration Committee	N/A	3 March (5pm)
Licensing Committee	N/A	19 March 2015

2. SCHOOL GOVERNOR APPOINTMENTS

The Conservative Group Secretary withdrew the nomination of Mr C Newton for St Andrew CE Primary School and further moved that Councillor Shimon Ryde be put forward as a nominee for Beis Yaakov Primary School

Two nominations were put forward for St Mary's and St John's CE Primary School, Councillor Dr Devra Kay (Labour nomination) and Councillor Mark Shooter (Conservative nomination). Upon the Conservative nomination being put to the vote, the votes were declared as follows:

For: 31
Against: 31
Abstain: 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted in favour of the Conservative nomination, Councillor Mark Shooter. Councillor Shooter was nominated.

RESOLVED – The Council approve the nominations as set out in the table below.

	School	Appointment
1.	Annunciation Catholic Junior School	Councillor Hugh Rayner
2.	Annunciation Catholic Junior School	Councillor Charlie O-Macauley
3.	Beis Yaakov Primary School	Councillor Shimon Ryde
4.	Bishop Douglass RC School	Mr Phil O'Connor
5.	Menorah Foundation	Councillor Dean Cohen
6.	St Mary's CE Primary School, EN4	Mr Jason Grove
7.	St John's CE, N11	Mr Tony Vourou Mr Adam Rynhold
8.	St Mary's & St John's CE Primary NW4	Councillor Mark Shooter
9.	St Theresa's RC Primary School	Mrs Colinne Martyn
10.	Woodridge Primary School	Ms Kay Foster

15. REPORT OF THE MONITORING OFFICER

There was none.

16. QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

There were none.

17. COUNCILLOR TOM DAVEY - GENERAL FUND HOUSING

Councillor Tom Davey moved the Motion in his name. Councillor Ross Houston moved his amendment. Debate ensued.

The amendment in the name of Councillor Ross Houston was put to the vote. Votes were declared as follows:

For: 31
Against: 31
Abstain 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted against the amendment. The amendment was declared lost.

Votes were taken on the Motion in the name of Councillor Tom Davey.

For: 31
Against: 31
Abstain: 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted in favour of the motion. The motion in the name of Councillor Tom Davey was declared carried.

RESOLVED that:

Council notes that with accelerating population and economic growth, housing supply is an increasing concern among residents.

Council recognises that Barnet has some of the largest and most ambitious regeneration schemes in London, which have begun to deliver on the 20,000 plus new homes they are set to add. Council notes that 3260 new homes were built in the three years to 2013, including 1072 affordable homes – placing Barnet in the top third of London boroughs on this measure.

Council further notes that progress is being made to expand the programme of council house building, with another 38 having gone through the planning phase. Council recognises, though, that it is important to investigate and take advantage of all options for providing new homes for families.

Council notes the decision by neighbouring Labour-run Camden Council to develop property for private sale. Council believes that building or developing General Fund housing is both a way of increasing provision to meet resident

demand and also a means of helping the taxpayer share in the opportunities of growth, closing the budget gap and thus offsetting potential future further cuts.

Council instructs officers to explore a programme of General Fund housing to sit alongside our existing and progressing regeneration and council house building schemes.

18. COUNCILLOR ALISON MOORE - PROTECTING THE VULNERABLE

Councillor Alison Moore moved the Motion in her name. Councillor Amy Trevethan moved her amendment. Debate ensued.

The amendment in the name of Councillor Amy Trevethan was put to the vote. Votes were declared as follows:

For: 31
Against: 31
Abstain 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted against the amendment. The amendment was declared lost.

Votes were taken on the Motion in the name of Councillor Alison Moore.

For: 31
Against: 31
Abstain 0
Absent: 1
TOTAL: 63

The Mayor used his casting vote and voted against of the motion. The motion in the name of Councillor Alison Moore was declared lost.

19. MOTIONS FOR ADJOURNMENT

There were none.

The meeting finished at 9.27 pm (having commenced at 7.15pm)

The running order of questions is collated by which Party provides the first questions.

Minute Annex

	Question
1.	<p><u>Cllr Alison Moore</u> Given that the Leader admits that "540 square feet is small for a Library and it is difficult to imagine one smaller" is he still happy to continue advocating reducing our libraries to this size?</p> <p><u>Answer by the Leader</u> Yes, where appropriate.</p> <p><u>Supplementary Question</u> No supplementary</p>
2.	<p><u>Cllr Anthony Finn</u> Could the Leader confirm the budget details proposed by the Labour Group?</p> <p><u>Answer by the Leader</u> I have seen none.</p> <p><u>Supplementary Question</u> It seems that the Labour Party do not have a budget. It seems therefore that if one is to have a credible opposition, they should have a budget. Does the Leader think the reason they don't have a budget is because lack of proper leadership of the Labour Group or because of internal squabbles within the Labour Group?</p> <p><u>Supplementary Answer</u> I really wouldn't want to think that. I think it is actually because they don't have a plan.</p>
3.	<p><u>Cllr Barry Rawlings</u> Would the Leader like to comment on the work of Jesus House in providing over 2000 hampers to needy households in Barnet?</p> <p><u>Answer by the Leader</u> I have always been a fan of their work and cooperation with other Barnet communities.</p> <p><u>Supplementary Question</u> Given this great increase in the number of hampers and the increase in the use of food banks, including now one in Coppetts, is the Leader proud that the last five years has seen an increase in inequality and increasingly the working poor paying, rather than those with the broader shoulders.</p> <p><u>Supplementary Answer</u> It is my understanding that those with the broadest shoulders are paying more tax than ever before but I would of course always regret when anyone is in poverty.</p>
4.	<p><u>Cllr Anthony Finn</u> Could the Leader confirm the budget savings proposed by the Labour Leader in her speech at the last council meeting? How much more do Labour need to find in order to present a realistic strategy?</p> <p><u>Answer by the Leader</u> If you accept her figures, the Leader of the Opposition suggested about £4.5m in savings in her speech. The Labour Group would then have another £45m odd to find to compensate for the £50m they voted against and £69m to find if they are to meet the overall budget challenge.</p>

	<p><u>Supplementary Question</u> I tend to agree with you when you say you don't think they don't have a plan. Would you have any great objection if I volunteered my services to the Labour Party to help them formulate a budget plan?</p> <p><u>Supplementary Answer</u> That would be a very worrying suggestion!</p>
5.	<p><u>Cllr Paul Edwards</u> Can the Leader respond to my supplementary to question 14 which I asked of him on 4 November 2014?</p> <p><u>Answer by the Leader</u> The Council made payments totalling £88.6m up to the end of September 2014.</p> <p>This includes £47.6m of payments in line with the payments schedule to Capita, and £16.1m payments in line with the payment schedule to Re (which combined equal £63.7m).</p> <p>This also includes the £14.8m interim service contract. This also included £10.1m of payments to Capita for a range of project activity. This includes schools programme fees, technical fees, IT implementation projects not included in the contract (Adults and Children's system implementation), and other transformation projects.</p> <p><u>Supplementary Question</u> My understanding is only six weeks' worth of spend was used on this and the last I heard we were awaiting a repayment by Capita. I wonder if the Leader would like to comment on that. And am I right in assuming the £10.1m for the rate of project activity was money spent without going to any Committee?</p> <p><u>Supplementary Answer</u> As regards to the first supplementary, yes we have had the money back as I understand. With the second point, I can't imagine that any funding that this council would authorise would not have gone through the proper channels.</p>
6.	<p><u>Cllr Anthony Finn</u> Could the Leader indicate the total of the savings that Labour have opposed since the election. What was the total of savings they opposed in the last council?</p> <p><u>Answer by the Leader</u> Business planning reports have been through theme committees throughout the autumn setting out proposed future savings for consultation. Labour abstained from the vote on these reports for Adults & Safeguarding, Assets, Regeneration & Growth, Children's Education & Libraries, and Housing Committees. Labour voted against the business planning report for Community Leadership Committee, and voted to refer the business planning report to Full Council for Environment Committee. Labour also voted to refer the whole savings package to Full Council at Policy and Resources Committee, and then voted against this report at Full Council.</p> <p>In the previous Council, with a Cabinet system, Labour proposed budget amendments at Full Council in March. These budget amendments typically accepted the majority of the administration's proposals, and made minor amendments for specific items.</p> <p><u>Supplementary Question</u> Can the Leader confirm that on the basis of the information he has, that there will be a black hole of over £50m if Labour was in control of the budget?</p> <p><u>Supplementary Answer</u> I think it is rather more than that because the savings that this side of the chamber has identified as worthy of consideration, did not come to the £70m in savings that we will be required to make. Furthermore, of course, should the general election produce the very unsatisfactory result of a Labour</p>

	<p>or Labour-led government, we would then actually have even larger savings to find because they are pledged to transfer funds away from London and the South East to their northern heartlands.</p>
7.	<p><u>Cllr Reema Patel</u> Would the Leader confirm whether he will stop the plan to make £2.85m cuts to the Library Service if the majority of respondents to the Libraries consultation say they are not in favour of any of the proposals?</p> <p><u>Answer by the Leader</u> The committee will take account of responses and suggestions as to where savings can be made.</p>
	<p><u>Supplementary Question</u> An independent report has called into the question the consultation process on the council's library strategy. In relation to the consultation process, given the independent report that has called that into question; does the Leader plan on re-running the consultation process and / or consulting with those who feel they have not been sufficiently consulted with?</p> <p><u>Supplementary Answer</u> This council is always very cautious about consultation and we have learned we have to consult an awful lot and we will do so.</p>
8.	<p><u>Cllr Mark Shooter</u> Could the Leader confirm to council the statutory requirements with regard to setting the annual budget?</p> <p><u>Answer by the Leader</u> Statutory regulations require Councils, through their elected Councillors, to spend money with regularity and propriety. In terms of the annual budget setting process, Councils are required to set a level of Council tax which will ensure that a balanced budget is set. This process will involve reviewing expenditure plans and income sources to enable this balanced position to be achieved. In making their decision, Councillors must have due regard to the section 151 officer's report which will set out the robustness of estimates within the report and the adequacy of reserves. Councils must also restrict borrowing levels to what is affordable under the Prudential Code, and must also ensure that a sound system of internal control arrangements are in place (for example internal audit and risk management).</p>
	<p><u>Supplementary Question</u> Based upon the voting record, does the Leader think the opposition will have met those statutory requirements?</p> <p><u>Supplementary Answer</u> Certainly not on the basis of what we have heard.</p>
9.	<p><u>Cllr Phil Cohen</u> Could I have an answer to Q 129 on 16 December which was not answered, namely how much is the council paying private company Opinion Research Services (ORS) to run consultations on the library and leisure services?</p> <p><u>Answer by the Leader</u> External research organisations are largely used for the objectivity they bring to a consultation process, which can provide further reassurance to residents and councillors that all feedback has been listened to and reported on impartially. This is standard practise for Barnet and many other councils.</p> <p>For libraries, the cost of Opinion Research Service's conducting the consultation on the council's behalf will be approximately £80,000. This includes the running of events and processing the information. The exact amount will depend on the number of responses.</p>

	<p>For the Sports and Physical Activity Review Autumn 2014, the cost for Opinion Research Service's conducting the consultation on the council's behalf was £36,005.</p>
	<p><u>Supplementary Question</u> Does the Leader think that £80,000 paid the company running the libraries consultation is a rather excessive use of taxpayers' money given that they have used it to listen to residents telling us what we knew in the first place; that they don't want any cuts or down-grading of the service.</p> <p><u>Supplementary Answer</u> It is a lot of money and I have some sympathy with what Cllr Cohen is saying, however the problem is the various local governments acts do require us to have an awful lot of consultation in the way we conduct our business and the courts have reinforced that.</p>
10.	<p><u>Cllr Mark Shooter</u> Is the Leader pleased with progress on the Council's budget for future years?</p> <p><u>Answer by the Leader</u> Yes.</p> <p><u>Supplementary Question</u> Does the Leader agree that advanced planning not only makes budgetary proposals more achievable but it's fairer to residents by indicating what is ahead?</p> <p><u>Supplementary Answer</u> Yes, of course. It is very important to plan ahead. A saving which is planned well in advance is always a much better deal than something that is done 'on the hoof' and which can be very unfair and very unpleasant.</p>
11.	<p><u>Cllr Anne Hutton</u> Given the uncertainty surrounding Barnet's library service can the Leader assure residents that the local archives will be appropriately housed, looked after by a trained archivist and be easily accessible to the public?</p> <p><u>Answer by the Leader</u> The budget is very difficult as savings are needed and some things we value will not continue. It is important, though, that we do not lose our heritage documents.</p> <p><u>Supplementary Question</u> Could the Leader say where the archives are going to be lodged, please?</p> <p><u>Supplementary Answer</u> That is a question that I can't answer. As soon as I have answer to that I will of course share it with the councillors but it is important that we do keep them safely.</p>
12.	<p><u>Cllr Mark Shooter</u> Is the Leader confident that the budget savings proposed to meet the government spending reductions can be met?</p> <p><u>Answer by the Leader</u> I believe that we will succeed with this.</p>
	<p><u>Supplementary Question</u> Why does the Leader think this is so?</p>

	<p><u>Supplementary Answer</u> We have been very successful as a council over the last four years in reducing spending. I have no doubts that we will continue in the future to meet the budgetary discipline that is set for us.</p>
13.	<p><u>Cllr Geof Cooke</u> Comer Homes paid £8M for the Abbots Depot site off Oakleigh Road South N11 and the Council intends to pay £13.5M for it for a waste depot giving Comer Homes a profit of £5.5M (a whopping 68.75% profit at the expense of Barnet council tax payers on a site with no planning permission for housing and no prospect of it being developed for housing in the foreseeable future). According to his answer to question 74 at Council on 16/12/14, the deputy council leader Cllr Daniel Thomas did not know what Comer Homes paid for the site and therefore did not know what level of profit he was 'imploing' councillors to authorise from public funds. Does this indicate on his part:</p> <ol style="list-style-type: none"> Ignorance Recklessness Incompetence Panic All of the above? <p><u>Answer by the Leader</u> No in each case.</p>
	<p><u>Supplementary Question</u> You recently told the Coppetts Ward Residents' Association that the Abbots Depot Site would not be acquired before the issue came back to the Assets, Regeneration and Growth Committee. Could you now confirm that is the case?</p> <p><u>Supplementary Answer</u> Yes, I did say that. That was an undertaking I made.</p>
14.	<p><u>Cllr John Hart</u> How many retrospective planning applications for overdevelopments have been submitted in Barnet in the three years 2012 -2014? How many have been refused and how many of these have had enforcement notices issued to restitute the site? How many were there in the same period in Mill Hill Ward and what were the corresponding outcomes?</p> <p><u>Answer by the Leader</u> The council has received 132 retrospective planning applications over the three year period 2012-14. 50 of these applications were refused planning permission and in most cases enforcement notices would have been served against those which were refused planning permission.</p> <p>6 of these retrospective planning applications were within the Mill Hill Ward and 3 of these were refused planning permission. Enforcement notices have been served against the 3 developments refused planning permission.</p>
	<p><u>Supplementary Question</u> How many of these enforcement notices have actually been implemented? Are people made to pay up or knock down what they have built wrongly?</p> <p><u>Supplementary Answer</u> I suspect that information is very difficult to find and those cases where enforcement has not been successful, we are very reliant on members of the public informing us as such.</p>

15.	<p><u>Cllr Dr Devra Kay</u> Promises were made before the local elections held in May 2014 that certain pavements and roads in West Hendon would be repaired as they were regarded as dangerous and neglected. Some of those works began but immediately after the elections, with work unfinished, equipment and materials were removed and no work has recommenced in spite of assurances with starting times given. Cheyne Walk in Shirehall is one of these roads and was visited by the Chief Executive together with West Hendon Councillors when the Chief Executive commented that if money had already been allotted for the work it would most likely still be available and that he would check. Nothing has been heard. Please would the Leader give an assurance that outstanding work will recommence in this financial year, together with a starting date and would he please confirm that there is indeed money available for this work.</p> <p><u>Councillor Dean Cohen (Chairman of Environment Committee)</u> The works that have already been undertaken are most probably reactive highway safety works. All carriageways and footways are inspected on a regular basis to ensure that wherever possible defects are identified and repaired within agreed timescales. The network is also subjected to a condition survey in order to develop a planned maintenance programme. This will be reported to the Environment Committee on 27th January where next year's programme will be submitted for Members consideration.</p> <p>We are currently awaiting a report following a condition survey which will decide whether Cheyne Walk is included or not.</p> <p><u>Supplementary Question</u> Could Cllr Cohen consult with the Chief Executive about this matter as he has relevant correspondence as do I? There is a paper trail that will explain this matter, which is not as Cllr Cohen describes it in his reply and will he then come back to me about it?</p> <p><u>Supplementary Answer</u> I can speak to the Chief Executive regarding this but I think only today a list of roads was released in what is anticipated to be done in the 15/16.</p>
16.	<p><u>Cllr John Hart</u> Has there been any consultation with Church of England and Roman Catholic diocesan authorities to cater for the spiritual needs of the 40,000 or so new residents forecast for the massive redevelopments down the west side of Barnet?</p> <p><u>Answer by the Leader</u> There have been some discussions, but there need to be more.</p>
	<p><u>Supplementary Question</u> Does the Leader agree that people need places to pray as well as to play, as well as places to work and to live?</p> <p><u>Supplementary Answer</u> Yes, I can agree with that.</p>
17.	<p><u>Cllr Alan Schneiderman</u> How much money was paid by motorists to park in Barnet Council car parks or on street pay to park bays on the weekends in December when parking was free?</p> <p><u>Councillor Dean Cohen (Chairman of Environment Committee)</u> On the first of the three weekends a total sum of £5,601.15 was paid. All of the payments processed were identified by officers who conducted pro-active checks of the Pay by Phone System and having identified the error these sums were pro-actively refunded along with an apology text sent to each</p>

	<p>motorist. All refunds had been processed by 22 December.</p>
	<p><u>Supplementary Question</u> The Christmas Free Parking Initiative has been a cock up yet again with inadequate publicity. The motorists to paid to park by phone have been refunded although they should never have been charged in the first place. Will he now arrange to pay the refunds to people who paid by card at meters? Meters that had no signs on them at all, that parking was free. Meters that accepted cards without any warning. Will he arrange refunds for those people as well? I have made a payment for test purposes and await my refund.</p> <p><u>Supplementary Answer</u> I am quite happy to take that away and see what has occurred on street in the pay and display streets</p>
18.	<p><u>Cllr John Hart</u> What is the planning policy for providing workshops and work-places in the extensive redevelopments down the west side of Barnet?</p> <p><u>Answer by the Leader</u> Borough wide planning policy to promote a strong and prosperous Barnet is set out in the Local Plan. One of the ways in which the Local Plan supports small to medium enterprises is by ensuring new employment provision provides a range and choice of units such as affordable and flexible workspaces. The recently adopted Supplementary Planning Document on Delivering Skills, Employment Enterprise and Training from Development highlights that improvements to the quality of employment space will be secured through S106 Agreements.</p>
	<p><u>Supplementary Question</u> No supplementary</p>
19.	<p><u>Cllr Kathy Levine</u> Would the Leader please update us on any developments regarding the Abbots Depot, Oakleigh Road South site, in particular those regarding the purchase of the freehold or a lease agreement with an option to purchase the site.</p> <p><u>Answer by the Leader</u> Exploratory discussions are taking place which will be reported to committee.</p>
	<p><u>Supplementary Question</u> We have been told that a planning application will be going in, in April or May. Can you confirm that this is correct and that there will be plenty of time for consultation?</p> <p><u>Supplementary Answer</u> I don't think the plans have as yet been drawn up but as soon as they, they will be put in for planning. Of course there will be lots of consultation about that.</p>
20.	<p><u>Cllr John Hart</u> What measures are being taken to accommodate Barnet Community Transport when the Mill Hill East depot closes?</p> <p>The depot relocation project has identified two preferred sites for the relocation of the Mill Hill operation. Work is currently on-going to identify whether the Barnet Community Transport facility can be located on these sites, or whether a different solution is required.</p>

	<p><u>Supplementary Question</u> Can the leader assure me more firmly than in his reply that this invaluable Barnet voluntary service – costs us nothing – for the disabled and others would be really provided with a home commensurate with what they have at present at the depot in Mill Hill?</p> <p><u>Supplementary Answer</u> I can't formally declare that but I think it would be very important that this invaluable service continues and accommodating them is a priority.</p>
21.	<p><u>Cllr Andreas Ioannidis</u> Would the Leader confirm if Cllr Lisa Rutter has a veto on the waste depot being moved to the Abbots Depot site in Brunswick Park ward?</p> <p><u>Answer by the Leader</u> No individual councillor has a veto. I thank Cllr Ioannidis for his support.</p>
	<p><u>Supplementary Question</u> Last week Cllr Rutter, in front of the residents in a meeting in front of the Leader said that based on current evidence it would vote against the proposal for the Abbot Depot. Could the Leader accept that if a vote were to take place today, the vote would be lost? Yes or no?</p> <p><u>Supplementary Answer</u> I can't answer that question.</p>
22.	<p><u>Cllr John Hart</u> Is there any training for planning officers in the legislation protecting such wildlife species as bats, newts, slow worms, etc., and their habitats?</p> <p><u>Answer by the Leader</u> Planning Officers are aware of the guidance and advice on Protected Species available from Natural England and specialist advice is provided by the Trees and Environment team. In addition, it is proposed to provide more detailed ecological training to planning officers.</p>
	<p><u>Supplementary Question</u> No supplementary</p>
23.	<p><u>Cllr Charlie O'Macauley</u> What are Barnet council's plans for housing or regeneration in Burnt Oak?</p> <p><u>Answer by Councillor Daniel Thomas (Chairman of Assets, Regeneration and Growth Committee)</u> Barnet Council has submitted a bid to the Mayor of London High Streets Fund to make improvements to Burnt Oak town centre. The bid seeks to reintroduce and enhance the distinctiveness of this centre with a variety of measures including: de-cluttering, public realm improvements and town centre greening in addition to a capital fund to deliver support for local business and traders and generate job opportunities within these locations. The bid total is £305,000 with match funding from the council of £348,000. The Mayor of London's office will be announcing successful bids in January/February 2015.</p> <p>In addition, Barnet Council has been successful in funding from the Transformation Challenge Award to pilot 'Jobs Team' providing a multi-agency place-based approach to employment support, located in the heart of Burnt Oak. Delivery is anticipated to begin in Summer 2015.</p> <p>The Assets Regeneration & Growth Committee will be invited at its March meeting to consider whether to seek planning permission for development of the site known as "Watling Car Park" as part of the next tranche of developments on surplus Council land.</p>

	<p><u>Supplementary Question</u> No supplementary</p>
24.	<p><u>Cllr Wendy Prentice</u> Could the Leader outline the saving reductions that are anticipated by political parties and the treasury in forthcoming years?</p> <p><u>Answer by the Leader</u> All political parties have been clear that further public spending cuts will be necessary to eradicate the country's budget deficit. There is some marginal difference between the main political parties over the pace at which this deficit will be reduced (Conservative by 2018, Labour by 2020). Political parties have also indicated that they will continue to protect Health and Education spending, which means a disproportionate level of spending cuts will continue to be made in local government for the foreseeable future.</p>
	<p><u>Supplementary Question</u> I understand Ed Balls recently spoke about this matter. Could the Leader appraise us as what was said?</p> <p><u>Supplementary Answer</u> Mr Balls said he wouldn't be cancelling the cuts and he is pledged to cut £3.3b from council budgets and he has also pledged to restrict public sector wage increases to the existing 1%. He said that when Labour criticise cuts, it doesn't mean that they would be reversed.</p>
25.	<p><u>Cllr Laurie Williams</u> How much section 106 money obtained by Barnet has been spent how much remains to be spent and how much is due to be returned because it is "Out of Time"?</p> <p><u>Answer by the Leader</u> We are presently auditing the S106 dataset to reconcile the data with the Council's finance system ahead of the end of year financial closing. We will aim to work on a response for members by the end of January when the audit should be complete.</p> <p>In terms of expired funds, the Council has minimised the amount it has to refund to developers. In the past five years the Council has refunded two S106 payments:</p> <ul style="list-style-type: none"> i) £30,000 for a CCTV camera between East Finchley station and The new Institute Building, by the footpaths, because there were insufficient funds to both install and pay for the operation of an additional camera and supplementary funding could not be identified in time before the funds expired. The Council agreed with the developer to reallocate these funds towards additional highways costs that it was required to pay to the Council through the S278 agreement. ii) £35,000 for Glebelands Open Space where the service had received contributions from two separate developments, but allocation had only committed the income from one development towards the improvements. This error was only identified after the funds had expired and been reclaimed by the developer. The developer accepted the transfer of over half of these funds towards the long overdue S106 requirements of another development where it still owed money to the Council.
	<p><u>Supplementary Question</u> No supplementary</p>
26.	<p><u>Cllr Wendy Prentice</u> Could the Leader outline some of the proposals that other boroughs have developed to meet their budget requirements?</p>

	<p><u>Answer by the Leader</u></p> <p>Just looking at some of our neighbouring boroughs and some of the proposals they are consulting on proves instructive.</p> <p>Harrow may: close libraries; switch off some street lights; cut call centre staff; remove noise nuisance cover on Friday and Saturday nights; enact cuts or closures to early years support including children’s centres; require community management of parks; charge for green waste collection; and reduce street cleansing.</p> <p>Brent may: cut Youth Services; find external partner to run children’s centres; cut day care and respite care; significantly reduce street cleansing.</p> <p>Haringey may: cut 630 jobs; hire out parks; increase parking charges; reduce public consultation on planning applications.</p> <p>There are similar examples across London boroughs, including – as those above – Labour-run councils.</p>
	<p><u>Supplementary Question</u></p> <p>Does the Leader not think it hypocritical for Labour in Barnet to criticise us for sometimes merely reviewing or considering proposals their colleagues are enacting in, in neighbouring boroughs?</p> <p><u>Supplementary Answer</u></p> <p>The answer to that is yes or else they are delivering a really big rebuke to our neighbours who unfortunately are red coloured rather than blue.</p>
27.	<p><u>Cllr Gill Sargeant</u></p> <p>Can I have an update on when the zebra crossings in Aerodrome road will be completed?</p> <p><u>Answer by Councillor Dean Cohen (Chairman of Environment Committee)</u></p> <p>Locations have been agreed with Transport for London for new bus stops flags on Aerodrome Road and we await installation of these.</p> <p>A pedestrian refuge was previously introduced on Aerodrome Road. Design work to upgrade this to a zebra crossing has been delayed by the need to confirm where new access points for the development of the Peel Centre site would be located so that conflict with these locations (and consequent abortive work) can be avoided.</p> <p><u>Supplementary Question</u></p> <p>I wanted to ask about Aerodrome Road because this is a long-standing saga about the zebra crossings, Beaufort Park had put in the funding for this. There have been the new bus stops in Aerodrome Road so why we are able to put in new bus stops but not put in a pedestrian refuge, I do not know and we are constantly being asked by the residents when this is going to be introduced. I think if you put in new bus stops, I would have thought you could put in the new pedestrian refuge as well.</p> <p><u>Supplementary Answer</u></p> <p>As it says very clearly in the answer, the bus stops were resolved and the pedestrian refuge was also resolved. The only thing outstanding is the zebra crossing. And I said that’s awaiting, regarding the Peel Centre.</p>
28.	<p><u>Cllr Wendy Prentice</u></p> <p>Could the Leader outline the expected revenue returns from the various projects that are now under way, identified by section 106, CIL and Overage?</p>

	<p><u>Answer by the Leader</u> The Council has generated significant revenue returns from projects across the borough. In terms of Council Tax receipts, the medium term financial strategy sees a growth in income of nearly £1m per annum from additional properties, the Assets, Regeneration & Growth Committee budget proposals include Council Tax and business rate income growth of £5.4m as a result of successful regeneration schemes. The Council has generated £35m from section 106 receipts over the last 5 years, and projects to receive £19m from CIL up to the end of the decade. These figures exclude the value of directly delivered benefits, such as will be the case for most of the infrastructure at Brent Cross.</p> <p>In terms of overage, the Council expects to receive over £40m from the Mill Hill East development.</p>
	<p><u>Supplementary Question</u> Does the Leader agree that development cannot only deliver tangible improvements for residents but financial benefits also? And can such growth help us to meet our budget challenges in the future?</p> <p><u>Supplementary Answer</u> Yes, of course it does. It can produce mutual benefits and it has an important part in our plan for the financial wellbeing of this borough but we do have to make sure that development is appropriate and doesn't destroy the character of the place we live in.</p>
29.	<p><u>Cllr Kitty Lyons</u> Does the Leader agree that the council needs to do everything it can to encourage and enable local people to be able to cast their vote in elections?</p> <p><u>Answer by the Leader</u> Absolutely.</p>
	<p><u>Supplementary Question</u> I am delighted to hear that the Leader is in favour of enabling residents to exercise their vote. Can Cllr Cornelius therefore explain why he voted against the officer's recommendation at the General Functions Committee on the 11th November to provide an extra polling station at Annunciation School for the huge HOC polling district in Hale Ward which would enable less mobile voters, eg elderly, disabled and those with babies, etc, to avoid the 13 minute or so walk to exercise their right to vote? Will he now endorse the officer's recommendation for a polling station at Annunciation School?</p> <p><u>Supplementary Answer</u> A long supplementary question. No.</p>
30.	<p><u>Cllr Maureen Braun</u> Could the Leader indicate the savings realised through the CSG and Re contracts?</p> <p><u>Answer by the Leader</u> Cumulatively over the 10 year contract durations, the CSG contract will save the Council £125m, and the Re contract will save the Council £39m. Both contracts are delivering the promised savings.</p>
	<p><u>Supplementary Question</u> Labour said they opposed these schemes yet accepted all the savings. Does the Leader have any idea where they now might have found £164m in savings?</p> <p><u>Supplementary Answer</u> No, I have never understood them to have a plan at all.</p>

31. Cllr Amy Trevethan

Would the Leader provide the latest position on the number of Barnet Homes tenants affected by the Bedroom Tax, the number of those tenants in rent arrears, the total rent arrears of those affected by the Bedroom Tax and the number of under-occupying tenants who have been able to move into a smaller property?

Answer by the Leader

At the end of December 2014

- Current numbers of Barnet Homes tenants affected by Under Occupation charge: **584**
- The number of these tenants in arrears: **309**
- The total rent arrears: **£170,686** [It should be noted that Under Occupiers had rent arrears of circa £116,000 before changes in welfare were made so the net move has been around £54,000 since Under Occupation charges were applied]
- The total number who have been able to move into a smaller property: **82**

Supplementary Question

No supplementary

32. Cllr Maureen Braun

How much higher would Council Tax be if the outsourced contracts had not been undertaken?

Answer by the Leader

Savings from CSG and Re have been banked into the Council's current financial strategy. For CSG, these figures represent a £6.3m reduction in annual running costs, and for Re these figures represent a £4m reduction in annual running costs of these services. If these savings had not been delivered, Council Tax would have increased by 7.4% (or £80 per household per annum at band D) to compensate.

Supplementary Question

Does the Leader think it actually worth the 7.4% council tax increase just to keep a service in house?

Supplementary Answer

No and I am sure residents wouldn't either.

33. Cllr Tim Roberts

How much money has the council had to pay out in insurance claims since 2002 as result of people tripping on poorly repaired/maintained pavements/roads (broken down by year and ward)?

Answer by the Leader

Due to using a different claims management system we are only able to accurately provide information for 2003 onwards. However, please find the information as requested. These are the amounts that have been paid out currently to settle claims. If any open cases are settled in the future the costs will be allocated to the year that the incident occurred.

Department Name	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	Grand Total
Burnt Oak	13657	26510	47274.87	6890	40300	7100	19650	23185	2500	5000	160326.02	1500	143048.96
Childs Hill	7250	6800	28858.42	6800	14300	59150	7942.6	6100	6750	2000	3680		193966.87
Colindale	5200	2500	21804.5	4613.3	2562.72	7500	28792	1008.5	2500	12200	1200		160326.02
Coppetts	24275	1200	1000	24450	26600	9800	33510	7395		38495	3650		89881.02
East Barnet	5026	25	30515.23		6956.33	7562.24	5655	19570	70460	15337.85	10650	4694	176451.65
East Finchley	11000		24750	13200	15750		4330.4	27072.7	27142.85	19250	7475	6479	157049.95
Edgware	5800	18549.95	27429.18	63117.32	21633	8000	83482.64	16387.98	1500	21333.6	19032.24	25	286290.81
Finchley-Church End	4203.72	20250	5468.8	16250	27900		40755.6	89000	1000	3000	7036.85		214864.77
Garden Suburb	3291.76	3490	19919.99	10050	61820	39800	36712.04	10130.17	13750	35225	4000	1450	252542.96
Golders Green	22000	200	18563.24	16075.05	16953.95	10800	8651.25	13825.3	2550	39465	8050	4117	161270.79
Hale	16653.51	10631	12000	8170	11791.87			8750	12000		1824.5		83680.88
Handon	21139.5	16580	11300	21523.2	17625	20518.75	18460	5700	11500	14258.62	6900		164765.07
High Barnet	16160	6000	14300	3000	10405.87	23140	14900	13017.77	21250	9250			132673.64
Mill Hill	4500	3452.5		4250	33325	17750		5552.46	10175	16722.91	3320		99047.87
Oakleigh	3038.95	12680	20320	11280	16355	2200	8797.5	55741.09	6000		6658		161570.54
Tottenham	24070	10805	4720	12750	26879.07	10800	9850		2500	32612	9600	33030	177616.07
Underhill	17060	2040	8989.95	6025	3000			18680	3250	6604.5			66849.45
West Finchley	15050	4500	15155.99	4000	26800.34	23677.4	3000	6750	20325	51399.16	7100	4000	181757.89
West Hendon	6043.2	7620	17497.3	25773.88	16397.68		29730	7000	12500	9622			132133.95
Woodhouse	13310	2080	7500	16500	23719.44	122430	18600	11500	10500	26625	2565		265929.44
Grand Total	239468.64	168343.45	350046.27	276217.55	439794.06	373126.39	424134.62	361385.15	275294.85	349468.64	135643.99	26265	3457493.21

	<p><u>Supplementary Question</u> No supplementary</p>
34.	<p><u>Cllr Maureen Braun</u> Could the Leader identify the outsourcing projects that have been undertaken by Labour London boroughs?</p> <p><u>Answer by the Leader</u> Outsourcing is common-place among Labour-run London boroughs. A host (including Brent, Camden, Haringey, Lambeth and more) have outsourced waste and recycling services; Enfield have outsourced ICT services to Serco; Brent revenue services to Capita, to name just a few.</p> <p>A notable example is Lambeth who enacted a £60m 10 year extension of its outsourcing deal with Capita to include IT services and call centre management – on top of an existing arrangement for revenue collection services.</p>
	<p><u>Supplementary Question</u> No supplementary</p>
35.	<p><u>Cllr Kath McGuirk</u> LB Barnet dims street lights by 50% - why does the administration believe that this reduction in lighting is imperceptible to local people?</p> <p><u>Answer by Councillor Dean Cohen (Chairman of Environment Committee)</u> There have been many lighting industry based trials regarding light output levels and their effect on human optical perceptions. These trials have been carried out by various industry experts and supported by field trials in a number of local authorities. Barnet officers and members were, in fact, invited to a field trial in Enfield, prior to commissioning the central management system (CMS) in the borough. The trials took in a variety of locations and differing light sources and showed, beyond doubt, that reducing lighting levels is imperceptible to the untrained human eye, even when it happens in front of the onlooker. During the trials a number of residents approached the on-site teams and commented they had not even noticed any change in the lighting levels.</p>
	<p><u>Supplementary Question</u> I don't recognise the answer. Many of my residents, mainly women and young people who walk, feel they are unsafe now that the lights have been dimmed. As the party who believes in saving money and a party of litigants, what insurance policy have you got in place if there accident or criminal activity and they challenge the council on the fact you have dimmed the lights across the borough? Or is this going to be collateral damage for your failed privatisation project.</p> <p><u>Supplementary Answer</u> It is perfectly safe. The current dimming, the residents are perfectly safe in this borough.</p>
36.	<p><u>Cllr John Marshall</u> How many extra secondary school spaces will be needed in the future years of this council?</p> <p><u>Answer by Councillor Reuben Thompstone (Chairman of Children, Education Libraries and Safeguarding Committee)</u> We will need 664 additional Year 7 secondary school places by September 2021, phased in as follows:</p> <ul style="list-style-type: none"> • 214 by September 2018 (approximately 7 forms of entry) • rising to 537 by 2019 (18 forms of entry) • rising to 664 by 2021 (22 forms of entry)

	<p><u>Supplementary Question</u> No supplementary</p>
37.	<p><u>Cllr Ross Houston</u> The council recently consulted DCLG and the Mayor of London on their proposals around increasing council rents – would the Leader publish their responses?</p> <p><u>Answer by the Leader</u> Neither organisation has formally responded to the Council on this matter.</p> <p>Whilst the CLG provided an e-mail reply, they made clear was not a formal response with the following caveat: <i>“This is not a formal response from DCLG and therefore I would be grateful if no reference in the consultation is made to my comments here.”</i></p> <p>The GLA have not responded.</p> <p>In addition, the Council has sought legal advice on its proposal for a new rents policy in the draft Housing Strategy and is satisfied that these are legal.</p>
	<p><u>Supplementary Question</u> Does the Leader not agree that the lack of response from the Mayor (of London) shows just how little he cares for the welfare of London’s social rent tenants?</p> <p><u>Supplementary Answer</u> Whilst, of course, we all know that the Mayor of London is a very popular figure, we can also be reassured that he cares about all Londoners.</p>
38.	<p><u>Cllr John Marshall</u> What contribution has been made by Free Schools and academies to numbers of school places in Barnet?</p> <p><u>Answer by Councillor Reuben Thompstone (Chairman of Children, Education Libraries and Safeguarding Committee)</u> They have enriched our school community and are a valuable contribution to the educational offer.</p>
	<p><u>Supplementary Question</u> Would Cllr Thompstone agree that the free schools have provided over 1000 new school places in this borough and they are providing choice as well as places and, in particular, would he welcome the popularity of the Archer Academy which is serving the people of East Finchley and Garden Suburb wards where there was a real need for a school that served both boys and girls.</p> <p><u>Supplementary Answer</u> I am delighted that Barnet is seen as a very welcoming place for Free Schools. We have enormously benefited from it. They make a great contribution to our borough.</p>
39.	<p><u>Cllr Arjun Mittra</u> How many Barnet Homes tenants still affected by the Bedroom Tax are disabled, how many of these are in rent arrears and what is Barnet’s policy to help those struggling to pay their rent because of the bedroom tax?</p> <p><u>Answer by the Leader</u> We unfortunately do not routinely collect this information. Disabled clients would still be affected by</p>

	<p>the under occupation charge unless they can show that they have an overnight carer residing with them. However we continue to support all clients affected by the under occupation charge with; financial budgeting, income maximisation, discretionary housing payment and promotion of trade downs.</p>
	<p><u>Supplementary Question</u> Will he endeavour to collect the information, please?</p> <p><u>Supplementary Answer</u> I am not going to give you a straight answer. The answer is if it is possible to do it without undue expense, yes.</p>
40.	<p><u>Cllr John Marshall</u> How many adults are in receipt of a package from Adult Social Services and what is the average value? How much of the Adult Social Service budget is spent on administration?</p> <p><u>Answer by the Leader</u> At the end of December 2014, 3,961 adults in Barnet were in receipt of an on-going care package (residential or home care). In addition to this, 4,089 clients were receiving Respite Care, Enablement (short term home based support), Meals, Equipment and other short term support. In 2013/14, 5.2% of the Adult Social Care Budget was spent on administration. This percentage includes back office support (roles focused on commissioning, business support, workforce planning, contract management, procurement, improving quality with providers, performance management, financial assessments) and senior management costs.</p>
	<p><u>Supplementary Question</u> No supplementary</p>
41.	<p><u>Cllr Adam Langleben</u> The original council/Metropolitan Housing Trust booklet promoting the ballot on the West Hendon Regeneration stated that “We guarantee that every Council tenant and owner-occupier living on the West Hendon estate and Ramsey Close will be offered a new home in the new West Hendon.” It also stated that “We guarantee that our commitment to a partnership with local people will be based on trust, openness and respect.” Given that the first guarantee has been reneged on what would the Leader say the second guarantee is worth?</p> <p><u>Answer by the Leader</u> It is unnecessary and inappropriate to provide answers in this forum to questions about the West Hendon Estate due to the Public Inquiry into the Compulsory Purchase Order which opened today (20th January 2015). Councillor Langleben has submitted a statement of objection to the confirmation of the Order and is aware that matters raised in his question will be addressed as part of the inquiry process.</p>
	<p><u>Supplementary Question</u> The enquiring authority in the West Hendon public inquiry being Barnet has been told by the planning inspector that they need to cooperate with giving evidence so, Cllr Cornelius, will you accept my invitation to be a witness under interrogation at the public inquiry by me on Thursday evening?</p> <p><u>Supplementary Answer</u> I am advised that I shouldn't be but I will explore that advice again.</p>
42.	<p><u>Cllr John Marshall</u> How many libraries have been closed in London boroughs, identified by borough in the last five years and what do their current budget projections suggest might happen in the future period?</p>

	<p><u>Answer by Councillor Reuben Thompstone (Chairman of Children, Education Libraries and Safeguarding Committee)</u> The CIPFA Public Libraries Profiles are currently only available for 2013 and do not provide information on budget projections. It is known that locally Brent closed 6 of its 12 libraries in 2012. In the same year, Camden closed 1 library and transferred three libraries to community ownership, leaving 8 libraries in Council ownership.</p> <p>Harrow and Enfield are currently consulting on the future of their library services. Harrow is proposing to close 4 of its 10 libraries. There are no proposals for library closures in Enfield. Under one option, there would be 4 Council-run flagship libraries and 13 community libraries. The alternative proposal is for 4 Council-run flagship libraries, 2 traditional Council-run libraries and 11 community libraries.</p>
	<p><u>Supplementary Question</u> Given the enthusiasm with which neighbouring Labour councils are planning to close libraries, does the councillor not agree that it is complete hypocrisy of the local Labour Party to say they are opposed to library closure? If they were in control they would be closing libraries at a speed that has never been done by this council.</p> <p><u>Supplementary Answer</u> Given the number of libraries that Brent has already closed and that Harrow is suggesting to close, it would appear that our colleagues opposite are either in denial or once again they demonstrate that in Barnet, Labour has no plan.</p>
43.	<p><u>Cllr Alison Moore</u> When will the Leader agree a new 5 year management agreement for Barnet Homes?</p> <p><u>Answer by the Leader</u> It is not for the Leader to agree this – we have a committee system.</p> <p><u>Supplementary Question</u> Cllr Cornelius, you are being disingenuous. You are the Leader of the council. A rolling one year contract with a five or even better a 10 year management agreement, without that it would be difficult for Barnet Homes to maintain its standing and retain and attract good staff. You were happy to give Capita two 10 year contracts. Why will you not do the same for Barnet Homes?</p> <p><u>Supplementary Answer</u> I won't necessarily fail to support that.</p>
44.	<p><u>Cllr Brian Gordon</u> I have recently had cases of residents of Council homes, who have lived there with their parents for many years, coming to me highly distressed on being told that due to the death of both parents and an absence of succession rights they have to move. What can be done to alleviate the hardship this can cause?</p> <p><u>Answer by the Leader</u> Social housing is allocated on the basis of need and it is important to be fair.</p> <p><u>Supplementary Question</u> I agree it is important to be fair and I am not suggesting policy should be any different in relation to council tenants who unfortunately can't continue once there has been a death or two deaths and non-transmission. But can it be, perhaps, better explained to tenants because my experience is sometimes they are caught out in a situation where they have been bereaved and never realised that they would have to leave their homes or be downsized and it has come as a very big shock to them.</p>

	<p><u>Supplementary Answer</u> I think if there is a lack of clarity, that is something that should be looked at and improved.</p>
45.	<p><u>Cllr Barry Rawlings</u> What is the latest forecast for the number of residents who will be adversely affected by the roll-out of Universal Credit?</p> <p><u>Answer by the Leader</u> The stated aims of Universal Credit are to make work pay by ensuring claimants are better off in work than on benefits. Universal Credit is also designed to simplify the complexity of the current benefits system, by rolling up 6 individual benefit payments into a single payment.</p> <p>Local estimates suggest that up to 48,000 people who are both in and out of work could be eligible for Universal Credit when it is fully rolled out in Barnet.</p> <p>Barnet will start rolling out Universal Credit to some new and single claimants from 2 March 2015. Current JCP estimates suggest that there could be 34,783 new single UC claimants between March 2015 and February 2016.</p> <p>Local support will be available to help claimants where appropriate to manage the changes- this will include budgeting and digital support, alongside support to get people into work.</p>
	<p><u>Supplementary Question</u> No supplementary</p>
46.	<p><u>Cllr Brian Gordon</u> Is the Council involved in any schemes to try to reduce business rates in the period ahead? If so, could you please give brief details</p> <p><u>Answer by the Leader</u> The Council encourages its business rate payers to apply for any reliefs to which they are entitled. In 2013 the government introduced retail rate relief, and re-occupation relief to assist businesses. Retail rate relief reduces business rates for shops, pubs and restaurants with rateable values below £50,000 by £1,000 in 2014/15, and by £1,500 in 2015/16. Re-occupation relief provides a 50% business rates discount for 18 months for businesses moving into previously empty retail premises between 1 April 2014 and 31 March 2016. Ratepayers can check their entitlement by contacting the business rates team on 020 8359 2735.</p> <p><u>Supplementary Question</u> On the question of business rates, thank you for the explanation given and the figures. Would you agree that helping business rates to be as low as possible and encouraging these sorts of schemes alluded to here, is very much part and parcel of our policy not only of this administration but as a Conservative Party and it's not the policy that any other major party has at the present time?</p> <p><u>Supplementary Answer</u> I would absolutely agree with that and furthermore if Barnet could set its own business rate, I would be very tempted to set a very competitive rate in order to attract business to our borough.</p>
47.	<p><u>Cllr Reema Patel</u> South Friern Library is well used, popular and a vital hub for the local community. There are no other similar local and public buildings nearby for residents. How can the Leader justify its closure or reducing it to the size of a living room?</p>

	<p><u>Answer by the Leader</u> Whilst South Friern Library is geographically ill positioned for Barnet, its future is safe.</p>
	<p><u>Supplementary Question</u> Does the Leader agree that it is inappropriate to call any library within Barnet 'geographically ill-positioned'?</p> <p><u>Supplementary Answer</u> No, I know where this library is.</p>
48.	<p><u>Cllr Brian Gordon</u> The Government has announced a tough new crackdown to combat rising anti-Semitism following a surge of sickening attacks against Jewish communities within Britain. This matter is of course of immense concern within this Borough. Communities and Local Government Secretary Eric Pickles has called on local authorities to play their part. What is the Council's up to date approach to this, bearing in mind our steadfast policy on race relations and inter - community harmony?</p> <p><u>Answer by the Leader</u> All parties in Barnet reject intolerance. We have to be steadfast in our commitment to inter-community harmony.</p> <p><u>Supplementary Question</u> Thank you for endorsing the importance of rejecting intolerance and of inter-community harmony. But on the question of terrorism which was the subject of our two minutes' silence this evening, can we continue to work with the police to ensure that the maximum vigilance and security be applied to protecting Jewish premises which are undoubtedly potentially in the front line in the event of a terrorist attack of the kind that we have seen elsewhere.</p> <p><u>Supplementary Answer</u> Yes of course and I am sure all councillors in this chamber would agree with that. We certainly need to make sure that the police do look after the Jewish community in their places of worship but we also need to make sure that those moderate Muslims who are also vulnerable to terrorist attack at the moment should also be protected.</p>
49.	<p><u>Cllr Phil Cohen</u> Will the Leader agree to support a proper cross-party review of the Barnet Library Service, led by the Children, Education and Libraries committee, taking into account the recently published Independent Library Report (18 Dec 2014) commissioned by DCMS which calls for 'a re-invigoration of the library network', and, pending the outcome of that review, suspend the £2.85m cuts to the library service proposed for 2015-16?</p> <p><u>Answer by the Leader</u> It is for the councillor to propose this to the committee and to come up with alternative savings.</p> <p><u>Supplementary Question</u> Can try to get some sense on this library's plans? It is not just the residents who are opposed to closures or downgrading of the service. It seems that some of the people of the blue persuasion are also opposed. We have seen the statement by Councillor Zinkin and Ryde who said that they were quite clear that '<i>we are determined to ensure that Childs Hill continues to have a first class library service based on that and Golders Green and will therefore not be supporting proposals for the closure of either.</i>' So there seems to be a cross-party consensus. Can we not get together as Labour and Conservative to try to identify some savings in the budget so that we can ring-fence the library budget? That's what our residents want and it's what we want and I think it's in the interests of Barnet that we do that.</p>

Supplementary Answer

That is what the committee system is all about. When proposals are prepared by officers, members of the committee will have an opportunity to speak about them, talk about them and work through them. After the failure of the working party system obviously that will be done in public which will be very transparent and the success in finding the cuts will be a measure to Labour Party cooperation with us.

50. Cllr Brian Gordon

What is our position on the desirability of street markets around the Borough?

Answer by the Leader

I like them and support them.

Supplementary Question

My colleagues Councillors Hart and Scannell and I myself are very pleased by your answer that you support street markets because we particularly would like to see this implemented in Edgware where there is a great desire for this by traders and there seems to be a lot of 'foot dragging' if I can no less politely than that by the officers, whoever they may be within the council to get this thing moving. Could you encourage the idea of a street market in Edgware which is definitely wanted and I cannot see why there should be any delay in that.

Supplementary Answer

If ward councillors persuade their colleagues on committees that this is a good idea and exercise their right to bring a motion to that committee, I have never seen any evidence of 'foot dragging' by officers.

51. Councillor Ann Hutton

At the Council meeting on 4 November I submitted a question asking about the costs for security at the Church Farm House ex museum. I was given yearly figures which varied widely and I asked in a supplementary why this was so. I was told that I would receive a written reply. No reply was received and I asked again at the council meeting on 16 December (Question No. 10) and was told by the Leader that I would receive a written reply, I asked in a supplementary when to expect it and was told that it was embarrassing that I still hadn't received a reply and that one would be forthcoming. I still haven't received a reply. Could I please have an answer to my supplementary question asked at Council on 23 September - and again on 16 December in relation to a breakdown of the costs of security at the Church Farm House Museum ex museum?

Answer by Councillor Daniel Thomas (Chairman of Assets, Regeneration and Growth Committee)

I apologise for the protracted process Cllr Hutton has had to go through to obtain this information. The costs for security at the Church Farmhouse ex museum are shown below. They vary over time because initially Ad Hoc Property Management Ltd provided 24hr security from Sep 12 to Mar 14, at a cost of £85 per day, but during 2014 this was replaced by a guardian service from the same company (at nil cost) once the building had been minimally adapted to facilitate this service. This meant some capital expenditure in 2014 (shown below) which has subsequently eliminated the need for any further significant on-going security costs, other than some minor physical security measures.

Date	Description	Description	TotSum (actual)
24/09/2012	Ad Hoc-flexi guardian-Church Farmhouse M	Church Farmhouse Museum	£16,345.00
05/04/2013	Ad Hoc-Flexi Guard Church Farm Museum	Church Farmhouse Museum	£17,255.00
28/02/2013	Utilities/ Flexi Guardian/ Nov - Feb 2014	Church Farmhouse Museum	£9,900.00
30/01/2014	Security	Church Farmhouse Museum	£44.25
01/03/2014	Security Works	Church Farmhouse Museum	£1,625.00
18/12/2014	Lighting - Security	Church Farmhouse Museum	£1,131.54
			£46,300.79

	<p><u>Supplementary Question</u></p> <p>The reply states that there has subsequently eliminated the need for any further significant on-going security other than some minor physical security measures. I'm not quite sure what that means. Presumably that means some sort of guardian but we have paid nothing for the whole year for any security person to be on site. Is that accurate?</p> <p><u>Supplementary Answer</u></p> <p>That is correct. The guardian was provided free of charge. The minor security expenditure was on things like lighting and locks.</p>
52.	<p><u>Cllr Brian Gordon</u></p> <p>In view of the impending General Election this year, would the Leader give some early pointers as to why the election of anything other than a Conservative led Government could have highly detrimental consequences for residents of this Borough?</p> <p><u>Answer by the Leader</u></p> <p>The proposal from Labour to send money to Scotland and their supposed heartlands will reduce the cash available for us.</p>
	<p><u>Supplementary Question</u></p> <p>On the question of a Labour Government, there must be many other things that would be very undesirable for residents other than the small matter that you mentioned about Scotland, maybe not so small. Would you agree that right across the board their policies on spending, on wastage, on bureaucracy, on appeasing the unions and so many other countless things would be a good reason why every resident of Barnet should be strongly encouraged to support the Conservatives at the next election for a proper full Conservative Government?</p> <p><u>Supplementary Answer</u></p> <p>You won't be surprised to find that I shall be campaigning for just that scenario.</p>
53.	<p><u>Cllr Geof Cooke</u></p> <p>Agendas and contractor reports are available for the Legal Services Project Board that is supposed to provide strategic oversight of the Inter Authority Agreement governing the contract with HB Public Law hosted in Harrow, but why is there no record of attendance or decisions made for any meeting including the one following constitutional chaos in summer 2014?</p> <p><u>Answer by the Leader</u></p> <p>No formal minutes were taken from the Legal Services Strategic Monitoring Board meetings from January 13 to May 14 however all meetings from September 2014 have been minuted and actions noted accordingly.</p>
	<p>THAT CONCLUDES QUESTION TIME</p>
54.	<p><u>Cllr Brian Salinger</u></p> <p>Has the Leader of the Council seen the statement put out by Andrew Dismore AM dated 30th December in which he states..."Andrew Dismore, Labour parliamentary candidate for Hendon and London Assembly member for Barnet and Camden has today accused Barnet Council of an abuse of officer delegated powers over the approval of the planning application for the British Library Newspaper Library Site in Colindale Avenue.</p> <p>Mr Dismore said:</p> <p>"I am astounded that such an important development has been decided by officers on their own delegated authority and not submitted to the planning committee, as it should have been.</p> <p>'Officers have decided that the existing landmark building can be demolished, and 395 flats built in</p>

	<p>blocks up to 11 storeys high.</p> <p>'An application of this magnitude should have gone to elected councillors on the planning Committee to decide, where local people may have their voices heard.</p> <p>'This decision shows the utter contempt in which the Conservative Council holds locals residents. The overdevelopment of Colindale is a major issue in the community, and this decision, which does not even give residents a minimal opportunity to have their say and councillors the opportunity to represent their residents' interests to the Committee, is an utter disgrace. It can only be described as an abuse of delegated authority"</p> <p><u>Answer by the Leader</u></p> <p>I have not sought out the comments of Andrew Dismore AM, but the planning process is strictly regulated and I am surprised that he could be so mistaken. (The fact that he actually spoke at the public meeting where this item was considered makes his outraged press release all the more of a personal embarrassment for him.)</p>
55.	<p><u>Cllr Dr Devra Kay</u></p> <p>When did the 50% dimming of street lights in the London Borough of Barnet begin?</p> <p><u>Councillor Dean Cohen (Chairman of Environment Committee)</u></p> <p>Installation of the central management system (CMS) which aids the dimming commenced in May 2013. Lighting levels were adjusted as assets came on stream, following CMS installation, from the Summer of 2013.</p>
56.	<p><u>Cllr Brian Salinger</u></p> <p>Is the Leader aware that Mr Dismore, along with the three West Hendon Councillors, started a petition on his website in October 2014 regarding the passageways at Hendon Central?</p> <p><u>Answer by the Leader</u></p> <p>No.</p>
57.	<p><u>Cllr Alan Schneiderman</u></p> <p>I understand that Mike Freer MP wrote to residents in December to say that the Council has no plans to relocate Finchley Lido. In the answer to my question (No. 84) on 16 December asking whether alternative locations were being considered for Finchley Lido and other Barnet leisure centres and pools, the Leader said: "All can be reconsidered; we cannot afford to be luddites". Who is correct?</p> <p><u>Answer by the Leader</u></p> <p>Both.</p>
58.	<p><u>Cllr Brian Salinger</u></p> <p>Is the Leader aware that Mr Dismore started a petition on his website in October 2014 regarding the possible abolition of the Hunting Ban?</p> <p><u>Answer by the Leader</u></p> <p>No.</p>
59.	<p><u>Cllr Paul Edwards</u></p> <p>Would the Leader join me in congratulating Fred Jarvis a resident of Chipping Barnet who was awarded the CBE in the new year's honours for his lifelong contribution to improving the rights and conditions of working people and in particular his 15 years as General Secretary of the National Union of Teachers?</p> <p><u>Answer by the Leader</u></p> <p>Yes.</p>

60.	<p><u>Cllr Brian Salinger</u> Is the Leader aware that Mr Dismore started a petition on his website in October 2014 asking people to sign up if they think that Barnet's Housing policy is unfair?</p> <p><u>Answer by the Leader</u> No.</p>
61.	<p><u>Cllr Kathy Levine</u> What is the projected timetable for applying for planning permission for the relocation of the 'Mill Hill Depot facility' to the Abbots Depot site?</p> <p><u>Answer by the Leader</u> We have to move from Mill Hill in late 2016 and all alternatives have to be available by then.</p>
62.	<p><u>Cllr Brian Salinger</u> Is the Leader aware that Mr Dismore started a petition on his website in November 2014 opposing the increase in Council rents?</p> <p><u>Answer by the Leader</u> No.</p>
63.	<p><u>Cllr Charlie O'Macauley</u> Are there any residents who have passed working age and are still paying council tax and what is the criteria for paying council tax for people who have passed the working age in Barnet?</p> <p><u>Answer by the Leader</u> Yes. The regulations are clear.</p>
64.	<p><u>Cllr Brian Salinger</u> Will the Leader make a statement outlining what he believes to be the latest position with regard to future use of the Pinkham Way site by North London Waste Authority?</p> <p><u>Answer by the Leader</u> There are various proposals that the NLWA has murmured about. The Labour controlled authority still aspires for some waste use on its part of the site. I would like to see much needed housing on the Barnet part of the former sewage works. Haringey is the planning authority so will be in the driving seat on the site's future.</p>
65.	<p><u>Cllr Alison Moore</u> Given that Barnet has the 3rd highest child minding costs in the country (£200 per week) and the 18th highest nursery costs in the country (£150 per week) – effectively nearly half of average weekly pay and a third of average weekly pay respectively - does the Leader regret the closure of 8 children's centres in the borough rather than expanding provision?</p> <p><u>Answer by the Leader</u> I always regret lost funding to Barnet and its residents, but recognise the government's difficulties.</p>
66.	<p><u>Cllr Brian Salinger</u> Will the Leader please make a statement outlining the arrangements that are to put in place for the North London Half Marathon starting and finishing at Allianz Park on 15th March?</p> <p><u>Answer by the Leader</u> We are currently still in discussions with the promoters of the North London Half Marathon to deal with certain issues. The race is programmed for 15th March</p>

	<p>We have recently received the route and traffic management plans from the organisers Go2 Events and we have been in lengthy discussions with them regarding the impact of the proposed event on Barnet's road network, key services and the wider community. The plans indicate dozens of road closures including closure of the A5 which will have a significant impact.</p> <p>The Council need to be satisfied that impact on traffic and vital services are not affected. Additional information has been requested from Go2 regarding this, and this will form the basis as to whether LB Barnet grant permission for the event to proceed.</p>
67.	<p><u>Cllr Barry Rawlings</u> Will Barnet be an investor in the newly formed Local Government Finance Company to take advantage of the estimated savings of more than a billion pounds in borrowing costs for investing in new infrastructure like homes and roads?</p> <p><u>Answer by the Leader</u> The Local Capital Finance Company was established in 2014 by the Local Government Association as an alternative to the Public Works Loan Board (PWLB). It plans to issue bonds on the capital markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for three reasons: borrowing authorities may be required to provide bond investors with a joint and several guarantee over the very small risk that other local authority borrowers default on their loans; there will be a lead time of several months between committing to borrow and knowing the interest rate payable; and up to 5% of the loan proceeds will be withheld from the Authority and used to bolster the Agency's capital strength instead.</p> <p>The Council is not a founder investor of the Local Government Finance Company. The Council has raised most of its long-term borrowing from the Public Works Loan Board, but it continues to investigate other sources of finance such as local authority loans and bank loans, that may be available at more favourable rates. Decisions on new borrowing will be made in accordance with the Council's Treasury Management Strategy and this will be the subject of a separate report.</p>
68.	<p><u>Cllr Bridget Perry</u> Could the Chairman of the Housing Committee indicate how it may be possible to retain freehold assets and yet create long term rental income from council owned properties that are built?</p> <p><u>Answer by Councillor Tom Davey (Chairman of the Housing Committee)</u> It may be possible to build homes using General Fund funding and rental incomes will come back to the General Fund.</p>
69.	<p><u>Cllr Reema Patel</u> Is the Leader aware that disabled people are twice as likely to live in poverty as non-disabled people? Would he explain why he supports all the welfare reforms and other measures like Bedroom Tax that his government have implemented which adversely affect this vulnerable and underrepresented group?</p> <p><u>Answer by the Leader</u> The welfare system needs to be reformed and that reform needs to make sure that disabled residents are protected.</p>
70.	<p><u>Cllr Bridget Perry</u> Could the Chairman of the Assets, Regeneration and Growth Committee comment on the funding of affordable housing and the impact it has on potential development projects?</p> <p><u>Answer by Councillor Daniel Thomas (Chairman of Assets, Regeneration and Growth Committee)</u> We have a good record in producing affordable housing and it is important to be realistic about what</p>

	<p>developers can afford and achieve.</p>
71.	<p><u>Cllr Phil Cohen</u> Is the council proposing to close Church Farm leisure centre and if so what alternative locations are being seriously considered for it when the GLL contract expires in 2017?</p> <p><u>Answer by the Leader</u> The Sport and Physical Activity (SPA) project is considering the Council's five existing leisure centres at Burnt Oak, Hendon, Finchley, Copthall and Church Farm - both in terms of the services provided and the condition of the facilities.</p> <p>This work was initiated by the Policy & Resources Committee meeting on the 21st July 2014.</p> <p>The current phase of the project has involved a feasibility study, looking at the condition of the five centres, their financial viability and how future facilities should be configured to meet the needs of Barnet's residents. To ensure these criteria address current and future needs the feasibility study is looking at alternative locations for the Church Farm centre, these are; the existing site, Victoria Recreation Ground, New Southgate Recreation Ground, Brunswick Park, Danegrove Playing Fields and Oakhill Park.</p> <p>The feasibility study will form part of a revised outline business case that will be discussed at the Policy and Resources committee on the 17th February 2015.'</p>
72.	<p><u>Cllr Bridget Perry</u> Could the Chairman of the Assets, Regeneration and Growth Committee indicate where Barnet sits in the London league table for the construction of new homes of all tenures over the last five years? Could he further indicate what is currently planned across London for the next five?</p> <p><u>Answer by Councillor Daniel Thomas (Chairman of Assets, Regeneration and Growth Committee)</u> Barnet continues to be a major contributor to housing delivery in London. It has delivered around 5,400 new homes over the last 5 years. Rates of housing delivery place Barnet in the top half of London Boroughs.</p> <p>As an indicator of future delivery, around 176,000 net residential units were approved in London between 2011/12 and 2013/14. Barnet accounts for around 6,000 of these planned new homes, about the 11th highest level in London.</p>
73.	<p><u>Cllr Geof Cooke</u> The bulking of recyclable items collected from blue bins all around the borough is done at the Council's waste depot and involves tipping large quantities of material including glass into open containers for onward transportation. This must be a noisy operation. How close are the nearest residential properties:</p> <p>a) to the existing Mill Hill depot? b) to the proposed depot off Oakleigh Road South, Brunswick Park?</p> <p><u>Answer by the Leader</u> The materials delivered to site, from the recycling vehicles, are all dry recyclables, including glass, paper cans, plastic and cardboard. These are bulked into a top loading articulated lorry by a mechanical shovel. This operation will be done inside a purpose built building which will be undercover. The site is swept and left clean at the end of each day and no materials will be left on site. Noise and dust are minimised due to this activity being inside the building which will be purpose built for this activity.</p> <p>Food waste materials are also delivered by food waste collection vehicles into a covered purpose made</p>

	<p>food haulage container which will be undercover and then lifted and transported on a hook loader lorry.</p> <p>Dry recyclables are delivered to the Biffa site at Edmonton.</p> <p>Food waste is delivered to the ECO park run by NLWA at Edmonton.</p> <p>The waste and recycling service will operate the same number of vehicles as the current operation run at Mill Hill which has reduced the numbers of vehicles previously operated by Kier May Gurney as part of the old service offer.</p> <p>The bulking of recyclable materials happens within the Mill Hill Depot site and the nearest residential properties, sited along Bittacy Hill, are approximately 5/10 metres from the boundary of the site. The designs for the proposed Oakleigh Road site are still being worked up, but the same proximity occurs at the Abbots Depot site with the closest residential properties being located along Coppies Grove.</p>
74.	<p><u>Cllr Alison Cornelius</u> What is the cost in terms of printing of the recent spate of referrals from committees to full council?</p> <p><u>Answer by the Leader</u> There has been an increase of printing costs amounting to £7,854 for the period June 2014 – December 2014 compared to the same period in 2013 which predominately is due to referrals from committee to Full Council.</p>
75.	<p><u>Cllr Dr Devra Kay</u> What monitoring is taking place of Re, the joint venture between Capita and LB Barnet, who have a contract to provide LB Barnet with highways services (amongst other things) and which is being expanded to increase the number of services?</p> <p><u>Answer by the Leader</u> Monitoring takes place at the Performance & Contract Monitoring Committee, the Environment Committee and via the council's two representatives on the board.</p>
76.	<p><u>Cllr Stephen Sowerby</u> What is the cost of disposing of recyclables and residual waste?</p> <p><u>Answer by the Leader</u> For 2014/15 Barnet will pay a levy of £9.648m for household waste, £1.412m for non-household waste, £0.262m for chargeable household waste and a Household Waste Recycling Centre cost of £725. These costs are paid to the North London Waste Authority and include the cost of treatment of recycling, garden waste, food waste and disposal of refuse from households, and disposal of refuse from trade waste customers.</p> <p>The net cost of treatment and disposal of materials from the Civic Amenity and Recycling Centre, Summers Lane from April to November 2014 is £143,200.</p> <p>The projected income to be received by the council from the sale of household recyclable materials is £594k for 2014/15.</p>
77.	<p><u>Cllr Alan Schneiderman</u> Will the Leader listen to representations from residents who feel less safe since their street lights were dimmed?</p> <p><u>Councillor Dean Cohen (Chairman of Environment Committee)</u> There have been no recorded instances of complaints from residents who feel less safe since the street</p>

	lights were dimmed. Generally speaking, where complaints relate to poor levels of lighting in a particular location, it is a direct result of another obstruction to light output; for example trees reducing light output because of shadowing.
78.	<p><u>Cllr Stephen Sowerby</u> How are the costs of the failed procurement by the Labour controlled NLWA to be shared amongst the boroughs? What is the running cost of this authority and what capital remains after the losses?</p> <p><u>Answer by the Leader</u> The failed procurement cost £26m.</p> <p>The costs were borne by each of the seven constituent boroughs of the North London Waste Authority, in the relevant year, in proportion to each borough's council's tax base. Barnet thus had to pay the largest share of this Labour controlled quango. There is a further loss if the land at Pinkham Way is downgraded.</p> <p>The running costs for the North London Waste Authority for 2014/15 are £2.843m for corporate and other support services, £766k for Operations Team, £259k for Technical and Planning Teams. These costs include a wide range of activities, including legal and technical advice, insurance, accommodation and staff costs, waste reduction initiatives, and additional 3rd party support as required.</p>
79.	<p><u>Cllr Kathy Levine</u> What were the 'appropriate mitigations' that Counsel advised would be needed with regard to the feasibility of gaining planning permission for the Abbots Depot site (ref para 1.11 Depot Relocation Project paper to 16 December Council)?</p> <p><u>Answer by the Leader</u> In order to mitigate the risk that planning permission may not be granted, a public consultation will take place, which will help to inform a number of provisions & measures that will be considered for inclusion in the schemes, such as: easy access & parking, landscaping, noise attenuation and the detailed design of the facility. Detailed analysis of travel plans and hours of use will also take place so that disruption to local residents is minimised as much as possible during business operations. Furthermore, a comprehensive and considerate construction management plan will be developed to minimise the risk of disruption to local residents during construction.</p>
80.	<p><u>Cllr Caroline Stock</u> Could the Leader indicate the spend per capita, excluding education, of the London Boroughs?</p> <p><u>Answer by the Leader</u> Spend per capita is calculated using the SFA, other grants and Council Tax income. For London Borough of Barnet the spend per capita is £826.27 compared to the London Average of £959.07. From the 33 London Boroughs Barnet is the 10th Lowest.</p>
81.	<p><u>Cllr Reema Patel</u> Boris Johnson recently introduced ticket fares of £10.00 for a previously free view from the banks of London New Year's Eve fireworks. Will the Leader join me in condemning this ill-considered, poorly implemented and thought out policy which seems only to have benefitted touts who have resold tickets for over £200.00 a pop?</p> <p><u>Answer by the Leader</u> Funding is difficult for all.</p>
82.	<p><u>Cllr Caroline Stock</u> Could the Leader indicate Barnet's position in terms of budget and population relative to other</p>

	<p>authorities in England?</p> <p><u>Answer by the Leader</u> Barnet's budget position per head is within the top third ranking number 108 out of the 353 Authorities used in the comparison. The budget per head for Barnet is £713.92.</p>
83.	<p><u>Cllr Phil Cohen</u> When are we likely to see a draft of the council's promised Cycling Strategy and how will it take forward the Mayor's Vision for Cycling?</p> <p><u>Answer by the Leader</u> Following a stakeholder workshop in the Autumn we expect to have a summary of policy influences (which includes the Mayor's Vision for Cycling), a series of objectives and associated commentary and various workshop outputs completed shortly.</p> <p>The collated outputs will inform further work to prepare a draft strategy which is expected to be presented to the June meeting of the Environment Committee. Subject to approval by the Committee public consultation will take place during the summer, including publication on the Council's consultation portal, with a view to formally adopting the strategy by the end of the year.</p> <p>In delivering the Mayor's commitment to cycling our draft strategy will seek to create a network of cycle-ways across the borough, joining town centres, transport hubs, new development sites, and green spaces into a single coherent space.</p>
84.	<p><u>Cllr Caroline Stock</u> What would be the level of council tax in Barnet if we received the same level of central government finance as Central London boroughs?</p> <p><u>Answer by the Leader</u> The Settlement funding allocation for Barnet per head is £330 compared to the London average of £532. If Barnet was to receive £532 per head of SFA then the Council tax band D equivalent would be £530.55 which would be £571.52 less than the current council tax of £1,102.07.</p> <p>There are six boroughs which if Barnet received the same level of funding per head would result in us not having to charge any council tax at all and would place us in a position to give money back to residents. For example, if we received the same funding per head as Hackney, we could give residents £430 per year. If we were allocated the same per head as Camden we could hand back £243 a year to residents.</p>
85.	<p><u>Cllr Geof Cooke</u> Have any administration councillors, council officers or contractors working on behalf of Barnet Council (including those working for or on behalf of Capita) received any gifts or hospitality from Comer Homes or any of its subsidiaries from the beginning of 2013 to date?</p> <p><u>Answer by the Leader</u> There have been no declarations made from councillors or council staff in relation to receipt of gifts or hospitality from Comer Homes or any of its subsidiaries from the beginning of 2013 to date.</p> <p>CAPITA have to abide by our hospitality policy and so any declarations would be within our register. They also hold their own records.</p>
86.	<p><u>Cllr Caroline Stock</u> How many school dinners are eaten in Barnet schools and what is their origin?</p>

Councillor Reuben Thompson (Chairman of the Children, Education, Libraries and Safeguarding Committee)

Barnet's Catering Service provides approximately 3.23 million primary schools meals each year and approximately 1.14million secondary meals. The service provides freshly prepared meals cooked mainly on site from fresh ingredients in accordance with Government Food Standards. The service also holds the Soil Association Food for Life Silver Catering Mark which means farm assured meat, free range eggs and some organic foods. We do not hold information for meals provided through other catering providers.

87. Cllr Dr Devra Kay

Why are so many area planning committee meetings being cancelled and why are those who have formally objected to planning applications on their first appearance not been contacted when the applications reappear for consideration?

Answer by the Leader

Because of lack of business. Could the councilor advise us of these re-considerations and let us know what she has already done?

88. Cllr Val Duschinsky

Could the Chairman of the Assets Regeneration and Growth Committee indicate ownership and occupation of the various buildings in the neighbourhood of the Town Hall?

Answer by Councillor Daniel Thomas (Chairman of Assets, Regeneration and Growth Committee)

The list of council owned properties are on the attached table below.

No	PROPERTY NAME	LESSEE
1	GREYHOUND HILL ALL WEATHER PITCH	MIDDLESEX UNIVERSITY
2	HENDON TOWN HALL (partial)	MIDDLESEX UNIVERSITY
	HENDON TOWN HALL (partial)	LONDON BOROUGH BARNET
3	HENDON TOWN HALL- CLINIC FORMER	MIDDLESEX UNIVERSITY
	HENDON LIBRARY THE BURROUGHS	LBB Operational library
4	RAVENSFIELD HSE THE BURROUGHS & CAR PARK	MIDDLESEX UNIVERSITY
5	FENELLA THE BURROUGHS	MIDDLESEX UNIVERSITY
6	CHURCH FARMHOUSE MUSEUM, GREYHOUND HILL	Under negotiation with MIDDLESEX UNIVERSITY
7	EGERTON GARDENS CAR PARK	LBB operational car park
8	HENDON TOWN HALL CAR PARK SITE-SOLD LONG LEASE	MIDDLESEX UNIVERSITY
9	BURROUGHS GARDENS CAR PARK	LBB operational car park
10	17A THE BURROUGHS	EDWARD ADAMBERRY
	THE BURROUGHS CAR PARK (17-23)	LBB operational car park
11	COLINHURST HOUSE, STATION ROAD	MIDDLESEX UNIVERSITY
12	ST GEORGES LODGE THE BURROUGHS	GMB trade union
13	CHURCH END, MERITAGE CLUB	HENDON & OLD PEOPLES DISTRICT WELFARE
	CHURCH END 46 NW4	PATEL VINDORAI S
14	CHURCH END 44 NW4	CITIZENS ADVICE BUREAU
	CHURCH END 40/42 NW4	CITIZENS ADVICE BUREAU
15	CHURCH END 30 SHERRICK HSE PT	BARNET MENCAP
	CHURCH END 28 SHERRICK HSE PT	AFRICAN CULTURAL ASSOCIATION TRUSTEES OF

89. Cllr Alan Schneiderman

What arrangements are in place to refund motorists who paid to park when it should have been free?

Answer by Councillor Dean Cohen (Chairman of Environment Committee)

In accordance with the answer to Question 17 all sums paid had been proactively refunded by 22 December.

90. Cllr Val Duschinsky

Does the Leader believe the Green Belt serves any purpose in 2015? How is it being protected?

Answer by the Leader

	<p>Yes. The use of the Green Belt is strictly regulated and keeps developers from sprawling ever further into our green and pleasant land.</p>
91.	<p><u>Cllr Kathy Levine</u> What is the projected timetable for the development of the Abbots Depot site should planning permission be given?</p> <p><u>Answer by the Leader</u> By 2017.</p>
92.	<p><u>Cllr Val Duschinsky</u> Could the Chairman of the Pension Committee advise as to his views on the wisdom of investing in infrastructure projects?</p> <p><u>Answer by Councillor Mark Shooter (Chairman of the Pension Fund Committee)</u> Infrastructure investments suit the long term nature of the liability profile of pension funds, and can offer large returns. However due to higher implicit risks in these projects coupled with their size and complexity, the pension fund investment committee do not envisage investing in any infrastructure projects for the foreseeable future.</p>
93.	<p><u>Cllr Reema Patel</u> Will the Leader join me in thanking those public servants and volunteers who spent their festive holidays working to ensure a safe period for all families at home?</p> <p><u>Answer by the Leader</u> Yes.</p>
94.	<p><u>Cllr Graham Old</u> What is the current level of Trade Union funding by the taxpayer and does this offer good value?</p> <p><u>Answer by the Leader</u> As agreed in the 2014/15 budget, the Council provides core funding of £31,000 to Trade Unions this funding is proposed to continue. Additional funding has been agreed for specific project work, for example, where Trade Union representatives are involved in joint evaluation panels of roles as part of the Unified Reward project. We continue to keep the effectiveness of these arrangements under review.</p>
95.	<p><u>Cllr Phil Cohen</u> Has a borough cycling officer been appointed and if so what is their proposed programme of work and what budget do they have for improving cycling facilities in Barnet, which are generally agreed to lag well behind other London boroughs in this regard?</p> <p><u>Answer by the Leader</u> A Borough Cycling Officer was appointed in December 2014 and two apprentices to promote cycle training have been advertised. Their main aim is to deliver a programme of cycle training to all those that live, work and study in Barnet.</p> <p>With regards to cycling facilities we have an allocation of £100k for the provision of resident cycle parking which is primarily in Barnet Home's sites, £27k for on street cycle parking in the Borough, £400k for investigation and implementation of cycle route schemes.</p>
96.	<p><u>Cllr Graham Old</u> How many employees of the council are members of trade unions?</p>

Answer by the Leader

The Council estimates that trade unions membership (including schools) is around 30% of the total workforce. The council deducts trade unions subscriptions from monthly salaries. However, we do not use this information to monitor the exact number of employees who are trade union members. At the same time, a number of employees do not use the council's payroll deduction mechanisms. Our estimate is arrived at by the information provided by the trade unions at the point of a notification of industrial action.

97. Cllr Geof Cooke

Please list all instances of Community Infrastructure Levy (CIL) and s106 payments that are due from developers as a condition of granting planning permission but not yet received by Barnet Council including developer name, site address, sum outstanding, date sum was due and action taken by the Council to obtain what is owed.

Answer by the Leader

There are no outstanding Community Infrastructure Levy payments due to the Council. In terms of Planning Obligations, please find attached a list of current identified cases.

NB: The total line excludes cases that are 'under review' to determine if they are liable to make payments.

	Site	Status	Due	Paid	Comment
S106	Greenpoint, Edgware Road	Under Review	#####	0	Believed triggered in November 2014, we are in discussion with developer about whether site has formally commenced and payment must be made
S106	Former Fire Station, Bunns Lane, Mill Hill, NW7	Under Review	5,817.00	0	We have been notified this site may have commenced, a review is underway to confirm.
S106	83 High Street & 2-8 Union St	Payment Plan	7,706.46	#####	A payment plan spread over a number of months was agreed to ensure they can make full payment
S106	4 Westover Hill, West Heath Road, NW3 7UH	Payment Plan	9,000.00	#####	This site is in administration, we are waiting to hear from the administrators
S106	Land Adjacent To 95, Formerly 91 and 93, Milespit Hill, NW7	Payment Plan	8,300.00	1,160.00	A payment plan spread over a number of months was agreed to ensure they can make full payment
S106	Dick Turpin, 383 Long Lane, N2 8JW	Overdue Instalment	8,300.00	1,160.00	Final obligation was due by end of December 2014, we are reviewing if payment was made.
S106	25 Edgwarebury Lane HA8 8LJ	Triggered	20,000.00	0	Enforcement process began in November 2014
S106	Farrow House, Colindeep Lane NW9 6HE	Triggered	21,000.00	0	Enforcement process began in November 2014
S106	The Archer Academy Playing Fields, Stanley Road, N2	Triggered	12,500.00	0	Enforcement process began in November 2014
S106	3 Bell Lane	Triggered	2,000.00	0	Enforcement process began in July 2014
Condition	3-5 Accommodation Road, NW118ED	Payment Plan	3,073.00	#####	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	82 High Road, N2 9PN	Payment Plan	9,479.00	0	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	42 Church Lane, N2 8DT	Payment Plan	4,291.00	1,291.00	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	53A Ridgeview Road, N20 0HG (Land between 51 and 53)	Payment Plan	10,101.00	0	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	Land at rear of 69 Jackson Road, Barnet, Herts, EN4 8JU	Triggered	7,713.00	0	Enforcement process began in September 2014
Condition	Frith Manor Primary School Swimming Pool, N12 7BN	Triggered	5,000.00	0	Enforcement process began in December 2014
Condition	Plot 4, Site between 63 and 81, Winnington Road	Triggered	TBC	0	Enforcement will begin January 2015
TOTAL:			#####	#####	

98. Cllr Graham Old

Do the various trade unions recognised by the council donate to the Labour Party? Is there any indication as to how much is so given?

Answer by the Leader

The matter of donations to political parties is for the individual trade unions to declare. This information is not held or monitored by the Council.

99. Cllr Alan Schneiderman

Will the Council consult traders, residents and ward members over how this year's free Christmas parking initiative was publicised and implemented with a view to learning from the mistakes made this year and in previous years?

Answer by Councillor Dean Cohen (Chairman of Environment Committee)

Yes. (But with the committee now having agreed to this initiative for the next three years, publicity will naturally be able to begin much earlier.)

100	<p><u>Cllr Joan Scannell</u> What is the current use of the former borough mortuary?</p> <p><u>Answer by the Leader</u> The current Finchley mortuary is still utilised as a functional Coroner’s mortuary to provide public mortuary services to the residents of Barnet.</p>
101	<p><u>Cllr Kathy Levine</u> How is the 'residential value' of the Abbots Depot site likely to be affected by the TfL safeguarding exercise that includes this site?</p> <p><u>Answer by the Leader</u> Not likely as it is taken into account.</p>
102	<p><u>Cllr Joan Scannell</u> Could the Chairman of the Housing Committee outline big ticket maintenance budgets undertaken by Barnet Homes in the last three years and are there examples in other borough of similar works?</p> <p><u>Answer by Councillor Tom Davey (Chairman of the Housing Committee)</u> In order to maintain assets a planned programme of capital works is delivered each year, informed by a 30 year business plan and stock condition data.</p> <p>Examples of big ticket capital works for the period 2011-2014 include:</p> <ul style="list-style-type: none"> • Replacement of windows – £2,020,000 • Replacement of kitchens and bathrooms – £1,918,000 • Rewiring works to communal and domestic areas (including the replacement of electrical rising mains)- £13,047,000 • Boiler replacements –£3,209,000 <p>It is not really possible to compare the capital spend of one local authority to another. The makeup of each Local Authority capital spend will depend upon:</p> <ul style="list-style-type: none"> • The type, age and condition of the housing stock • Historical investment and maintenance decisions • Where each authority is with its decent homes programme delivery
103	<p><u>Cllr Alan Schneiderman</u> Why have allotment holders been asked for old photographs in order to determine the correct boundaries?</p> <p><u>Answer by the Leader</u> It seems a sensible request.</p>
104	<p><u>Cllr Gill Sargeant</u> Would the Leader confirm how much additional money Capita have been paid for diverting calls to Coventry and what the cost per call has been?</p> <p><u>Answer by the Leader</u> The cost per call for customers has remained at local rates and are made by local numbers regardless of whether they are directed to Coventry or Barnet as this is a contract obligation.</p> <p>The service is run at a fixed price which includes the management of all calls across all channels, the</p>

	supporting IT and all related third party contracts.
105	<p><u>Cllr Alan Schneiderman</u> What progress has been made in response to the petition presented at the Hendon Residents Forum last October calling for measures to combat the problems caused by traffic, in particular heavy vehicles, using Flower Lane NW7?</p> <p><u>Answer by Councillor Dean Cohen (Chairman of Environment Committee)</u> Investigations have been undertaken with regards to speed surveys and classified counts in order to ascertain the extent of the problem and any mitigation measure that could be proposed. Any scheme that could be introduced would then be prioritised along with all other schemes in the Borough on an annual basis for submission to the Environment Committee for approval.</p>
106	<p><u>Cllr Ross Houston</u> Would the Leader advise how much the Housing Benefit bill would go up by if LB Barnet increase council rents for current secure tenants to 80% of average market rates or LHA levels?</p> <p><u>Answer by the Leader</u> These proposals are currently the subject of a consultation and we would not want to pre-empt that process. However, any changes would be introduced gradually and therefore we would not expect to see a significant rise in Housing Benefit claims.</p>
107	<p><u>Cllr Barry Rawlings</u> At Council on 4th November the Leader agreed to a training session before the December Council meeting on the lessons from Rotherham especially the lessons for both Council and councillors. Why did it not take place?</p> <p><u>Answer by the Leader</u> This training did not take place as it was felt advisable to leave it until the new year. Officers are keen to take it forward and are in discussions with Governance colleagues to arrange a convenient time to deliver the training. Provisionally this session will take place on 3rd March prior to the full council meeting, subject to final details being agreed.</p>
108	<p><u>Cllr Barry Rawlings</u> What progress has been made in updating the facilities at Hendon Crematorium?</p> <p><u>Answer by the Leader</u> Hendon Cemetery is undergoing a significant period of transformation, most of which has occurred behind the scenes thus far. Over the last 18 months the following projects have been completed:</p> <ul style="list-style-type: none"> • £1M+ programme to replace the cremators was completed in October. 2014. They are now more efficient and fully compliant with emissions legislation. • The crematory has been modernised. • Urgent health & safety matters have been rectified. • Road gullies have been manually cleared • A computer records management system has been installed. • A tree condition survey has been undertaken. • The inscribed paving around the lily pond has been relayed as have a number of footpaths that had become uneven due to tree roots. • The hedges have been trimmed for the first time in three years. <p>Monday 12 January a significant tree safety and tree management programme will begin. Tuesday 13 January all road gullies and surface water drains will be mechanically cleaned. If this does</p>

	<p>not identify any significant issues requiring excavation, a programme of road surface improvements will be implemented.</p> <p>New grounds maintenance equipment is being procured ready for the grass cutting season. The ability to webcast funerals has been procured and is awaiting installation. An agreement to digitise all of the paper burial and cremations records has been agreed in principal, and is awaiting data protection formalities to be completed before implementation.</p> <p>Business cases for the wider infrastructure; Gatehouse, Chapel Buildings and Grounds Maintenance Buildings have been completed and are going through the necessary governance prior to implementation.</p> <p>Research into providing a range of additional memorial options for the bereaved around the crematorium are well advanced.</p>
109	<p><u>Cllr Barry Rawlings</u></p> <p>While packing hampers at Jesus House it was noticeable how busy the Tilling Road facility was. How many vehicles per day on average use the site?</p> <p><u>Answer by the Leader</u></p> <p>Between 1 April and 31 December 2014 there were 28,339 vehicle movements at the Tilling Road Waste Transfer Station, which equates to approximately 145 vehicles per day.</p> <p>Of these 19,272 were Barnet Council vehicle movements, 6,152 were Camden Council vehicle movements and the remainder were either trade waste vehicles or those operated on behalf of the North London Waste Authority to transfer residual waste to the Energy from Waste Plant at Edmonton.</p>
110	<p><u>Cllr Alon Or-bach</u></p> <p>What saving or additional penalty revenue is the council making by not sending out resident parking permit renewal letters?</p> <p><u>Councillor Dean Cohen (Chairman of Environment Committee)</u></p> <p>None – There is no statutory requirement for the authority to issue reminder letters but we do. Where letters have not been sent this has been due to either process or system error as it is not the intention to cease the issuing of reminder letters. Processes have been improved since the last error occurred in order to address this issue.</p> <p>Where it is identified that a renewal letter has not been sent, any PCNs subsequently issued would generally be cancelled.</p>
111	<p><u>Cllr Alon Or-bach</u></p> <p>What steps is the leader making towards requiring that outsourced services used by the council pay their staff the Living Wage?</p> <p><u>Answer by the Leader</u></p> <p>This is not something that is being proposed at the moment, but remains an aspiration.</p>
112	<p><u>Cllr Adam Langleben</u></p> <p>Could the Chair of the Housing Committee tell me how many Barnet Homes tenants across the borough are 'non-secure' tenants who have been in the same property for more than five years as of 4th January 2015?</p> <p><u>Councillor Tom Davey (Chairman of the Housing Committee)</u></p>

	There are 398 non secure tenants who have been in their current property since 4 January 2010. This is around 40% of the total non -secures.
113	<p><u>Cllr Adam Langleben</u> Could the Chair of the Housing Committee tell me how much has the Council paid to landlords in incentives in 2012/13, 2013/14 and the current financial year to date?</p> <p><u>Councillor Tom Davey (Chairman of the Housing Committee)</u> The amount paid to landlords in payment for incentives is: 2012/13 £42,689 2013/14 £698,843 2014/15 to 4 Dec 2014 £512,556</p>
114	<p><u>Cllr Adam Langleben</u> Further to question 122 at the last full council meeting and question 92 at the meeting before. Could the Leader tell me yet how much Re has made in profit?</p> <p><u>Answer by the Leader</u> The accounts are not yet closed off but I understand the company is profitable.</p> <p>The Re year-end is 31st December 2014. The year-end accounts are currently being produced, and will be audited shortly. Once this process is complete, the profit figure for Re can be confirmed.</p>
115	<p><u>Cllr Adam Langleben</u> Would the Leader tell me how many non-secure tenants (as 1 January 2015) are living on: a) the West Hendon estate b) Stonegrove estate.</p> <p><u>Answer by the Leader</u> There are 197 non secure tenants living in West Hendon and 10 living in Stonegrove.</p>
116	<p><u>Cllr Adam Langleben</u> Would the Leader define the term 'estate regeneration'?</p> <p><u>Answer by the Leader</u> Re-building</p>
117	<p><u>Cllr Adam Langleben</u> Has the Leader got plans to 'regenerate' other council estates not currently scheduled for regeneration? If so, which ones?</p> <p><u>Answer by the Leader</u> No.</p>
118	<p><u>Cllr Adam Langleben</u> Would the Leader tell me when weighing up the priorities of developers vs. existing residents on regeneration estates, which interested party should take priority, in his view?</p> <p><u>Answer by the Leader</u> There needs to be a careful balance.</p>
119	<p><u>Cllr Adam Langleben</u> I welcome the commitment made by the Leader in Question 126 at the last council meeting to attend a meeting with West Hendon residents. Could the Leader tell me when he will fulfil this commitment (preferably with a date)?</p>

	<p><u>Answer by the Leader</u> Soon.</p>
120	<p><u>Cllr Adam Langleben</u> Could the Chair of the Housing Committee tell me how much in Barnet Homes property rent income comes from housing benefit?</p> <p><u>Councillor Tom Davey (Chairman of the Housing Committee)</u> For 2014/15 financial year to the end of quarter 3, 55.6% of current tenant rent charges were paid by housing benefit for our permanent stock.</p> <p>For temporary accommodation, for the 2014/15 financial year to the end of Quarter 3, 84.6% of rent charges were paid by housing benefit.</p>
121	<p><u>Cllr Adam Langleben</u> Could the Chair of Housing Committee tell me what percentage of Barnet Homes tenants are in work?</p> <p><u>Councillor Tom Davey (Chairman of the Housing Committee)</u> This is information that Barnet Homes does not collect.</p>
122	<p><u>Cllr Adam Langleben</u> Could the Chair of the Community Leadership Committee give me his assessment of the success of the Barnet Eruv project?</p> <p><u>Councillor David Longstaff (Chairman of the Community Leadership Committee)</u> Since the planning application was agreed no issues have arisen and I don't expect any issues to arise.</p>
123	<p><u>Cllr Alison Moore</u> Does the Leader think it is acceptable for Leaseholders of The Grange Estate in East Finchley to have received bills for up to £9,000 on 16th December, just before Christmas and on the day that Tory councillors voted down the 'secret' proposals to extend payment terms for Barnet leaseholders and what does he intend to do to help leaseholders pay these bills?</p> <p><u>Answer by the Leader</u> The councillor is being disingenuous.</p>
124	<p><u>Cllr Zakia Zubairi</u> Would the Leader provide me with an update on how many secure and non-secure tenants there are living on the Grahame Park estate currently and how many will be accommodated on the newly built estate?</p> <p><u>Answer by the Leader</u> The situation at January 2015 is as follows</p> <ul style="list-style-type: none"> - Secure tenants 509 - Non-secure tenants 575 - Resident caretakers 3 - Void units 23 <p>This situation will be changing over the next few months, as more secure tenants move into the new homes being created by the next phase of the regeneration of Grahame Park. Thereafter, the non-secure tenancies and voids will increase, as some properties vacated by secure tenants moving into new properties, are temporarily used to house non-secure tenants. Overall, the regeneration is</p>

<p>expected to provide approximately 1,000 new affordable homes. By March 2014 180 new socially rent homes had been built and occupied. In addition, 39 affordable rent homes had also been built, originally intended for private sale, but these have not been used for decanting existing estate residents. Also, 171 new private properties had been completed by March 2014 and more are being provided in the next phase.</p>

97. **Cllr Geof Cooke**

Please list all instances of Community Infrastructure Levy (CIL) and s106 payments that are due from developers as a condition of granting planning permission but not yet received by Barnet Council including developer name, site address, sum outstanding, date sum was due and action taken by the Council to obtain what is owed.

Answer by the Leader

There are no outstanding Community Infrastructure Levy payments due to the Council. In terms of Planning Obligations, please find attached a list of current identified cases.

NB: The total line excludes cases that are 'under review' to determine if they are liable to make payments.

	Site	Status	Due	Paid	Comment
S106	Greenpoint, Edgware Road	Under Review	382,997.00	0	Believed triggered in November 2014, we are in discussion with developer about whether site has formally commenced and payment must be made
S106	Former Fire Station, Bunns Lane, Mill Hill, NW7	Under Review	5,817.00	0	We have been notified this site may have commenced, a review is underway to confirm.
S106	83 High Street & 2-8 Union St	Payment Plan	7,706.46	1,070.46	A payment plan spread over a number of months was agreed to ensure they can make full payment
S106	4 Westover Hill, West Heath Road, NW3 7UH	Payment Plan	9,000.00	4,005.00	This site is in administration, we are waiting to hear from the administrators
S106	Land Adjacent To 95, Formerly 91 and 93, Milespit Hill, NW7	Payment Plan	8,300.00	1,160.00	A payment plan spread over a number of months was agreed to ensure they can make full payment
S106	Dick Turpin, 383 Long Lane, N2 8JW	Overdue Instalment	8,300.00	1,160.00	Final obligation was due by end of December 2014, we are reviewing if payment was made.
S106	25 Edgwarebury Lane HA8 8LJ	Triggerred	20,000.00	0	Enforcement process began in November 2014
S106	Farrow House, Colindeep Lane NW9 6HE	Triggerred	21,000.00	0	Enforcement process began in November 2014
S106	The Archer Academy Playing Fields, Stanley Road, N2	Triggerred	12,500.00	0	Enforcement process began in November 2014
S106	3 Bell Lane	Triggerred	2,000.00	0	Enforcement process began in July 2014
Condition	3-5 Accommodation Road, NW11 8ED	Payment Plan	3,073.00	1,025.00	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	82 High Road, N2 9PN	Payment Plan	9,479.00	0	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	42 Church Lane, N2 8DT	Payment Plan	4,291.00	1,291.00	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	53A Ridgeview Road, N20 0HG (Land between 51 and 53)	Payment Plan	10,101.00	0	A payment plan spread over a number of months was agreed to ensure they can make full payment
Condition	Land at rear of 69 Jackson Road, Barnet, Herts, EN4 8UU	Triggerred	7,713.00	0	Enforcement process began in September 2014
Condition	Frith Manor Primary School Swimming Pool, N12 7BN.	Triggerred	5,000.00	0	Enforcement process began in December 2014
Condition	Plot 4, Site between 63 and 81, Winnington Road	Triggerred	TBC	0	Enforcement will begin January 2015
TOTAL:			128,463.46	9,711.46	



Council
3 March 2015

Title	Brent Cross Cricklewood South – Selection of Preferred Partner
Report of	Commissioning Director, Growth and Development
Wards	Childs Hill, Golders Green and West Hendon
Status	Public
Enclosures	Annex 1: Report to Assets, Regeneration and Growth Committee, 3 March 2015 Appendix 1 – Procurement and Delivery Strategy Appendix 2 - PQQ Appendix 3 – ITN Appendix 4 - Scorecard Appendix 5 – Financial Sub Criteria Appendix 6 – Commercial Principals Appendix 7 – Scoring Guidance
Officer Contact Details	Andrew Charlwood, Head of Governance (Acting) andrew.charlwood@barnet.gov.uk 020 8359 2014

Summary

The Assets, Regeneration and Growth Committee at a meeting on 3 March prior to this Council meeting are due to consider a report on the selection of the Council’s preferred development partner for the Brent Cross Cricklewood South development and determine whether to recommend to full Council the decision relating to appointing the successful bidder and the reserve bidder and to commence work on the business plan and project agreement including necessary documentation to form the joint venture delivery vehicle.

Accordingly this report encloses the report to be considered by Assets, Regeneration and Growth Committee and sets out the recommendations the Committee may make to Full Council.

Recommendations

That Council, subject to the decision of the Assets, Regeneration and Growth Committee, consider and approve the recommendations set out in the report to the Assets, Regeneration and Growth Committee on 3 March 2015 on Brent Cross Cricklewood South –Selection of Preferred Partner (Annex A)

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

4. POST DECISION IMPLEMENTATION

- 4.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.2 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

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

- 5.4 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

5.5 Legal and Constitutional References

- 5.5.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

5.6 Risk Management

5.6.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

5.7 Equalities and Diversity

5.7.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

5.8 Consultation and Engagement

5.8.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

6. BACKGROUND PAPERS

6.1.1 As set out in the report to Assets, Regeneration and Growth Committee, 3 March 2015.

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	<p>Assets, Regeneration and Growth Committee</p> <p>3 March 2015</p>
<p style="text-align: right;">Title</p>	<p>Brent Cross Cricklewood South – Selection of Preferred Partner</p>
<p style="text-align: right;">Report of</p>	<p>Cath Shaw, Commissioning Director (Growth and Development)</p>
<p style="text-align: right;">Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p style="text-align: right;">Status</p>	<p>Public with a separate exempt report</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – Procurement and Delivery Strategy Appendix 2 - PQQ Appendix 3 – ITN Appendix 4 - Scorecard Appendix 5 – Financial Sub Criteria Appendix 6 – Commercial Principals Appendix 7 – Scoring Guidance</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Karen Mercer, Programme Director Re, Karen.mercer@banet.gov.uk , Tel 0208 359 7563</p>

<p>Summary</p>
<p>To report the selection of the Council’s preferred development partner for the Brent Cross Cricklewood South development and seek approval to appoint the successful bidder and the reserve bidder and to commence work on the business plan and project agreement including necessary documentation to form the joint venture delivery vehicle.</p>

<p>Recommendations</p>
<p>1. That the Committee recommend to full Council:</p> <p>a) The appointment of Argent and Related Companies PLC (Bidder Z) as the Council's preferred development partner for the Brent Cross Cricklewood South Scheme.</p>

- b) 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.**
- c) Authorise Officers to work up the Joint Venture Structure, 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.**

1. WHY THIS REPORT IS NEEDED

- 1.1 This report seeks Assets, Regeneration and Growth Committee's recommendation to full Council to select Argent and Related Companies as the preferred development partner to work with the Council to deliver the potential of the southern section of the wider Brent Cross Cricklewood (BXC) masterplan to deliver comprehensive regeneration of the area and provide a significant new town centre for London.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Procurement of a corporate partner is essential to deliver the regeneration of the Brent Cross Cricklewood area and meet the Council's Corporate Priorities as set out in Section 5 of this report. The procurement of a partner through a formal OJEU negotiated process is considered by the Council's advisors to be an appropriate procurement route.
- 2.2 The Brent Cross Cricklewood South opportunity has previously been reported to Cabinet Resources Committee on 18 April 2013 and 16 January 2014 (see background reports attached at Section 8 of this report). These reports explain the new delivery approach to bringing forward the Brent Cross Cricklewood regeneration proposals, namely that Hammerson UK and Standard Life Ltd will focus solely on the delivery of the shopping centre at Brent Cross and the significant infrastructure required to support the comprehensive regeneration proposals, with the Council to take the lead on the south side to deliver the southern parts of the Brent Cross Cricklewood Regeneration masterplan with a new development partner.
- 2.3 On 18 April 2013, Cabinet Resources Committee approved that the Council's Director for Place begin preparations to deliver the regeneration of Brent Cross Cricklewood South. The Council instructed GVA to provide strategic property development advice on the delivery of Brent Cross Cricklewood South, focussing on reviewing the southern area and undertaking a detailed technical due diligence review of the overall infrastructure and development costs to inform scheme viability.

- 2.4 Capita Property was appointed in late 2013 to build on the GVA work and to establish potential options for the Council to realise the potential of Brent Cross South. Further to this work Capita Property has been assisting in the management of the project management of the procurement process.
- 2.5 On 16 January 2014, Cabinet Resources Committee approved commencement of discussions with the market through the publication of a Prior Information Notice to allow the Council and its advisors to speak directly to potential partners to inform the emerging delivery strategy for BXC South. The PIN was issued on 12 March 2014. This process demonstrated that there is significant market interest in the Brent Cross South development opportunity.
- 2.6 On the 22 July 2014, the Assets, Regeneration and Growth Committee gave approval:
- a) To procure 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 attached at Appendices 1 and 3 of this report.
 - b) To approve the Council's requirements for the Brent Cross Cricklewood South opportunity as set out in Section 4 of the Brent Cross South Procurement and Delivery Strategy attached at Appendix 1
- 2.7 The Procurement and Delivery Strategy is attached as Appendix 1. The Strategy set out the following Council's overarching core objectives (Section 4):
- Brent Cross Cricklewood will be 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. It will be animated at street level and connect with high quality parks, green spaces and nearby waterways.
 - Brent Cross South will complement the expanded Brent Cross shopping centre, and invite visitors to the shopping centre to cross into the new town centre. The site is at risk of being seen as an island, and the new development will need to tackle this risk, integrating effectively with the surrounding neighbourhoods.
 - Brent Cross Cricklewood will be a place for people of all ages, with a housing mix that reflects different life stages, a range of housing tenures, and public spaces which are accessible to all. Promoting health and wellbeing and reducing dependency will be ingrained in the place – for example by incorporating dementia friendly design. It will maintain Barnet Council's tradition of educational excellence.
 - As a growing, successful suburb of a growing successful world city, Barnet benefits from a strong local economy as well as providing a home to many people who work in central London. This emphasis on a strong local economic base is a key requirement for Brent Cross Cricklewood – it cannot simply be a dormitory. The Borough's economy

is predominantly made up of small and micro businesses, including many home based businesses, and the new Brent Cross Cricklewood will cater for this entrepreneurial community which increasingly blurs the distinction between home and work.

- The Council expects this blurring between home and work life to extend to the design of the new development, with strong integration between the residential and commercial areas, and no areas that are seen as 'dead' at particular times.
- Brent Cross Cricklewood will have excellent public transport links, allowing people to reach other parts of Barnet, London and the country easily. While many people are likely to own cars they are unlikely to be needed on a day to day basis and the space will not be dominated by the car.
- Many residents are under financial pressure, and the Council is committed to taking account of this in its actions. This means that low energy bills and responsible service charges will be important aspects of the new community.

:

2.8 The Procurement and Delivery Strategy outlined a formal four stage OJEU negotiated procurement process

1. Pre-Qualification Questionnaire (issued July 2014)
2. Invitation to Negotiate (three-five parties shortlisted by end of Sept 2014)
3. Pre-Contract Business Plan Stage (single party selected in February 2015)
4. Finalising and engrossing the contract followed by Contract Award (by March 2016)

2.9 The Procurement and Delivery Strategy also recommended that the Council secure a partner based on a corporate, rather than a project specific relationship to jointly develop the Brent Cross Cricklewood South opportunity in more detail. This would be subject to a range of performance measures and Key Performance Indicators to be developed through the Business Plan and documented in the Project Agreement and documentation necessary to form the joint venture company. It is considered that this approach will create the right conditions for a long term relationship, and also create the flexibility that the Council requires to be able to approach this project and meet all of its objectives (see Section 5 of the Procurement and Delivery Strategy).

2.10 The Strategy explained that a partner will be identified on the basis of its understanding of the Council's requirements, ability to work in Partnership, stated commitments and financial capacity to execute the required Business Plan. A more detailed vision will then be developed jointly between the parties through the fourth stage of the negotiation procedure before the creation of a formal joint venture partnership. The parties will also agree the Business Plan and Project Agreement to be reported to the Assets, Regeneration and Growth Committee for approval prior to entering into

Contract. This would also allow the Partner a period of time to work with the Council and the key external stakeholders to finalise the masterplan and obtain the necessary consents. alongside the Business Plan and Project Agreement

- 2.11 On 22 July 2014 the OJEU notice was published and the Pre-Qualification Questionnaire issued. The PQQ is attached at Appendix 2. Six bids were received on 10th September.
- 2.12 The PQQs were evaluated in accordance with the evaluation criteria published in the OJEU notice: Company policy 5%, Organisational capacity 12.5%, Financial Capacity 17.5%, Referees 10%, approach understanding and experience of placing making 25%, and comparable delivery experience 30%.
- 2.13 On 5 October 2014, the Council announced the following shortlist that will progress to Invitation to Negotiate stage:
- Argent (Property Development) Services LLP and Related Companies LP
 - Barratts and London & Quadrant Housing Trust
 - Capital & Counties Properties PLC
 - Far East Consortium International Limited with Countryside Properties PLC, Notting Hill Housing Trust and Southern Grove
- 2.14 Shortly, thereafter each party was issued with access to an online data room containing a full suite of Planning, technical, property and legal information. Bidders were also issued with a set of questions to respond to and a financial appraisal to complete through the Invitation to Tender documentation attached at Appendix 3 (ITN). Starting on 8th October, each bidder was met for two hours every two weeks in a workshop environment providing bidders with the opportunity to discuss their understanding of the Council's requirements and to ask questions of the lead officers and their property and legal advisors.
- 2.15 The ITN advised that bidders responses would be assessed against the Council's five requirements for a successful project which are:
- i. The selection of a development partner with whom the Council will be able to develop a collaborative, transparent and mutually beneficial working relationship over the next 15-20 years;
 - ii. Excellence in placemaking that delivers on the 5 themes identified by the MindFolio work (see table below) and presented to bidders during the sessions on 8 and 9 October 2014;
 - iii. Stewardship of place and good estate management;
 - iv. The generation of long term returns that recognises a need to balance short term capital receipts with longer term investment in a place and participation by the Council in growth;

- v. An early and significant start on site closely aligned to the existing masterplan – followed by continued and sustained delivery.



2.16 The ITN in accordance with the Procurement and Delivery Strategy advised that to meet these requirements the Council is seeking a long term partner with:

1. Experience in delivering (financing and constructing) 'placemaking' through large scale, phased development;
2. A track record of working successfully in partnerships with the public sector and other third parties;
3. Experience in appointing and managing large professional teams to conceive and produce large scale masterplans and to secure detailed planning consents for mixed use development within them; and
4. A well established internal team with the human and financial resources to be a long term development Partner.

2.17 All four shortlisted parties submitted compliant ITT documents on 29 January 2015 and in a format and manner compliant with the instructions provided to them. As such, the Evaluation Panel had four qualifying submissions from which to select a preferred development partner.

2.18 As with the scoring of the Pre-Qualification Questions (PQQ), the ITT documents were formally scored by the three sub-panels of the full Brent Cross South Evaluation Panel.

2.19 The members of the three sub-panels were each provided access to the ITT documents between 2 February and 18 February 2015. These documents were held securely within a private and locked room in North London Business Park. Instructions on how the panel members were to consider and score the submissions were provided by Capita Property with guidance from

Wragge Lawrence Graham LLP. The panel members were invited to consider the submissions, against the scoring guidance, in advance of the meeting of their respective sub-panels to score the appropriate questions.

- 2.20 All four bidders presented to Panels of stakeholders and elected Members on 4 February 2015 at Hendon Town Hall. The presentations were not scored, but feedback from the audience was made available to bidders to inform their subsequent presentations.
- 2.21 The subsequent presentations to the Evaluation Panel and its advisors took place on 17 February 2015. In attendance were the members of the Evaluation Panel, the Chief Executive of the London Borough of Barnet, members of the Evaluation sub-panels and representatives from Capita Property, WLG, CSG Procurement and Mindfolio.
- 2.22 The three sub-panels met to score their respective questions on 18 and 19 February 2015. The scoring was co-ordinated by representatives from Capita Property. Placemaking and Delivery questions were scored on 18 February 2015 and the Finance Section on 19 February 2015. All scores were then collated and held confidentially by Capita Property.
- 2.23 The Evaluation Panel met on 24 February 2015, chaired by Kate Kennally, Strategic Director for Commissioning. Members of the final Evaluation Panel were the Chairs of the three sub-panels and Stephen McDonald, Director of Place for Re. The panel undertook three tasks:
- Scoring of the presentations (with separate scores for placemaking and delivery)
 - Receiving reports from the sub-panel chairs on the scoring of bids
 - Challenging and moderating those scores.
- 2.24 The final marks are summarised in the table below.

	Available Marks	Argent Related (Bidder Z)	Bidder W	Bidder X	Gateway Barnet (Bidder Y)
Placemaking	22.50%	16.60%	10.93%	11.45%	12.88%
Delivery	45.00%	36.60%	18.70%	28.20%	34.20%
Finance	25.00%	16.50%	17.30%	15.70%	16.50%
Presentation	7.50%	6.00%	3.00%	4.50%	4.00%
Total	100.0%	75.70%	49.93%	59.85%	67.58%

- 2.25 On the basis of that scoring, the Evaluation Panel recommended to the BXC Governance Board held on 24 February 2015 that Argent and Related Companies (Bidder Z) be appointed preferred development partner; and that Gateway Barnet (Bidder Y) be appointed the reserve bidder.

- 2.26 The Evaluation Panel considers that Argent and Related Companies is the most economically advantageous tender and represents a proposal that most closely aligns with the Council's objectives and requirements, and is made by a team with the appropriate experience, capacity and resources to delivery it.
- 2.27 The BXC Governance Board, chaired by the Chief Executive endorsed the Evaluation Panel's recommendation and agreed that the recommendation be placed before the Assets, Regeneration and Growth Committee and full Council for consideration and approval.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Procurement in compliance with public procurement legislation is necessary where a public body is seeking to procure goods and services above a specified threshold and this process needs to be undertaken in a fair and open manner. As Awarding Authority the Council is required to ensure the selected partner is the most economically advantageous of those involved in the process and can provide value for money in the delivery of the social, economic and environmental regeneration outcomes and outputs.
- 3.2 The preferred development partner has been selected by using the negotiated route, which was advised as the most appropriate approach for the procurement for Brent Cross.
- 3.3 The Council's advisors had explored the potential of a procurement methodology outside of the regulated process through a tried and tested route referred to as the 'co-investor' route. However, this alternative route was discounted as it excludes the opportunity to obtain any 'services' from the investment partner. It was evident through the soft market testing exercise that the demands of 'placemaking' as part of this process would require the partner to bring skills and services to the joint venture which by definition, require a regulated process.
- 3.4 The Council could decide not to approve the recommendation, which would jeopardise the delivery and comprehensive development of the Brent Cross Cricklewood regeneration proposals thereby not achieving the corporate objectives set out in Section 5 of this report.

4. POST DECISION IMPLEMENTATION

- 4.1 Once the Council has selected the preferred development partner, the Council will issue the Award Notification Letters informing bidders of the outcome and the reasons behind the outcome. Following issue of these letters, the Council must observe a mandatory ten day standstill period before a contract can be entered into with the preferred bidder, (although in this case the Committee should note that the Council will not be awarding the contract until early 2016). This is to provide the unsuccessful bidders with the chance to seek an effective remedy if it contested that the Council did not comply with the procurement regulations. On the present procurement timetable, the standstill period will commence on 4 March 2015 and conclude on 16 March 2015.

4.2 Following completion of the standstill period the Council will be able to work with the preferred development partner to:

- Jointly develop the vision for the Brent Cross Cricklewood south
- Agree the Business Plan. The Business Plan will describe the actions required to meet the vision shared by the parties, and through this route the JV will guide the activity, roles, responsibilities and obligations of the two institutions. It will be a live document capable of being reviewed as required. It will contain:
 - the vision for the project,
 - a strategy of how this will be realised,
 - roles and responsibilities, including voting rights
 - financial commitments
 - Priority returns, returns on investment
 - a programme for delivery
 - detailed plan of action
 - key performance indicators
 - dispute resolution provisions
- Agree the structure of the joint vehicle as well as Project Agreement and documentation necessary to form and set up the joint venture vehicle.
- Work with the key external stakeholders to finalise the proposals and obtain the necessary consents.

4.3 Subject to an appropriate scheme being established, and third party interests being aligned, the Partner will then have the opportunity to enter in to a formal Joint Venture with the Council through which the scheme may be implemented. The details of which (as listed above) will be reported to the Assets, Regeneration and Growth Committee for approval prior to entering into contract.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The regeneration of Brent Cross Cricklewood supports the Corporate Plan 2013-2016 priority '*To maintain the right environment for a strong diverse local economy*', and the strategic objective under this priority to sustain Barnet by '*promoting growth, development and success across the borough*'.

5.1.2 The Growth Strategy for Barnet recognised that regeneration and growth are vital for ensuring the future prosperity of the Borough and maintaining Barnet as a successful London suburb. The BXC regeneration proposals will play a

major role in delivering this objective, 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. BXC 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 BXC with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.

- 5.1.3 The first phase of the BXC project includes the redevelopment of the shopping centre, creation of major new infrastructure, improved links to the existing tube station, and delivery of approximately 2,500 new homes over the next 8-10 years. This will create an estimated 3,000 construction jobs, and 4,000 permanent jobs.
- 5.1.4 Procurement of a corporate partner is essential to deliver the comprehensive regeneration of the Brent Cross Cricklewood area and meet the Council's Corporate Priorities as set out in Section above.
- 5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.3 As set out in the Cabinet Resources Committee report in January 2014, the Development Partners are providing funding up to £1.4m to meet the Council's costs in procuring the preferred partner for the Brent Cross South development and further technical due diligence work in accordance with the Co-operation Agreement. The Council spend to date is approximately £400k, leaving a budget of £600k available for 2015.
- 5.4 Section 5 of the Procurement and Delivery Strategy proposes financial key performance indicators. Section 4 (and section 4.2.3 of Appendix 1) of the ITN attached at Appendix 3 details the procurement methodology in relation to the financial criteria and scoring mechanisms. In accordance with the Procurement and Delivery Strategy approved in June 2014, a specific financial panel was set up, chaired by the Deputy Chief Operating Officer that will report to the Evaluation Panel on financial matters.
- 5.5 Section 5 also details that at the point when the preferred development partner is selected, a mechanism for calculating the Council's financial return will be agreed. The deal will be structured in a way which ensures that the Council receives best consideration for its land and also reflects the wider commitments and investment that have been and will be committed going forward.
- 5.6 As part of the procurement process, bidders were invited to commit to three key financial performance 'fixes'. These fixes are to be taken forward in to contract and govern the operation of the Joint Venture Company for the long term. These fixes related to the Development Management fee that the team would charge the project to cover overheads and running costs, a priority profit (based on the costs incurred in implementing the project) and a

percentage share of any financial surplus generated over and above the priority return.

- 5.7 These fixes will be used to inform the valuation of Council land drawn down by the Joint Venture Company and in a way that can support 'best consideration' obligations whilst also capturing benefits accruing from the wider regeneration.
- 5.8 Further work is to be undertaken during the contract negotiations to agree how 'hurdle rates' will be agreed between the parties in order to govern the decision points for committing to developing a given sub-phase or investment.

5.9 **Legal and Constitutional References**

- 5.9.1 The Council's Constitution, Responsibility for Functions, Annex A states the terms of reference of Assets, Regeneration and Growth Committee, including to agree externalisation contracts, to oversee major regeneration schemes including those of key social housing estates and all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 5.9.2 Council Contract Procedure Rules, Appendix 1, Table A sets out the framework for authorisation of tender stage for contract, including that authorisation to commence a procurement process for amounts of £172,514 and above by the relevant Thematic Committee and that the procurement be carried out by one of three methods. The Procurement and Delivery Strategy has been created in accordance with the Contract Procedure Rules.
- 5.9.3 The Procurement Code of Practice provides guidelines for Council officers to carry out effective and efficient procurement activities, which are compliant with Council Constitution and policies. The Procurement and Delivery Strategy has been created in accordance with this procurement code.
- 5.9.4 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.
- 5.9.5 The Council has the power to acquire and dispose of land in accordance with Sections 120 to 123A, and subject to obtaining appropriate consents and approvals Sections 128 to 131 of the Local Government Act to ensure value for money is secured.
- 5.9.6 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.

- 5.9.7 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.
- 5.9.8 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.
- 5.9.9 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.

7.5 Risk Management

- 7.5.1 The key risks can be summarised as follows:
- 7.5.2 Procurement risk. There is the risk that any procurement of a partner could be subject to challenge. To mitigate this risk, the Council has retained specialist legal advice on the scheme as a means of ensuring that all actions taken by the Council accord with the provisions of relevant laws, regulations and directives. The Council's advisor's Wragge Lawrence Graham & Co LLP are the Council's legal advisors on the Brent Cross Cricklewood South project and their assessment of the risks associated with the process are summarised in the Exempt report.
- 7.5.3 Failure to agree a business plan or agree commercially acceptable terms during the pre-contract business plan and finalising contract stages would prevent the creation of the joint venture and halt the procurement process. The inclusion of the option to appoint a reserve bidder will help mitigate this risk.
- 7.5.4 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 the partner will be invited to describe a backstop for Phase 1 and agree a deadlock process for resolving any disagreements as part of the Business Plan and Project Agreement negotiation.
- 7.5.5 Failure to secure finance for Thameslink Station. Most parties consider the train station essential for securing the delivery of Brent Cross South. The delivery of the station will help drive land values, thereby enabling 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 are exploring strategies to bring forward the station. Funding options and strategy are currently being developed and the results of this work should be available mid March.

- 7.5.6 There is the risk that Hammerson and Standard Life (the Development 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 Development 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. There will also be 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. This is subject to a decision of the Urgency Committee on 26 February 2015.

7.6 Equalities and Diversity

- 7.6.1 The public sector equality duty under section 149 of the Equality Act 2010 ("PSED") requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. 'Protected characteristics' are: gender, race and disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment.
- 7.6.2 The Council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the Borough.
- 7.6.3 The development proposals for the BXC 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.
- 7.6.4 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.
- 7.6.5 BXC 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.

- 7.6.6** Importantly, the requirements highlight that BXC 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.

7.7 Consultation and Engagement

- 7.7.1** 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.
- 7.7.2** A Brent Cross South Bidders Day for Stakeholders was held at Hendon Town Hall on 4th February 2015. The council invited a selected number of key stakeholders to participate in this event, which formed part of the procurement process. The four bidders presented their ideas around placemaking and project delivery to the stakeholders who then provided feedback to the council. The council has considered the Stakeholder's views when undertaking its own assessment of these bids.

8 BACKGROUND PAPERS

- 8.5** Cabinet, 26 April 2004 (Decision Item 8) – approved the adoption of the Cricklewood, Brent Cross and West Hendon Development Framework as Supplementary Planning Guidance.
- 8.6** 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>]
- 8.7** 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>]
- 8.8** Cabinet Resources Committee, 25 March 2008 (Decision Item 16) – approved the outline terms so far agreed with the Brent Cross 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 Principal 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>

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

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

- 8.10 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 Principal 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>]

- 8.11 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>]

- 8.12 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) - approved the changes to the terms of the Brent Cross Principal 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 Principal 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>]

- 8.13 Assets, Regeneration and Growth Committee, 16 June 2014, (Decision 6) – approved the Procurement and Delivery Strategy to procure a development partner for the Brent Cross Cricklewood South development; and approved the commence of the formal procurement process. <http://barnet.moderngov.co.uk/documents/g7884/Public%20reports%20pack%2016th-Jun%2014%2019.00%20Assets%20Regeneration%20and%20Growth%20Committee.pdf?T=10>

Brent Cross South

Procurement and Delivery Strategy
May 2014

Quality Management

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1. Executive Summary

This report provides a proposed methodology and plan for the procurement of a development Partner for the London Borough of Barnet at Brent Cross South. In doing so this report describes and advocates a four stage OJEU Negotiated Route, the intention being to have identified a preferred Partner through a procurement process by March 2015. The finalisation and engrossment of formal contractual arrangement with the preferred Partner will be subject to certain obligations that the bidding parties will, to an extent, themselves describe through the bidding process.

This paper also describes the need for the creation of an Evaluation Panel, with appropriate delegated authorities to commence a procurement programme and to report on a preferred Partner.

The processes advocated in this report are intended to respond to the Council's need for a long term but flexible arrangement to deliver the best physical, social and economic outcomes for both the current and future residents and business at Brent Cross and the wider borough.

2. Introduction

This report details the procurement methodology that is recommended to form the basis of the London Borough of Barnet's process for procuring a development Partner to realise the potential of Brent Cross South.

In simple terms, although the Council has outline consent for the land and control over much of the property there are a number of 'moving parts' over which the Council is not likely to be able to demonstrate to the market that it has full control by end of Q2 2014. These include the

- implementation of the Shopping Centre proposals (including the delivery of early infrastructure),
- delivery of the train station,
- viability of the whole scheme.

However, the routes to managing these issues are clearly identified and generally the market seems very excited by the project.

The challenge then facing the Council is to procure a Partner to work closely with it to deliver Brent Cross South over a prolonged period of time (20 years or more).

2.1 The opportunity

'Brent Cross South' (BXS) is a constituent part of the wider 'Brent Cross Cricklewood' (BXC) site which extends to 151ha and represents a significantly underused area of brownfield land. The planning consent aims to deliver a comprehensive redevelopment of the area including more than 7,500 homes and over new 25,000 jobs.

Planning Permission (Ref No: C/17559/08) for the comprehensive regeneration of the BXC site was granted on 28 October 2010, and revised through a s.73 application in 2013/4. Subject to the signing of the Section 106 agreement, the subsequent planning application has been designed to facilitate phased delivery, starting at the existing Shopping Centre.

To date the Brent Cross Cricklewood scheme has been jointly promoted by the London Borough of Barnet ("LBB"), Hammerson and Standard Life Investments ("HSL"). In 2014 the LBB and HSL will sign a 'co-operation agreement' that will result in the Council taking lead responsibility for delivery of land to the

south of the North Circular and a commitment from HSL to deliver the infrastructure with which to service the Primary Development Package (PDP, – see Appendix B for detail) of the consented scheme. This package of work describes the key infrastructure that must be delivered before the shopping centre development can commence. This infrastructure includes a range of cost items south of the North Circular.

The southern section of the consented BXC masterplan (i.e. Brent Cross South) is equivalent in gross floor area to that of Mayfair (some 15million sqft) and has the potential to become a significant new destination for London.

Capita has been working with Re and LBB since January 2014 to consider how best to identify and secure a Development Partner to help realise the potential of the southern section of the wider Cricklewood masterplan. It is acknowledged that the new partner may wish to revisit the detail, content and phasing of the consent.

In arriving at a recommended process, the consultant team has produced what it understands the Council's key requirements to be in a partner. It is important that these requirements are considered, and if appropriate, approved. Through a procurement process, it is essential that the procuring body is specific about what it wants to achieve and is consistent throughout the process. The Council will need to confirm that it is satisfied that the requirements below are accurate. No further testing of these requirements will be possible for the duration of the procurement process.

2.2 Key requirements

We believe that the following characteristics should form the key requirements in a Development Partner (i.e. what 'good' looks like)

1. Experience in delivering (financing and constructing) 'Placemaking' through large scale, phased development
2. Track record of working successfully in partnerships with the public sector and other third parties
3. Experience in appointing and managing large professional teams to conceive and produce large scale masterplans and to secure detailed planning consents for mixed use development within them

4. A well established internal team with the human and financial resources to be a long term development Partner

The Council has set itself an ambitious time frame within to identify a preferred development Partner through a procurement process (March 2015 – timetable at Appendix A). We believe that this should be possible to achieve by keeping the objectives of the procurement strategy proportionate to the current status of the opportunity so that the Council and its Partner retain the flexibility to adapt the strategy as progress is made.

We believe therefore that any 'project level' financial commitments will have to be agreed first at a 'Partnership level' (corporate or contractual). i.e. the Partners agree to a programme of work with future activity guided by a set of agreed financial and economic parameters which will have been established through a competitive tender process.

2.3 Project vs Corporate level Partnerships

In simple terms, when entering in to Joint Ventures, parties can choose to structure the relationship around either project specific agreements or broader corporate agreements. For example, a project specific example would be where one party commits a plot of land, with detailed planning permission, against which the partner would commit the build costs to implement the consent and share in the value created. The alternative approach might be that two parties enter in to an arrangement to go and buy an as yet unspecified opportunity. In doing so they would make 'corporate' commitments to generate value using their combined resources.

In most cases, a procuring land-owning authority will seek to invite parties to enter in to 'project' level commitments through the bidding process, perhaps on a conditional basis (subject to planning consent, for example). In this scenario, bidding parties would be invited to describe an indicative development scheme, provide a schedule of build costs and an assessment of value. This will result in a 'price' for the land being agreed, subject to a range of variables. The benefit of this approach is that the competitive tension assists in minimising and holding down build costs. Perversely, this process often delivers up the party that also submits the most ambitious sales values. The gap between sales prices and build costs is what generates the largest land value and profit. The pressure between driving down costs and boosting sales values can often come at the expense of overall scheme quality. This is where a 'corporate' relationship is beneficial. Having both parties aligned at a level detached from the project specifics can facilitate closer working and better regeneration outcomes.

On balance and due to the scale of the Brent Cross South opportunity, the amount of work required to fully form the vision and test the viability and deliverability of the site, we do not consider that procuring at a 'project' level in a competitive (bidding) environment is conducive to achieving the best outcomes for the Council. We believe that the time required will be substantial, as would the costs and in a competitive environment it will be off-putting to a range of parties and reduce the field of potential Partners.

We believe that the Council is better positioned in the long run by finding the right Partner with which to develop the proposals in more detail (subject to a range of performance measures and Key Performance Indicators (KPIs)). In summary, we propose that the Council procure a Partner based on a corporate, rather than project specific, relationship. We believe that this will not only ensure the broadest range of interest in the opportunity but will also help create the right conditions for a long term relationship. This route will create the flexibility that the Council require to be able to approach this project and meet all of its objectives.

3. Soft Market Testing

'Soft market testing' is an approved methodology for engaging with private sector companies to understand their views on a scheme and the potential procurement processes available to the Council.

To commence a process of soft market testing a Prior Information Notice (PIN) was placed in the Official Journal of the European Union (OJEU) on 12th March 2014 to coincide with MIPIM which took place between 11th and the 14th March. 26 expressions of interest were received from the PIN and MIPIM and all were invited to meet with representatives from Capita. Acceptances were received from 15 of these parties. Following these 'first stage' meetings two parties have confirmed that the opportunity is not right for them at this stage. Of the 13 remaining parties that met Capita a cross section was identified that provided the Council with a good range of experiences and views. The shortlisted parties were invited to attend meetings with lead Officers on the week commencing 27th April. These meetings were held to further explore how these companies might approach this opportunity and what their opinions are. For the avoidance of doubt, the Council is not obliged to speak to all parties as long as the process is handled fairly and no advantage is conferred on any party through the process. The Cabinet Office has made it clear that local authorities are free to "speak to a proportionate number of potential suppliers in relation to the market size. This will help to ensure that the process is not overburdened by speaking to every conceivable potential supplier." Those chosen had specific experiences which were felt to be directly relevant to forming an appropriate procurement structure for this opportunity.

3.1 Feedback to date

In terms of the first round meetings, the key comments from developers can be summarised as follows

- This is a major opportunity and the actual nature of any procurement option (Negotiated, Competitive Dialogue, Co-investor) will not in itself affect their decision to pursue it. Having said that, the vast majority would prefer it not to be Competitive Dialogue due to cost and time concerns.
- In procuring a development partner it is essential that the Council present a clear vision and set of corporate objectives against which Parties are able to tender against. The Council needs to be specific and consistent with these objectives.
- All but one of the parties agreed that the introduction of a new train station is vital to the success of the scheme

- Capita has described to the parties the idea of procuring a partner based on a Business Plan, rather than a 'priced' masterplan and this has been received with interest.
- Keeping it simple is a mantra that is widely supported. Acknowledging that the partnership will need to be capable of establishing a long term business model will be crucial to success. The partnership will need to be flexible to cope with unforeseen events and circumstances.
- The key individuals from both sides will need to be committed to the project. All Parties asked after Officers' delegated authorities or mentioned that the lead individuals need to be able to take key decisions.
- "Placemaking" is key, but difficult to test. A common suggestion is that at PQQ the Council ask where the Parties have done it before and where can we see the results of their approach. The idea of a Placemaking Workshop during the procurement and selection process was cautiously welcomed provided the Council is able to adhere to procurement legislation and not cherry pick ideas from the Parties.
- Bidders are not likely to look at the project on the basis of an overall investment. I.e. they will not be making decisions based on overall Internal Rate of Return (IRR), for example, due to the uncertainties on delivery and the ordering of phases. The project will be viewed as a series of standalone, individually viable phases.
- Parties felt that viability 'hurdle rates' are a useful way of ensuring phased delivery over time. Questions arise as to how the partners will agree the content for Phase 1 and how the partner can demonstrate intent to commence.
- Financial capacity testing of bidding entities is a matter which draws out diverse opinions. Large and well capitalised firms are of the opinion that it is fair to require evidence of funds whereas smaller firms maintain that the 'ability' and 'track record' in raising finance will suffice.
- Securing finance is likely to be done on a phase by phase basis. When drawn in to commenting in more detail, the general view is that debt will be secured against the title for each phase with the partner placing equity in as required. On this basis, it was felt that the returns to both parties need to be able to reflect varying levels of financial commitment throughout the project. This might best be achieved through a series of wholly owned Special Purpose Vehicles.
- If the Council can proceed with CPO then it should not wait for the Partner if it doesn't have to.
- Key Performance Indicators (KPIs) will be a useful way of managing the partnership. The question arises of what are the penalties for failing to meet the commitments?

4. The Council's objectives

In initiating the procurement of a development partner we have been informed that the Council's objectives are as follows:

- The Council sees Brent Cross Cricklewood as 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**. Brent Cross Cricklewood will be 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. It will be animated at street level and connect with high quality parks, green spaces and nearby waterways.
- Brent Cross South will complement the expanded Brent Cross shopping centre, and invite visitors to the shopping centre to cross into the new town centre. The site is at risk of being seen as an island, and the new development will need to tackle this risk, **integrating effectively with the surrounding neighbourhoods**.
- Brent Cross Cricklewood will be a 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. **Promoting health and wellbeing and reducing dependency** will be ingrained in the place – for example by incorporating dementia friendly design. It will maintain Barnet's tradition of educational excellence.
- As a growing, successful suburb of a growing successful world city, Barnet benefits from a strong local economy as well as providing a home to many people who work in central London. This emphasis on **a strong local economic base is a key requirement for Brent Cross Cricklewood** – it cannot simply be a dormitory. The Borough's economy is predominantly made up of small and micro businesses, including many home based businesses, and the new Brent Cross Cricklewood will cater for this entrepreneurial community which increasingly blurs the distinction between home and work.
- The Council expects this blurring between home and work life to extend to the design of the new development, with **strong integration between the residential and commercial areas**, and no areas that are seen as 'dead' at particular times.

- Brent Cross Cricklewood will have excellent public transport links, allowing people to reach other parts of Barnet, London and the Country easily. While many people are likely to own cars they are unlikely to be needed on a day to day basis and the space will **not be dominated by the car**.
- Many residents are under financial pressure, and the Council is committed to taking account of this in its actions. This means that **low energy bills** and responsible service charges will be important aspects of the new community.

To meet these requirements the Council will require a long term partner with

1. Experience in delivering (financing and constructing) 'Placemaking' through large scale, phased development
2. Track record of working successfully in partnerships with the public sector and other third parties
3. Experience in appointing and managing large professional teams to conceive and produce large scale masterplans and to secure detailed planning consents for mixed use development within them
4. A well established internal team with the human and financial resources to be a long term development Partner

5. Procurement strategy

Based on the considerations above, the following procurement strategy has been devised to meet the Council's objectives;

- A Partner is to be identified on the basis of its understanding of the Council's objectives and requirements, ability to work in Partnership, stated commitments and financial capacity to execute the required Business Plan. The stated commitments will include a range of placemaking, commercial and financial matters.
- A vision will be developed between the parties through the negotiation procedure and before the creation of a formal joint venture partnership.
- The Partner is afforded a period of time to work with LB Barnet and the key external stakeholders (Network Rail, Hammerson, GLA etc) to set the vision, finalise a masterplan and obtain the required consents. This time will be as described and specified in the second round bidding stage. Note that due to Hammerson's position it is unlikely that delivery on BXS can commence prior to 2016 which provides a natural window for this work.
- Subject to an appropriate scheme being established, and third party interests being aligned, the Partner will then have the opportunity to enter in to a formal Joint Venture with the Council through which the scheme may be implemented. This Joint Venture (or a wholly owned subsidiary) will receive land from the Council and investment and expertise from the Partner.
 - It is expected that the Partner will work 'at risk' (unsecured) until such time as implementation becomes feasible. This means that the party will incur costs for which the returns are only guaranteed if it satisfies both itself and the Council that its plan meets all the stated requirements and is viable. As part of the bidding process, Parties will be invited to submit what tests they consider to be the appropriate criteria for defining 'feasible' and how the Joint Venture should be formalised. We expect criteria to include the implementation of Hammerson's PDP and confirmation on the train station funding and timing.
 - Note: we do not expect the Council's costs to be met during this period. Some parties have expressed concern that the balance of power in this time sits

entirely with the Council. It will be important to demonstrate to the market that the Council is as aligned as possible with the preferred Partner during this time. Incurring costs is a good way of doing this.

- At the point that the preferred partner is selected, a mechanism for calculating the Council's financial return will be agreed. This methodology will have been set out at ITN stage - as part of the bidding process, Parties will be invited to describe how this process will work. We suggest that this is based on an open book formal valuation, on a phase by phase basis. This process involves the independent assessment of the build costs and values of a phase which, less all fees and profit requirements, delivers a land value to the Council. This is a well understood and established approach that will also allow the Council to satisfy s.233 of the Town and Country Planning Act 1990. A detailed explanation of why s.233 is to be relied on was delivered to the Council by Eversheds in October 2010. The deal will be structured in a way to ensure that the Council receives best consideration for its land and also a reflection of the wider commitments and investment that have been and will be committed going forward.
- Failure to implement the scheme (or particular phase), despite meeting the stated criteria may be used by the Council as an opportunity to render the agreement void and to allow the Council to tender the specific opportunity.

5.1 Securing and managing delivery

It is proposed that the Council and a Partner enter in to an equally controlled Joint Venture (JV) to establish and own a Business Plan for Brent Cross South. We propose that the two parties are to enjoy equal voting rights on the form and content of the Business Plan, subject to dispute and deadlock resolution controls. A suggestion from the soft testing process is that this company may benefit from an independent Chairman whose role is to ensure that decisions are made in the interests of the JV and not one or the other member. The Business Plan will describe the actions required to meet the vision shared by the parties, and through this route the JV will guide the activity, roles, responsibilities and obligations of the two institutions.

Subject to adhering to the Business Plan, the procured Partner will essentially be free to implement the scheme in line with its own skills and expertise. This freedom to operate on a 'day to day' basis has been reported through the soft market testing process to be an essential feature for such a relationship to be a

success. The Business Plan will also describe the processes for managing and 'curating' the scheme to deliver on the Placemaking agenda.

The Business Plan needs to

- set the vision for the project,
- a strategy of how this will be realised,
- roles and responsibilities, including voting rights
- financial commitments
- Priority returns, returns on investment
- a programme for delivery
- detailed plan of action
- key performance indicators
- dispute resolution

The Business Plan will be a live document capable of being reviewed as required.

The actual returns to the Council will be agreed on a phase by phase basis, probably through a series of wholly JV-owned 'Special Purpose Vehicles' (SPVs). The returns are likely to vary over time and by phase although, at the outset, no bidding party will be able to accurately specify what returns the Council might expect. As such, we suggest that the procurement of a Partner can in part be informed by the nature and extent of performance indicators and financial tests that the prospective parties are willing and able to commit to as part of the initial bidding process. Note the distinction between equal voting rights to inform and guide the business plan as compared to the junior role that the Council should expect through the actual phase by phase delivery process.

Example performance indicators and 'tests' could include

- target profit on cost,
- priority returns,

- share of surpluses (overage)
- development management fees,
- timing/longstops,
- caps and collars on expenditure,
- corporate guarantees and
- the definition of 'viable'.

We believe that it will be reasonable to expect shortlisted Parties to produce an outline Business Plan as part of their selection process to become the Council's preferred Partner. The proposed key performance indicators (development management fees, returns, longstops, obligations for the SPVs) would be taken in to a contract with the Council. We suggest that the Council should provide shortlisted bidding Parties with a partially completed Business Plan that includes detail on the Council's requirements, delegated authorities and suggested KPIs.

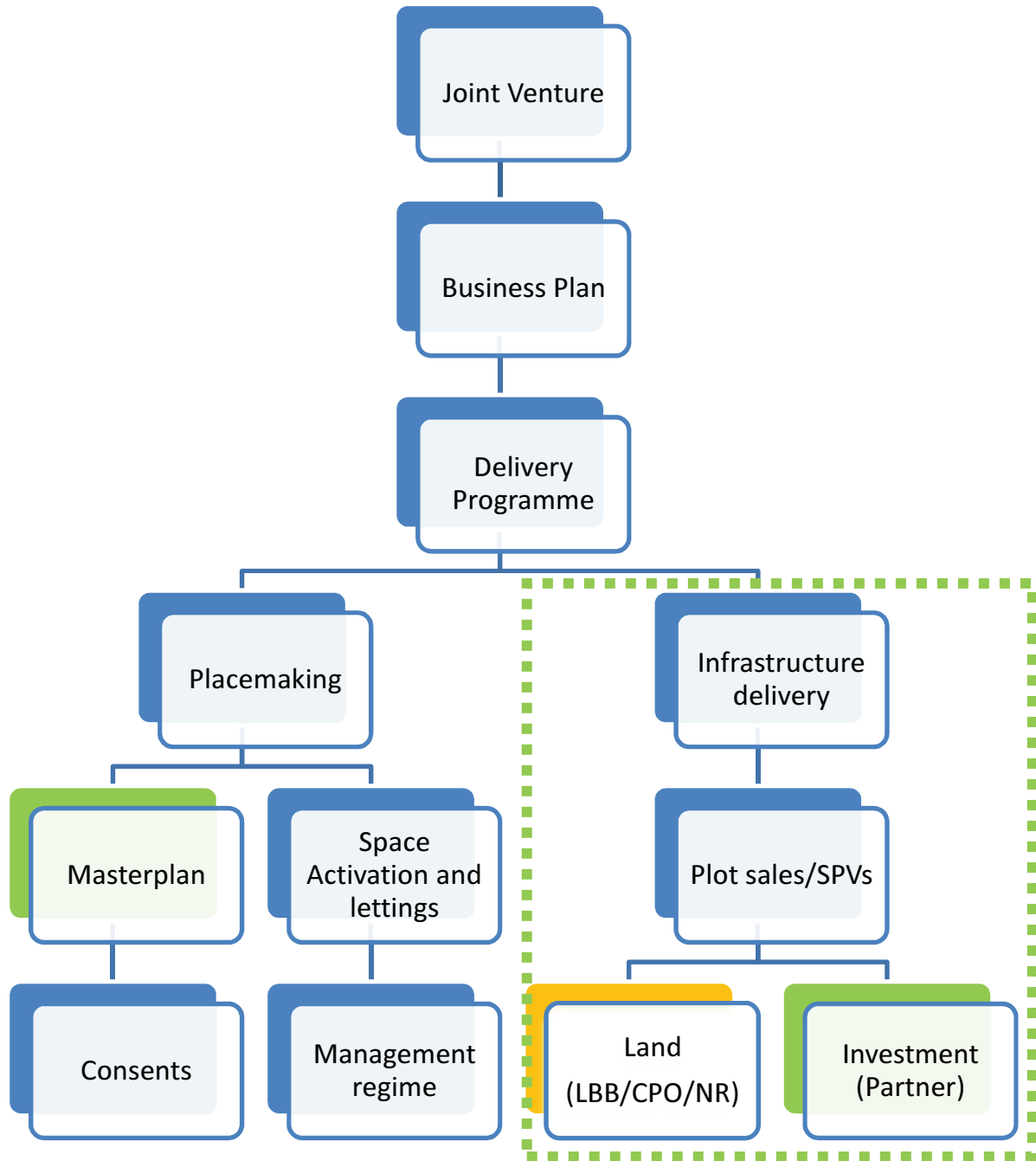
5.1.1 Backstop provision


Given the need to maintain progress and momentum, we suggest that a 'backstop' position is introduced to the Business Plan. This backstop position would be created by inviting the bidding teams to identify what a first phase would comprise, based on the extant outline consent. The Parties would be invited to declare what they would implement in the event that their alternative plans proved unrealistic or too complex to progress in a timeframe that is acceptable to the Council.

Further consideration on the implications of failing to meet KPIs is required. It may be that a certain amount of priority return can be placed 'at risk', if any or all of the KPIs are not met. It might also be that the Partner will be expected to revert to the backstop provision in the event that key dates and processes are not undertaken.

The Board of the Joint Venture will be made up of representatives from both the Council and its Partner and receive regular progress reports from both Parties. Failure to meet the objectives of the Business Plan will carry contractual and/or financial penalties.

The diagram overleaf suggests how delivery and Placemaking might be structured under such an arrangement.



 Delivery Partner's responsibility, subject to conforming to the Business Plan

6. Procurement route selection

In February, Capita and Eversheds reported to Governance Board that LBB “may have other lawful options beyond the [OJEU] Negotiated Procedure or Competitive Dialogue”. The alternative was referred to as the ‘co-investor’ route and it was suggested that, subject to confirmation that Barnet’s requirements can be fully satisfied through this route, it is a viable option. At the time of reporting, it was stated that a decision on the route to be taken was not required at that stage.

Through the PIN, MIPIM and soft market testing exercise the team has sought the market’s view as to the optimum procurement route to minimise risk and maximise the benefit to the Council. It has become clear in this process that although the ‘co-investor route’ is an option, the importance of ‘Placemaking’ activity is likely to demand a development management ‘service’ from the Partner. The ‘co-investor’ route would demand that any ‘services’ be separately procured. An OJEU route specifically allows for the provision of services and therefore it is suggested that the Council’s best interests are likely to be served through the OJEU procurement route. This should enable the Partner to bring and engage its skill and experience in Placemaking, without the need to revert to a further procurement process.

In terms of OJEU procurement, Eversheds have advised that based on the approach described above, that the Negotiated Route will be available (as opposed to Competitive Dialogue) but it is not without some procurement risk. This route should not only allow the process to be undertaken in the required time frame but also aligns with feedback received during the soft market testing process.

Essentially, the procurement will comprise a four stage process.

1. Pre-qualification Questionnaire (PQQ)
2. Invitation to Negotiate (ITN) (3-5 Parties)
3. Pre-contract business plan (single Party)
4. Finalising and engrossing the contract

The detail of this methodology is covered in the next section.

The key risks and options for mitigation are addressed in section 10.

7. Procurement methodology

As stated above, essentially, the procurement will comprise a four stage process.

1. Pre-qualification Questionnaire (PQQ)
2. Invitation to Negotiate (ITN) (3-5 Parties)
3. Pre-contract business plan (single Party)
4. Finalising and engrossing the contract

This section details the evaluation criteria and scoring mechanism for the Pre-Qualification Questionnaire and Invitation to Negotiate stages. Due to commercially sensitive nature of this information, it is attached at Appendix 3 of the main Committee report as an exempt item.

8. The Evaluation Team

The Governance and Partner Selection structure is attached at appendix A of this report.

The Evaluation Panel will be set up in June and will report to the Chief Executive through the Brent Cross Cricklewood Governance Board as shown on the Governance and Partner Selection diagram. It is suggested that the Chief Executive is provided with delegated authority to

- 1) finalise the scoring mechanism and criteria for both PQQ and ITN, and
- 2) to identify and recommend to a future Committee meeting a preferred partner that meets the Council's long term aspirations for the land at Brent Cross Cricklewood.

The Evaluation Panel will be required to undertake the following and report to the Chief Executive through the BXC Governance Board;

1. To finalise the scoring mechanism and criteria for both PQQ and ITN,
2. To review all PQQ submissions and to nominate preferred shortlist for ITN stage. It is envisaged that this process will require a commitment of not less than two working weeks (in September '14). Capita's Development Agency team, in conjunction with your lawyers, will provide a summary report against which the Panel members will be invited to review against each submission. The Panel will convene to meet (over perhaps two working days) and agree scores and selection to ITN.
3. Provide a report with recommendations to the Brent Cross Cricklewood Governance Board to shortlist between three and five bidders at the ITN stage. The update will be supported by a written statement by your lawyers that the scoring process has been robustly undertaken and with a highlight report on any risks apparent.
4. In preparation for the ITN stage, the Evaluation Panel will work with Placemaking consultants, Mindfolio, who will facilitate a workshop to create a Balanced Scorecard for future use in the evaluation process. This process will help the individuals on the panel to understand what matters are important to the Council and how to look for appropriate evidence in the eventual submissions. This will be reviewed by the Chief Executive through the Brent Cross Cricklewood Governance Board.

5. At ITN stage it is proposed that Mindfolio, the Council, RE and Capita's Development Agency team will hold a single meeting with each of the shortlisted bidders to help them understand the Council's Placemaking agenda. The Parties will not be guided to a solution but the sessions will be used to convey the details of what the Council is hoping to achieve.
6. At the point that submissions are invited, the Panel is to review all submissions in detail and score against pre-defined criteria. The Panel is to receive presentations from each of the shortlisted parties and deliberate on the preferred partner. The Panel will make a formal recommendation to the Chief Executive through the BXC Governance Board to the appropriate committee and be based solely on the evaluation criteria. It is suggested that the time commitment at this stage will be not less than two working weeks (January/February '15).

A series of presentations may also be given to a Stakeholder Panel or Panels which may comprise a wider range of Officers and Members from the Council and key stakeholders and community groups. The Panel(s) will be free to ask questions and their comments will be provided to the Evaluation Panel, but will play no part in the formal decision-making process. The market will expect to understand this process and that the Brent Cross Governance Board has the authority to ensure momentum through to the nomination of a preferred party. The Panel should not be too widely drawn as to become unwieldy and should comprise individuals with a detailed working knowledge of the project and with experience in the delivery of major development projects.

At the point of nomination to Committee, it must be recognised that the Committee only has the power to approve or reject the Panel's recommendation. A rejection at this stage will essentially close the procurement process and require a fresh start.

It has been proposed that for the purpose of identifying a preferred partner, the Governance Board be supplemented by the addition of a third party expert ('critical friend') who may be able to comment on any procedural or procurement risks through the process.

9. Timetable

This timetable provides guidance on when the Evaluation Panel members will be required to be present.

9th July 2014	ARG to approve procurement process
Mid-July '14	Internal Placemaking workshop with Mindfolio
w/c 21 st July 2014	OJEU notices/adverts placed, marketing material issued. (not conditional on the Placemaking workshop)
10 th September '14	Pre-Qualification Questionnaires returned
w/c 22 nd September '14	Sub-panels meet to score PQQ submissions
w/c 29 th September '14	Full Evaluation Panel meets to moderate scores and to shortlist parties
Friday 3 rd October '14	Shortlist agreed and [3-5] parties provided with Invitations to Negotiate (ITN) and invited to meeting with Placemaking sub panel
w/c 6 th November '14	Placemaking subpanel workshops and introduction to ITN process
w/c 8 th December '14	Second placemaking subpanel workshop
Thursday 29 th January '15	Tender submissions received by London Borough of Barnet.
w/c 16 th February '15	Presentations to the Council and Stakeholders by tendering companies
w/c 16 th February '15	Sub-panels meet to score ITN submissions
w/c 23 rd February '15	Full Evaluation Panel meets to moderate scores and to shortlist parties
Late Feb/early March '15	Selection of preferred bidder by Assets, Regeneration and Growth Committee
March 10-13 2015	MIPIIM – target deadline for announcement of preferred bidder
March 15 – March 2016	Pre-contract business plan (single Party) Finalising and engrossing the contract

10. Risks

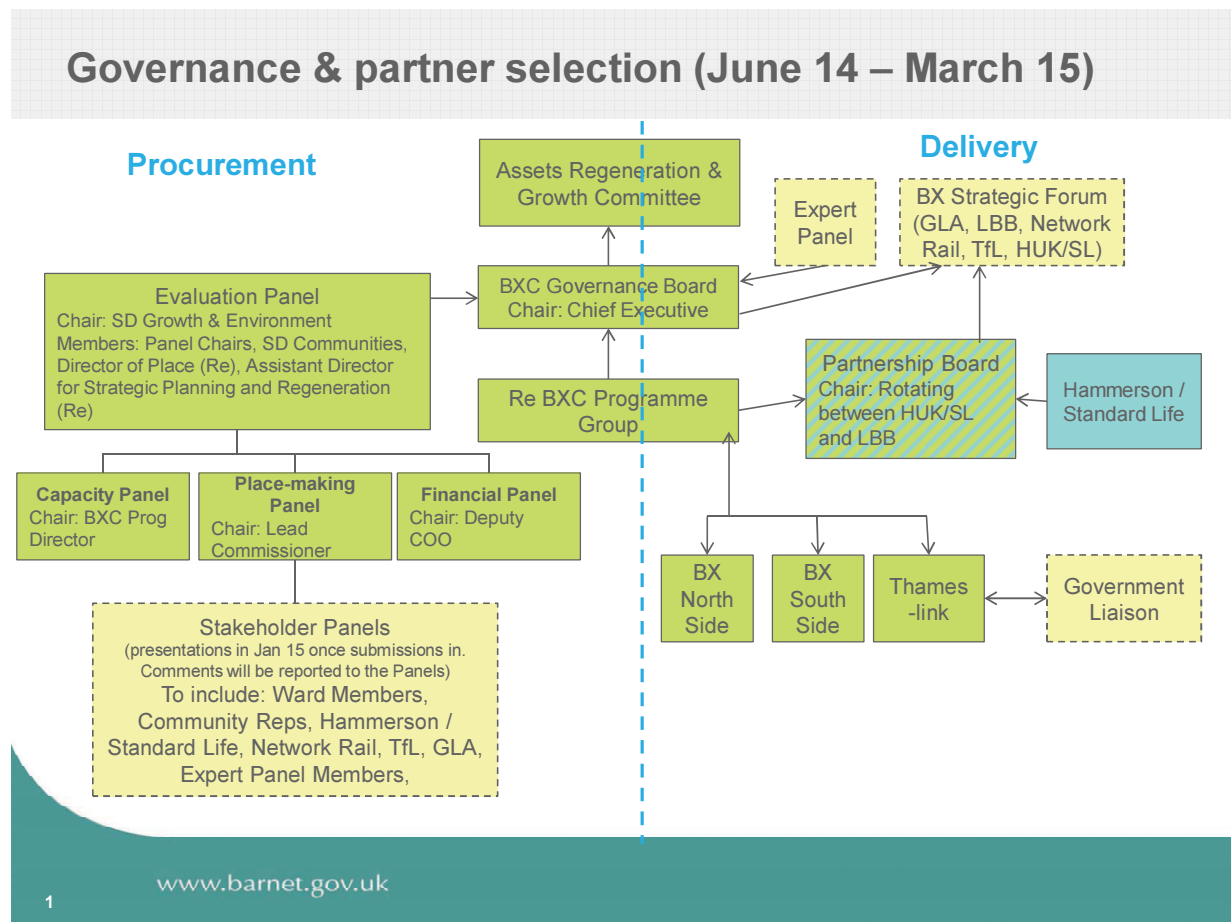
All procurement processes carry a certain element of risk

In terms of the process presented within this paper the key risks are considered to be as follows

	Risk	Impact	Likelihood/Mitigation
1	Objection to the use of Negotiated Route and not Competitive Dialogue	Developer of a competing scheme or vexatious landowner could seek to halt the process on grounds of route selection.	Low likelihood. Eversheds confirmation that the negotiated route would be available.
2	Lack of responses to PQQ	Insufficient number of parties express an interest in the opportunity.	Low likelihood. PIN and soft market testing has confirmed strong appetite
3	Rejection of the opportunity at ITN	Insufficient number of parties express an interest in the opportunity to maintain competitive tension	Low likelihood. PIN and soft market testing has confirmed strong appetite. Details of the ITN process to be made public at PQQ stage.
4	Objections to method for process/scoring/outcomes	Rejected firm questions the basis that they are not selected.	More likely. This is a high profile opportunity and no party will be content with being de-selected. Evaluation Panel to ensure robust mechanism and consistent approach to scoring.
5	Failure to agree on a business plan	Would prevent the creation of the JV and halt the procurement process.	Low likelihood. The preferred partner will have declared their programme of work for the Business Plan and have already fixed many commercial aspects.
6	Failure to agree commercially acceptable terms for the Council	Reduced competitive tension at the creation of the JV could undermine the achieving of best value	Low likelihood as key financial measures will have been fixed through the bidding process and subsequent appointments will be tendered in the interests of the JV.
7	Failure to agree on a viable scheme	If parties cannot agree on a jointly supported scheme there will be no delivery	Low likelihood. The partner will be invited to describe a backstop for phase 1 and a deadlock process for resolving

			disagreement.
8	Failure to secure finance for the new train station	Most parties are of the strong view that the train station will be an essential infrastructure item for the delivery of Brent Cross South.	Medium risk, subject to ongoing work with GLA and Treasury. TIF funding through 'enterprise zone' is probably the most robust way to secure this.
9	Reliance on Hammerson/Standard Life Investments to implement Brent Cross North consent and works to the south of the North Circular	No scheme. The southern development cannot proceed unless Brent Cross North goes unconditional.	Low/medium risk. All reports are that Hammerson/Standard Life will implement the consent. There is also a potential risk of Judicial Review.

Appendix A – Governance Structure




Appendix B – Primary Development Package

An Indicative Primary Development Package Layout Plan is shown on Parameter Plan 019

Key elements of this PDP include the following:

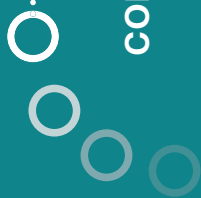
- Redevelopment of areas of surface level car parking to the east and west of the shopping centre for new retail and mixed use plots, and a multi storey car parks;
- Creation of new Brent Cross and Market Squares (Ref M2 and M3 on Parameter Plan 003) to act as anchors to the development, linked by the new A406 Bridge (B1) and the Living Bridge (B7);
- Removal of Clarefield Park, compensated by improvements to Claremont Park and Clitterhouse Playing Fields and temporary open space;
- Modifications and improvements to the River Brent as well as beneath the two internal vehicular roundabouts, and associated Brent Riverside Park works including the Nature Park (ref NP4 on Parameter Plan 003);
- Re-provision and expansion of Claremont Primary School;
- Residential development adjacent to Brent Terrace;
- Creation of a new foodstore, representing a replacement to the existing facility in the Eastern Lands;
- Replacement of A406 Templehof Bridge (B1);
- Living Bridge (B7);
- A406 Brent Cross Ingress/Egress junction works;
- A41/A406 junction works;
- M1/A406/A5 junction works;
- Brent Cross Bus Station;
- Improvements to BX pedestrian underpass;
- Diversion of Prince Charles Drive;
- The entire mixed use development in Brent Cross East Zone;
- 1,998 sq.m of flexible community space within Brent Cross East and 1,000sq.m in Market Quarter zones;
- Temporary health centre in the Market Quarter zone;
- Neighbourhood policing unit in the Market Quarter;
- Brent Terrace Green Corridor (Ref GC7 in Parameter Plan 003);
- Claremont Avenue linking Claremont Road with Tilling Road;
- Claremont Road junction north;
- Cricklewood Road/Claremont Road junction works;
- Scheme wide CHP facility (where individual buildings are brought forward in advance of this facility, individual CHP or other facilities may be employed and connected to the scheme wide facility at a later date). The building will have a maximum and minimum footprint of 60 x 60m and 20 x 20m respectively;
- Cricklewood Lane A407/A5 junction works;
- WHF and new junction with the A5

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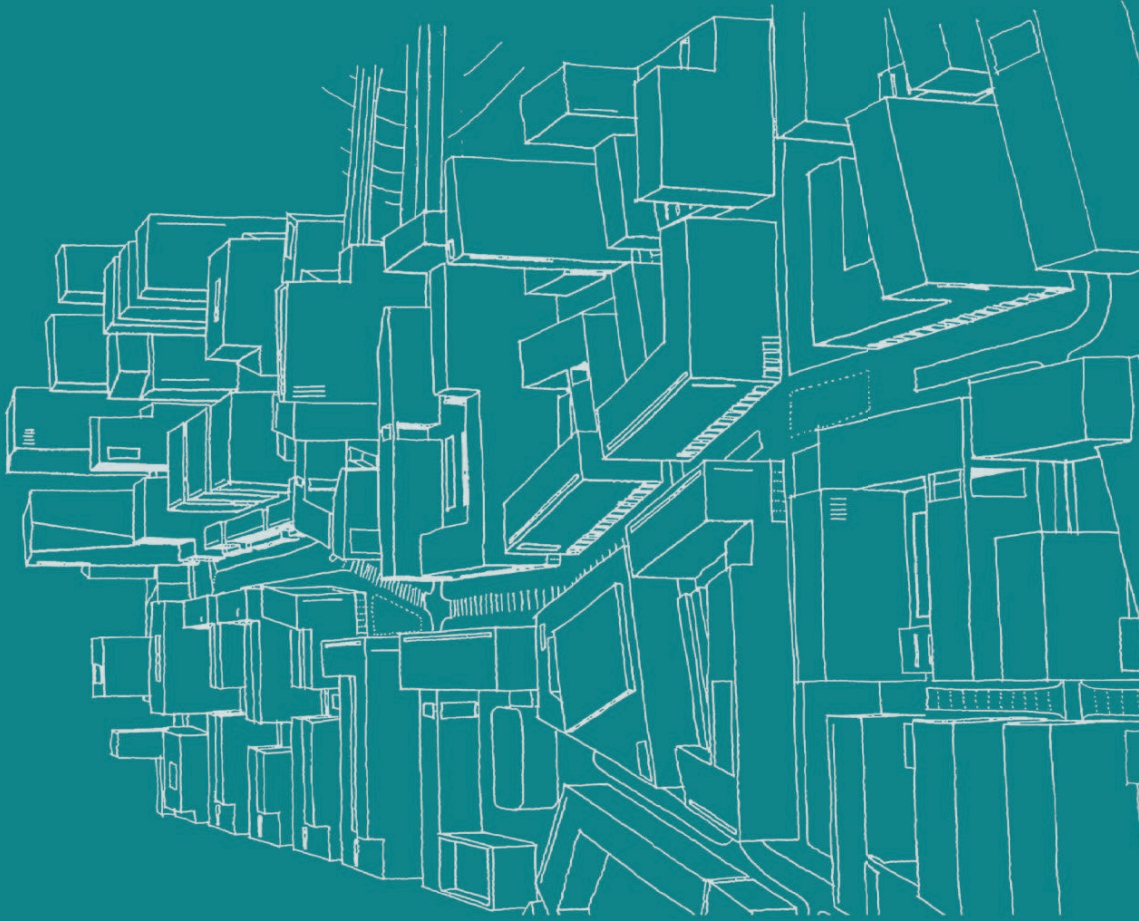
**BRENT
CROSS**
CRICKLEWOOD

LONDON'S NEWEST TOWN CENTRE



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1.

Foreword

Barnet has ambitious plans to deliver over 7,500 new homes and 20,000 new jobs at Brent Cross Cricklewood.

Brent Cross Cricklewood is the flagship for Barnet's growth plans. The 151 hectare site offers a rare opportunity to create a new town centre in an unparalleled location within London. We are looking for a partner who will work alongside the Council to create a special place, which will be seen by Londoners of all ages, backgrounds and income brackets as a smart place to live.

Brent Cross Cricklewood is a major project for the Council and will play a key role in our long term financial sustainability. It will set the tone for the future development of Barnet and North West London epitomising what it is to be a successful 21st Century Suburb in which the design of places and the activities within them contribute to the health, wellbeing and independence of residents, visitors and workers.

The Council and the Greater London Authority are working closely with central Government and Network Rail to deliver a new station on the Thameslink line by 2020, moving Brent Cross Cricklewood to be just 12 minutes from King's Cross. We are working towards an Autumn 2014 agreement in principle to fund the station, followed up by a binding commitment in the Spring of 2015. We anticipate that this public sector investment in the design and delivery of the station will be reflected in the eventual partnership structure that delivers the development of Brent Cross South.



CLLR RICHARD CORNELIJS
Leader of the Council
Barnet

The Chancellor's Budget speech in March 2014 said:

“ In the South East where the pressure is greatest we're going to build new homes in Barking Riverside, regenerate Brent Cross, and build the first new Garden City in almost a hundred years at Ebbsfleet...”

Taken all together, the housing policies I announce today will support over 200,000 new homes for families.

We're getting Britain building.”

On a site visit in April 2014 the Chancellor added:

“ It will really make Brent Cross what it has been in the past and will be in the future, the centre of London.”

2.

Investing in infrastructure

The Brent Cross Cricklewood Scheme includes a number of major public transport improvements, with support from all levels of Government.

London's population is set to soar to ten million by 2030 and the scale of the challenge in providing the infrastructure to cope with that increase is not to be underestimated.

That is why I am developing a long-term infrastructure plan that will aim to meet that challenge head on.

Key to the plan are schemes like Brent Cross Cricklewood, which as one of London's largest brownfield development sites, has the capacity to deliver thousands of new homes and jobs.

We have been working closely with Barnet Council to secure investment in a new Thameslink station at Brent Cross Cricklewood and I look forward to seeing this crucially important part of London transformed over the coming years.



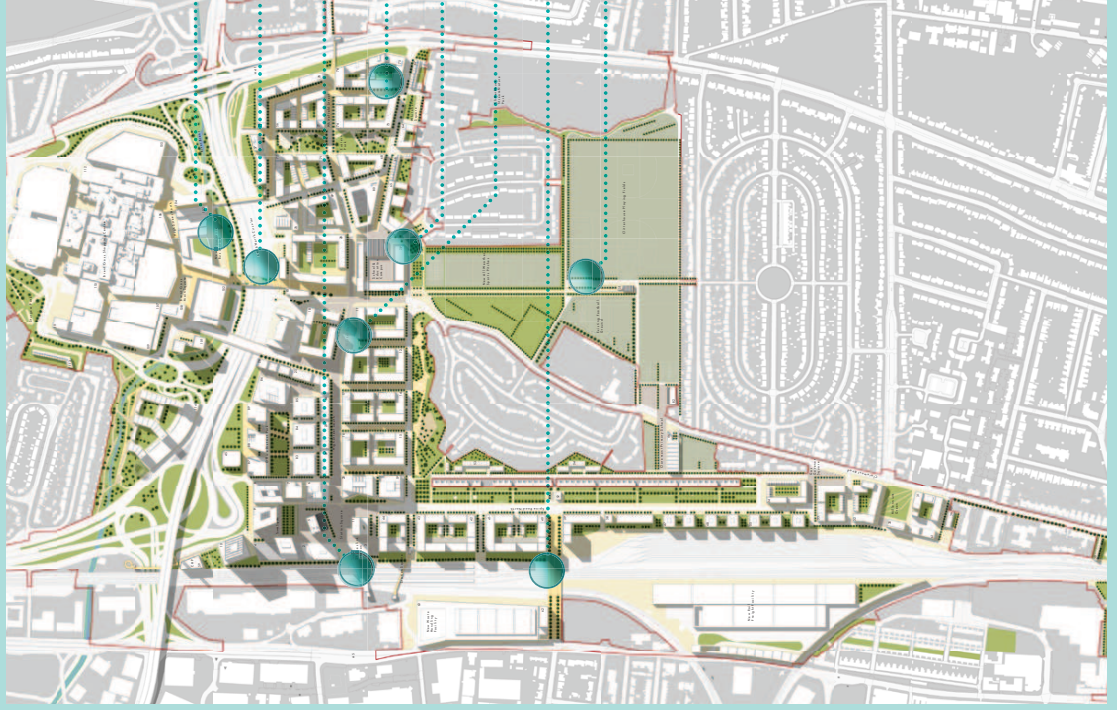
BORIS JOHNSON
Mayor of London



Existing site boundary (approximate)



Consented scheme

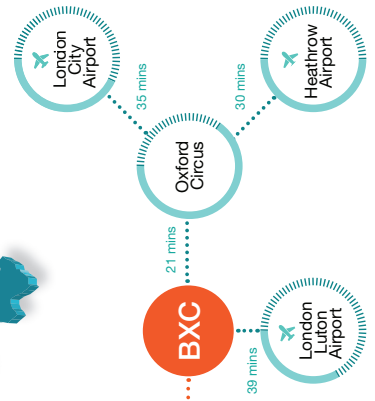
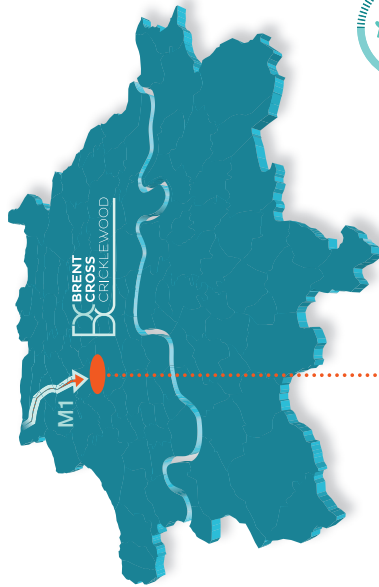


- New Bus Station
- New Living Bridge
- New Train Station
- Improved Tube Station Access
- New Education Facilities
- Improved Cycling Access
- New Vehicular Access
- Improved Open Space

3.

The sites and their setting

Brent Cross Cricklewood is a major gateway between London and the rest of the UK.



The area of Brent Cross takes its name from an old crossroads near the River Brent. The area is most closely associated with the existing shopping centre (the first of its kind in the UK) though it covers a wider area of mostly 'big box' retail and industrial units.

Brent Cross Cricklewood is currently fragmented by the main highways that pass through and around it including the A5 (which heads in to central London becoming the Edgware Road), A41 (which heads in to central London, becoming the Finchley Road), the A406 (North Circular) and the M1 motorway which starts its route North at Staples Corner – adjacent to the opportunity area.

Except for some industrial uses to the east of the site, the areas surrounding the Brent Cross Cricklewood site are principally residential in nature, with Hendon to the North, Golders Green to the East, Hampstead to the South and Dollis Hill to the West.

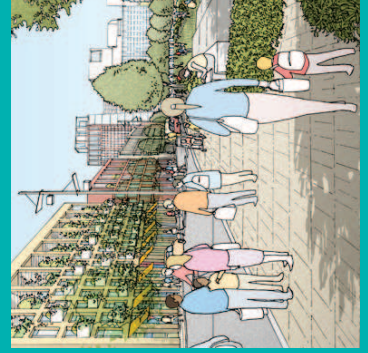
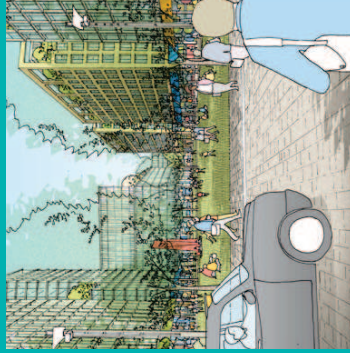
The consented development scheme proposes a series of new districts for Brent Cross connected to the transformed shopping centre by a new living bridge:

- 1 Market Square
- 2 Station Quarter
- 3 Eastern Lands
- 4 Clitterhouse Playing Fields
- 5 Brent Terrace
- 6 Cricklewood Lane
- 7 Railway Lands
- 8 Brent Cross East
- 9 Brent Cross West



Consented Schedule of accommodation

	Gross External Area TOTALS PER ZONE (SQM)					RESIDENTIAL UNITS	
	Business B1	Residential C3	Industrial B2/B8	Leisure D2	Retail A1-A5	Total	
MARKET SQUARE	4,645	170,752	0	4,961	6,735	1,866	
STATION QUARTER	373,551	35,230	0	2,787	4,645	385	
EASTERN LANDS	6,131	230,761	0	2,880	20,438	2,500	
CLITTERHOUSE P F	0	0	0	0	0	0	
BRENT TERRACE	0	194,554	0	0	372	1,923	
CRICKLEWOOD LANE	0	2,380	0	0	604	26	
RAILWAY LANDS	4,459	0	61,314	0	0	0	
BX EAST	5,396	26,034	0	15,450	78,133	278	
BX WEST	0	52,342	0	0	0	572	
ALL SITES	395,297	712,053	61,314	26,078	110,927	7,550	



Some illustrative views of the consented development scheme.

4.

Overview of the opportunity

'Brent Cross South' (BXS) is a constituent part of the wider 'Brent Cross Cricklewood' (BXC) site, a major opportunity for a new town centre on 151 hectares of significantly underused brownfield land.

This unrivalled opportunity to create an exemplar suburb for the 21st Century has outline planning consent to deliver a comprehensive redevelopment including more than 7,500 homes and space for over 25,000 new jobs.

Planning Permission (Ref No: C/17559/08) for the comprehensive regeneration of the BXC site was granted on 28 October 2010, and revised through an s.73 application in 2013/4. The scheme has been designed to facilitate phased delivery, starting at the existing Shopping Centre.

To date the Brent Cross Cricklewood scheme has been jointly promoted by Barnet, Hammerson and Standard Life Investments ("HSL"). Barnet and HSL have signed a 'co-operation agreement' that sees the Council taking lead responsibility for delivery of land to the south of the North Circular and a commitment from HSL to deliver the infrastructure with which to service the Primary Development Package (PDP – see adjacent for more detail) of the consented scheme. This package of work describes the key infrastructure that must be delivered before the shopping centre development can commence. This infrastructure to be provided by HSL includes a number of items on Brent Cross South.

Barnet is now seeking to identify and secure a Development Partner to help realise the potential of the southern section of the wider Cricklewood masterplan. It is acknowledged that the new partner may wish to revisit the detail, content and phasing of the consent on the south side.

The entire masterplan – equivalent in gross floor area to that of Mayfair (some 15 million sq ft) – has the potential to become a significant new town centre for London.

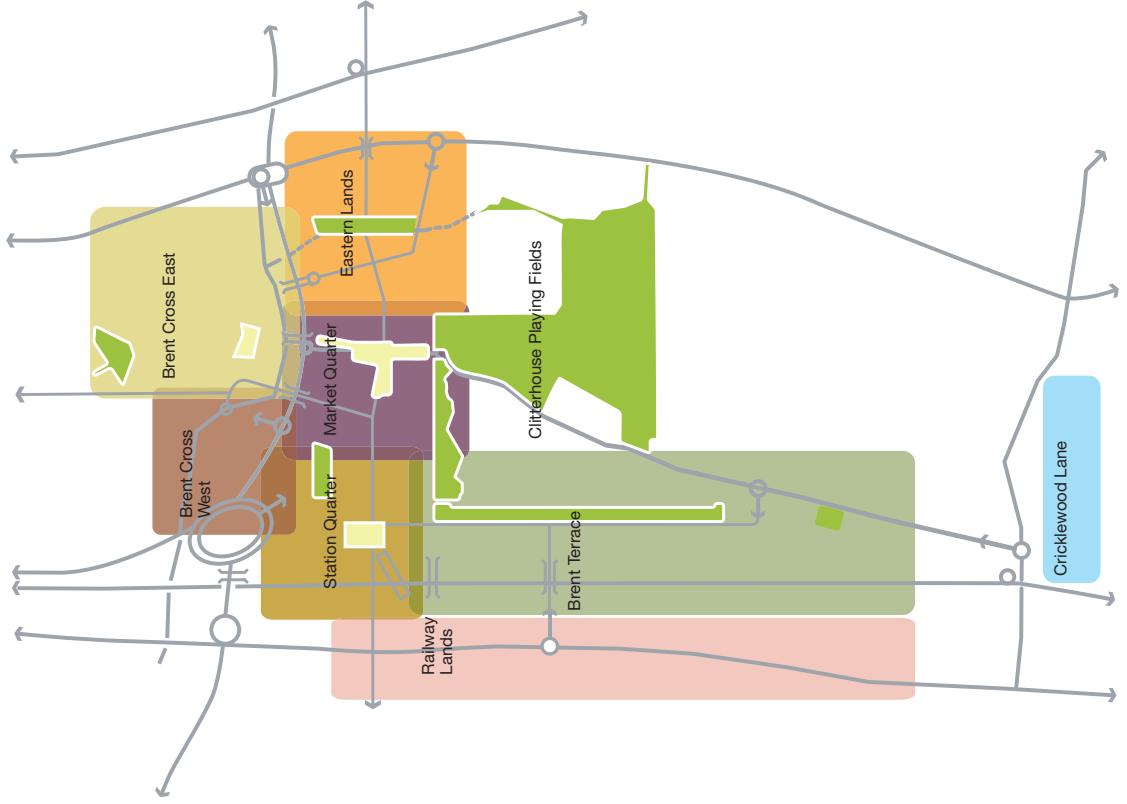
Key infrastructure elements to be delivered by Hammerson and Standard Life Investments

Key elements of the Primary Development Package, as they relate to the South, include the following:

- Delivery of a new "living bridge", improving connectivity across the North Circular;
- Creation of new public squares at Brent Cross South to act as anchors to the development, linked to the shopping centre by two new bridges;
- Removal of Clarendon Park, compensated by improvements to Clarendon Park and Clitherhouse Playing Fields and temporary open space;
- Re-provision and expansion of Clarendon Primary School;
- Residential development adjacent to Brent Terrace;
- Creation of a new foodstore, representing a replacement to the existing facility in the Eastern Lands;
- New Brent Cross Bus Station;
- Improvements to pedestrian underpass;
- Temporary health centre in the Market Quarter;
- Neighbourhood policing unit in the Market Quarter;
- Brent Terrace Green Corridor;
- Clarendon Avenue linking Clarendon Road with Tilling Road;
- Various major junction works.

Requirements

Barnet Council has specified the following requirements for Brent Cross.



A new town centre for London

- Making residents, workers and visitors feel good
- Inviting people to meet and spend time in the spaces
- Encouraging walking and cycling
- Animated at street level
- Connected with high quality parks, green spaces and nearby waterways

Well integrated

- Complementing the expanded Brent Cross shopping centre
- Inviting visitors to the shopping centre to cross into the new town centre
- Integrated with surrounding neighbourhoods – not an 'island'

Affordable

- Low energy bills
- Responsible service charges
- A range of housing types and tenures

A strong local economic base

- Not simply a dormitory – a range of business and employment uses
- Recognising that the existing Barnet business base is predominantly small/micro businesses
- Recognising that entrepreneurs blur the home/work distinction
- Strong integration between the residential and commercial areas – no 'dead' areas

Well connected

- Excellent public transport links to Barnet, London and UK
- People are likely to own cars, but won't need to use them on a day to day basis
- Spaces not dominated by the car

A place for everyone

- For people of all ages, with housing mix that reflects different life stages
- Public spaces which are safe and accessible to all
- Promoting wellbeing through its design
- Maintaining Barnet's tradition of educational excellence

5.

Barnet Council's objectives

Brent Cross Cricklewood is an opportunity to extend Barnet's success as a desirable and attractive suburb, by creating a new town centre for London which sets the tone for future evolution of the borough more widely.

- Brent Cross Cricklewood will be 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. It will be animated at street level and connect with high quality parks, green spaces and nearby waterways.
 - Brent Cross South will complement the expanded Brent Cross shopping centre, and invite visitors to the shopping centre to cross into the new town centre. The site is at risk of being seen as an island, and the new development will need to tackle this risk, **integrating effectively with the surrounding neighbourhoods**.
 - Brent Cross Cricklewood will be **a 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. **Promoting health and wellbeing and reducing dependency** will be ingrained in the place – for example by incorporating dementia friendly design. It will maintain Barnet's tradition of educational excellence.
 - As a growing, successful suburb of a growing successful world city, Barnet benefits from a strong local economy as well as providing a home to many people who work in central London. This emphasis on **a strong local economic base is a key requirement for Brent Cross Cricklewood** – it cannot simply be a dormitory. The Borough's economy is predominantly made up of small and micro businesses, including many home based businesses, and the new Brent Cross Cricklewood will cater for this entrepreneurial community which increasingly blurs the distinction between home and work.
 - The Council expects this blurring between home and work life to extend to the design of the new development, with **strong integration between the residential and commercial areas**, and no areas that are seen as 'dead' at particular times.
 - Brent Cross Cricklewood will have excellent public transport links, allowing people to reach other parts of Barnet, London and the country easily. While many people are likely to own cars they are unlikely to be needed on a day to day basis and the space will **not be dominated by the car**.
 - Many residents are under financial pressure, and the Council is committed to taking account of this in its actions. This means that **low energy bills and responsible service charges** will be important aspects of the new community.
- To meet these requirements the Council is seeking a long term partner with:
1. Experience in delivering (financing and constructing) 'placemaking' through large scale, phased development;
 2. A track record of working successfully in partnerships with the public sector and other third parties;
 3. Experience in appointing and managing large professional teams to conceive and produce large scale masterplans and to secure detailed planning consents for mixed use development within them;
 4. A well established internal team with the human and financial resources to be a long term development Partner.

6.

The procurement process

The procurement of a Development Partner is being conducted via an OJEU procurement procedure.

Essentially, the procurement will comprise a four stage process:

1. Pre-qualification Questionnaire (PQQ)
2. Invitation to Negotiate (ITN) (3-5 parties)
3. Pre-contract business plan (single party)
4. Finalising and engrassing the contract

The Council's procurement strategy is:

- To identify a partner that understands the Council's requirements and its vision; has the ability to work in Partnership; and with the commitments and financial capacity to execute the required Business Plan. The stated commitments will include a range of placemaking, commercial and financial matters.
- A vision will be developed between the parties through the negotiation procedure and before the creation of a formal joint venture partnership.
- The Partner will be afforded a period of time to work with Barnet and the key external stakeholders (Network Rail, Hammerson, GLA etc) to set the vision, finalise a masterplan and to confirm the Business Plan. This process will be as described and specified in the second round bidding stage.
- Subject to an appropriate scheme being established, and third party interests being aligned, the Partner will then have the opportunity to enter in to a formal Joint Venture with the Council through which the scheme may be implemented. This Joint Venture (or a wholly owned subsidiary) will receive land from the Council and investment and expertise from the Partner.

- The preferred Partner will work 'at risk' (unsecured) until such time as the Business Plan is finalised and approved. This means that the party will incur costs for which the returns are only guaranteed if it satisfies both itself and the Council that its plan meets all the stated requirements and is viable. As part of the bidding process, parties will be invited to submit what tests they consider to be the appropriate criteria for defining 'feasible' and how the Joint Venture should be formalised. We expect criteria to include the implementation of Hammerson's PDP and confirmation on the train station funding and timing.
- At the point that the preferred partner is selected, a mechanism for calculating the Council's financial return will be agreed. This methodology will have been set out as part of the bidding process, parties will be invited to describe how this process will work. We suggest that this is based on an open book formal valuation, on a phase by phase basis. This process involves the independent assessment of the build costs and values of a phase which, less all fees and profit requirements, delivers a land value to the Council. This approach will also allow the Council to satisfy s.233 of the Town and Country Planning Act 1990.
- Failure to implement the scheme (or particular phase), despite meeting the stated criteria may be used by the Council as an opportunity to tender the relevant part of the agreement void and to allow the Council to tender the specific opportunity.

6.1 Securing and managing delivery

The Council and Partner will enter in to an equally controlled Joint Venture (JV) to establish and own a Business Plan for Brent Cross South. The two parties are to enjoy equal voting rights on the form and content of the Business Plan, subject to dispute and deadlock resolution controls. The Business Plan will describe the actions required to meet the vision shared by the parties, and through this route the JV will guide the activity, roles, responsibilities and obligations of the two institutions.

Subject to adhering to the Business Plan, the procured Partner will essentially be free to implement the scheme in line with its own skills and expertise. The Business Plan will also describe the processes for managing and 'curating' the scheme to deliver on the placemaking agenda.

The Business Plan needs to outline:

- the vision for the project
- the strategy for realising this vision
- roles and responsibilities, including voting rights
- financial commitments
- priority returns, returns on investment
- a programme for delivery
- detailed plan of action
- key performance indicators
- dispute resolution.

The Business Plan will be a live document capable of being reviewed as required.

The actual returns to the Council will be agreed on a phase by phase basis, probably through a series of wholly JV-owned 'Special Purpose Vehicles' (SPVs). The returns are likely to vary over time and by phase. Note the distinction between equal voting rights to inform and guide the business plan as compared to the junior role that the Council expects through the actual phase by phase delivery process.

Example performance indicators and 'tests' could include:

- target profit on cost
- priority returns
- share of surpluses (overage)
- development management fees
- timing/longstops
- caps and collars on expenditure
- corporate guarantees
- the definition of 'viable'.

Shortlisted parties will be invited to produce an outline Business Plan as part of their selection process to become the Council's preferred partner. The proposed key performance indicators (development management fees, returns, longstops, obligations for the SPVs) will be taken in to a contract with the Council.

6.1.1 Backstop provision

As part of the bidding process parties will be invited to consider what aspect of the masterplan could be revisited.

Given the need to maintain progress and momentum, parties will also be invited to describe a 'backstop' position in their ITN submission. This backstop position will describe what a first phase would comprise, based on the extant outline consent. Parties will be invited to declare what they would implement in the event that their alternative plans proved unrealistic or too complex to progress in a timeframe that is acceptable to the Council.

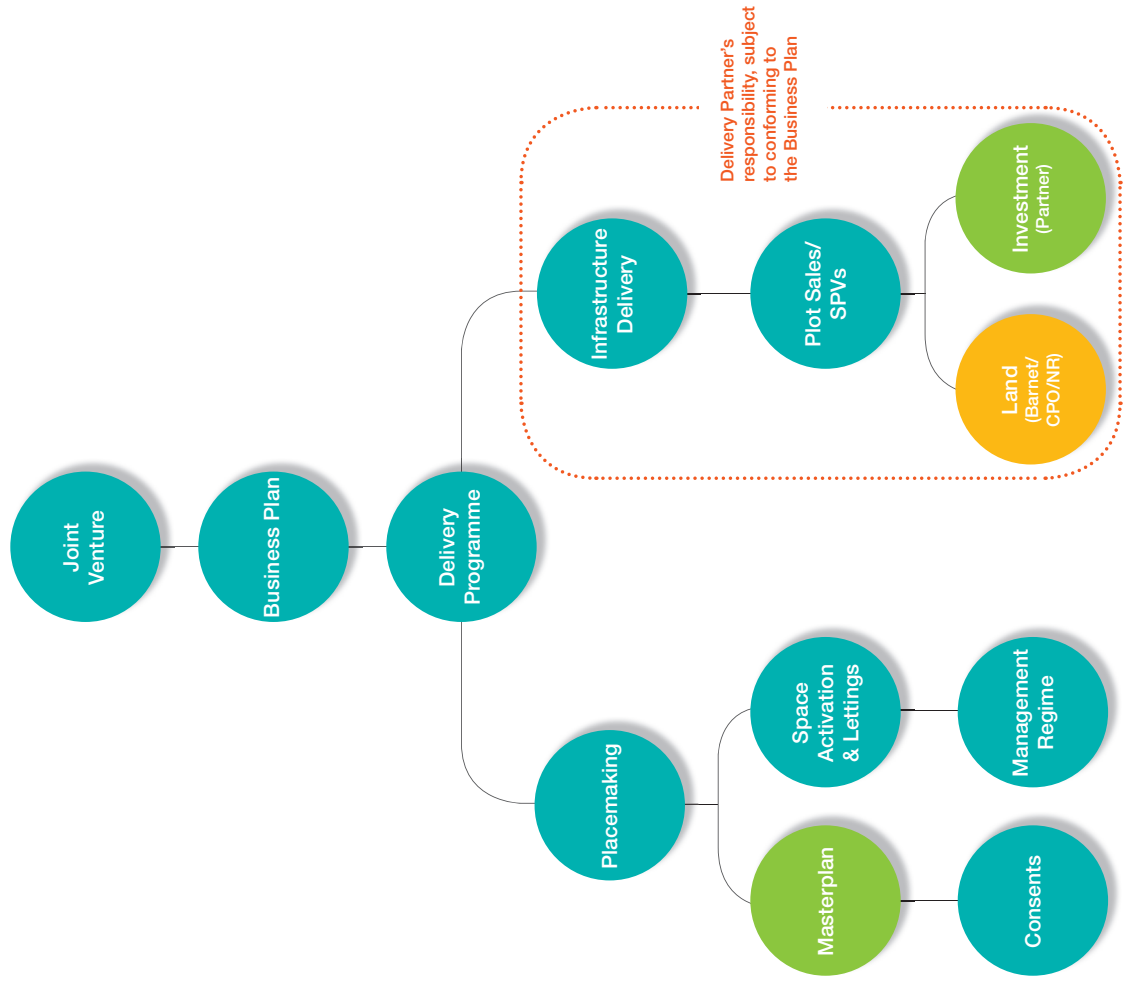
For the avoidance of doubt Barnet Council do not require bidders to present alternative plans for the site during the negotiation procedure.

6.1.2 Governance

The Board of the Joint Venture will be made up of representatives from both the Council and its Partner and receive regular progress reports from both parties. Failure to meet the objectives of the Business Plan will carry contractual and financial penalties.

6.1.3 Land interests

The Council has approximately 70% of the Brent Cross Cricklewood South regeneration area within its control. The Council acknowledges that the delivery of the Brent Cross Cricklewood proposals may require the Council to use its compulsory purchase powers, and that there may be several Compulsory Purchase Orders over the lifetime of the project. In anticipation of this, the Council is actively pursuing a land assembly strategy, and is in negotiations with landowners to acquire properties required to deliver the early phases of the Brent Cross South development, following Cabinet Resources Committee approval in January 2014.



6.2 Pre-qualification Questionnaire (PQQ)

As a first stage of procurement Barnet would like to invite Parties to submit information against the following criteria.

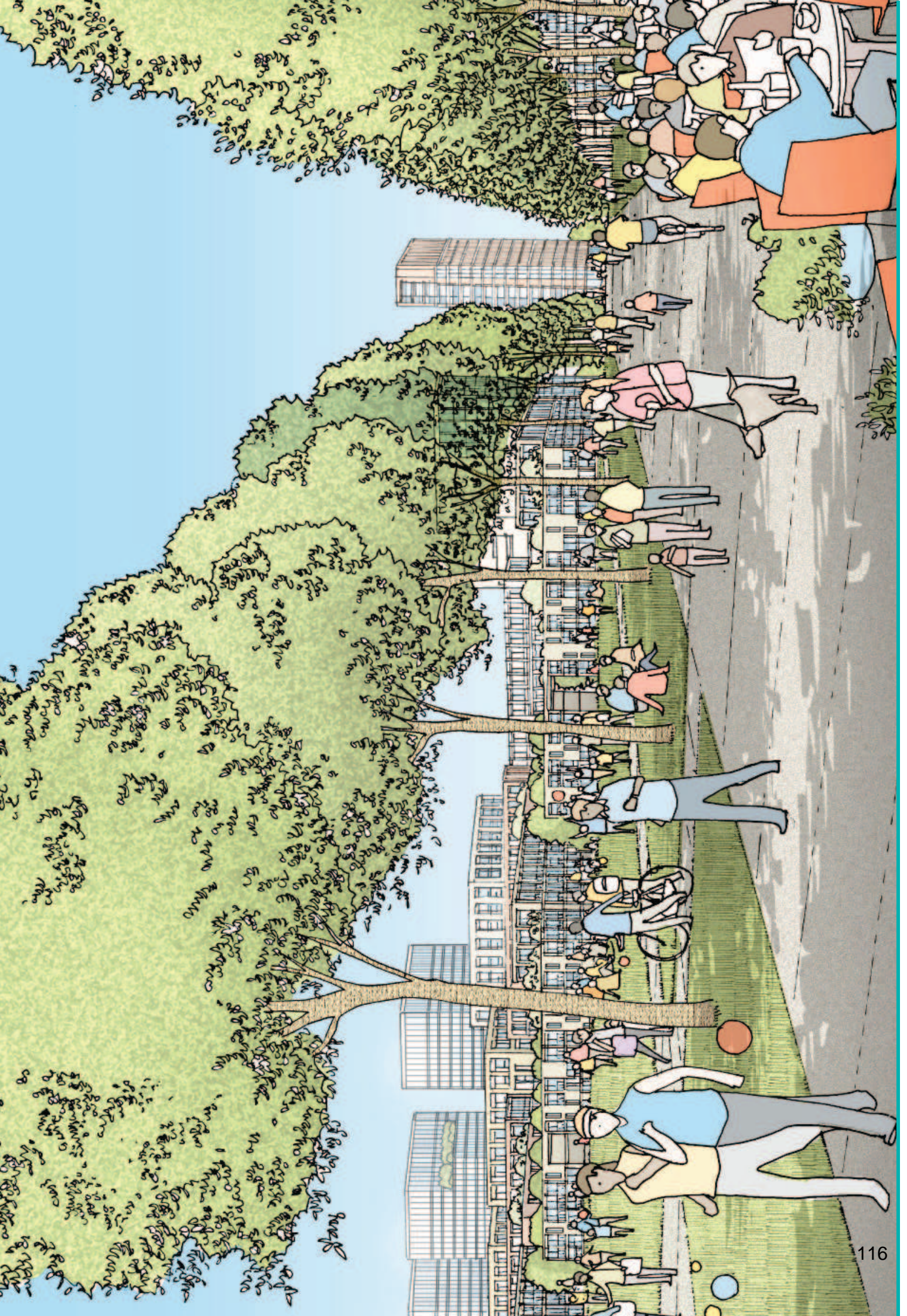
PQQ criteria is as follows

	Qualitative Criteria	Weighting
1	Trading name and address	Information only
2	Details of the person who completed the form	Information only
3	Applicant details	Information only
4	Public or private limited company	Information only
5	Parent company	Information only
6	Conflict of interest	Information only
7	Company profile	Information only
8	Company policies	5%
9	Organisational capacity	12.5%
10	Financial capacity	17.5%
11	Turnover/profit summary	Information only
12	Referees	10%
13	Approach, understanding and experience of 'placemaking'	25%
14	Comparable delivery experience	30%

More information is contained within the document entitled "Brent Cross PQQ" which can be obtained from the Council's retained agents on request.

Breakdown of scored elements for PQQ

8	Company policies	5%	Parties are invited to submit evidence of a comprehensive suite of policies covering health and safety, equal opportunities, anti bribery.
9	Organisational capacity	12.5%	Parties are asked to submit a full list of core team members including professional CVs, length of service and organigram. CVs to include role in case studies named in 'comparable delivery experience'. Clear statement of how the company identifies, records and shares best practice.
10	Financial capacity	17.5%	Confirmation will be sought that the organisation has met the terms of its banking facilities and loan agreements (if any) during the past 5 years. Confirmation that the organisation met all its obligations to pay its creditors and employees during the past 5 years will also be sought. The Council will look for a strong Dun & Bradstreet ("D&B") (or equivalent) net worth and risk rating. Parties are to submit evidence of experience, and approach to, raising funding for similar schemes or availability of internal resources. Parties will be invited to describe their approach for using internally and externally sourced funding, and how this varies for the different phases of a scheme. Evidence to support why the organisation believes that the approach described could be successfully implemented in the current market conditions (and resilient to change in market conditions) will be requested. Details are to be provided of current major commitments that could impact on capacity to support this project and how any potential impact(s) would be managed.
12	Referees	10%	References will be provided from previous or current partners where the organisation is delivering large scale regeneration and placemaking solutions. We will ask the referees to comment on the party's: <ol style="list-style-type: none"> human resource capacity to engage on large scale urban regeneration projects track record in placemaking and commitment to high quality development ability to finance and realise development opportunities ability to work in partnership.
13	Approach to and understanding of 'placemaking'	25%	What does the organisation understand 'placemaking' to be? Examples will include appropriate design, activation of spaces, management regimes, letting strategies, flexible approach. Parties are also asked to explain their approach to community engagement and how this process relates to placemaking.
14	Comparable delivery experience	30%	Experience in delivering major, multi-phase, development and regeneration schemes in conjunction with the public sector, investment in the public realm, land assembly, new transportation infrastructure. Detailed explanation as to how the projects were initiated, designed, funded and delivered. How has the team ensured momentum? What were the critical factors to success? Description of governance arrangements and the roles played by the individuals named in Section 9. As a team, which scheme are you most proud of and why? Which scheme was least successful and what have you learnt from it?



6.3 Invitation to Negotiate (ITN)

Following the PQQ stage, the Evaluation Panel will agree on not less than three and not more than five Parties to be provided with access to a full suite of information against which to respond (via an online data room). The Parties will be invited to consider the technical information and the planning information and describe, essentially, the structure of their business plan:

1. Placemaking (25%)

- a. Describe your understanding of the Council's objectives and requirements.
- b. Describe your approach to making this place a successful and integrated part of Barnet and London.
- c. The Council is expecting its partner to finalise a jointly-owned Business Plan before entering in to a formal joint venture. In anticipation of this:
 - i. What is your approach to creating a sustainable economic basis for the area, taking in to account the potential of the commercial accommodation provided by the extant outline planning consent?
 - ii. Can you realise your vision within the parameters of the extant outline consent?
 1. If not, why not? Which aspects would you revisit?
 2. If yes, what would be the extent of the first phase?
 - iii. If you have an alternative approach to masterplanning the site, please describe.
 1. What value will it add to the Council?
 2. How much is the work expected to cost?
 3. Over what time period?
- iv. Please explain your thoughts on the impact of a new train station at Brent Cross South.
 1. How might your plans change if the station is not implemented prior to the rest of the scheme starting on site?
 - v. How long do you envisage the Business Planning process will take?

2. Delivery (50%)

- a. Your team:
 - i. Provide the detail of your team members including professional appointments:
 1. Who will lead from within your company? Who will sit on the JV Board?
 2. Who will support from within your company? Please provide a team organigram.
 3. Please provide detail of the roles that your team members have played on your previous projects. Please use the table provided as a template and provide separate summaries of the Projects.
 4. What key skills and attributes do your internal team members bring?
 5. What process will you adopt in making professional appointments?
 6. Detail any professional appointments you have/would like to make as preferred partner. Explain why you would make these appointments and the benefits they would bring to the project. Where have you worked with the nominated professionals and what outcomes have been achieved with their support?
 - b. Please comment on the technical information that has been provided to you and comment on whether you consider there are any further studies or reports that you require as part of the Business Planning process and prior to entering in to a Joint Venture with Barnet.
 - c. How do you propose to engage with third party interests (Network Rail, Tesco, Hammerson and Standard Life Investments for example)?
 - d. How will you facilitate/procure the delivery of the scheme? Please break your answer down for:
 - i. Infrastructure.
 - ii. The development plots.
 - e. How will you maintain high build quality over the life of the scheme?
 - f. How will you help ensure best value through delivery procurement?
 - g. What is your approach to ensuring a prompt start on site?
 - h. What will be the Key Performance Indicators for the Joint Venture?
 - i. Please describe your proposed Estate Management strategy for the site.

3. Finance (25%)

- a. How will you approach the funding for the delivery of:
 - i. The infrastructure.
 - ii. The development plots?
 - b. How will the respective financial returns be calculated? How will the returns to Barnet Council be calculated? Please provide details on:
 - i. Your target profit on cost (i.e. your priority return)
 - ii. Distribution of returns in excess of your priority return
 - iii. Development management fees
 - iv. Caps and collars on expenditure
 - v. Corporate guarantees
 - vi. Timing/longstops.
- Parties will be issued with an unlocked excel spreadsheet for completion.
- c. It is envisaged that the Joint Venture be defined by agreed 'hurdle' rates for phase by phase viability. How will 'viable' be defined?
 - i. What dispute resolution processes will be introduced?
- Matters 3.b.i to 3.c.i (above) will be considered as 'fixes' within Head of Terms moving forward in to a formal joint venture, with other matters for finalisation at a later stage.
- Please note that 10% of the marks available in questions 1 and 2 (a total of 7.5%) will be awarded on the basis of bidders' presentations in February 2015.

6.4 Pre-contract business plan

On the selection of a preferred partner, the Council will enter in to an exclusive programme of work with the preferred partner to finalise and agree the Business Plan. This programme will be defined as part of their ITN submission and presentation. Providing the partner adheres to this programme and delivers a viable solution that meets the Council's stated requirements the JV will be entered in to. If the partner fails to adhere to their programme, without good cause, the Council will be entitled to end the procurement with no financial penalty. The expectations on both Parties will be set out in a Memorandum of Understanding (MoU) which will be a paper presented to Committee at the time of preferred partner selection.

6.5 Timetable

w/c 21st July 2014	OJEU notices/adverts placed, marketing material issued.
10th September 2014	Pre-Qualification Questionnaires returned.
w/c 22nd September 2014	Sub-panels meet to score PQQ submissions.
w/c 29th September 2014	Full Evaluation Panel meets to moderate scores and to shortlist parties.
Friday 3rd October 2014	Shortlist agreed and (3-5) parties provided with Invitations to Negotiate (ITN) and invited to meeting with placemaking sub panel.
w/c 6th November 2014	Placemaking subpanel workshops and introduction to ITN process.
w/c 8th December 2014	Second placemaking subpanel workshop.
Thursday 29th January 2015	Tender submissions received by London Borough of Barnet.
w/c 16th February 2015	Presentations to the Council and Stakeholders by tendering companies.
w/c 16th February 2015	Sub-panels meet to score ITN submissions.
w/c 23rd February 2015	Full Evaluation Panel meets to moderate scores and to shortlist parties.
Late Feb/Early March 2015	Selection of preferred bidder by Assets, Regeneration and Growth Committee.
March 10 – 13 2015	MIPIM – target deadline for announcement of preferred bidder.
March 2015 – March 2016	Pre-contract business plan (single Party) Finalising and engrassing the contract.



About Re

Re is a joint venture company co-owned by Capita and London Borough of Barnet. We work with local authorities, businesses and householders to develop, enhance and protect the built environment. In the London Borough of Barnet, Re has a 10-year partnership with the Council to deliver development and regulatory services.

The services Re delivers include:

- Regeneration
- Strategic Planning
- Planning and Development Management
- Building Control
- Land Charges
- Environmental Health
- Trading Standards and Licensing
- Cemetery and Crematorium
- Highways: Strategy
- Highways: Network Management
- Highways: Traffic & Development
- Highways: Transport and Regeneration

Our Regeneration and Strategic Planning team are central to the Council's ambitious programme of physical regeneration and economic development. We have our roots firmly in local government, with private sector insight. Many of our people joined us from local authorities, and as we are part owned by Capita, our experts also come from one of the largest multi-disciplinary property and infrastructure consultants in the UK. We know regeneration and understand the local government sector.

To find out more about Re and Capita's property and infrastructure business, go to:

www.re-ltd.co.uk

www.capita.co.uk/property



Further information and contacts

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London Borough of Barnet - Brent Cross South

Invitation to Negotiate

Descriptive Document, October 2014

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1 Introduction

- 1.1 The development of Brent Cross Cricklewood (which comprises the wider shopping centre re-development at Brent Cross North and the subject matter of this procurement, Brent Cross South) provides an unrivalled opportunity to create an exemplar suburb for the 21st Century. The scheme has outline planning consent to deliver a comprehensive redevelopment including more than 7,500 homes and space for over 25,000 new jobs.
- 1.2 Planning Permission (Ref No: C/17559/08) for the comprehensive regeneration of the Brent Cross Cricklewood site was granted on 28 October 2010, and revised through a s.73 consent in July 2014. The scheme has been designed to facilitate phased delivery, starting at the existing Shopping Centre.
- 1.3 To date the Brent Cross Cricklewood scheme has been jointly promoted by Barnet Council, Hammerson and Standard Life Investments (“HSL”). Barnet Council and HSL have reached an agreement that sees the Council taking lead responsibility for delivery of land to the south of the North Circular and a commitment from HSL to deliver the infrastructure with which to service the Primary Development Package of the consented scheme. This package of work describes the key infrastructure that must be delivered before the shopping centre development can commence. This infrastructure, to be provided by HSL, includes a number of elements for the benefit of Brent Cross South.
- 1.4 Barnet Council is now seeking to identify and secure a Development Partner to help realise the potential of the southern section of the wider Brent Cross Cricklewood masterplan. It is acknowledged that the new partner may wish to revisit the detail, content and phasing of the planning consent on the south side.

- 1.5 The entire masterplan – equivalent in gross floor area to that of Mayfair (some 15 million sq ft) – has the potential to become a significant new town centre for London.

Overarching summary of core Council objectives

- 1.6 Brent Cross Cricklewood will be 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. It will be animated at street level and connect with high quality parks, green spaces and nearby waterways.
- 1.7 Brent Cross South will complement the expanded Brent Cross shopping centre, and invite visitors to the shopping centre to cross into the new town centre. The site is at risk of being seen as an island, and the new development will need to tackle this risk, integrating effectively with the surrounding neighbourhoods.
- 1.8 Brent Cross Cricklewood will be a place for people of all ages, with a housing mix that reflects different life stages, a range of housing tenures, and public spaces which are accessible to all. Promoting health and wellbeing and reducing dependency will be ingrained in the place – for example by incorporating dementia friendly design. It will maintain Barnet Council's tradition of educational excellence.
- 1.9 As a growing, successful suburb of a growing successful world city, Barnet benefits from a strong local economy as well as providing a home to many people who work in central London. This emphasis on a strong local economic base is a key requirement for Brent Cross Cricklewood – it cannot simply be a dormitory. The Borough's economy is predominantly made up of small and micro businesses, including many home based businesses, and the new Brent Cross Cricklewood will cater for this entrepreneurial community which increasingly blurs the distinction between home and work.

- 1.10 The Council expects this blurring between home and work life to extend to the design of the new development, with strong integration between the residential and commercial areas, and no areas that are seen as 'dead' at particular times.
- 1.11 Brent Cross Cricklewood will have excellent public transport links, allowing people to reach other parts of Barnet, London and the country easily. While many people are likely to own cars they are unlikely to be needed on a day to day basis and the space will not be dominated by the car.
- 1.12 Many residents are under financial pressure, and the Council is committed to taking account of this in its actions. This means that low energy bills and responsible service charges will be important aspects of the new community.
- 1.13 To meet these requirements the Council is seeking a long term partner with:
1. Experience in delivering (financing and constructing) 'placemaking' through large scale, phased development;
 2. A track record of working successfully in partnerships with the public sector and other third parties;
 3. Experience in appointing and managing large professional teams to conceive and produce large scale masterplans and to secure detailed planning consents for mixed use development within them; and
 4. A well established internal team with the human and financial resources to be a long term development Partner.
- 1.14 The purpose of this document is to set out the objectives and main requirements of the Council such that these can be addressed by bidders in responding to this Invitation to Negotiate. The detail contained in Appendix 2 provides the questions, explanatory notes and the evaluation framework within which individual responses will be assessed.

- 1.15 The information below is intended to assist bidders in understanding the key issues that the Council would expect to see forming the focus of your response. This document should be read in conjunction with the Memorandum of Information as well as the separate 'Instructions to Bidders' section at Appendix 1.
- 1.16 Technical and other documentation will be disclosed to bidders via an internet portal. Access codes and passwords will be circulated to all bidders following receipt by the Council of the requested NDA.. Bidders will be informed when the internet portal is 'live' and as new documents are uploaded to it.

2 Background information

Delivery of early scheme infrastructure

- 2.1 The Council and its development partners for Brent Cross North (Hammerson and Standard Life - HSL) have agreed commercial co-operation terms to ensure the delivery of the primary infrastructure including highways, the Living Bridge, drainage and public utilities to facilitate the first phase development of Brent Cross South. A detailed report on the terms of the Council's agreement with Hammerson will be uploaded to the portal in due course. This will include the Infrastructure Commitment to the Southern Developer report prepared by URS on behalf of HSL.
- 2.2 Bidders are asked at this stage not to contact Hammerson and Standard Life but the Council will provide the opportunity for bidders to meet them during the workshop process in November.

Restrictions on southern side development

- 2.3 Details of the restrictions place on the Brent Cross South development are contained within the "Report on PDA" by Wragge Lawrence Graham & Co LLP to be provided in the online data room.

Thameslink Station

- 2.4 The Council has been actively seeking funding to secure the construction of a new Thameslink station to act as a catalyst for the successful regeneration of Brent Cross South. The desire is for this improved connectivity to be delivered as early as 2020/21. Bidders are asked at this stage not to contact Network Rail but the Council will provide the opportunity for bidders to meet Network Rail during the workshop process in November.

CPO and Land assembly programme

- 2.5 It is likely that the Council will be required to use its Compulsory Purchase powers to deliver the Brent Cross Cricklewood regeneration proposals given the scale of development, and that there may be several Compulsory Purchase Orders (CPO's) over the lifetime of the project.
- 2.6 HSL and the Council are currently working towards making two CPO's to deliver the first phase of development, north and south of the North Circular Road, by the end of 2014. The first CPO would be to deliver the land required to extend the shopping centre and deliver the critical infrastructure; and the second to deliver the land to enable the first phase of the Brent Cross South development.
- 2.7 The Council's Assets, Regeneration and Growth Committee approved the commencement of land referencing to identify all those with an interest in the land who might be affected prior to making any CPO Order, on 8 September 2014.
- 2.8 It is envisaged that the Council will seek Assets, Regeneration and Growth Committee approval to make the formal CPO Order on 15 December 2014. This would be likely to result in a CPO Inquiry in mid-2015, with the Secretary of State's decision in early 2016.
- 2.9 A note on the CPO process within the context of the Brent Cross South development and draft CPO red line plan is provided in the dataroom.
- 2.10 HSL and the Council are seeking to acquire all required interests in the land by private treaty, so as to reduce the number of outstanding interests which may need to be included in the CPOs.
- 2.11 The acquisition by the Council/JV partnership of Cricklewood Regeneration Limited (a company owned by Hammerson) will enable the Council and/or its Partner to exercise the option to acquire Network Rail land. Once the option has been exercised, in addition to the Council's land, the Partners will be in control of some 70% of the Brent Cross South site by mid-2016.

Role of other stakeholders

2.12 The following stakeholders will be invited to hear your presentation in January and their feedback is intended to help scope your approach to the final presentation and ITN response. Although the feedback to bidders will be made available to the Evaluation Panel these stakeholders (other than the GLA) will not participate in the formal evaluation of responses and recommendation of the preferred bidder.

- Greater London Authority
- Transport for London
- Hammerson and Standard Life Investments
- Lead officers from the London Borough of Barnet (inc. Housing, Education, Health)
- Network Rail
- Ward members
- Key community representatives

Existing outline consent and first phase

2.13 The project has the benefit of an existing outline planning consent that anticipates an early phase of development centred around the southern connection to the Living Bridge. Development of this area could provide in the region of 2,500 new homes and it is vital that this exemplifies bidders' approach to placemaking and sets the standard for future development. For example, the new homes must be combined with the necessary social and community infrastructure as well as commercial space that will quickly lead to the creation of a strong sense of place that is not solely dependent on the development of the balance of the masterplan.

2.14 The Council also recognises however that bidders will have their own views and ideas as to how the project could otherwise be designed and delivered. For example, the Council considers that delivery of the Thameslink Station creates another focus for an early phase of development.

2.15 Should bidders believe that the masterplan needs revising for the first phase of development in a way which may lead to a delay to a start on site, this could have an impact on how such a bid is evaluated, given the strong desire to make early and visible progress on the ground. The evaluation criteria provide further detail as to how this will be assessed.

3 A successful project and a successful partnership

3.1 Bidders responses to the ITN will be assessed against the Council's five requirements for a successful project which are:

- (a) The selection of a development partner with whom the Council will be able to develop a collaborative, transparent and mutually beneficial working relationship over the next 15-20 years;
- (b) Excellence in placemaking that delivers on the 5 themes identified by

the MindFolio work and presented to bidders during the sessions on 8 and 9 October 2014;

- (c) Stewardship of place and good estate management;
- (d) The generation of long term returns that recognises a need to balance short term capital receipts with longer term investment in a place and participation by the Council in growth;
- (e) An early and significant start on site closely aligned to the existing masterplan – followed by continued and sustained delivery.

3.2 To assist bidders in understanding the Council's preferred position on each of the above, further information is provided below. The Council is keen however to emphasise that it does not intend to be overly prescriptive in the approach which bidders take and that the information provided is intended to help Bidders scope their answers in light of this, and the evaluation criteria.

Working in Partnership

3.3 The Council anticipates taking an active role in the joint venture which will be formed. This is likely to focus on several key areas:

- (a) Ensuring placemaking is at the heart of the re-development
- (b) Investing its land in anticipation of being able to share in the financial success of the regeneration scheme
- (c) Ensuring a lasting legacy through stewardship of the place
- (d) Continuing with the work that is currently taking place to assemble the site and secure vital infrastructure

3.4 The proposed structure of the joint venture partnership forms the basis of a separate paper to be provided through the online dataroom, and workshop sessions, but the above four themes will feature in the proposal.

3.5 It is expected that the Business Plan itself will

1. Describe the shared vision for Brent Cross South
2. Define the Placemaking Strategy to include
 - a. Housing (types and tenures)
 - b. Economic Strategy
 - c. Transport and connectivity
 - d. Social and community outcomes, education, open space provision
 - e. Lettings and management strategies
3. Establish the key performance indicators for the project
4. Address the timing of delivery
 - i. Process for making professional appointments
 - ii. Timing of revised planning applications/reserved matters
 - iii. Programme for land assembly and CPO
 - iv. Process for procuring construction or sale of land to include identity of third parties
 - v. Phasing plan for next 3-5 years

Placemaking

3.6 All bidders have had the benefit of the MindFolio presentation and a copy of the slides in relation to the 2006 visioning exercise will be uploaded to the portal. As explained at the Placemaking workshop, the work which the Council has commissioned in this regard demonstrates the level of aspiration and ambition which the Council has. The Council will be assessing bidders' placemaking proposals by reference to five key areas as summarised below.



3.7 The ideas presented at the workshop are not absolute requirements of the Council, indeed there are some examples highlighted that may no longer be appropriate for Brent Cross South, but should help to highlight the importance of placemaking in the delivery of Brent Cross South, and the breadth and depth of thinking that will be needed.

3.8 In responding to this ITN, we believe that bidders may find it useful to do so by reference to the first phase of the existing masterplan (with improvements that they may be able to identify) or by reference to an

alternative masterplan that they may wish to develop. The Council is keen to understand:

- (a) How good placemaking can be delivered within the parameters of the existing planning permission;
- (b) How the masterplan might change to deliver a better scheme and what the trade-offs would be in terms of the phasing/timing of delivery and impact on other project outputs

3.9 However, this is not a design competition, nor is the Council asking for a first phase of development to be fully costed and valued. Masterplans themselves will not be scored but in responding to particular ITN questions, you may wish to use a masterplan to illustrate:

- (a) Your approach to placemaking and the development of a business plan through working in partnership;
- (b) your own 'Big Ideas'; and/or
- (c) how the five key placemaking themes can be 'brought' together.

Stewardship of place

3.10 The Council wishes to understand from bidders if they have prior experience of successfully creating a long term legacy and well managed regeneration scheme where residents and/or workers continue to benefit from social, community and environmental benefits that extend beyond the quality of the buildings themselves. How is such added value funded and delivered and what role could the Council play as long term custodian? Any such solutions should be assumed to be funded out of the scheme itself albeit that in the short term the Council appreciates that this can sometimes have an adverse impact on the underlying land value and/or returns. The Council would welcome an approach where its partner is willing to share in some of the costs of good stewardship particularly where this has been demonstrated from past experience to result in enhanced financial returns over the longer term.

Long term returns

3.11 Brent Cross South is a challenging and long term project. Certain phases will be more viable than others and the Council appreciates that there will be a need to generate capital receipts to meet expenditure. However, the investment of the Council's land is intended to provide both a cashflow benefit to the partner but also the option for the Council to convert its investment into a variety of other outcomes. The following are only examples and not pre-requisites:

- (a) Additional affordable housing of a variety of tenures, or improved community facilities and/or social infrastructure;
- (b) Private rental sector housing;
- (c) A rental income linked to the performance of commercial property;

(d) Ground rents.

3.12 The Council recognises that certain such requirements (for example enhanced levels of affordable housing) can have an adverse impact on viability and as such will be reasonable in considering with its Partner the potential outputs from phases of development.

Start on Site

3.13 Early progress is important to the Council and to stakeholders and the Council is targeting a start on site in early 2017. The Council's masterplan has identified the area around the southern landing of the living bridge as a likely phase for early development. However, the Council wishes development to be continued and sustained. It anticipates that once a start has been made in this location, the Council and its partner will begin work on plans for development around the new Thameslink station, recognising the need to secure public funding commitments to deliver this. Continued and sustained delivery of a viable scheme whilst beneficial economic circumstances prevail will be an important performance indicator.

4 Finance and delivery

Financial returns

4.1 The Council accepts that its bidders may take different approaches to assessing development risk and with it, the required financial return. The ITN questions and evaluation criteria set out requirements for completion of an excel spreadsheet which will allow the comparison of developer return on a like for like basis. We are conscious though that there are other measures of financial success and we would ask bidders to provide details as part of their response.

4.2 We set out below three approaches to the development of Brent Cross South that may have an implication on the way in which financial returns are delivered:

- (a) Development management and the disposal of serviced sites to an SPV/third party;
- (b) Delivery of by the partner of phased development in anticipation of short term capital receipts;
- (c) Delivery by the partner of phased development in anticipation of a long term return.

4.3 It is recognised that the eventual Business Plan may deploy a variety of methods for meeting the Partners' objectives. However, the Council has a strong preference for delivery that results in the creation of a long term revenue income for itself, as opposed to shorter term capital receipts.

Delivery

4.4 In light of the comments made above, bidders are given the opportunity in responding to the ITN to expand upon their anticipated approach to the funding and delivery of:

- (a) Infrastructure
- (b) Development plots

4.5 It is anticipated that the developer partner will take the lead in developing the business plan, design and phasing solutions and ultimate delivery of each phase. We will identify those key phases where we would expect greater control to be retained by our partner (for example, development of the southern landing of the Living Bridge) and those areas which might be suitable for disposal to third parties as serviced plots, albeit where a necessary degree of control is retained over successful delivery.

Development risk

- 4.6 The Council has already assumed a degree of development risk through the work that it continues to undertake in assembling the site, securing and funding key infrastructure. It is anticipated that the Council will receive a return from the project for assuming this risk. In addition, the Council anticipates investing its land in anticipation of participation in future growth and a successful regeneration. At this stage, the Council does not anticipate investing further debt/equity into a partnership but may wish to consider this with its partner as the scheme progresses.
- 4.7 The Council expects therefore that development risk will be assumed, managed and mitigated by its partner and that appropriate parent company guarantees will be provided to the Council to ensure delivery.

Professional advisory team

- 4.8 At this stage of the procurement process, the Council has asked bidders (see separate "ITN Initial Clarifications" document) to provide details of their anticipated advisory team (if appointed) in the following areas:
- (a) Lead architect or masterplanners;
 - (b) Property;
 - (c) Legal.

The Council understands that the involvement of a design team at this stage may help bidders to develop their responses. However, the Council also requests in this ITN details of the proposed approach to securing design input and professional appointments to the scheme itself.

Key Performance Indicators

4.9 The Council expects to agree with its Partner two tiers of Key Performance Indicators (KPIs); those for the operation of the JV Board in delivering the Business Plan, and those on a project specific level for the delivery of the scheme.

4.10 At Board level the KPIs may include;

- Annual deadlines for updating and adopting the Business Plan
- Deadlines for the delivery of reports and update papers
- Time permitted to review and respond to matters raised
- Time to resolve disputes before being referred
- Rate of delivery of new homes, infrastructure and opportunities for employment

4.11 As a project level, the KPIs and 'tests' could include:

- target returns
- priority returns
- share of surpluses or overage
- development management fees
- timing/longstops
- caps and collars on expenditure
- corporate guarantees
- the definition of 'viable'.

4.12 These KPIs are not exhaustive and the Council will welcome further suggestions that help to secure certainty and in the interests of the Council's stated objectives.

5 Evaluating the bids

5.1 Please see Appendix 1 and 2 for full details of the Council's approach to evaluating bids

APPENDIX 1



APPENDIX 1

INVITATION TO NEGOTIATE: INSTRUCTIONS TO BIDDERS

London Borough of Barnet

Brent Cross South Project

Contract Ref: 700606

October 2014

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1. Introduction

This document describes the procurement process that the London Borough of Barnet has commenced in order to select and contract with a private sector development partner to realise the potential of Brent Cross South.

2. Context

The London Borough of Barnet is running a four stage negotiated procurement process to select a preferred development partner at Brent Cross South. The process is as follows:

1. PQQ (Summer 2014)
 - a. Identifies a shortlist of parties with desired track record and capabilities
2. ITN (3rd October 2014 – March 2015)
 - a. Forward Looking
 - b. Competitive
 - c. Identifies the chosen partner
3. Preferred Bidder Appointment (Pre-Contract Business Plan) – starts March 2015
 - a. Single Party (i.e. non-competitive)
 - b. Bidder works at risk to produce the Business Plan
 - c. Council must agree detailed contractual/corporate arrangement
4. Contract Signed – completes March 2016

2.1 Timetable for ITN

Dates	
8 th and 9 th October	ITN Kick off presentation and workshops

5 th and 6 th November	Bidder workshops
19 th and 20 th November	Bidder workshops
3 rd and 4 th December	Bidder workshops
17 th and 18 th December	Bidder workshops
29th January 2015	Tender submissions received
4 th February 2015	Stakeholder presentations
17th February 2015	Bidder presentations to Evaluation Panel
24th February 2015	Evaluation Panel
TBC	Committee Meeting
10-13 March 2015	MIPIM Announcement

Following the successful completion of the first stage of procurement (PQQ), the Council has invited four parties to respond to the second stage (ITN) questions.

3. Information to support the ITN process

The following documents are provided to shortlisted parties and are held in the dataroom to assist with the detailed assessment of this opportunity and the answering of questions.

- i. S.73 Planning application, dated October 2013
- ii. Further plot studies and phasing drawings, Allies & Morrison

- iii. Report on PDA between the London Borough of Barnet and Hammerson & Standard Life Investments, Wragge Lawrence Graham & Co LLP – to be issued in due course via the dataroom
- iv. Technical reports covering Contaminated Land, Utilities, Infrastructure costs, Title and construction costs (various authors)
- v. Residual Development Appraisals and scheme content overview, Capita
- vi. Placemaking presentation and redacted balanced scorecard, Mindfolio
- vii. Draft Terms of Reference for the JV Board/Project Executive and Business Planning process, Capita/Wragge Lawrence Graham & Co LLP – to be issued in due course

Please refer to Appendix 3 for a detailed list of the dataroom contents. A link to the online Dataroom is provided on the Council's procurement portal.

This information is not intended to be exhaustive but to facilitate a more detailed understanding of the nature and scale of the development opportunity at Brent Cross South. As part of the ITN submission process Bidders are invited to comment on what further information will be required before entering in to a contractual arrangement with the Council.

4. The ITN Process

The shortlisted parties are invited to prepare their responses to the questions that were included in the Memorandum of Information ("MOI", dated July 2014), and against which further information is provided in the document at Appendix 2. The deadline for responses is 29th January 2015. Submissions will be followed by two presentations, one on 4th February 2015 and one on 17th February 2015. The first of the two presentations will be to a broadly drawn body of professionals from the Council and supporting organisations to include representatives of the Mayor of London's office and others to be

confirmed. Feedback from this presentation will be given to the shortlisted parties and to the Evaluation Panel in advance of a further presentation to the Evaluation Panel and lead Members on 17th February 2015. The Presentation to the Evaluation Panel will be scored in accordance with the notes in the MOI and within the document at Appendix 2. The Evaluation Panel will then convene for final formal scoring on 24th February 2015. The Evaluation will report its recommendation to a special meeting of the Council's "Assets, Regeneration and Growth (ARG) Committee". The date for this meeting is to be confirmed.

In advance of the 29th January 2015 submission deadline, each of the shortlisted parties will be invited to 'workshop' meetings to take place in October, November and December 2014. The workshop meetings will be an opportunity for the bidding parties and the Council to explore and evolve ideas for ensuring the development of Brent Cross South meets its full potential.

4.1 Placemaking workshops

Following an initial 'kick-off' meeting and presentation by the Council's team on 8th and 9th October, shortlisted bidders are invited to attend further workshop sessions with representatives from the London Borough of Barnet and its core advisory team. The workshops are principally intended to provide an opportunity for the bidders to share with the Council ideas and strategies for the delivery of Brent Cross South and for the Council to provide constructive feedback. More information on these workshops, including timings and Agenda are provided under separate cover.

4.2 Evaluation Scoring Criteria

The document at Appendix 2, describes the expected structure for Bidders' responses and relative weighting of questions. As per PQQ, there are three broad categories of questions; Placemaking, Delivery and Finance:

4.2.1 Placemaking

The London Borough of Barnet has committed to ensuring that Placemaking is at the heart of its agenda for the redevelopment of Brent Cross South. The Council has retained the services of Mindfolio Ltd (www.mindfolio.com) to help it to define and describe what the Council understands Placemaking to be. A product of this work is a conceptual framework for Placemaking and a 'balanced score card' that the Council will use to assess bidders' submissions against questions 1a, 1b and 1c.i in this regard. A redacted version of the 'scorecard' has been made available to the shortlisted parties and bidders are invited to use this to inform their own approach to the opportunities at Brent Cross South. Each shortlisted party will have the benefit of a presentation from Mindfolio and have an opportunity to ask questions and test approaches with the Council. A copy of the Balanced Scorecard is contained within Appendix 4.

4.2.2 Delivery

In the Delivery section of the ITN, unlike the PQQ, the Council is inviting bidders to describe their professional team including third party consultants where known/preferred. Detailed explanation for inclusion of third parties is required. Bidders are asked to specifically describe the roles that will be assumed by the team members.

Furthermore, the Council is making available two indicative Development Appraisals of Brent Cross South (unlocked excel spreadsheet) for bidders' consideration and testing. These models are supported by a number of technical documents that bidders are also invited to review and to confirm what further information might be required before contractually committing to this opportunity.

4.2.3 Finance

As mentioned above, two Development Appraisals have been produced in support of this procurement process; one that assumes the scheme is delivered as per the phasing in the revised planning consent and one that assumes a revised phasing strategy. These are referred to as the “s.73 Phasing” and “Capita Phasing”. The floorspace contents of these models are described in an excel spreadsheet entitled “BXS Area Schedule 16-9-14”. The two models contain a large number of working assumptions. Bidders are invited to consider both the assumptions and the structure of the delivery as per the models. Bidders are invited to review the assumptions shaded green and orange in the spreadsheets. Changes to the shaded boxes within the appraisal are captured in a summary form at the end of the appraisal and this will be used to inform the scoring of question 3.

4.3 Presentations

Following the submission of ITN documents, bidders are invited to deliver two presentations. The first will be to a broadly drawn body of professionals from the Council and supporting organisations to include representatives of the Mayor of London’s office and others to be confirmed. Feedback from this presentation will be given to the shortlisted parties and to the Evaluation Panel in advance of a further presentation to the Evaluation Panel and lead Members on 24th February 2015. The presentations are to focus on Placemaking and Delivery. 10% of bidders’ scores for these sections will be based on these presentations. In part, this score will be allocated on the way in which the Bidders respond to comments raised in the first presentation when delivering the second. The Evaluation Panel will be seeking to understand how the Bidders reflect on feedback and respond accordingly.

5. Instructions to Bidders

5.1 General

Any clarifications arising from this Invitation to Negotiate must be submitted via the messaging facility of the Council's portal, www.barnetsourcing.co.uk

The bidder workshop days are identified in 2.1 (Timetable) and described under separate cover. Bidders are asked to give 3 working day's notice prior to each workshop if they are not able to attend.

Bidders shall submit queries in writing via the messaging facility of the Council's portal, www.barnetsourcing.co.uk at least one week in advance of a meeting.

5.2 Deadline for questions

If you have any questions concerning the interpretation of any of the Invitation to Tender documents, you should provide them in writing via the messaging facility of the Council's portal, www.barnetsourcing.co.uk no later than 12 noon, 2 January 2015. The Council's response will be given in writing to all invitees to tender no later than 16 January 2015.

5.3 Preparation of submission

It is your responsibility to satisfy yourself as to the accuracy and sufficiency of all information contained in your Submission. You shall be deemed to have obtained for yourself all necessary information that might influence or affect your Submission.

5.4 Submissions to include

Submissions must include:

- Responses (cross referenced by question number) to each of the placemaking, delivery and finance requirements of this Invitation to Negotiate. Responses must not exceed (where relevant) the maximum number of pages.

- Completion of the attached certificates and forms including:
- Certificate of non-collusive tendering (Annexure 1) signed by each member of the bidding team (other than professional advisers)
- Form of Undertaking (Annexure 2) signed by each member of the bidding team (other than professional advisers)

5.5 Tender Submission

Please upload submissions on to the Council's e-portal, www.barnetsourcing.co.uk. Should technical difficulties be experienced please contact the support desk email: support@curtisfitchglobal.com and contact Susan Lowe email susan.lowe@barnet.gov.uk

5.6 Latest date and time for receipt of tenders

Submissions must be received by the Council before 12 noon on 29th January 2015. It is each bidders' responsibility to ensure that the submission is received by the Council before the due date and time (12 noon 29th January 2015) and that it complies fully with these instructions to bidders. The Council will not accept responsibility for any submission that is not properly received, for whatever reason.

5.7 Confidentiality

The information contained within this document and any subsequent information provided to short-listed Bidders, is being made available by the Council on condition that the Bidder (including if applicable all subcontractors or members of a consortium (see 5.21 for details)) have signed and released to the Council for completion a non-disclosure agreement in the form supplied to Bidders. Until such document has been signed and released to the Council (following which its terms shall prevail):

- Bidders shall at all times treat the information as confidential;
- Bidders shall not disclose, copy, reproduce, distribute or pass the information to any other person at any time or allow any of these things to happen;
- Bidders shall not use the information for any purpose other than for the purpose of making (or deciding whether to make) a bid;
- Bidders shall ensure that each of its consortium members / partners who receives any of the information are made aware of, and complies with the provisions of, this section as if it were a Bidder;
- Bidders shall maintain a log of the distribution of the information to any other party;
- Bidders may only disclose, distribute or pass information to another person (other than consortium members / subcontractors previously notified to the Council in writing) if either:
 - This is done for the sole purpose of enabling a bid to be made and the person receiving the information undertakes in writing to keep the information confidential on the same terms as set out in this sub paragraph; or
 - The Bidder obtains the prior written consent of the Council in relation to such disclosure, distribution or passing of information; and
- Bidders, their consortium members / partners must return or destroy all information, including copies, as and when requested in writing by the Council.

By participating in this ITN stage Bidders acknowledge that:

- The Council may disclose detailed information relating to Bids to the Council's mayor, members, directors, officers, employees, agents or advisers and the Council may make key documents submitted to it by Bidders available for private inspection by the

Council's mayor, members, directors, officers, employees, agents or advisers;

- The Council reserves the right to disseminate information that is materially relevant to the project to all Bidders, even if the information has only been requested by one Bidder, subject to the duty to protect any Bidder's commercially sensitive information in its Bid. The Council will act reasonably as regards the protection of commercially sensitive information relating to the Bidder in the light of the latest published guidance on this area; and
- Bidders shall not undertake (or permit to be undertaken) at any time any publicity activity in relation to this project, other than with the prior written consent of the Council to publication and to the content of any publicity.

5.8 Freedom of Information Statement

The Council is subject to the Freedom of Information Act 2000 ("Act") and Environmental Information Regulation ("EIR"). As part of the Council's duties under that Act or EIR, it may be required to disclose information concerning the procurement process or the contract to anyone who makes a reasonable request.

If any Bidder considers that any of the information provided as part of the tender process and/or submission to the Council or in any Tender responses is commercially sensitive (i.e. it could reasonably cause prejudice to the commercial interest of the Bidder concerned if disclosed to a third party, for example information that constitutes a trade secret) then it must be clearly marked or labelled on each sheet of the Tender response and any Tender submission as "Not for disclosure to third parties" together with valid reasons in support of the information as being exempt from disclosure under the Act.

Whilst the Council will endeavour to consult with Bidders, and have regard to comments and any objections made, before it releases any information to a third party under the Act or the EIR, the Council shall

be entitled to determine in its absolute discretion whether any information is exempt from the Act and/or the EIR, or is to be disclosed in response to a request for information. The Council cannot be held liable for any loss or prejudice caused by such disclosure, including without limitation whether or not information has been marked as "Not for disclosure to third parties" or whether any reason justifying an exemption under the Act has been provided to support a request to withhold its disclosure has been given.

5.9 Conflicts of Interest

The Council requires that Bidders consider, identify and resolve all actual or potential conflicts of interest to the Council's satisfaction.

5.10 Canvassing and Non-corruption

Responses shall only be submitted on the basis that they are bona fide. In recognition of this principle any Bidder who, in connection with this project:

- offers any inducement, fee or reward to any member or officer of the Council or any person acting as an advisor for the Council in connection with the project; or
- does anything which would constitute a breach of the Prevention of Corruption Acts 1889 to 1916; or
- canvasses any of the persons referred to in this paragraph in connection with the project;

may be disqualified (without prejudice to any other civil remedies available to the Council and without prejudice to any criminal liability which such conduct by an applicant may attract).

The word 'Bidder' for these purposes shall be deemed to include any and all persons employed by the Bidder, or who are purporting to act on the Bidder's behalf whether the Bidder is aware of their acts or not.

5.11 Collusive Tenders

Any Bidder who, in connection with this project:

- fixes or adjusts his bid/submission by or in accordance with any agreement or arrangement with any other Bidder or other third party (other than a member of its own bidding team); or
- enters into any agreement or arrangement with any other Bidder or other third party (other than a member of its own consortium) that it shall refrain from making a Submission or as to the contents of a Submission; or
- causes or induces any person to enter such agreement as is mentioned in either paragraph above or to inform the Bidder or other third party of the contents of any Submission; or
- canvasses any of the persons referred to in connection with the project; or
- offers or agrees to pay or give or does pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done any act or omission in relation to any other Submission or proposed Submission; or
- communicates to any person other than the Council the contents of its proposed Submission (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the Submission and except where such disclosure is made in confidence to the Bidder's professional advisors) in connection with the preparation of the Submission, may be disqualified (without prejudice to any other civil remedies available to the Council and without prejudice to any criminal liability which such conduct by a Bidder may attract).

5.12 Criminal Matters

The Council requires that no criminal offences have been committed by any Bidder in relation to its business.

If during the procurement of the Project a Bidder is convicted of a criminal offence relating to a corrupt or anti-competition act or omission arising from the procurement or supply of goods or services to a public body then the Council may following such conviction exclude the same Bidder from the procurement of this project.

5.13 Health and Safety, Disability, Non-Discrimination and Diversity

Bidders and partnering organisations shall not unlawfully discriminate within the meaning and scope of any law, enactment, order, or regulation relating to discrimination (whether in race, gender, religion, disability, sexual orientation or otherwise) in employment.

Bidders and partnering organisations shall comply with and shall ensure and procure that their employees, agents, sub-contractors and their respective employees and agents comply with the requirements of all relevant statutes, regulations and British Standards implementing international or European standards (or the European equivalent), including those that relate to Health and Safety.

5.14 Council not Bound

The issue of this ITN (or subsequent procurement documentation) in no way commits the Council to short list Bidders or award any contract pursuant to this procurement process.

Nothing in this ITN shall oblige the Council to short list Bidders or award a contract and the Council shall be able in its sole discretion to withdraw from the procurement process at any stage. Bidders shall not be entitled to claim costs or damages from the Council in these circumstances.

The Council reserves the right, subject to relevant legislation, at any time to reject any Submission or Bid and/or to terminate discussions with any one or more Bidders.

The Council is not bound to accept any Submission.

No offer or bid is deemed to be accepted until the final contracts have been duly signed on behalf of the Council and all of the relevant parties and declared unconditional.

Negotiation with the Council (including any notification of short-listing or preferred bidder status) does not imply acceptance of any offer or constitute an indication that an applicant will be awarded a contract.

5.15 Costs and Expenses

The Council and each Bidder shall be responsible for its own costs of bidding and negotiation. The Council reserves its position as to whether or not it will enter into contractual arrangements in regard to the project, and the procurement process will be entirely at the Bidders' risk. The Council shall bear no liability whatsoever for the outcome of the procurement process for this project and shall not be liable for the costs of any preparation, negotiation meetings or communications, fine tuning, or any loss of profit or other economic loss incurred by Bidders.

5.16 Reliance on Information and Due Diligence

The Council makes no representations or warranties as to the accuracy of the information contained or referred to in this Invitation to Negotiate documentation and information provided in the course of the procurement process. Bidders must seek their own independent legal advice on applicable laws and regulations and shall rely absolutely on their own professional competence in evaluating and verifying such information before responding to this document. The Bidders must take every opportunity to inspect and independently verify such information subject to complying with any agreed provisions as to confidentiality as defined by Section 5.7 above. The Council reserves the right to supplement or amend the information contained or referred to in its requirements from time to time and undertakes to communicate any such amendment to Bidders.

Where Bidders have any enquiries arising from this ITN documentation or which may have a bearing on the offer to be made these should be

raised with the Council, as soon as possible in writing and in any case not later than 2 January 2015 .

None of the Council, members, directors, officers, employees, agents or advisers make any representation or warranty as to, or accept any liability or responsibility in relation to, the adequacy, accuracy, reasonableness or completeness of any information provided as part of the procurement or any part of it (including but not limited to loss or damage arising as a result of reliance by the Bidder on the Information or any part of it).

5.17 Communication

Any clarification queries concerning this document should be forwarded via the messaging facility of the Council's portal, www.barnetsourcing.co.uk.

5.18 Failure to Comply

Failure to comply with the instructions set out in this document or any procedures required in it may result in a Bidder not being considered by the Council. The Council also reserves the right to reject any Bidder who is guilty of serious misrepresentation in supplying any of the information requested in this document or at any point in the procurement process.

5.19 Evaluation of Submissions

The Council's evaluation criteria and relative weightings are:

CRITERIA	WEIGHTING
Placemaking	25% (with 2.5% attributed to presentation)
Delivery	50% (with 5% attributed to presentation)
Finance	25%

Presentations	7.5% (as above)
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The following evaluation methodology together with the information at Appendix 2 will be used to evaluate bidder responses.

Initial Assessment

The responses will be reviewed to ensure that:

- the response has been submitted on time and meets the Council's submission requirements which have been notified to bidders;
- the response is sufficiently complete to enable the response to be evaluated in accordance with the Evaluation Methodology and the Council reserves the right to request additional information where a response is not sufficiently complete;
- the bidder has not placed the Council in contravention of the terms and conditions of the procurement process.

Responses which do not satisfy the Initial Assessment criteria may be rejected.

Detailed Assessment

The remaining Bidder responses following the Initial Assessment will be subject to a detailed evaluation exercise. The responses will be scored against the ITN Response Requirements, Guidance and Minimum Requirements taking account of the Evaluation Criteria. These have been weighted to show the relative importance to the Council. A bid which fails to meet the Council's Minimum Requirements may be considered non-compliant and the Council may therefore exclude the bidder from the process.

Where any evaluation criteria specifies a range of 0 – 5 (where 0 is a Very Poor Response and 5 Exceeds Expectations) the score will be weighted to calculate the overall mark as follows:

- A score of 5 = 100% of the overall mark available
- A score of 4 = 80 % of the overall mark available
- A score of 3 = 60% of the overall mark available
- A score of 2 = 40% of the overall mark available
- A score of 1 = 20% of the overall mark available
- A score of 0 = 0% of the overall mark available

The Council will use the following scoring definitions to score bidder's responses:

- 5 – Excellent response provided against the objectives of the project and the Council's requirements and/or minimises the level of risk to the Council or the delivery of the project. Response inspires total confidence and exceeds the Council's requirements with evidence provided in support of all aspects of the response. No reservations about the response.
- 4 – Very good response provided against the objectives of the project and the Council's requirements without creating a disproportionate level of risk to the Council or the delivery of the project. Response inspires great confidence and exceeds or meets the Council's requirements with all requirements being addressed thoroughly and convincingly. No significant reservations about the response.
- 3 – Acceptable response provided against the objectives of the project and the Council's requirements without creating significant risk to the Council or the delivery of the project. Response is broadly compatible with the Council's requirements and demonstrates a sound understanding of the objectives of the project. Only moderate reservations about the response.
- 2 - Poor response provided against the objectives of the project and the Council's requirements and/or creates a high level of

disproportionate risk to the Council or to the delivery of the project. Response fails to demonstrate a substantive understanding of the Council's requirements and gives significant cause for concern about the delivery of the objectives of the project.

- 1 – Very poor response provided against the objectives of the project and the Council's requirements and/or creates a very high level of disproportionate risk to the Council or to the delivery of the project. Fails to meet the Council's requirements and/or no confidence about the delivery of the objectives of the project.
- 0 – Unacceptable response provided which completely fails to address the criteria and/or fails to demonstrate any understanding of the Council's requirements or fails to deliver the specified Minimum Requirements and/or no confidence about the delivery of the objectives of the project.

5.20 Notification of evaluation

The Council intends to evaluate and notify Bidders by 13 March 2015. The Council will notify Bidders if this date changes.

The Council reserves the right, at its discretion, to request clarifications in writing or further relevant information from any Bidder after the submission of responses.

5.21 Guidance to bidders

Performance bond/guarantee

The successful Bidder may be required to provide a bond and/or a parent company guarantee. A form of parent company guarantee is attached at Annexure 3 – the Council may make reasonable amendments to this once the detail of the structure and contractual arrangement is settled and the preferred bidder has been selected.

Consortium Bids

Where a Bidder comprises one or more legal entities the Bidder will be asked to confirm if:

- a) members of the consortium intend to form a special purpose vehicle; or
- b) members of the consortium will accept joint and several liability (in either case a "**Consortium Bid**"); or
- c) there is intended to be a lead party which will take primary responsibility for delivery of the obligations with other members acting as subcontractors – (which we will refer to as a "**Lead Partner Bid**").

If your response to the above differs from any information provided at PQQ stage then you should seek the Council's approval to this.

Any changes to members of a Consortium Bid or a Lead Partner Bid should be made in accordance with the following guidance.

Changes to a bidding team should be notified immediately to the Council and if two or more Bidders propose to work together and form a single entity then this must only happen with the prior written approval of the Council.

In the case of a Consortium Bid:

- Consortium members may be replaced or may withdraw so long as the Council agrees that this would not have adversely affected the evaluation of that bid at PQQ stage or provided it does not fundamentally alter the character of the consortium;
- Where new members are proposed to join the consortium, details should first be provided to the Council for its written approval and the Council reserves the right to require specific information in relation to that proposed member

In the case of the Lead Partner Bid scenario:

- If the lead partner withdraws from the process then the subcontractors may not continue in the process – the entire bid will be disqualified;
- A subcontractor may be replaced or may withdraw but only if the Council agrees in writing that this would not have adversely affected the evaluation of that bid at PQQ;
- Where new subcontractors are proposed, details should first be provided to the Council for its written approval and the Council reserves the right to require specific information in relation to that proposed subcontractor.

The Council reserves the right to take additional factors into account in accepting, or otherwise, a change to a bidding team.

Once contract award has taken place, further changes to a bidding team will be subject to the Council's express approval.

ANNEXURE 1

**LONDON BOROUGH OF BARNET
Collusive Tendering Certificate**

TO: The Mayor and Burgesses of the London Borough of Barnet, North London Business Park, Oakleigh Road South, London N11 1NP

I/we certify that this is a bona fide tender, and that I/we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreements or arrangement with any other person. I/we certify that I/we have not done and I/we undertake that I/we will not do at any time before the hour and date specified for the return of this tender any of the following acts: -

- a) communicating to a person other than the person calling for those tenders the amount or approximate amount or terms of the proposed tender, except where disclosure, in confidence, of the approximate amount of the tender was necessary to obtain insurance premium quotations required for the preparation of the tender;
- b) entering into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount or terms of any tender to be submitted;
- c) offering or paying or giving or agreeing to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the said work any act or thing of the sort described above.

In this certificate, the word “person” includes any persons and any body or association, corporate or unincorporate; and “any agreement or arrangement” includes any such transaction, formal or informal, and whether legally binding or not.

Dated the day of 2015

SIGNED

(on behalf of)

ANNEXURE 2

LONDON BOROUGH OF BARNET
Form of undertaking

To: The Mayor and Burgesses of Barnet London Borough Council
North London Business Park, Oakleigh Road South,
London N11 1NP

- 1 We certify that the information supplied in our Invitation to Tender submission/written response is accurate to the best of our knowledge.
- 2 We understand that false information could result in our Invitation to Tender/written submission being rejected and not being considered by the Council.
- 3 We confirm that we accept the conditions and undertakings set out in the Invitation to Tender.
- 4 We confirm that we shall ensure that any of our current or future partners in relation to this project shall adhere to the same conditions.
- 5 If we are selected by the Council as its preferred partner we undertake at the instruction of the Council (in its absolute discretion) that we (or our parent company (as required by the Council)) to promptly enter into the bond and/or parent company guarantee as set out in this Invitation to Tender.
- 6 I am the authorised signatory of the legal entity mentioned below and am duly authorised to submit this submission and to bind the company.

I/We

.....
...

(Insert the full name of the Bidder including 'Ltd.' 'PLC' or as the case may be. N.B. if the legal name is a business name not followed by 'Ltd.' or 'PLC' or a similar expression, please state the legal nature of the Bidder e.g. partnership or incorporated unlimited company.)

of

.....
.....

.....
....

.....(insert
address)

or being a company registered in England/Scotland

..... (insert other country of incorporation)

whose registered number is

.....(insert company registration number)

and whose registered office is at

.....

.....(insert registered address of company)

Dated:

Signed:

Full name of signatory:

Capacity of signatory

On behalf of:
(full name of Bidder)

Dated the day of 2015

ANNEXURE 3

LONDON BOROUGH OF BARNET
Form of Parent Company Guarantee

This Deed is made the [•] day of [•] 201[]

Between

- (1) **[Authority]** of [•] (the **Authority**);
- (2) **[Guarantor]** (No.[•]) of [•] (the **Guarantor**); and
- (3) **[Joint Venture Partner]** of [•] (the **Preferred Partner**).

Whereas:

- (A) The Authority and the Preferred Partner have entered into an agreement dated [•] (the **Agreement**) whereby the Preferred Partner will undertake the regeneration of Brent Cross South in the London Borough of Barnet in accordance with the Project] Agreement and the [] (the **Agreements**) (the **Regeneration**), and the Guarantor has given the Authority an undertaking to enter into a Deed of Guarantee on the following terms.
- (B) The Guarantor has agreed to guarantee the due performance of the Agreement(s) in the manner specified in this Deed.

Operative provisions:

In consideration of the payment of one pound (£1.00) by the Authority to the Guarantor, receipt of which the Guarantor acknowledges, and of the Authority entering into the Agreement(s):

- 1 For the avoidance of doubt this Deed constitutes a guarantee.
- 2 The Guarantor unconditionally and irrevocably guarantees to pay forthwith on demand all sums stated in such demand to be payable by the Preferred Partner to the Authority under the Agreement(s) and unpaid, together with all costs and expenses which the Authority may incur in enforcing this Deed.

- 3 If the Preferred Partner in any respect fails to observe or perform any of its duties or obligations to the Authority under or in connection with the Agreement(s), or if the Preferred Partner fails to pay any debt, damages, interest, costs or other sums due from the Preferred Partner to the Authority under or in connection with the Agreement(s), then the Guarantor shall discharge the performance of the said duties and obligations, and shall, if required to do so by notice given by the Authority, itself pay to the Authority without any deduction or set-off the amount of such debt, damages, interest, costs or other sums as the case shall require.
- 4 If the Authority becomes aware of any circumstances in respect of which the Authority will or may wish to bring any claim against the Guarantor under this Deed, or if the employment of the Preferred Partner under the Agreement(s) is or is purportedly terminated by reason of breach or on the occurrence of an [Insolvency Event] (as defined in the Agreement(s)) in respect of the Preferred Partner, then the Authority shall forthwith give notice of such matter to the Guarantor and shall (save in the case of an Insolvency Event in respect of the Preferred Partner) afford the Guarantor 28 days to remedy such matter or to perform or procure the performance of the Preferred Partner's duties and obligations under the Agreement(s) which remain to be performed (or which, but for such termination, would have remained to be performed).
- 5 Save where such location shall have been agreed (either in respect of the Preferred Partner, the Guarantor, or both) pursuant to the Agreement(s), the Guarantor will not locate any of the Assets (as defined in the Agreement(s) and used by the Preferred Partner or the Guarantor in the performance of its obligations under the Agreement(s)) outside of the United Kingdom.
- 6 The Agreement(s) may be modified, amended or supplemented in any manner whatsoever without the consent of the Guarantor, and no such modification, amendment or supplement shall release or impair the liability of the Guarantor under this Deed, which shall extend to the duties, obligations and liabilities of the Preferred Partner under the Agreement(s) as so modified, amended or supplemented. No invalidity in the Agreement(s) or its avoidance or termination shall affect or impair the liability of the Guarantor under this Deed.
- 7 The Guarantor shall not be discharged or released from this Deed, nor shall its liability under this Deed be affected or impaired, by any delay or failure to exercise any right under this Deed or by any

agreement, conduct, waiver, concession, compromise or allowance of time or forbearance between or given to the Preferred Partner by the Authority and the terms of this Deed shall apply to the terms of such compromise as they apply to the Agreement(s).

- 8 The Authority shall not be obliged to pursue any means of recourse against the Preferred Partner before enforcing the terms of this Deed, and the Authority shall be at liberty to compromise, release, waive or neglect any security as it sees fit, without impairment of its rights under this Deed.
- 9 This Deed shall remain in full force and effect until all money and liabilities due and owing or incurred by the Preferred Partner to the Authority have been fully satisfied and all obligations of the Guarantor to the Authority have been discharged.
- 10 This Deed is in addition to and not in substitution for any other guarantee or security or other obligation given or owing to the Authority in respect of sums due or liabilities arising under the Agreement(s).
- 11 The liquidation or receivership or insolvency of the Preferred Partner shall not affect or reduce the liability of the Guarantor under this Deed.
- 12 So long as any liability incurred by the Preferred Partner to the Authority under or in connection with the Agreement(s) remains unsatisfied, the Guarantor shall not:
 - 12.1.1 seek to enforce against the Preferred Partner payment by receipt of money, set-off, enforcement of security, proof of debt, subrogation or otherwise of the amounts paid by the Guarantor under this Deed;
 - 12.1.2 in the event of the insolvency, winding up, liquidation or dissolution of the Preferred Partner prove in competition with the Authority in respect of any money owing to the Guarantor by the Preferred Partner, but will give the Authority the benefit of any such proof and of all money to be received in respect thereof.
- 13 If, notwithstanding the above provisions of clause 12, at a time when any liability incurred by the Preferred Partner to the Authority under or in connection with the Agreement(s) remains unsatisfied, the Guarantor receives any moneys or property in respect of amounts paid by the Guarantor under this Deed or owing to the Guarantor by

the Preferred Partner, the Guarantor shall hold such moneys or property on trust for the Authority and shall pay or transfer the same to the Authority immediately on request to the extent required to satisfy the unsatisfied liability.

- 14 Any money judgment of the court or award or decision arising out of the Dispute Resolution Procedure against the Preferred Partner in favour of the Authority under the Agreement(s) shall be conclusive evidence for the purposes of this Deed as to any liability of the Preferred Partner to which such judgment or award or decision relates (unless or until the same is set aside by any competent tribunal) but on condition that if the Authority commences any proceedings in court or an expert determination under the Dispute Resolution Procedure against the Preferred Partner under or in connection with the Agreement(s), it shall so notify the Guarantor within 28 days after their commencement. The Authority and the Preferred Partner each agrees that if the Guarantor requests within 28 days of such notification that it be joined as a Party to or be heard in such proceedings, it will promptly take all reasonable steps within its power to have the Guarantor joined or given rights of audience in such proceedings.
- 15 The Authority may without the consent of the Guarantor assign or charge the benefit of this Deed to any person to whom the Authority lawfully assigns or charges the benefit of any of the Agreement(s).
- 16 Any demands notice or requests to be made or given by any Party under this Deed will be sufficiently served if sent by hand, by facsimile transmission or by post to the registered office or if there is none the last known address of the Party to be served. Any notice sent by hand will be deemed to be served on the date of delivery and any notice sent by facsimile transmission will be deemed to be served in full at the time recorded on the facsimile report sheet provided that if any notice sent by hand or facsimile is sent after 4.45 pm on any day it will be deemed to be served on the next working day. Any notice sent by post will be deemed to have been duly served at the expiration of 48 hours after the time of posting if the end of that period falls before 4.45 pm on a working day and otherwise on the next working day.
- 17 This Deed shall remain in force despite any change in the constitution of the Guarantor, the Preferred Partner or the Authority.
- 18 The Guarantor warrants and represents to the Authority that it has full power to enter into and perform its obligations under this Deed.

- 19 This Deed shall be binding on the Guarantor's successors in title.
- 20 This Deed will be construed in accordance with English law and be in all respects subject to the exclusive jurisdiction of the English courts.
- 21 No term of this Deed is enforceable under the Contracts (Rights of Third Parties) Act 1999 by a person who is not a Party to this Deed.
- 22 The liability of the Guarantor under this Deed shall be co-extensive with the liability of the Preferred Partner under the Agreement(s) and the aggregate liability of the Guarantor under this Deed shall in no event be greater than the Preferred Partner's aggregate liability under the Agreement(s).

In Witness whereof the parties have executed this guarantee as a deed on the date first set out above.

Executed as a Deed by:

APPENDIX 2

BRENT CROSS EVALUATION CRITERIA AND METHODOLOGY
INVITATION TO NEGOTIATE

PLEASE NOTE THAT THE WORDING OF THE QUESTIONS SHADED GREEN ARE SLIGHTLY DIFFERENT TO THAT CONTAINED IN THE MOI

Ref Evaluation Topic	ITN Response Requirements	Guidance	Minimum Requirements	Evaluation Method	Scoring Definition	Page/content limit	Weighting
1(a) Placemaking	Describe your understanding of the Council's objectives and requirements	Please refer to the MOI, the Statement of Objectives and the various Mindfolio documents available in the online data room		Please see the Mindfolio Scorecard. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	Please see the Mindfolio Scorecard.	5	2.5%
1(b)	Describe your approach to making this place a successful and integrated part of Barnet and London	The question gives all bidders an opportunity to demonstrate its understanding of the Council's objectives and requirements for the development at Brent Cross. Please refer to the MOI, the Statement of Objectives and the various Mindfolio documents available in the online data room The bidder is to deliver a Placemaking strategy to pick up on and respond to the contents of the Mindfolio Score Card, recognising both the Council's objectives and the opportunity presented by the site.		Please see the Mindfolio Scorecard. All key aspects are picked up on. Strategy for 'success' has clear SMART objectives; Specific, Measureable, Assignable, Realistic and Time related. Makes particular reference to integration and looks beyond the redline of the planning application and the shopping centre Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	Please see the Mindfolio Scorecard.	8	5%
1(c)	The Council is expecting its partner to finalise a jointly-owned Business Plan before entering in to a formal joint venture. In anticipation of this: (1) What is your approach to creating a sustainable economic basis for the area, taking in to account the potential of the commercial accommodation provided by the extant outline planning consent? (2) Can you realise your vision within the parameters of the extant outline consent? (1) If not, why not? What aspects would you revisit? (2) If yes, what would be the extent of the first phase?	Please refer to the MOI, the Statement of Objectives and the various Mindfolio documents available in the online data room. The Council expects that the response to this question will clearly approach the question of how to make best use of the opportunity presented by the considerable amount of commercial floorspace within the outline consent. Please refer to the Planning documents contained in the on-line dataroom. Over and above the need to meet its stated objectives, the Council is not wedded to the consented scheme. It will be looking for evidence that the bidding team fully understands the parameters of the consent and provides detailed justification for its position (either way). Bidders may choose to illustrate their thinking with images and/or with reference to residual development appraisal models.	The Council's minimum requirement as to job density is 0.65 jobs per working age person which is expected to be exceeded	Response describes a process that clearly links to "Wealth and Opportunity" in the Mindfolio Scorecard and focuses on how the partner will approach the consideration and delivery of up to c.4.25million sqft of commercial floorspace. Provides a well considered approach to testing the market, delivers 'big ideas', considers how to attract early adopters and describes the method for attracting talent. Evidence used to deliver confidence that the plan can deliver the intended outcomes. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b)incorporates the Council's minimum requirements in relation to this question.	A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.	5	2.5%
				Maximum scores will be allocated on the basis that the bidder demonstrates a detailed awareness of the extant consent, that it has considered the various aspects against both the Council's objectives and its own vision for Brent Cross South. The Council will evaluate how realistic it may be to secure planning permission for any proposed change Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.	7	2.5%

	<p>(iii) If you have an alternative approach to masterplanning the site, please describe it and how long will it take to test and what value will it add to the Council? (1) how much is the work is expected to cost? and (2) over what time period?</p>	<p>The Council expects testing to be complete before entering in to a formal contractual relationship and that costs will be incurred solely by the preferred partner i.e. LBB is not paying for testing for testing sake and this is at the preferred partner's risk. Bidders may choose to illustrate the description of the approach with images and/or reference to residual development appraisal models.</p>	<p>The minimum requirement is that any testing will (a) be at the cost of the bidder and (b) will not take longer than 6 months from selection of the preferred bidder</p>	<p>If the bidder has stated that an alternative approach will be pursued, maximum scores will be allocated on the basis that the bidder demonstrates a detailed plan for testing the alternative and provides specific goals for the process that are demonstrably aligned to the Council's objectives. Any testing to take not longer than 6 months. If no alternative is proposed, the bidder provides a detailed explanation of why not and why this would be in the Council's interest. Bidders should note that the Council will evaluate whether a proposal might have an adverse impact on the proposed CPO Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b) incorporates the Council's minimum requirements in relation to this question.</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>8</p>	<p>5%</p>
	<p>(iv) Please explain your thoughts on the impact of a new train station at Brent Cross South. How might your plans change if the station is not implemented?</p>	<p>Bidders are invited to consider the potential benefits of the new station on the scheme and support this with reference to case studies and demonstration of awareness of how infrastructure impacts on land value.</p>		<p>The response provides an evidence based assessment of the benefits of a new station and with reference to the MindFolio scorecard. Response provides a reasoned impact analysis of how the scheme will be affected by the absence of the station. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>5</p>	<p>2.5%</p>
	<p>(v) How long do you envisage the business planning process will take?</p>	<p>Bidders are invited to provide a GANTT chart for the business planning process which demonstrates who and how the various matters will be addressed. The Council notes that this is subject to availability and commitment from LBB officers, members and other stakeholders. Bidders' responses will be expected to demonstrate where Council and third party input will be required.</p>	<p>The business planning process shall not be timebtable in such a way so as to cause a delay beyond the target start on site date at the start of 2017</p>	<p>Maximum scores will be awarded on the basis that the Council is satisfied that the Bidder fully appreciates the resources required for the Business Planning process and how the Council and other third parties will contribute to the process. Bidders are expected to highlight potential risks to the process, with proposed mitigation strategies. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b) incorporates the Council's minimum requirements in relation to this question (if any).</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>2</p>	<p>2.5%</p>
<p>2(a) Delivery</p>	<p>Please provide details of your team members including professional appointments and confirm: (1) who will lead from within your company; and (2) who will sit on the JV board / project executive.</p>	<p>The Council is expecting two representatives to be appointed to the JV Board, to join two representatives from the Council and an independent Chair. The Board members are expected to have considerable (10+ years) relevant experience with demonstrable experience of partnership working.</p>	<p>As a minimum requirement there should be equal Council / developer representation on the board plus an independent chair with the proposed board members having over 10 years relevant experience</p>	<p>Individual CVs should show clear evidence of how the experience of your individuals will ensure delivery of the project objectives and the Council's requirements. Clear statement as to how Placemaking will be managed as an agenda item. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b) incorporates the Council's minimum requirements in relation to this question.</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>2</p>	<p>4%</p>

(i)	Who will support from within your company? Please provide a team organigram.	Full internal team organigram.		Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	1	2%
(ii)	Please explain how the experience of your team members will ensure delivery of the project objectives and the Council's requirements.	Bidders should show clearly how relevant case studies show that the individuals are well placed to address the Council's objectives moving forwards.		Clear linkages between named individuals and relevant case studies. Project examples show where the team has led planning processes, phased delivery and deferred financial returns to ensure delivery of the project objectives and the Council's requirements. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question.	4	3.5%
(iv)	What key skills and attributes do your internal team members bring?	The Council is seeking clear statement of skills and expertise, over and above generic CVs. Skills link to the Mindfolio scorecard and cross-reference to the Council's objectives and requirements.		Submission will make it clear what key skills are required and how the proposed team will deliver them. Skills will be related to the Council's objectives and reference to specific requirements of progressing the scheme. Examples will include understanding of Rail stakeholders, CPO, development and contract management, finance, project management. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	2	2%
(v)	What process will you adopt in making professional appointments?	Where appointments are yet to be made, Bidders are invited to describe their process for appointing further professional support. The process is to describe the processes and systems that will be used to select the most appropriate companies/individuals at the basis of a competitive rates. The process is expected to form the basis of a commitment within the eventual delivery agreement with the Council	It is a minimum requirement that there should be a commitment to competitive tendering	Submission recognises the commercial benefits of competitive tendering and embeds this process in each and every appointment. Any departure from such a strategy is to be explained and supported by examples. Clear understanding of the Council's reputation and requirements as a party to the process. Acknowledges potential for Council and Re's involvement to get economic advantage. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b)incorporates the Council's minimum requirements in relation to this question.	3	1.5%
(vi)	Detail any professional appointments you have/would like to make as preferred partner. Explain why you would make these appointments and the benefits they would bring to the project. Where have you worked with the nominated professionals and what outcomes have been achieved with their support?	Named individuals as opposed to generic "Capita" for example. Specific benefits, supported by examples of previous appointments. Reasoned justification for the specific proposed professional appointment. Outcomes include swift consents, award winning design, high levels of engagement etc		Submission provides clear justification and explanation. Demonstrable track record of working together in previous situations. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	2	2%
2(b)	Please comment on the technical information that has been provided to you and comment on whether you consider there are any further studies or reports that you require prior to entering in to a Joint Venture with the London Borough of Barnet.	The Council is seeking evidence of the Bidder having fully considered the technical information and a reasoned justification for further work. In terms of further work, the Council is expecting to receive an explanation of the required studies and anticipated timing. It is expected that these reports will be included in the GANT chart within question 1(c).v.		Response shows a detailed appreciation of the contents of the data room and provides a comprehensive assessment of what else will be required in preparation for the contractual relationship. Response is balanced and pragmatic linking to where the team has undertaken delivery in partnership arrangements. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question	2	2.5%

2(c)	<p>How do you propose to engage with third party interests (Network Rail, Tesco, Hammerson and Standard Life Investments for example)</p>	<p>Clearly identified roles and responsibilities for third party negotiations. The selection of individuals is cleared explained and potentially linked to track record in similar negotiations with positive outcomes. Description of Project Management arrangements and demonstrable awareness of the complications and program risks that can be introduced by third parties. Bidder offers pragmatic and commercial solutions to the challenges posed.</p>		<p>Bidder clearly defines both roles and the strategic context for these negotiations and relationships. Proposal is evidence based and linked to prior experience. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	5	5%
2(d)	<p>How will you facilitate/procure the delivery of the scheme? Please break your answer down for: (1) infrastructure (2) the development plots (3) estate management</p>	<p>Response covers both "procurement" and project management. i. Methodology for both procuring infrastructure and spreading the cost/burden as required. How might phasing be informed by infrastructure requirements? ii. Methodology for deciding whether to directly develop or to bring in third parties. Explanation of how direct development would be demonstrably in the interests of the landowners. iii. Estate Management is via a method to keep service charges to an absolute minimum whilst maintaining quality. How to design-in to the Placemaking agenda. In addition to financial considerations, bidder demonstrates consideration as to how to capture social, economic and environmental benefit. London Procurement Pledge.</p>		<p>Score to be equally distributed between i-iii. Methodology refers to and demonstrates best practice will be embedded in the partnership. Links closely with Question 3a but focusses on viability analysis. Provides a simple methodology for weighing options against the Council's requirements and objectives. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	5	7.5%
2(e)	<p>How will you maintain high build quality over the life of the scheme?</p>	<p>Proven Project Management and monitoring processes. Successful use of Design and Quality standards and guidance. Introduce capacity for LBB as landowner to consider the cost/benefit of how quality might impact land receipts and reduce maintenance costs in terms of successful place making. Bidders should set out their own minimum requirements for delivering high build quality.</p>		<p>Response provides an evidence based approach to long term commitment to high quality. Recognises and addresses that in some instances the commitment to a high quality may impact short term gains in the interest of long term benefit. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	2	2.5%
2(f)	<p>How will you help ensure best value through delivery procurement?</p>	<p>Expect the use of competitive tendering, use and/or creation of existing panels or relationships as might be appropriate.</p>	<p>It is a minimum requirement that there should be a commitment to competitive tendering</p>	<p>Bidder provides a detailed process for the procurement of infrastructure in an objective manner that will enable robust assessment and most economically advantageous terms for the Council and its partners. Process is expected to test for conflicts, quality, programme and CSR (not exhaustive). Where the bidder is capable of self-delivery the Council expects that the process will still be competitive (market tested) and managed appropriately. Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b)incorporates the Council's minimum requirements in relation to this question.</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	2	2.5%

2(g)		<p>Bidders should prepare an implementation programme showing the sequence of events (and the timings) for those events which must occur after entering in to a Joint Venture but prior to a start on site. The implementation programme gives bidders an opportunity to demonstrate their understanding of the key issues which may impact upon the timing of a start on site and to demonstrate their understanding of the Council's objectives by programming the start on site effectively.</p> <p>The implementation programme should be accompanied by a method statement which sets out the bidder's approach in developing the implementation programme.</p> <p>The method statement should include:</p> <p>(A) an explanation as to how the programme is considered to facilitate the achievement of the Council's objectives;</p> <p>(B) an explanation of the risks to a prompt start on site; and</p> <p>(C) details of the risk mitigation measures proposed by the bidder; and</p> <p>(D) any specific processes or systems which the bidder intends to adopt in order to facilitate achievement of the programme (together with any examples of where such systems or processes have been used elsewhere).</p>	<p>The minimum requirement is that the programme should target a start on site in early 2017. The Market Square at the southern end of the Living Bridge should form part of the first phase</p>	<p>The Council will be assessing your implementation programme and method statement against the following criteria:</p> <p>(A) your programme will need to demonstrate that a start on site will be made in a timely way in order to meet the Council's objectives;</p> <p>(B) the programme and method statement should include a detailed and realistic review of the risks to a prompt start on site and demonstrate how you intend to mitigate those risks; and</p> <p>(C) the programme and method statement should include a review of the processes and systems which will be used to increase the efficiency of the programme.</p> <p>Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b) incorporates the Council's minimum</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>5</p>	<p>5.0%</p>	
2(h)		<p>Responses should:</p> <p>(A) set out the Key Performance Indicators for assessing the partners' successful performance as members of the Joint Venture;</p> <p>(B) explain how each of the Key Performance Indicators will be assessed using SMART (Specific, Measurable, Action Related, Relevant and Time Limited);</p> <p>(C) demonstrate how the Key Performance Indicators will ensure delivery of the project objectives and the Council's requirements.</p> <p>The Key Performance Indicators which need to be reflected in your response as a minimum are set out in the Terms of Reference document.</p>	<p>Please refer to Descriptive Document for more information and guidance.</p>	<p>The Council will be assessing your response against the following criteria:</p> <p>(A) your approach to setting Key Performance Indicators which can be measured using SMART;</p> <p>(B) an understanding of the Key Performance Indicators which are required to ensure that the project objectives and Council's requirements will be delivered; and</p> <p>(C) your approach to Joint Venture working and the responsibilities of the respective parties in satisfying the Key Performance Indicators;</p> <p>Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up: (a) reflects fully the response to this question; and (b) incorporates the Council's minimum</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>5</p>	<p>5%</p>	
3(a)	Finance		<p>Funding will need to strike a balance between debt and equity and make a case for the use of each as required.</p> <ul style="list-style-type: none"> Infrastructure: robust strategy that does not rely on charging land. Plots: more acceptable to charge the plots if being directly delivered as the debt will only be drawn down if the partners are satisfied as to business case. May need an equity commitment. <p>Statement as to how LBB's access to finance might be of use. The Council will grant a building lease that is anticipated to provide adequate security on a phase by phase basis.</p>		<p>Approach clearly articulates the particular challenge of funding infrastructure. Provides evidence based solutions and a clear strategy for funding. Response delivers a balanced assessment of the positive and negative aspects of a variety of options, linked to the need for prompt delivery, resilience and a clear exit strategy and the Council's objectives and requirements.</p> <p>Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	<p>10</p>	<p>7.5%</p>

3(b)	<p>How will the respective financial returns be calculated? How will the returns to the London Borough of Barnet be calculated? Please provide details on:</p> <ul style="list-style-type: none"> (1) your target profit on cost (i.e., your priority return); (2) distribution of returns in excess of your priority return; (3) development management fees; (4) caps and collars on expenditure; (5) corporate guarantees; (6) timing / longstops. <p>Parties will be issued with an unlocked excel spreadsheet for completion.</p>	<p>Expect fully open book calculations with certain aspects fixed in advance (such as profit on cost, development management etc)</p> <p>Bidders should provide worked examples based on the information contained in the appraisals provided. Bidders are asked to express their target return as a profit on cost (making it clear to which costs such profit would apply) to allow a fair evaluation of bidders' responses. This should be provided for three scenarios: (a) the provision of a serviced site, the subsequent development of which is delivered by a third party, and (b) the provision of a serviced site, and subsequent residential development delivered by the developer; and (c) the provision of a serviced site, and subsequent commercial development delivered by the developer.</p> <p>'Profit on cost' measures will be the primary method used to compare Bidders' proposals. If, corporately, bidders have an alternative approach to assessing and receiving an acceptable level of profit then details of this should also be provided in each of the three scenarios having regard to the Council's ambition for long term returns. Bidders will need to state the basis on which they will be prepared to contractually commit to the project and such margins will not be capable of amendment following selection of the preferred bidder without the Council's express approval (in its absolute discretion)</p> <p>Caps and collars: is there potential to cap expenditure at pre-agreed levels and to protect LBB against over-spend?</p>	<p>Response recognises the Council's proposals and responds with a simple process that can be easily explained to a lay person. Provides a robust strategy for calculating returns that will stand the test of time, be fair and equitable and meet the statutory tests that the Council is obliged to adhere to. Response acknowledges that land will be committed at nil upfront consideration. The Council will be interested in an approach to the assessment of and/or distribution of profit which reflects a longer term interest in the success of the project and therefore shares in the Council's approach to providing its land for nil up front consideration.</p> <p>Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p> <p>(Note that page limit excludes financial appraisals which should be submitted within a separate Appendix)</p>	6	10%
3(c)	<p>It is envisaged that the Joint Venture be defined by agreed 'hurdle' rates for phase by phase viability. How will 'viable' be defined? What dispute resolution processes will be introduced?</p>	<p>Definition is split between infrastructure and plot development. Viable infrastructure relates to certainty that land receipts will be expected. Viable plot sales/development is linked to either expenditure to date (+ rolling cost of finance) and/or measurable alternative use values.</p> <p>References to RICS and other sources of guidance as might be appropriate with regards to Viability modelling and Valuation.</p> <p>Dispute resolution refers to independent Chair in most cases except where requires expert support. Suggested method for dealing with costs in these circumstances. The Council would like to understand if (a) bidders will accept a lower hurdle rate of return (in order to start on a phase), perhaps in exchange for a higher target rate of return if the phase outperforms expectations; (b) how hurdle rates might differ in the three scenarios described in the preceding question; (c) how hurdle rates might change as the project progresses</p>	<p>Hurdle rates are simply conceived and will stand the test of time. Reference is made to their successful use in other projects and linked to the definition of viable. Dispute resolution processes are based on RICS best practice and will involve the appointment of an independent third party advisor. Recognises the hierarchy of decision making within the Partnership arrangements.</p> <p>Contract terms - the mark up of the contract terms will be evaluated to ensure that the mark up reflects fully the response to this question</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	4	7.5%
4(a)	<p>Presentation</p> <p>What will Brent Cross South be known for? What is your placemaking strategy?</p>	<p>This section of the presentation is allocated 10% of the overall 25% Placemaking score i.e. 2.5%</p> <p>Please refer to the MOI, the Statement of Objectives and the various Mindfolio documents available in the online data room</p> <p>The question gives all bidders an opportunity to demonstrate its understanding of the Council's objectives and requirements for the development at Brent Cross.</p>	<p>a. 2.5% Bidder delivers 'big ideas' in a succinct and clear manner and conveys them in way that can be easily understood. The rationale behind ideas are well evidenced and owned at a senior level. Specifically addresses the opportunity presented by the commercial content of the scheme and the relationship with surrounding uses. Links back to Council requirements and objectives and Mindfolio's scorecard.</p> <p>b. 5% Bidder provides a clear explanation as to why the proposed team will make this a success. Describes how the various aspects of the scheme will be designed, funded and delivered. Acknowledges and responds to any questions or matters raised in the first Stakeholder presentation.</p>	<p>A score of '0' to '5' will be awarded on the basis set out in the Instructions for Bidders.</p>	40min presentation	7.5%
4(b)	<p>Why are you confident that this scheme can be delivered? What is your delivery strategy?</p>	<p>This section of the presentation is allocated 10% of the overall 50% Delivery score i.e. 5%.</p>				

APPENDIX 3

Document ID	Title	Author	Date	Folder	Comment
BXC01	App Forms			Foms Drawing, Plans	S73 Outline Planning Application Document
BXC01	Drawings/Plans			Foms Drawing, Plans	S73 Outline Planning Application Document
BXC01	Rev DFS			Foms Drawing, Plans	S73 Outline Planning Application Document
BXC02	ES Non Technical Summary			Environmental Statements	S73 Outline Planning Application Document
BXC02	ES Vol 1a			Environmental Statements	S73 Outline Planning Application Document
BXC02	ES Vol 1b			Environmental Statements	S73 Outline Planning Application Document
BXC02	ES Vol 2			Environmental Statements	S73 Outline Planning Application Document
BXC03	Design and Access Statement (DAS)			Design	S73 Outline Planning Application Document
BXC03	Design Guidelines (DG)			Design	S73 Outline Planning Application Document
BXC04	Planning Statement Addendum			Planning Statement Addendum	S73 Outline Planning Application Document
BXC05	Transport Assessment (TA) Main Report Vol 1			Transport & Highways	S73 Outline Planning Application Document
BXC05	TA Appendices Vol2			Transport & Highways	S73 Outline Planning Application Document
BXC05	CTA TravelPlans Vol3			Transport & Highways	S73 Outline Planning Application Document
BXC05	CTA HE Proposal Vol4			Transport & Highways	S73 Outline Planning Application Document
BXC05	Transport Report Vol5			Transport & Highways	S73 Outline Planning Application Document
BXC06	Retail Report Addendum			Retail	S73 Outline Planning Application Document
BXC07	Public Realm Open Space			Public Realm & Open Space	S73 Outline Planning Application Document
BXC08	Revised Environmental Sustainability Statement			Environmental Sustainability Statement	S73 Outline Planning Application Document
BXC09	Revised Energy Statement			Energy Statement	S73 Outline Planning Application Document
BXC10	Social Infrastructure Report Addendum			Social Infrastructure	S73 Outline Planning Application Document
BXC11	Revised Utility Strategy			Utility Strategy	S73 Outline Planning Application Document
BXC12	Regeneration Strategy Addendum			Regeneration Strategy	S73 Outline Planning Application Document
BXC13	Estate Management Strategy Addendum			Estate Management	S73 Outline Planning Application Document
BXC14	Housing Strategy Addendum			Housing Strategy	S73 Outline Planning Application Document
BXC15	Drainage Strategy			Drainage Strategy	S73 Outline Planning Application Document
BXC16	Flood Risk Assessment			Flood Risk Assessment	S73 Outline Planning Application Document
BXC17	Geo Environmental Assessment			Geo env and geo tech	S73 Outline Planning Application Document
BXC18	Health Impact Assessment			Health Impact Assessment	S73 Outline Planning Application Document
BXC19	Summary of Community Involvement			Community Involvement	S73 Outline Planning Application Document
BXC20	Approval in Principle for bridges			AP for Bridges	S73 Outline Planning Application Document
BXC21	Construction Impact Assessment			Construction Impact Assessment	S73 Outline Planning Application Document
BXC22	Draft S106 Agreement			S106 Agreement	S73 Outline Planning Application Document
BXS01	MOI	Capita	Jul-14	MOI	
BXS02	OJEU Notice	Capita	Jul-14	MOI	
BXS03	Structural Soils Data 1 Q1 2006	Structural Soils	2006	Contaminated Land	
BXS04	Structural Soils Data 21 Q1 2006	Structural Soils	2007	Contaminated Land	
BXS05	Structural Soils Factual Report	Structural Soils	Dec-06	Contaminated Land	
BXS06	Earthworks Strategy Report Issue 2	URS	Feb-14	Contaminated Land	
BXS07	Existing Utilities Location Plan	Buro Happpold	Jun-06	Utilities	
BXS08	Existing Utilities Telecom layout Plan	Buro Happpold	Jun-06	Utilities	
BXS09	Existing Utilities Electricity Laayout Plan	Buro Happpold	Jun-06	Utilities	
BXS10	Existing Utilities Drainage Layout Plan	Buro Happpold	Jun-06	Utilities	
BXS11	Existing Utilities Gas Layout Plan	Buro Happpold	Jun-06	Utilities	
BXS12	Existing Utilities Water Layout Plan	Buro Happpold	Jun-06	Utilities	
BXS13	Revised Utilities Phasing Strategy	Buro Happpold	Feb-14	Utilities	
BXS14	MOI Correction - Hammerson infrastructure commitment	Capita	Aug-14	MOI / Costs	
BXS15	High Level Infrastructure Works Cost Estimate	Rider Levitt Buckna	Jan-14	Costs	
BXS16	Brent Cross Cricklewood s73 Planning Committee Report	LB Barnet	Jan-14	Planning Committee	
BXS17	BXS16 Annex	LB Barnet	Jan-14	Planning Committee	
BXS18	BXS16 Appendix 1 planning conditions	LB Barnet	Jan-14	Planning Committee	
BXS19	BXS16 Appendix 2 Policy Compliance	LB Barnet	Jan-14	Planning Committee	
BXS20	BXS16 Appendix 3 Consultation Responses	LB Barnet	Jan-14	Planning Committee	
BXS21	BXS17 Appendix 4 S106 HOTs	LB Barnet	Jan-14	Planning Committee	
BXS22	BXC s73 Committee Addendum Report	LB Barnet	Jan-14	Planning Committee	
BXS23	BXC s73 Committee Meeting Minutes	LB Barnet	Feb-14	Planning Committee	
BXS24	Aerial Image	Hammerson	unknown	Plans	
BXS25	S73 Site Plan	Hammerson	Oct-13	Plans	
BXS26	Plot layout summary	Allies and Morrison		Plans	
BXS27	Allies and Morrison Plot Studies Book Rev3	Allies and Morrison	2013	Appraisal	
BXS28	Area Schedule	Capita/Allies	16/09/2014	Appraisal	
BXS29	Plot numbers plan	Capita	Sep-14	Appraisal	
BXS30	Mindfolio Placemaking presentation	Mindfolio	Oct-14	Appraisal	
TO FOLLOW	Residual development appraisals	Capita	Nov-14	Appraisal	
TO FOLLOW	Report on PDA between the London Borough of Barnet and Hammerson & Standard Life Investments	Wragge Lawrence Graham & Co LLP	Nov-14		
TO FOLLOW	Proposed Corporate structure	Wragge Lawrence Graham & Co LLP	Nov-14		

Relates to S73 application content

APPENDIX 4

Balanced Score Card: Brent Cross Cricklewood (Draft)



Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI
					Bidder Responses
The Big Idea 28%			What BX South should be known for		Measurement

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Urban Design 16%	Does the Masterplan transform anonymous, undifferentiated spaces into distinctive and remarkable places?	A New Town Centre for London	Integrating the new 'Living Bridge' (and complementing BX Shopping Centre) into the new place Enticing BX Shopping Centre visitors to cross into the new town centre How to zone the mix: Ancillary, convenience, services, neighbourhood shops, food and beverage Developing an appealing neighbourhood, including café and food offer for all ages and tastes			
			Residential Mix	'Cradle to Grave'- creating places where people can live all their lives from young families to elderly relatives What mix of tenures including private sale, private rent and affordable housing is relevant to Barnet? To keep diversity, not sell off plan abroad, encourage private freeholder / rentals Responding to the ageing population and single person household? Older people can't downsize? There is limited variety of housing types, with the quality of the larger residences. How responding Addresses issue of high-rise in an area of houses		

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Urban Design 16%		Design	Design: Distinctive? Inspiring? Not boxes with balconies and chain coffee shops below... Creating a unique community: Buildings, Streets, Shops, Public Realm etc. Environmental considerations Legible - people know where they are and can describe how to find their way around Capturing the emotional connection & ethos of the place			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Urban Design 16%	Place-building: Do the physical changes optimise the quality of living, the community experience, the 'beauty of place', and the feeling of belonging across age groups?	Well Integrated	Why will people come? Making residents, workers and visitors feel good How integrate and make attractive residential and commercial spaces- no dead times and multi-purpose buildings Avoiding creating 'Islands', show effective integration with the surrounding neighbourhoods			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
<p>Urban Design 16%</p>	<p>Convincing solutions: Access, Linkages, Densities, Proximities?</p> <p>Dealt with supporting attributes e.g. Smart City applications, Walkability, Legibility, Affordability, 'Policeability'?</p>	<p>Well Connected</p>	<p>Readability of the area and on-going connections from all arrival / departure points</p> <p>Strategic and robust transport plan, showcasing the connectivity to the north and south of the regeneration area, and the connectivity of the regeneration area to the adjoining neighbourhoods in Barnet, Brent and Camden</p> <p>Accessibility of BXC from stations</p> <p>Easy mobility through the area utilising walkways, buses, cycle ways and the Brent riverside</p> <p>Reduce impact of car usage and car parking on the place e.g. reduction, relocation, new management approaches and recognising that many residents may, initially at least, expect to own cars</p>			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
Social Well Being 16%	How well have we facilitated the overall 'Quality of Life', from the individuals 'place of living' to collective community amenities, cafes, shops and services?	Community Engagement	Creating activity and building links with the surrounding communities including social facilities Process for engagement of the community and the management of the impact of phasing and construction activities on the neighbourhood			
		A Place for Everyone	Building on 'Authenticity of the Place'. Consideration to what exists already Directly involving and empowering the local / existing community in relation to their existing area A 'Place for all Faiths'			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
<p>Social Well Being 16%</p>	<p>Do we foster the 'Sense of Belonging' through developing options for people across all age group to meet and talk easily & spontaneously?</p> <p>How do we /how will we engage stakeholders and even co-create with them?</p>	<p>Neighbourhood Character</p>	<p>Integrating 7,500 new homes, within the existing community</p> <p>What is the rhythm of the place? Districts? Squares? Parks? Green space? Users? Etc.</p> <p>How will the neighbourhoods, each with a 'Reason for Being' and own identity also provide 'Complementary Character' and work well as a 'whole'</p>			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
Social Well Being 16%	Community building: What are we doing to forestall the community blight of 'Dark Windows'?	Affordable (cost of living)	Opportunities for 'different budgets' to live in the neighbourhood. Consideration to: Cost of living - bills, transport, food, accommodation Facilitating neighbourliness, fun laughter and traditions A range of housing types and tenures Making the place attractive for younger people, who want to stay, as well as families and older residents Communities facilities and provision for: -Health and Wellbeing -Older age groups -Ageing population			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
Social Well Being 16%	Education for all ages; compulsory, academic vocational, and lifelong learning?	Education	Continuing Barnet's tradition of educational excellence Ensuring a mix of academic and vocational excellence at all levels Maximising schools' (and other educational spaces) contribution to the community			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
<p>Wealth & Opportunity 16%</p>	<p>Provision of commercial and technological infrastructures to attract employers and self-employed knowledge workers? Any convincing propositions about economic clustering to attract anchor employers and facilities, leveraging local realities and potential? Thought about amenities to stand out as 'Attractors of Talent' (rather than firms, the conventional focus)? Barnet wants to be the best place for smaller businesses in London'. Thought about concepts to incubate and promote this aspiration? Alliances and facilities to enable and foster the development of 'cluster' talents and skills e.g. academies, apprenticeships, etc.?</p>	<p>A Strong Local Economic Base</p>	<p>Developing Barnet's existing strong local economic base: A range of businesses and employment uses Commitment to developing commercial initiatives to attract larger employers as well as SME's NOT just a residential development Should we also be attracting HQ / corporates for flagship office space New office destination? Opportunities for start-ups and home workers - where will they 'bump into each other' Delivering job and apprenticeship opportunities for all local people including targeted groups (e.g. young unemployed, disabled, older people and those with health issues A place for personal ambition How to deliver a technologically connected community - integration of information</p>			

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	KPI	
				Bidder Responses	Measurement
<p>Comfort, Health & Nature 16%</p>	<p>Do our plans protect and promote nature, natural resources and healthy living?</p> <p>Are we developing a 'Wholesomeness of Place', e.g. perceived levels of safety, tone-of-voice, litter prevention, stimuli for good citizenship, multi-faith access?</p> <p>How many benches per 100m? Enough places for pausing or meeting without having to 'pay' for a seat?</p> <p>Thought about design for use of materials for easy cleaning and maintenance?</p> <p>DDA / ADA implementation beyond the legal minimum?</p>	<p>Well integrated</p>	<p>How to create connection with high quality parks, green spaces and nearby river/reservoir</p> <p>Promoting wellbeing through design: public open space, communal open space, private open space and 'Living Roofscapes'</p> <p>How to deliver a 'Sense of Safety', goodwill and neighbourliness in the area</p> <p>Strategy for cleanliness</p> <p>Care for disabled citizens beyond the legal minimum including mutual support, and empowerment initiatives</p>		
	<p>Have we integrated an overarching concept of 'PLAY' for all age groups, which stimulate a range of activities e.g. Cycling, keeping fit, handicraft, swimming?</p>	<p>Design</p>	<p>What places for relaxation, leisure and sociability will be created?</p> <p>How will functional places be made 'fun'?</p>		

Place Making	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
<p>Symbols of Identity 8%</p>	<p>Celebration points: Marks of ambition for 'People and Place'</p> <p>Where are / what are the icons of our culture, signposts of spirituality, and community values, and not least, genuine expressions of our heritage and roots?</p> <p>How can we showcase our forward-looking ambition and civic pride to existing stakeholders as well as to potential (and possibly sceptical) residents, buyers and investors?</p> <p>Have we found means to express that this is a caring community?</p> <p>Where will the community celebrate?</p>	<p>Design</p>	<p>Creation of iconic architecture and height e.g. 'Steeple?'</p> <p>What type of public art will be integrated - static, interactive, performance. How will this art enhance the place / space</p> <p>Creating attractive community gathering places including Faith and 'Multifaith' buildings and space for voluntary organisations</p>			

<p>Place Making Management</p>	
<p>Governance</p>	<p>Taking responsibility for delivering and achieving agreed place making vision timeframe, budget, quality and engagement</p>
<p>Longevity</p>	<p>Long term commitment - thinking like an owner not just a developer</p>
<p>Mean Time Management</p>	<p>5 year plan - how to keep the space activated during change and development</p>

APPENDIX 5

Memo

15 October 2014

To ITN Shortlisted bidders

CC C Shaw, S McDonald, K Mercer, S Lowe, R Beckingsale, S Punshon, J Hooton, J Harris

Subject Agendas for BSX ITN meetings

It has been stated through the MOI, and at the bidder kick-off meetings, that the Council and its advisors will host workshops with each of the bidder parties on 5th and 6th November and 3rd and 4th December. These workshops are intended to allow the Council to provide feedback and to answer questions in order to facilitate the swift production of documents to ensure the receipt of four high quality ITN submissions.

It has been suggested by more than one of the bidding parties that more contact time with the Council will be beneficial. Subject to team availability, and uptake by the four parties, it is feasible to add interim meetings in November and December;

- 5th and 6th November
 - 19th and 20th November
- 3rd and 4th December
 - 17th and 18th December

These additional meetings would provide contact every two weeks until Christmas.

There are three key areas for discussion at these meetings; Placemaking, Delivery and Finance. Given the need for the bidders to familiarise themselves with the technical information it is suggested that the weighting for the agendas is initially in favour of Placemaking, moving through Delivery and in favour of Finance by late December. This is of course flexible in that parties will not be strictly time limited within the workshops but it provides a useful framework for the next couple of months.

In addition the Council is able to offer a further meeting on 14th January 2015 for those parties that would find it useful. This meeting will be limited to one hour and will have a bespoke agenda.

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Suggested Agendas for these meetings (each of 2 hours' duration)

5 th and 6 th November	<ol style="list-style-type: none"> 1. Questions arising from Data Room and other information provided (30mins) <ol style="list-style-type: none"> a. Guidance and scoring b. Site information 2. Placemaking (45 mins) <ol style="list-style-type: none"> a. Reactions to presentation b. Initial ideas c. Thoughts on the masterplan d. Format for presenting proposals 3. Delivery (20 mins) <ol style="list-style-type: none"> a. Questions on the structure b. Comments and observations 4. Financial considerations (15 mins) <ol style="list-style-type: none"> a. Initial response to the appraisals 5. AOB (10 mins)
19 th and 20 th November	<ol style="list-style-type: none"> 1. Questions arising from Data Room and other information provided (15mins) <ol style="list-style-type: none"> a. Site information 2. Placemaking (30 mins) <ol style="list-style-type: none"> a. Integration b. Thoughts on the masterplan 3. Delivery (45 mins) <ol style="list-style-type: none"> a. Third party interests (Hammerson/Standard Life Investments representative to attend meeting) a. Comments and observations 4. Financial considerations (20 mins) <ol style="list-style-type: none"> a. Approach to funding b. Calculating returns c. Use of the appraisals 5. AOB (10 mins)
3 rd and 4 th December	<ol style="list-style-type: none"> 2. Questions arising from Data Room and other information provided (15mins) <ol style="list-style-type: none"> a. Site information 3. Placemaking (30 mins) <ol style="list-style-type: none"> a. Successful economic base b. Thoughts on the masterplan 4. Delivery (35 mins) <ol style="list-style-type: none"> a. The emerging team a. KPIs b. Comments and observations 5. Financial considerations (30 mins) <ol style="list-style-type: none"> a. Strategy for funding b. Calculation of returns 6. AOB (10 mins)
17 th and 18 th December	<ol style="list-style-type: none"> 1. Questions arising from Data Room and other information provided (15mins) <ol style="list-style-type: none"> a. Site information 2. Placemaking (25 mins) <ol style="list-style-type: none"> a. Initial ideas b. Thoughts on the masterplan 3. Delivery (35 mins) <ol style="list-style-type: none"> a. Prompt start b. Long term management c. Comments and observations 4. Financial considerations (35 mins)

	<ul style="list-style-type: none"> a. Strategy for funding b. Calculation of returns c. Hurdle rates <p>5. AOB (10 mins)</p>
14 th January	Bespoke agenda

Time slots are to be as follows

- Wednesdays 10-12pm, 1-3pm, 3.30-5.30pm
- Thursdays 10-12pm

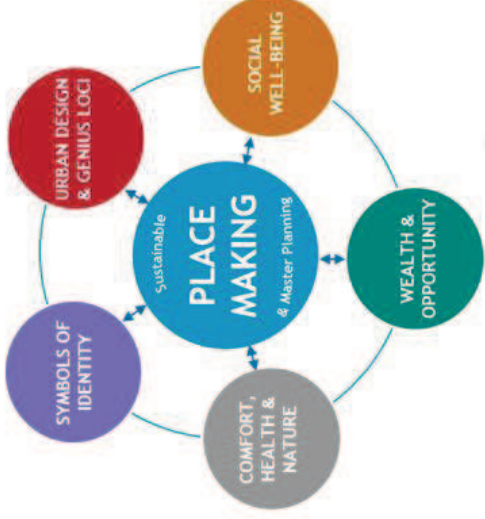
Venues are to be confirmed but will be either central London or at the Council's office at North London Business Park, Oakleigh Road South, London N11 1NP.

Attendees are to be limited to six members of the bidding team unless notified otherwise.

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Balanced Score Card: Brent Cross Cricklewood (Draft)



Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI				
The Big Idea			What BX South should be known for	7%	<table border="1"> <thead> <tr> <th>Bidder Responses</th> <th>Measurement</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Bidder Responses	Measurement		
Bidder Responses	Measurement								

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Urban Design	Master planning to transform anonymous, undifferentiated spaces into distinctive & remarkable places	A New Town Centre for London	<p>Integrating the new 'Living Bridge' (and complementing BX Shopping Centre) into the new place</p> <p>Enticing BX Shopping Centre visitors to cross into the new town centre</p> <p>How to zone the mix: Ancillary, convenience, services, neighbourhood shops, food and beverage</p> <p>Developing an appealing neighbourhood, including café and food offer for all ages and tastes</p>	4%	<p>A strong relationship and connectivity with the surrounding area and immediate neighbours</p> <p>Previous examples of high quality & successful mixed-use schemes</p> <p>Strategic mix of flexible units for independent and chain retailing, and F&B, including pop-up and market space</p> <p>Consideration given to the existing and proposed users: residential population - families / students / older living etc.</p>	
			<p>Residential Mix</p> <p>'Cradle to Grave'- creating places where people can live all their lives from young families to elderly relatives</p> <p>What mix of tenures including private sale, private rent and affordable housing is relevant to Barnet?</p> <p>To keep diversity, not sell off plan abroad, encourage private freeholder / rentals</p> <p>Responding to the ageing population and single person household?</p> <p>Older people can't downsize? There is limited variety of housing types, with the quality of the larger residences. How responding</p> <p>Addresses issue of high-rise in an area of houses</p>		<p>Demonstrating understanding of existing areas and uses</p> <p>Different densities for different areas e.g. house, Duplex's, apartments, studios etc.</p> <p>Flexible / adaptable spaces i.e. living / working studios</p> <p>'Building to run' or 'Building to hold': Demonstrating commitment to long term management and building for a community. Not just building to sell</p> <p>'Older Living Community' integrated into neighbourhood - NOT isolated. Encouraging older people to use local facilities</p> <p>Showing commitment to developing inclusive and accessible urban places that welcome and benefit older people</p> <p>Evidence of how this has been addressed elsewhere, and what properties will appeal, and location?</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
<p>Urban Design</p>		<p>Design</p>	<p>Design: Distinctive? Inspiring? Not boxes with balconies and chain coffee shops below...</p> <p>Creating a unique community: Buildings, Streets, Shops, Public Realm etc.</p> <p>Environmental considerations</p> <p>Legible - people know where they are and can describe how to find their way around</p> <p>Capturing the emotional connection & ethos of the place</p>		<p>21st Century street design, character and sensitivity to the existing neighbourhood</p> <p>Other city living examples highlighting good uses of different materials</p> <p>Demonstrating flexibility for growth</p> <p>Examples of designing sustainable lifetime neighbourhoods e.g. rainwater harvesting, carbon neutral, eco-car charging stations etc.</p> <p>Imaginative use of landscape design to weave the different elements together</p> <p>Creating inspiring facilities that motivate communities to develop learning, meeting, health and wellbeing initiatives</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Urban Design	Place building: The physical changes to optimise quality of place, experience and heritage	Well Integrated	Why will people come? Making residents, workers and visitors feel good		Thoughtful and practical creation of work / living spaces with spaces to meet / share and work together	
			How integrate and make attractive residential and commercial spaces- no dead times and multi-purpose buildings		Demonstrating understanding and sympathy of the heritage and cultures of the place	
			Avoiding creating 'Islands', show effective integration with the surrounding neighbourhoods		Examples of previous expertise in zoning / phasing / varying densities in different areas	
					Examples of the ability to create inviting gateways into and out of the different neighbourhoods with clear way-finding and attractive public realm	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
<p>Urban Design</p>	<p>Access, Linkages, Densities, Proximities</p> <p>Supporting attributes e.g. Smart City applications, Walkability, Readability, Affordability, 'Policeability'</p>	<p>Well Connected</p>	<p>Readability of the area and on-going connections from all arrival / departure points</p> <p>Strategic and robust transport plan, showcasing the connectivity to the north and south of the regeneration area, and the connectivity of the regeneration area to the adjoining neighbourhoods in Barnet, Brent and Camden</p> <p>Accessibility of BXC from stations</p>		<p>Demonstrating how the design will change people's perception of BXC through use of themes, textures and promotion of attributes e.g. materials, landscaping and planting</p> <p>Thoughtful development of a connected route throughout the district, use of well-designed cycle / walk ways and the riverside. (cycle routes should meet the Mayor's cycle standards)</p> <p>Creative use of bridges or other crossings over roads, rail and water to improve connectedness of the neighbourhoods</p>	
			<p>Easy mobility through the area utilising walkways, buses, cycle ways and the Brent riverside</p>		<p>Showing Smart City (cloud, Internet of Things) thinking and creative car usage initiatives (connecting cars to the internet) to manage congestion and car parking, reduce pollution, develop safer cities and increase bike usage</p>	
		<p>Reduce impact of car usage and car parking on the place e.g. reduction, relocation, new management approaches and recognising that many residents may, initially at least, expect to own cars</p>			<p>Creative car parking initiatives e.g. underground / off site (airport parking)</p> <p>Car share - car pool initiatives (Westminster, San Francisco)</p> <p>Bike storage and incentives - commuting and shopping by bike</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
Social Well Being	Facilitating the collective 'Quality of Life', from the individual 'place of living' to collective community amenities, cafes, shops and services	Community Engagement	<p>Creating activity and building links with the surrounding communities including social facilities</p> <p>Process for engagement of the community and the management of the impact of phasing and construction activities on the neighbourhood</p>	4%	<p>Showing successful examples where they have facilitated opportunities for the community to meet, learn and exercise together</p> <p>Provision of spaces and places for an ageing population e.g. health centres, care and exercise areas</p> <p>Demonstrating how they intend to manage relationships with existing communities and infrastructure</p>	
		A Place for Everyone	<p>Building on 'Authenticity of the Place'. Consideration to what exists already</p> <p>Directly involving and empowering the local / existing community in relation to their existing area</p> <p>A 'Place for all Faiths'</p>		<p>Demonstrating how the evolution of neighbourhood will still ensure diverse groups continue to feel connection - 'a place for us'</p> <p>'Smart City' e.g. remote provision - patient care and monitoring</p> <p>Plans for public consultation and involvement that are more than 'talking at' people</p> <p>Maintaining or improving existing meeting places, facilities and places of worship</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	Measurements
<p>Social Well Being</p>	<p>Fostering a 'sense of Attachment' and developing environments for on-going dialogue</p>	<p>Neighbourhood Character</p>	<p>Integrating 7,500 new homes, within the existing community</p> <p>What is the rhythm of the place? Districts? Squares? Parks? Green space? Users? Etc.</p> <p>How will the neighbourhoods, each with a 'Reason for Being' and own identity also provide 'Complementary Character' and work well as a 'whole'</p>		<p>Bidder Responses</p> <p>Demonstrating a design from roots / heritage up - not 'helicoptered' into the neighbourhood - withstanding the test of time</p> <p>Demonstrating how sustainable and protected green space is integrated into the neighbourhood</p> <p>Considering community uses of green space e.g. Communal gardens and gardening, Market gardens, Bee Nursery</p> <p>Interesting use of greenery - trees, planting, roof tops; not just more parks</p> <p>Demonstrating consideration of individual neighbourhoods as part of the overall plan</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurements
<p>Social Well Being</p>	<p>Community building, based on diversity and education for all ages</p>	<p>Affordable (cost of living)</p>	<p>Opportunities for 'different budgets' to live in the neighbourhood. Consideration to: Cost of living - bills, transport, food, accommodation</p>		<p>Presenting BXC as a place for life - work opportunities and variety of housing design and tenures</p>	
	<p>Education for all ages compulsory, academic vocational, and lifelong learning</p>		<p>Facilitating neighbourliness, fun laughter and traditions</p> <p>A range of housing types and tenures</p>		<p>Demonstrating an understanding of Barnet's existing commitments to community engagement and wellbeing provision</p>	
			<p>Making the place attractive for younger people, who want to stay, as well as families and older residents</p> <p>Communities facilities and provision for:</p> <ul style="list-style-type: none"> -Health and Wellbeing -Older age groups -Ageing population 		<p>Commitment to leisure initiatives as well as creating opportunity for a dynamic evening & night time economy - music / performance spaces</p>	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	Measurements
Social Well Being					Bidder Responses	
		Education	Continuing Barnet's tradition of educational excellence Ensuring a mix of academic and vocational excellence at all levels Maximising schools' (and other educational spaces) contribution to the community		Commitment to youth and adult education including Vocational, Academic and Lifestyle Ideas about how to create the outstanding education spaces in urban (i.e. small) footprints Demonstrating how the education space will contribute to, and integrate with, the wider community (given the safeguarding considerations) Demonstrating how the 'school run' is managed and is not a blight on neighbours	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Wealth & Opportunity	Provision of commercial infrastructures	<p>A Strong Local Economic Base</p> <p>Economic clustering to attract anchor employers, leveraging local realities and potential</p> <p>Commercial facilities that attract inward investment and businesses (rather than firms, the conventional focus)</p> <p>Concepts to incubate and promote smaller businesses</p> <p>Alliances and facilities to enable and foster the development of talents and skills</p>	<p>Developing Barnet's existing strong local economic base: A range of businesses and employment uses</p> <p>Commitment to developing commercial initiatives to attract larger employers as well as SME's NOT just a residential development</p> <p>Should we also be attracting HQ / corporates for flagship office space</p> <p>New office destination?</p> <p>Opportunities for start-ups and home workers - where will they 'bump into each other'</p> <p>Delivering job and apprenticeship opportunities for all local people including targeted groups (e.g. young unemployed, disabled, older people and those with health issues)</p> <p>A place for personal ambition</p> <p>How to deliver a technologically connected community - integration of information</p>	4%	Demonstrating how to fully integrate commercial areas, that aren't isolated zones, as part of the master plan	
	<p>Strategic approach to inward investment initiatives, flexible work places and spaces</p> <p>Generating demand for office/commercial space from specific sectors i.e. Retail, Wellness, not primarily based on sheds / logistics parks</p> <p>How to manage demand for office space vs lucrative residential market</p> <p>Flexible, adaptable buildings with change of use capabilities e.g. work / life studios</p> <p>Showing close working relationships with established employment and skills referral organisations as well as links with local FE and HE providers</p> <p>Proven intent and initial action plan to work with educational institutions, training centres and employer organisations</p> <p>Neighbourhood wide WIFI.</p> <p>Street furniture and VMS all interconnected</p>					

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	
					Bidder Responses	Measurement
Comfort, Health & Nature	Protecting and promoting nature, natural resources and healthy living Developing the 'Wholesomeness of Place' Sitting and meeting in public places Easy cleaning and maintenance	Well integrated	How to create connection with high quality parks, green spaces and nearby river/reservoir Promoting wellbeing through design: public open space, communal open space, private open space and 'Living Roofscapes' How to deliver a 'Sense of Safety', goodwill and neighbourliness in the area	4%	Examples of innovative design and creation of green spaces integrated into urban environments Demonstrating the ability to create a place grounded in existing roots-not a homogenised development Utilising Smart City thinking to create a safe place to be. Examples of safety in the design of buildings and streetscapes	
	An overarching concept of 'play', linked to stimulating fine-motoric and gross-motoric activities across ages	Design	What places for relaxation, leisure and sociability will be created? How will functional places be made 'fun'		Demonstrating space activation - sports and well-being facilities accessible and affordable for all ages Giving consideration of how to reach and appeal to all ages and communities	

Place Making 25%	Objectives	Brent Cross Cricklewood Requirements	Metrics & Qualifiers	Weighting	KPI	Measurement
Symbols of Identity	<p>Celebration points: Marks of ambition for 'People and Place'</p> <p>Icons of culture, spirituality, roots and community values</p> <p>Expressions of care and 'Satisfaction with Place'</p>	<p>Design</p>	<p>Creation of iconic architecture and height e.g. 'Steeple'?</p> <p>What type of public art will be integrated - static, interactive, performance. How will this art enhance the place / space</p> <p>Creating attractive community gathering places including Faith and 'Multifaith' buildings and space for voluntary organisations</p> <p>Care for disabled citizens beyond the legal minimum including mutual support, and empowerment initiatives</p> <p>Strategy for cleanliness</p>	2%	<p>Bidder Responses</p> <p>Showing what will identify Brent Cross Cricklewood as part of the overall cohesive master plan</p> <p>Bring meaning to Public Art, creating structures as usable spaces and/or interactive installations. Showcasing new art forms / installation ideas</p> <p>Previous examples of how Public Art (in whatever form) has effectively and sustainably enhanced the quality of the place and engaged the community</p> <p>Consideration demonstrated to the existing identity and inclusion in public realm strategy</p> <p>Examples of how this has successfully been achieved</p>	

Place Making Management	
Governance	Taking responsibility for delivering and achieving agreed place making vision timeframe, budget, quality and engagement
Longevity	Long term commitment - thinking like an owner not just a developer
Mean Time Management	5 year plan - how to keep the space activated during change and development

London Borough of Barnet - Brent Cross South

Communication to bidders - Financial sub-criteria to question 3b - Contract Reference: 700606

1 INTRODUCTION

- 1.1 The purpose of this communication is to provide a response to questions concerning the evaluation of financial responses and the potential for variant financial bids.
- 1.2 Should you have any queries about the content of this communication, please contact the London Borough of Barnet through the procurement portal in the normal way.

2 VARIANT FINANCIAL BIDS

- 2.1 Each bidder may submit a maximum of one variant financial bid.
- 2.2 It is a core requirement of a variant financial bid that the Council's land value is underwritten (but not paid) at the point of drawdown of the land once the other conditions precedent have been satisfied.
- 2.3 Further guidance on submission and evaluation of variant bids is contained in the separate communication dated 19th December 2014

3 GUIDANCE AND SUB-CRITERIA

- 3.1 In submitting its compliant response and any potential variant response, bidders should note the manner in which the responses will be evaluated and scored by reference to the table below. A cross reference to the relevant part of question 3b is contained in the second column to assist bidders..

3.2 In responding to question 3b, bidders are expected to explain how the figures have been arrived at, how the proposal will be in the Council's long term interest and how it will help meet the wider corporate objectives.

No	Sub-criteria and cross reference to 3b	Further guidance to bidders	Further guidance on scoring definition	Weighting % (each scored out of 5*)
1	<p>(Ref. 3b 1,2,3)</p> <p>For each of the three scenarios [set out in question 3b] what is the bidder's proposed:</p> <ol style="list-style-type: none"> profit on cost? development management fee? apportionment of the surplus? 	<p>The Council's evaluation model requires the completion of 'green' cells which will set out the return to the Partner and in the case of surplus, a return to the both the Partner and the Council.</p> <p>Bidders' are required to reflect the three scenarios described.</p> <p>Some Bidders have suggested a profit on cost is not a preferred route. On this basis bidders are invited to note, for scenario b only, this can be accommodated within a Compliant bid by changing cells B37, B38 and B39 on the 'Assumptions Summary' tab to Green and inputting desired returns whilst fixing B51 to 'zero%'.</p>	<p>In scoring the Bidders' submissions, the contents of the green boxes will be applied to Capita's base case model (previously supplied to bidders) and the Council will assess the outcome of the assumptions on the Council's total potential receipt. For all boxes left yellow (including B37, B38 and B39), the Council will apply its own assumptions and this will be common to all submissions.</p> <p>A score of '0' to '5' will be awarded based on the extent that the proposal reflects a reasonable rate of return for the Partner and financial outcome for the Council given the assumed level of development risk as indicated by the bidder's wider response. Note that the 'risk' of a financial proposal being achievable will be assessed and considered by the Council as part of the evaluation. The Council will also take into account how realistic/appropriate one or more hurdle rates of return are.</p>	40% (shared between 1 and 2)
2	<p>(Ref. 3b 1,2,3)</p> <p>Which elements of the response to Q1 are fixed (green cells) or flexible (yellow cells)</p>	<p>Green cells are treated as fixes and will be taken forward in to a contract with the Council. Bidders are provided the opportunity to change yellow 'profit' cells in</p>	<p>The Evaluation Panel will consider the presence of new 'fixes' and the level (and the likelihood that the 'fix' will be an effective one).</p>	

No	Sub-criteria and cross reference to 3b	Further guidance to bidders	Further guidance on scoring definition	Weighting % (each scored out of 5*)
		<p>the model to 'green' and therefore enhance certainty for the Council. Whilst bidders may not be intending to actually build out the entire scheme, a green cell will represent an underwriting of the maximum return which the bidder or a third party would require, and which will be used to inform the land valuation.</p>		
3	<p>(Ref. 3b 1,2,3)</p> <p>What is the developer's rationale/justification for the level of profit and how robust are its proposals?</p>	<p>Bidders are expected to explain the reasoning for their desired margins. It is expected that this explanation may include reference to lenders' requirements, Board approval processes, money markets and shareholder commitments for example</p>	<p>Bidders are to provide detailed justification for its proposal and the Council must be satisfied that the proposal is robust in order to attract a higher score.</p>	60% (shared between 3-7)
4	<p>(Ref. 3b 1,2,3)</p> <p>How does the approach taken maximise the Council's potential land value?</p>	<p>The Council recognises that there is a balance between maximising land value and its appetite for risk. It is the Council's minimum requirement that its land value be agreed once the remaining conditions precedent have been satisfied prior to construction on any given phase. The Council requires that its land be valued at the point that is it drawn down by the JVCo. Bidders must recognise the investment that the Council and its existing partners at Brent Cross North have made to date, and will continue to make both within and without the redline of the Brent Cross South project area. i.e The bidder's submission should recognise that the JVCo will not be solely responsible for any increase in land value at Brent Cross</p>	<p>Bidders are to acknowledge the assistance to a project appraisal by deferring capital receipts. A proposal that would increase the Council's exposure to risk or has the potential to reduce land value will attract a lower score.</p>	

No	Sub-criteria and cross reference to 3b	Further guidance to bidders	Further guidance on scoring definition	Weighting % (each scored out of 5*)
		<p>South over time.</p> <p>The approach should recognise that the principle set out in the heads of terms – that the Council's land value is not unfairly burdened by a disproportionately high infrastructure cost or community benefit, and that where development costs relate to more than one phase of development, a fair and reasonable proportion shall be allocated to a phase based on the proportionate gross development value of that phase compared to others.</p> <p>In the compliant bid, the Council has prescribed in its model those elements that would be assumed to attract a 'profit on cost'. In a variant bid, bidders should describe how its alternative approach would be in the Council's interest.</p>		
5	<p>(Ref 3b 5, 6)</p> <p>How does the approach taken incentivise the developer to invest in the project?</p>	<p>The Council's proposal is that the Partner's return is based 'on cost' to ensure there is no incentive to withhold investment or reduce specification. If returns are not to be 'on cost' an explanation of what incentive to invest will be required.</p>	<p>The Council is seeking to reward a proposal that rewards investment.</p>	
6	<p>(Ref 3b 2)</p> <p>In a successful phase, what would a typical cascade of returns look like?</p>	<p>Bidders are invited to describe the process for the distribution of profit and land value and whether any party takes a priority at each stage.</p>	<p>Where capital receipts are to be taken, the Council will reward a process that sees the land value (or equivalent) paid first, followed by the Developer's priority</p>	

No	Sub-criteria and cross reference to 3b	Further guidance to bidders	Further guidance on scoring definition	Weighting % (each scored out of 5*)
			<p>return and then surplus being distributed equally. An alternative proposal must be clearly justified and in the Council's interest.</p> <p>Where a capital receipt is to be converted in to an income stream of equivalent value, the source of the revenue is to be clearly identified and linked to specific properties or commercial interests. Where the Council's income is derived from an equity stake in a vehicle/property that it is not the sole owner, it will expect returns to be distributed on at least a <i>pari passu</i> basis</p>	
7	<p>(Ref 3b 4)</p> <p>Caps and collars: is there potential to cap expenditure at pre-agreed levels and to protect LBB against over-spend?</p>	<p>Bidders are invited to consider whether it is in the Council's interest to introduce caps and collars to the appraisal model. These parameters would describe maximum and minimum figures which could generate more certainty for the Council when valuing its land.</p>		

*in line with previously published guidance for scoring of 0-5

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18th November 2014

Brent Cross South: Commercial principles - Contract Ref: 700606

- 1.1 The London Borough of Barnet (the "Council") is running a four stage negotiated procurement process to select a preferred development partner at Brent Cross South. Following the successful completion of the first stage of procurement (PQQ), the Council has invited four parties to respond to the second stage (ITN) questions.
- 1.2 In order to inform bidders' responses to the ITN (and in particular questions 3a, 3b and 3c), this paper describes the Council's proposed financial structure, through which the "JVCo" will deliver the regeneration of Brent Cross South.
- 1.3 This paper is to be read in conjunction with the documents provided in the Appraisals section of the on-line data room www.brentcrosssouth.com and also in conjunction with all other information provided as part of the Brent Cross South procurement process.
- 1.4 The purpose of this document is to provide an explanation of how bidders are to approach the assessment of, and make proposals relating to, financial returns from the delivery of Brent Cross South and how these are to be distributed to the respective parties.
- 1.5 This note constitutes guidance which is supplementary to the 'Brent Cross Evaluation Criteria and Methodology'.

Context

- 1.6 As noted in the ITN document, the Council accepts that its potential development partners may take different approaches to assessing development risk and with it, the required financial return. The ITN questions and evaluation criteria set out requirements for completion of an excel spreadsheet (ref BXS31) which will allow the comparison of developer return on a like for like basis. In accordance with the guidance to ITN question 3(b), bidders are required to stipulate their target profit on cost and this will be the primary method used to compare bidders' proposals.
- 1.7 We are conscious though that there are other measures of financial success. If an alternative measure is proposed we would ask bidders to provide details as part of their response (Return on Capital, profit on revenue etc) and state the basis on which they would be prepared to contractually commit in such a way that generates an equivalent quantum of profit to that proposed by the bidder's target profit on cost. If the proposed alternative approach does not generate an equivalent quantum of profit (and this is the basis on which the bidder has offered to commit) then this will be treated as an unacceptable response.
- 1.8 By way of clarification, where an alternative approach to the assessment of profit is accepted then, following selection of a preferred bidder, the financial model will be

updated to reflect that bidder's approach to assessing profit and hurdle rates of return.

1.9 We set out below three approaches to the development of Brent Cross South that may have an implication on the way in which financial returns are delivered:

- (a) Development management and the disposal of serviced sites to an SPV/third party;
- (b) Delivery of phased development in anticipation of short term capital receipts;
- (c) Delivery of phased development in anticipation of a long term return.

1.10 It is recognised that the eventual Business Plan may deploy a variety of methods for meeting the Partners' objectives. However, the Council has a strong preference for delivery that results in the creation of a long term revenue income for itself, as opposed to shorter term capital receipts.

1.11 In light of the comments made above, bidders are given the opportunity in responding to the ITN to expand upon their anticipated approach to the funding and delivery of:

- (a) Infrastructure
- (b) Development plots

1.12 The Council expects bidders to comment on how they propose to finance the delivery of this scheme including an assumption on the proportion of debt and equity for differing elements, how this will impact on the cost of finance to the project and what the risks and rewards are perceived to be in each scenario. Finance cost assumptions can be inputted at E160 on the Plot Costs tab and J186 on the Master Developer Cost tab .

1.13 It is anticipated that the Council's development partner will take the lead in developing the business plan, design and phasing solutions and ultimate delivery of each phase. The Council will identify those key phases where we would expect greater control to be retained by the JVCo (for example, development of the southern landing of the Living Bridge) and those areas which might be suitable for disposal to third parties as serviced plots, albeit where a necessary degree of control is retained over successful delivery.

2 Bidder guidance

2.1 Bidders are invited to consider the contents of the various documents provided in the Appraisals section of the on-line data room. The documents seek to

2.1.1 Confirm the floorspace content of the consented scheme (ref BXS28)

2.1.2 Describe a potential phasing strategy, (ref BXS29 rev1)

- 2.1.3 Identify the area of land to be contributed by the London Borough of Barnet and to be acquired from third parties (ref BXS34)
- 2.1.4 Provide an indicative residual appraisal of the scheme and in doing so provide an overview of the expected delivery programme for the scheme, the order of costs and the sensitivity to residential values (ref BXS31). This document also is the basis for bidders to describe how returns might be taken under the scenarios 1.9 a-c above. Green boxes are those variables that the Council believes can be 'fixed' through the Negotiated Procedure, with Yellow boxes accepted as variables unless the bidder believes it can be fixed to provide certainty to the Council. For example, where our partner intends to build out a phase, we would expect that cells B37-43 of the 'Assumptions Summary' tab are fixed and would be treated as 'green'.
 - 2.1.4.1 As a minimum, it is expected that the variables to be fixed through the Negotiated Procedure include Bidders' Development Management fee, Priority Return on Costs incurred and the Partners' share of surplus for distribution.
- 2.2 Bidders will be provided with an opportunity to meet with representatives from Capita and the Council to review the figures and appraisal structure provided.
- 2.3 Note that the appraisals and assumptions are solely provided to assist bidders to understand the scale of the opportunity and to consider how the delivery of such a scheme might be approached and returns might be calculated. The figures are not a formal opinion of cost or value and must not be relied upon as such. Neither the Council nor any of its advisers can accept any liability for the accuracy of any of the figures provided or for the integrity of the financial model.

3 Appraisal Principles

- 3.1 The key Excel file (ref BXS31) for consideration is essentially a residual appraisal that calculates the potential value of a clean, consented and serviced development plot and then deducts the Master Developer (JV) costs of delivering that plot for development. This "Master Developer Residual" or surplus figure is then distributed between the Council and the Private Sector Partner to recognise their respective contributions; land and wider support from the Council, finance and expertise from the Partner.
- 3.2 For the purpose of comparing proposals, the appraisal assumes the following process;
 - 3.2.1 Council land is placed in to the Joint Venture on the basis of the residual land value generated at line 110 on the Residuals tab within the model. This residual land value will be based on the principle that a residual appraisal will be undertaken for a phase and the Council's proportion of that land value being identified. For example, if phase 'x' is comprised entirely of Council land then the Council would receive 100% of the RLV. If the Council contributed 20% of the land in phase 'y' then the Council receives 20% of the RLV.

- 3.2.2 The Council's RLV is underwritten by the JVCo to be paid as either a future capital receipt, a physical output (eg. PRS units) or a long term revenue stream. Land contributed by the Council is to be transferred at nil initial consideration and not expected to be a 'cost' to be 'borne' by the JVCo at the outset.
- 3.2.2.1 The valuation of the Council's land will reflect the benefit to the project of the deferral of the receipt and the fact that the land is being transferred at nil initial consideration. As such the following costs will not be shown in the valuation
- (a) Agents fees on Council's land value;
 - (b) Legal fees on Council's land value;
 - (c) Finance costs on Council's land value; and
 - (d) Developer's profit on the Council's land value.
- 3.2.2.2 The transfer of land into the Joint Venture, and the requirement for the commencement of investment by the bidder, is to be subject to a hurdle rate being met. Bidders are invited to describe what these hurdle rates for its return will be.
- 3.2.2.3 The Business Plan will need to recognise a methodology for addressing particular plots or sub-phases that fail to deliver commercial returns due to infrastructure burdens being borne on behalf of subsequent plots or phases.
- 3.2.3 Although the Council expects most of its contribution to be reflected in long term revenue receipts it also expects to retain the right to seek a shorter term capital receipt as and when might be required. However, it is recognised that this matter will need to be declared in the Business Planning process for each phase. The land's value at the point of transfer is to reflect the terms on which the Council will expect a return. i.e. capital payment, or completed development/residential units.
- 3.2.4 Subject to the agreed hurdle rate being met, the Council's Partner will be required to purchase third party land as might be required and also to commit to secure optimum Planning consents for the various plots and phases. The partner will also be required to commit to investing in infrastructure as required to bring the various plots and phases in to a condition capable of being implemented. The Partner will be expected to fund the delivery of all third party land acquisition, infrastructure investment and professional fees but these costs will be an allowable cost within the development appraisal.
- 3.2.5 On the delivery of serviced plots, the appraisal model assumes that these plots are 'sold' to facilitate delivery. It may be that these plots are sold on the open market or to a company related to the Joint Venture company or the Council's Partner. If the land is sold to a connected entity the transfer must be supported by a valuation. If the site is to be sold to an unconnected third party, this is to be on an open market basis and subject to verification by JVCo's advisers as to the acceptability of the assumptions as regards costs and values. The Council will

also need to ensure that at the point the land is committed to be drawdown, it has satisfied statutory requirements as to best consideration and state aid by way of approving inputs into the approved form of model.

- 3.2.6 For the purpose of exploring the potential of this land, the appraisal assumes an open market transaction and includes land transaction costs such as Stamp Duty Land Tax, Agency fees and Legal fees. These will not be relevant where the developer itself builds out a phase. As drafted, the appraisal shows all 'plot developer' costs and returns (i.e. those that would be incurred/received by the party buying the serviced plot) as Yellow – i.e. not fixed.
- 3.2.7 It is expected that whichever route to plot delivery is selected, there will always be a 'crystallisation' of respective anticipated returns prior to start on site;
- 3.2.7.1 In the event that land is being sold and capital receipts are being taken, the Partners' priority returns (the Council's land value and the Partner's return on cost) will be taken *pari passu*. Any surplus (over and above the residual land value and the Partner's priority return) will be distributed between the Council and the Partner. It is expected by the Council that the method and proportion for sharing surplus returns/value will remain consistent throughout the project and the Council will expect to receive a share of any surplus on each phase of the development, whether or not the Council owns any land within that phase. Bidders are invited to commit to a proportion within their submissions. The Council expects the share of surplus offered to the Council to reflect:
- 3.2.7.1.1 the Council's investment of land into the project; and
- 3.2.7.1.2 the Council's investment of time and resource into the project as outlined in paragraphs 7.4 – 7.6 of the 'Joint Venture Structure Paper' .
- 3.2.7.2 The Council also expects bidders to commit to offer an increased share of the surplus to the Council in the event that a phase involving Council land bears a disproportionate share of costs such as costs attributable to infrastructure or affordable housing costs. The level of proportionate cost will be developed through the business planning process.
- 3.2.7.3 In the event that the Partners are committing their investment in return for revenue income, the Partners' investment will be valued accordingly. The Partners will be expected to identify and agree upon how the revenue is to be received (i.e. through the grant of long lease interests in the completed residential and/or commercial units, through ground rents or a combination thereof). In the event that the delivery of a plot/sub phase outperforms or underperforms – the loss or benefit will again be notionally apportioned between the Council and the JVCo based on the proportion of investment in that plot/sub-phase and taken into account in any future assessment of profit distribution. For the avoidance of doubt, the Council is not able to contribute from its own resources towards any such shortfall.

3.2.8 Bidders are invited to consider how returns might reflect the differing ways in which particular plots or phases are delivered; (as per para 1.9 above)

- (a) Development management and the disposal of serviced sites to an SPV/third party;
- (b) Delivery of phased development in anticipation of short term capital receipts;
- (c) Delivery of phased development in anticipation of a long term return.


3.2.9 As part of their ITN submissions, bidders are invited to consider which of the variables in the attached appraisal models might be suited to 'caps' or 'collars' in the interest of providing certainty to the Council.

Scoring Criteria Guidance Sheet

Please make reference to the scoring criteria below as this will inform the review of bid submissions. Comments should be recorded with cross reference to scoring criteria wording and the score indicated.

Score	Criteria
	<p><i>A score of 5 = 100% of the overall mark available</i> <i>A score of 4 = 80% of the overall mark available</i> <i>A score of 3 = 60% of the overall mark available</i> <i>A score of 2 = 40% of the overall mark available</i> <i>A score of 1 = 20% of the overall mark available</i> <i>A score of 0 = 0% of the overall mark available</i></p>
5	<p>Excellent response provided against the objectives of the project and the Council's requirements and/or minimises the level of risk to the Council or the delivery of the project. Response inspires total confidence and exceeds the Council's requirement with evidence provided in support of all aspects of the response. No reservations about the response.</p>
4	<p>Very good response provided against the objectives of the project and the Council's requirements without creating a disproportionate level of risk to the Council or the delivery of the project. Response inspires great confidence and exceeds or meets the Council's requirement with all requirements being addressed thoroughly and convincingly. No significant reservations about the response.</p>
3	<p>Acceptable response provided against the objectives of the project and the Council's requirements without creating significant risk to the Council or the delivery of the project. Response is broadly compatible with the Council's requirements and demonstrates a sound understanding of the objectives of the project. Only moderate reservations about the response.</p>
2	<p>Poor response provided against the objectives of the project and the Council's requirements and/or creates a high level of disproportionate risk to the Council or to the delivery of the project. Response fails to demonstrate a substantive understanding of the Council's requirements and gives significant cause for concern about the delivery of the objectives of the project.</p>
1	<p>Very poor response provided against the objectives of the project and the Council's requirements and/or creates a very high level of disproportionate risk to the Council or to the delivery of the project. Fails to meet the Council's requirements and/or no confidence about the delivery of the objectives of the project.</p>
0	<p>Unacceptable response provided with completely fails to address the criteria and/or fails to demonstrate any understanding of the Council's requirements or fails to deliver the specified Minimum Requirements and/or confidence about the delivery of the objectives of the project.</p>

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	<p>Council</p> <p>3 March 2015</p>
<p>Title</p>	<p>Pay Policy Statement</p>
<p>Report of</p>	<p>Chief Executive</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Appendix 1: Report to Remuneration Committee, 18 February 2015 Annex A – Pay Policy Statement 2015/16</p>
<p>Officer Contact Details</p>	<p>Mark Grimley, Human Resources Director (CSG), 020 8359 7918</p>

Summary

This report encloses the report that was considered by Remuneration Committee and sets out the recommendations the Committee made to Full Council.

Recommendation

That Council approve the Pay Policy Statement 2015-16 as set out at Annex A.

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report to Remuneration Committee, 18 February 2015.
- 1.2 Full Council is responsible for approving the annual Pay Policy Statement.

- 1.3 The Remuneration Committee considered the Pay Policy Statement 2015/16 at their meeting on 18 February 2015. The Committee made the following resolutions:
1. That the Committee agrees the Council's Pay Policy Statement for the financial year 2015/16 and to remit it for endorsement by Council on 3 March 2015, subject to the deletion of paragraph 3.14 and paragraph 5.1.
 2. That the Committee requests officers to provide figures on what it would cost for the Council to adopt the London Living Wage when unified pay comes into effect, and what the costs would be to backdate this pay to June.
- 1.4 To address the recommendation detailed in 1.3 (1) above, sections 3.14 and 5.1 of the Pay Policy Statement 2015/16 have been amended to address the concerns of the Remuneration Committee.
- 1.5 As set out at 1.3 (2) above, the Remuneration Committee have requested further information about the costs of the increase of the Barnet Living Wage in line with the London Living Wage, as set by City Hall. This information will be provided and considered as part of the annual review of the living wage at the next Remuneration Committee.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the report to Remuneration Committee, 18 February 2015.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 As set out in the report to Remuneration Committee, 18 February 2015

4. POST DECISION IMPLEMENTATION

- 4.1 As set out in the report to Remuneration Committee, 18 February 2015

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the report to Remuneration Committee, 18 February 2015

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

- 5.2.1 As set out in the report to Remuneration Committee, 18 February 2015

5.3 Legal and Constitutional References

5.3.1 Constitution, Responsibility for Functions – sets out the functions of Full Council including approval of the annual Pay Policy Statement.

5.4 Risk Management

5.4.1 As set out in the report to Remuneration Committee, 18 February 2015

5.5 Equalities and Diversity

5.5.1 As set out in the report to Remuneration Committee, 18 February 2015


5.6 Consultation and Engagement

5.6.1 As set out in the report to Remuneration Committee, 18 February 2015

6. BACKGROUND PAPERS

6.1 Report to Remuneration Committee, 18 February 2015:
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=381&MId=8204>

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	Appendix 1
	Remuneration Committee 18 Febraury 2015
Title	Pay Policy Statement 2015
Report of	Chief Executive
Wards	All
Status	Public
Enclosures	Annex A – Pay Policy Statement for 2015/16
Officer Contact Details	Mark Grimley, Human Resources Director (CSG), 020 8259 7918, mark.grimley@barnet.gov.uk Graham Thurston, Unified Reward Project Manager, 0208 359 2115, graham.thurston@barnet.gov.uk

Summary
This report sets out for Committee the Council’s Pay Policy Statement for 2015/16, for agreement.

Recommendation
That the Committee agrees the Council’s Pay Policy Statement for the financial year 2015/16 and to remit it for endorsement by Council on 3 March 2015.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Remuneration Committee is responsible for developing the annual pay policy statement for full Council approval and for the publication of the annual statement.

- 1.2 The 2015/16 Pay Policy Statement is attached at Annex A. The statement uses the 2014/15 statement as a template. The main changes to the statement reflect new salaries as negotiated by the national joint bargaining machinery for Local Government Services.
- 1.3 The 2015/16 Pay Policy Statement also notes that the Council is in the process of negotiating a new pay structure and revisions to terms and conditions of employment and, as such, a revised Pay Policy Statement will be considered and published as necessary, once the new arrangements have been implemented.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Publication of pay policy statements is a legislative requirement under the Localism Act 2011.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 Subject to approval by the Committee, the 2015/16 Pay Policy Statement will be referred to Full Council for determination on 3 March 2015.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Remuneration Committee plays a key role in ensuring that the corporate vision of 'Better Services with Less Money' is supported by the Reward Strategy. The pay bill is the largest cost for the London Borough of Barnet and this committee will underpin the aim of pay control in order to deliver the Mid Term Financial Plan.
- 5.1.2 The Council is required under the Localism Act 2011 to produce an annual Pay Policy statement. The Remuneration Committee will need to agree the statement and then remit it for endorsement by Full Council. The final date for publication is 31 March 2015. The Council is required under the Localism Act 2011 to produce an annual Pay Policy statement. The Remuneration Committee will need to agree the statement and then remit it for endorsement by Full Council. The final date for publication is 31 March 2015

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

- 5.2.1 There are no resource implications.

5.3 Legal and Constitutional References

5.3.1 Pay policy statements have been necessitated by section 38(1) of the Localism Act 2011 and in accordance with section 39(3) of the Localism Act 2011 the Council must publish its annual Pay Policy Statement by 31st March 2015

5.3.2 Council Constitution, Responsibility for Functions, Annex A – details the terms of reference of the Remuneration Committee which includes:

“To develop the annual pay policy statement for full Council approval and be responsible for the publication of the annual statement, which will include:

- The level and elements of remuneration for each Chief Officer;
- Relationship of the remuneration of Chief Officers and other officers;
- A description of the relationship between decisions made on the lowest paid and top paid employees in the organisation;
- Remuneration of the lowest paid (with the definition of the lowest paid and the reasons for adopting that definition);
- Remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments;
- Transparency arrangements;
- Reasons for chosen approach to remuneration levels and how this is to be implemented;
- Differences of approach to groups of employees and the reasons for them;
- Pay dispersion.
- Incremental progression factors
- Use of honoraria and ex-gratia payments
- Determine remuneration parameters for officers who have returned to work for a local authority
- Appointment and remuneration terms

To review annually remuneration, as defined above, for the Council’s Chief Officers except those elements determined nationally or pensions.”

5.4 Risk Management

5.4.1 The establishment of this committee forms part of the Council’s discharge of its responsibilities under the Localism Act 2011, in particular the issues of transparency for Chief Officer pay.

5.5 Equalities and Diversity

5.5.1 The Pay Policy Statement provides enhanced transparency about pay policy within the Council and forms part of the information which the Council publishes to discharge its Public Sector Equality Duty as part of the Equality Act 2010.

5.6 Consultation and Engagement

5.6.1 N/A

6. BACKGROUND PAPERS

6.1 Remuneration Committee, 20 January 2014 – agreed the Council’s Pay Policy Statement for the financial year 2014/15 and to remit it for endorsement by Council on 4 March 2014:

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=381&MId=7504>

6.2 Council, 4 March 2014 – agreed to endorse the changes to the Council’s Pay Policy Statement for 2014/15:

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=7516>

Annex A

London Borough of Barnet

Pay Policy Statement 2015/16

**Published
April 2015**

1 Background

Localism Act 2011 - Openness and accountability in local pay

- 1.1. Section 38(1) of the Localism Act requires local authorities to produce an annual pay policy statement.
- 1.2. The provisions in the Act do not seek to change the right of each local authority to have autonomy on pay decisions, however it emphasises the need to deliver value for money for local taxpayers.
- 1.3. This statement has been approved by Council and any further changes during the year will be brought back to Council for adoption.
- 1.4. This statement does not cover schools.

Related Remuneration and Transparency Context

- 1.5. The Council follows the transparency requirements on remuneration as set out in the Code of Recommended Practice for Local Authorities on Data Transparency issued by the Department for Communities and Local Government in September 2011 and specific guidance relevant to the Localism Act issued by the Department in February 2012 and February 2013.
- 1.6. Part of the Code of Recommended Practice for Local Authorities on Data Transparency includes publishing information relating to senior salaries within a local authority. A full list of all posts that are paid more than £58,200 is published on the Council's website. See http://www.barnet.gov.uk/info/1573/senior_salaries/828/senior_salaries

2. Governance arrangements for pay and conditions of service within London Borough of Barnet

- 2.1. General Functions Committee - as set out in the Council's constitution Part 3, section 2 – has responsibility for staff matters and conditions of service. General Functions Committee is a sub committee of Council and its decisions may either be referred up or are approved by Council, as appropriate.
- 2.2. Remuneration Committee – as set out in Part 3 of the Council's Constitution – Responsibility for Functions has in its Terms of Reference accountability for remuneration of chief officers and pay in general. Remuneration Committee is a sub committee of Council and its decisions may either be referred up or are approved by Council, as appropriate.
- 2.3. The Remuneration Committee also has responsibility for ensuring that remuneration is set within the wider pay context, including giving due consideration to the relationship between the highest and lowest paid in the organisation. The Remuneration Committee will produce pay recommendations and will remit the pay policy for approval by Council.

3. Remuneration arrangements for all employees

Introduction

- 3.1. This section sets out the remuneration arrangements for London Borough of Barnet employees.

Senior Management

- 3.2. The Senior Management Team's pay and reward arrangements include:
- Market based pay structure which links job size to the mid point between Median and Lower Quartile Pay data
 - Evaluation of all roles using Hay job evaluation scheme to size the role.
 - Pay Grade reflect job sizes and evaluated roles are slotted according to the evaluated job size
 - Automatic enrolment into Local Government Pension Scheme (LGPS)
 - Base pay reviewed by Remuneration Committee - these roles are outside national pay bargaining
 - 30 days annual leave
 - Sick pay is a maximum of six months at full pay and three months at half pay

Rest of the Council

- 3.3. The Council is reviewing its pay and reward arrangements for all other employees. Current arrangements are:
- Base pay negotiated through collective bargaining arrangements administered by the Local Government Association
 - Adoption of the National Joint Council (NJC) for Local Government Services (LGS) pay spine
 - Evaluation of all roles using systematic job evaluation.
 - Roles placed on the pay spine using job evaluation
 - Automatic enrolment into Local Government Pension Scheme (LGPS)
 - Other terms and conditions of employment, such as entitlement to sick pay and annual leave, are governed by the NJC LGS

Pay Scales - Senior Management Team

- 3.4. The Senior Management grade structure and salaries were agreed by Remuneration Committee on 28 June 2012. Remuneration Committee sets the pay rates applicable to the grade structure on an annual basis and this pay policy statement is updated. The table below sets out the salaries associated with the pay grades for the Senior Management Team and the Statutory Officer posts. Salaries are reviewed during April each year and an updated pay policy statement is approved and published by the Council as necessary.

Pay Grade	Pay point for Entry On 1 April 2015	Pay point for Developing On 1 April 2015	Pay point for Fully Competent On 1 April 2015	Chief Officer Post(s)* included in each Pay Grade
1	£177,613	£182,613	£187,613	Chief Executive
2	£148,464	£153,464	£158,464	Chief Operating Officer*; Strategic Director for Commissioning*
3	£124,870	£129,870	£134,870	Commissioning Director for Children & Young People (incorporates statutory Director of Children's Services)*; Commissioning Director for Adults & Health (incorporates Statutory Director for Adults and Social Services)*
4	£103,846	£108,846	£113,846	Assurance Director
5	£85,139	£89,869	£94,599	Non-chief officer posts – mainly Assistant Director posts and Heads of Service
6	£71,511	£75,484	£79,457	
7	£57,950	£61,170	£64,389	

* These Chief Officer posts are subject to changes in the Council's constitution to reflect the new senior management structure

- 3.5. Each Pay Grade comprises 3 pay points – Entry, Developing and Fully Competent. The Fully Competent pay point reflects the evaluated level of the job. The Council does not pay beyond the evaluated level of the job and there is no automatic progression between each level within the Grade.
- 3.6. The appropriate pay point at recruitment will normally depend upon the applicant's assessed level of competence.
- 3.7. All chief officer appointments will be conducted by a member recruitment panel. The candidate's remuneration will be voted on by the Remuneration Committee and reported to Council at the earliest opportunity. Council have been given the opportunity to vote on Chief Officer salaries at or above £100,000 per annum and have delegated this function to the Remuneration Committee. Remuneration Committee consists of the Leaders of all three main political parties (one of whom is the Leader of the Council) and two other members.
- 3.8. Remuneration Committee appoints chief officers with the exception of the Head of Paid Service (Chief Executive), as Council retains the responsibility to confirm the appointment of the Chief Executive.

Pay Scales - Rest of the Council

- 3.9. The council in accordance with its single status agreement currently has two pay bands in operation for the remainder of the Council as follows:

Pay Band	Relevant employees	Lowest Pay Point on 1 April 2015	Highest Pay Point on 1 April 2015
Hayband 4	Senior Managers and some professional staff	£49,082	£64,528
Barnet Broadband	All other employees	£16,242	£66,916

- 3.10. The evaluated grade for a role is normally 4 spinal column points. However the Single Status Agreement allows for some discretion in the number of spinal column points within a grade ranging from single spot grade through to a career grade; this discretion must be in line with the single status agreement.
- 3.11. The pay point on recruitment is normally at the bottom point of the grade for each post unless there is a justifiable reason for doing otherwise. An example might be that for particular roles there is difficulty in recruitment and retention and to ensure that the successful candidate accepts the job offer a salary above the bottom of the grade is required.
- 3.12. Progression through the grade is through annual increments until the top of the pay grade is reached.

Barnet Living Wage

- 3.13. The Council has developed a fair pay policy to ensure that it applies a minimum wage for Council employees.

“London Borough of Barnet is a fair pay employer and will apply the principles of a living wage (including taking into account the National Minimum Wage, National Living Wage, London Living Wage and national pay awards in the public sector), subject to affordability.

- 3.14. Employees whose pay rate is less than the agreed amount will receive a pay supplement to bring their pay up to an equivalent of the published Barnet Living Wage rate. The minimum rate will be reviewed on an annual basis.

Other Elements of Remuneration

Pay Protection

- 3.15. The Council’s Managing Organisational Change Policy is applicable to all employees and sets out the Council’s pay protection policy.

Honoraria

- 3.16. The Council has an Honoraria Policy applicable to all employees which sets out: when Honoraria may be paid; the payment calculation and the period of payment. Any Honoraria payments must be agreed at Assistant Director level or above.

Market Factor Supplements

- 3.17. The Council has a Market Factor Supplement Policy applicable to all employees which describes when and how the Council may pay beyond the evaluated level of the job. Any market payment will need to be supported by clear market evidence before it can be brought into payment.

Other

- 3.18. The Council does not pay bonuses or performance related pay to senior managers.
- 3.19. The Council does not offer any benefits in kind.
- 3.20. The Council does not use ex-gratia payments.

Payment for election duties

- 3.21. The role of Returning Officer is considered to be secondary employment and any Senior Officer undertaking this role will be expected to either take annual leave or special unpaid leave when fulfilling this function.
- 3.22. Any employee who undertakes election duties is paid for this through the Returning Officer. The level of Fees & Charges payable for election duties are set by the Cabinet Office & London Councils.

Pension Arrangements

- 3.23. The percentage rate of contributions is set according to pension regulations.
- 3.24. Employees of the London Borough of Barnet are automatically enrolled into the LGPS but can opt out if they so wish.
- 3.25. All pension matters are dealt with by LGPS Scheme Rules.

Redundancy Terms

- 3.26. The Council's Managing Organisational Change Policy is applicable to all employees, including Chief Officers, and Head of Paid Service, and sets out redundancy compensation.
- 3.27. Compensation is calculated as 1x actual salary x number of weeks. Number of weeks is calculated using the statutory matrix of Age and Years of Completed Service. The minimum is 1 week's actual gross pay and the maximum is 30 weeks.
- 3.28. The Council's redundancy terms do not enhance pension entitlements.
- 3.29. The Council as part of its duty to mitigate the consequences of redundancy puts in place appropriate employee support, which includes career advice, workshops and trial periods for employees.

Appointment and Remuneration Terms

- 3.30. The Council appoints to roles on a variety of terms and the final decision about the appointment and remuneration terms will be a reflection of the requirements of the role; the evaluated level of the role; the longevity of the role; budgetary constraints and broader value for money considerations.

4. Severance arrangements

- 4.1. The Council does not enhance severance packages beyond statutory and contractual entitlements. In practice this means severance package consist of redundancy pay (see 3.6), any holiday pay the employee is contractually entitled to and pension payments that the employee is entitled to in accordance with the Local Government Pension Scheme (LGPS).
- 4.2. Where an employee is aged 55 or above and is made redundant then by virtue of the LGPS scheme rules the employee's pension will automatically come into payment. It should be noted that an employer cost, known as 'Pension Strain' will be crystallised and is a cost to be paid by the employer to LGPS.
- 4.3. For the purposes of calculating the component parts of a severance package this will include:
- redundancy pay
 - holiday entitlement earned but not taken
 - 'pension strain' cost payable by the Council to the Pension Scheme
- 4.4. Council have been given the opportunity to vote on severance packages at or above £100,000 per annum and have delegated this function to the Remuneration Committee. Remuneration Committee consists of the Leaders of all three main political parties (one of whom is the Leader of the Council) and two other members

5. Relationship between the remuneration of its chief officers, and the remuneration of its employees who are not chief officers

Remuneration of the Lowest Paid

- 5.1. The definition of the lowest paid is based on the Council's living wage - see section 3.13.

Pay Dispersion

- 5.2. The highest paid role in the Council is the Chief Executive with earnings of £187,613. The median average paid role is £27,251 and this covers a wide range of roles. The ratio between the highest paid in the authority (Chief Executive Officer) and the median average paid role is 1:7.3. The lowest paid role in the Council is scp 5 earning £16,242 per annum but this is subject to the Council's living wage supplement (see section 3.13 to 3.15). The ratio between the highest and lowest paid roles is 1:11.4. The lowest paid includes the Council's living wage supplement
- 5.3. A comparison between the current year and previous year is shown below:

Description	2013/14	2014/15	2015/16
Highest Paid	£187,613	£187,613	£187,613
Median	£28,800	£25,710	£27,251
Lowest paid	£14,697	£16,518	£16,518
Highest to median ratio	1:6.5	1:7.3	1:6.9
Highest to lowest ratio	1:12.8	1:11.4	1:11.4

Elements of Chief Officer Remuneration

- 5.4. All Chief Officers receive only base pay. In common with all other roles in the Council if there was clear market evidence that the evaluated level of the job did not reflect the market then a market supplement would be considered. Any market supplement would need to be agreed by the Remuneration Committee.

6. Staff moving posts within the public sector

- 6.1. The Council operates a recruitment policy based on merit - in line with section 7 the Local Government and Housing Act 1989.
- 6.2. Should a successful candidate be in receipt of a severance payment or pension the London Borough of Barnet applies the Rules of the Local Government Pension Scheme and Modification Order to manage the following scenarios, should they occur:
- Where previously employed by the same authority, left with a severance or redundancy payment, and have come back as a Chief Officer
 - Are in receipt of a Local Government Pension Scheme or Firefighter pension (whether their previous service was with the same authority or not)

- 6.3. Where the successful candidate was previously employed by the Council then there would normally be a six month break before the Council would re-employ either as an employee or under a contract for services

7. Publication of and access to information regarding remuneration of Chief Officers

- 7.1. Remuneration information about Chief Officers is published on the London Borough of Barnet's website which is accessible to all members of the public.
- 7.2. The Council's Annual Accounts set out actual remuneration including all elements of pay for roles paid above £58,200. These accounts are published on the Council's website.

8. Amendments to this Pay Policy Statement

- 8.1. There is a requirement to keep this Pay Policy Statement as up to date as possible. Therefore, mid-year amendments to the statement will be approved and published by the Council as appropriate.
- 8.2. The Council is currently negotiating changes to the pay and grading structure and terms of employment. A revised Pay Policy Statement will be considered by the Council once negotiations have been concluded and new arrangements are to be implemented.

April 2015

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