

<p style="text-align: center;"><u>MEETING</u></p> <p style="text-align: center;">ASSETS, REGENERATION AND GROWTH COMMITTEE</p>		
<p style="text-align: center;"><u>DATE AND TIME</u></p> <p style="text-align: center;">MONDAY 17TH SEPTEMBER, 2018</p> <p style="text-align: center;">AT 7.00 PM</p>		
<p style="text-align: center;"><u>VENUE</u></p> <p style="text-align: center;">HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG</p>		

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
1.	PUBLIC QUESTIONS AND COMMENTS (IF ANY)	3 - 14

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	Item	Raised by	Question Raised	Answer
1	7	Roger Tichborne	Please can the council explain how the funding for the new station at BXS will be achieved. In particular I am concerned that it appears that alternative funding is being sought, whereas the original business case envisaged a ring fencing of Business Rates from the Brent Cross expansion. Once this funding has been identified, is there a realistic prospect that the developers will be able to reactivate their plans and dodge their previously ring fenced commitments.	<p>The Council is currently in discussions with HM Government to update the funding strategy. These discussions are expected to conclude in early November and will be reported to the Committee on 27 November 2018.</p> <p>Business rates will be payable from the Brent Cross expansion as required for any other occupier or business.</p>
2	7	Roger Tichborne	In light of the current problems facing retailers, there has been talk of a complete review of the system of business rates (a proposal I fully support). What plans are in place to ensure that such a change to legislation would prevent the Barnet Taxpayer having to pick up the bill if Business rates are abolished and another method of business taxation used? I note that this is not mentioned in the risk register. (We note the statement in section 1.2 - It also outlines the work being undertaken by the Council following Hammerson's announcement to defer start on site on the Brent Cross Shopping Centre as set out in paragraph 1.4 of this report. Whilst the preferred station funding strategy set out in the Full Business Case approved by Policy & Resources Committee and	<p>The current funding strategy is based on the business rates generated from the Brent Cross expansion being used to repay the borrowing for the Station. The ring-fencing legislation ensures that the business rates growth is safeguarded from any review until the borrowing is repaid. Any new update to the funding strategy will be based on the same principle.</p>

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			<p>HM Government is based on the ringfencing of business rates growth from the shopping centre development to date, the FBC also addresses the risk of delay by Hammerson and identifies possible mitigations. The public sector partners have agreed to work together to find an alternative funding solution by end of October 2018 to secure delivery of the station and BXS. The public sector partners agreed to continue to commit MHCLG grant to maintain momentum and in the expectation that a solution will be found as set out in paragraph 1.41 of this report.</p>	
3	8	Jasmin Parsons	<p><i>1.8 - As part of maximising the value of the council's estate, alongside more traditional developments in partnership with or by selling to private developers,</i></p> <p>Are Barnet council LBB now openly admitting that they made the mistake of selling off West Hendon Estate for £3 to Barratts allowing the developers to make massive profits while building less than half the council homes they originally agreed to build?</p>	<p>The West Hendon scheme includes just under 30% social &/or affordable housing and a significant number of other benefits including;</p> <ul style="list-style-type: none"> - A new road network and removal of the existing gyratory system - A two-form entry community school - A new community centre - An enhanced Town Centre & community hub - 2 new bridges & creation of an extensive network of high-quality open spaces <p>Prior to passing it to developers the land was valued independently. The valuation assessed both the open market ("unrestricted") and restricted (i.e. once the obligation to meet the costs of rebuilding social housing, changing the road network, providing new community facilities and public spaces are factored into the</p>

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				development) values of the land. For West Hendon the total restricted value of the land as calculated by the independent district valuer was a nominal sum, i.e. a few pounds, which is what the council has transferred it for.
4	8	Jasmin Parsons	Will LBB comply Barratts to honour the PLEDGE in full rather than just cherry pick what they decide suits them?	The Council and its development partners honoured the Pledge in the way in which the West Hendon scheme was designed. The Inspector at the CPO1 Inquiry looked at this topic in detail and found that most of the pledges are being met and that 'the few points which are no longer being met relate to the changes in the Scheme brought about due to the drastic and unforeseen economic downturn of the late 2000s' (source: CPO2 Inspectors report, July 2017).
5	8	Jasmin Parsons	Will LBB comply new developments in partnership and private developers to stick to the original plans or allow them as they have with the West Hendon Estate continue to vary, add and remove and alter before, during and after construction that suits them and not the resident?	The intention where possible is to always keep to the original principles/plans however there are sometimes circumstances that might require changes to be made (such as unforeseen changes to the economy). In the event of this we would aim to work with residents so that they are aware and understand any changes.

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6	8	Jasmin Parsons	Will LBB consider enforcing shared equity homes as standard to allow more people to buy and keep their homes unlike what is currently happening with shared ownership schemes where owners are losing their homes?	Clarification sought from Ms Parsons
7	8	Jasmin Parsons	<i>The Barnet Group proposal</i> <i>1.9 To develop new homes for affordable rent?</i> Currently happening with the non-secure tenants being evicted from the West Hendon Estate are being forced to accept properties that they cannot afford by 'Barnet Homes' who have decided that they are affordable with government hand-outs. Is this LBB's description of affordable housing?	Non-secure tenants are assessed and helped by Barnet Homes to find new homes away from the estate. Currently there are 11 non-secure tenants left in CPO2 for whom new homes are being sought.
8	12	Mary O'Connor	Finchley Central is a station on the Northern Line. The surrounding area is Finchley Church End. Why does this report refer to the area as Finchley Central? Is there a policy to change the names of local areas to match the rail station? Will Chipping Barnet also be changed to High Barnet? How does changing the historical name of Finchley Church End "strengthen the identity of Finchley"?	The council-defined boundary for Town Centre takes in a wider area than the historic area known as Finchley Church End. The <i>We Made That</i> consultation showed that the name Finchley Central is widely used locally by people living and working in the area. The council does not have any policy to change the names of town centres.

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9	12	Mary O'Connor	Finchley Church End is in both West Finchley and Finchley Church End. Why is only Finchley Church End mentioned in the ward list?	This is an error and will be amended.
10	12	Mary O'Connor	Where will the 600 plus residential units, retail and commercial space around Finchley Central station be placed? Is this development solely on Transport for London land? Will the carpark be retained, or reduced in size, and if so what are the implications for the town centre? Is the station to be relocated?	Transport for London is currently investigating the development of land owned by London Underground, situated either side of the Northern line tracks at Finchley Central. There are no agreements in place to proceed with development and TfL will engage with the local community and stakeholders once a design team is appointed.
11	12	Mary O'Connor	'We Made That' produced 'Finchley Central Town Centre Strategy' with very little local consultation with residents. Their ideas on paper involve costs without likely improvement. An example being the raised carriageway to ease pedestrian crossing as part of the Finchley Square project. But presently there is a pedestrian crossing at each end of the planned 'Finchley Square' so where is the benefit? The Finchley Square project includes the introduction of civic furniture and planting, but there are trees there already and Barnet Council has removed seating from this area. While this area certainly could be enhanced, is the 'We Made That' the best option and value for money?	<p>The council worked to develop the town centre strategy with <i>We Made That</i>. There was a good level of public engagement with their work at face to face events and through online consultation, with over 100 responses.</p> <p>Any interventions that the council delivers in response to the strategy will be fully costed and assessed for value for money. The council will also ensure that the current circumstances are fully taken into consideration.</p>

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12	12	Mary O'Connor	How will Barnet Council deliver the short-term improvements to achieve “supporting Victoria Park as part of the town centre”?	The Town Centres Team will review the outcomes of the Victoria Park consultation to identify any ways that the two projects can complement one another. For example, the proposals in the strategy include public realm improvements by the Ballards Lane entrance to the park.
13	7	John Cox	<p>Public sector Regarding planning, financial and engineering work carried out by the Authority in relation to a possible station, where does the division lie between those who are in the public sector and those who are solely in the private sector?</p> <p>(I define the ‘public sector’ in this instance as being those whose work is covered by the Nolan Principles of Public Life and the Public Sector Equality Duty, and work which lies within the scope of the Information Commissioner’s Office. It does not matter who employs the staff.)</p>	<p>The council commissions delivery of the Brent Cross Thameslink scheme in its entirety from Re. Technical aspects of delivery are commissioned from outside the Joint Venture.</p> <p>Public Sector partners include HM Government and the GLA as well as the council.</p>
14	7	John Cox	<p>Compulsory purchase I appreciate that the Brent Cross CPOs themselves are beyond legal challenge. However, at the Brent Cross public local inquiries, the Authority categorically asserted that CPO2 “depended” on CPO1, but that CPO3 was “independent” of the other two CPOs.</p> <p>(a) Does the Authority still consider that is so, or has something changed?</p>	<p>All three CPO Orders have now been made and are free from legal challenge. Any concerns raised by the Secretary of State will have been addressed prior to the decision to confirm CPO3 being issued.</p> <p>In respect of the land requirements, CPO1 includes land required to deliver BXS – hence the linkage between CPO1 and CPO2. No such link exists to between CPO3 and CPO1 and 2.</p>

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			<p>(b) What knowledge does the Authority have of the Secretary of State's concern, expressed very late in the day, over a link between his about-to-be-made CPO3 decision and the earlier two CPOs?</p> <p>(I have reviewed data from several years of MHCLG CPO decisions and studied the ministry's detailed CPO internal procedures and flow charts. The Secretary of State's concern regarding Brent Cross CPOs seems to be unprecedented and unfairly expressed.)</p>	<p>The Statements of Evidence submitted in support of all three CPO Inquiries clearly set out the interdependencies between the three CPO's. The Regeneration team is willing to clarify in response to specific references.</p>
15	7	John Cox	<p>Risk</p> <p>(a) Has the effect on risk for the Authority from the Hammerson postponement been fully anticipated in previously published Authority reports? If not, what extra risk do you now know that you have?</p> <p>(b) The Authority was intending not only to ring-fence shopping centre business rates, but also to provide an open-ended subsidy until the station was 'profitable'. Do you agree?</p> <p>Is that need for subsidy still the case, and if there were to be no shopping centre, railway bridge, spine road or reduced new housing for instance, how does the station subsidy risk to the Authority change and has that already been fully documented?</p>	<p>a) The risk of delay in programme has been anticipated. It was considered as part of the Full Business Case approved by HM Government. In this regard, I to the response to Question 1 advising that the Council is in discussions to update the funding strategy. This will be reported to the next Committee for consideration.</p> <p>b) The Council has not committed to an open-ended subsidy until the station was profitable. The Council is currently in discussions with Network Rail and the Train Operation Companies regarding future maintenance and ongoing costs. This will be reported to the Committee as part of the review on the Implementation Agreement with Network Rail to construct the station and the decision to proceed.</p>

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			(c) Is all the road-building and green space provision promised by Hammerson also postponed, and how does risk to the Authority change were there to be less new housing as a result?	c) The road-building and green spaces are being provided by both the Shopping Centre and BXS. Much of the green space improvements are being provided by BXS. As stated in the report, Hammerson are currently reviewing their programme and an update will be reported to the Committee. This will include an update on the delivery of the infrastructure with Phase 1AN as well Phase 1BN (shopping centre). It is not anticipated that there will be less new housing as a result.
16	7	John Cox	<p>Railway project timings</p> <p>(a) The Leader has approved the West London Economic Prosperity Board report which aims to fund and then open the West London Orbital Railway (WLO) route via Brent Cross West station by 2023.</p> <p>Does the Authority therefore accept that the WLO and Brent Cross West station are concurrent projects, and that by using the Thameslink budget for its WLO study does the Authority concede that they are now irrevocably intertwined?</p> <p>(b) Does the Long Lead Procurement Implementation Agreement refer to items for the south sidings only, or does it also predetermine some of the design of the station? Will another Long Lead Procurement Implementation</p>	<p>a) The Station project is now in the Governance of Rail Projects Investments Stage 5 (GRIP5), early works have commenced and main works due to start in early 2019. The WLO route is currently being progressed to GRIP 2.</p> <p>b) These relate to the rail systems and sidings. A separate Design Services Agreement / IA will be required for the GRIP 5 station design (i.e. platforms and bridge). This will be commissioned shortly in line with Government Approvals.</p>

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			Agreement for the station possibly be needed, if station funding is delayed?	
17	7	John Cox	<p>Network Rail project management</p> <p>(a) For every specific, numbered Network Rail GRIP stage for a new station, what is the specific date when the Authority first provided documentation to Network Rail on the issue of the WLO and discussed with Network Rail the effect it would have on the design and budget of the project?</p> <p>(b) Does the Authority agree there is risk generated if Network Rail GRIP stages have not analysed the Leader's WLO project?</p> <p>Would not the Authority's decisions be unsafe, based on non-compliance with standards of public-sector governance mentioned in question 1?</p>	<p>The Council has consistently advised that the delivery programme for the Brent Cross West Station (BCW) should not be delayed as result of the WLO station. Nonetheless, the Council is committed to ensuring that any new WLO station can be integrated into the BCW station. Consequently, the Council is reviewing how passive provision can be provided with the station as and when the delivery programme for the WLO station is confirmed. Design and Funding of the WLO station sits outside the existing BCW project, and is being progressed by TfL.</p>
18	7	John Cox	<p>WLO study</p> <p>(a) Is the selection of consultants for the study being made by competitive tender? How is the exact scope, timescale, deliverables and need for archiving of all materials being advertised? Can you provide the tender document? Who decided £50,000 was the likely budget and who</p>	<p>As reported to the last Committee, Council Officers have undertaken an initial review for the potential station on the WLO line (Dudding Hill line) to link into Brent Cross West Station. There are a number of options for configuring platform arrangements for a potential station.</p>

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		<p>wrote the tender document?</p> <p>(b) In what specific ways does the study's scope include possible reconsideration of the overall station design, and can it also recommend changes in publicly-owned land use, including 'extra' land for the station to the east?</p> <p>(c) How will the Authority comply with the Supreme Court insistence on public consultation on 'all reasonable alternatives' at this 'formative stage'?</p> <p>(d) Does the Authority concede that new heavy rail platforms in Barnet should be at least 170 metres long, or at least 150 metres with selective door opening?</p> <p>By way of example...</p> <p>(e) Does it agree with Boris Johnson's 'London 2050 Vision' aspiration for a third Hampstead tunnel by that date, which would allow the freight lines through Brent Cross West station to support Midland Main Line passenger services from east London, via the Kentish Town junction with the Gospel Oak Line, in the future?</p> <p>(f) Does it agree that the current and new fully grade-separated junctions from the Midland Main Line slow tracks at Hendon and the Great Western Main Line relief tracks at Acton mean</p>	<p>Subject to the Committee's approval, the Council is proposing to undertake a design integration study to understand potential preliminary designs for how the station could integrate with the new Brent Cross West Thameslink Station. This would allow passive provision to be provided, if possible, within the Brent Cross West station.</p> <p>This review will be led by the Council's Regeneration team and Thameslink Programme Director.</p> <p>The Council is seeking the Committee's in principle approval to commission such a study and will produce a detailed brief once Committee approval has been received.</p> <p>The questions raised by Mr Cox pre-judge the outcome of the Study.</p> <p>As previously advised, the Council's Regeneration and Thameslink team is willing to meet with John Cox to discuss further, both before the Study is formally commissioned and once completed.</p>
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			that long-distance trains could stop at Brent Cross West station (freight lines) and Mill Hill Broadway station (slow lines) in the future?	
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Request to speak

1. Adanna Oji – Item 8
2. Roger Tichborne – Item 7
3. Jasmin Parsons – Item 8
4. John Cox – Item 7

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