

# Decisions of the Housing and Growth Committee

23 March 2023

Members Present:-

Councillor Ross Houston (Chair)  
Councillor Anne Clarke (Vice-Chair)

Councillor Richard Cornelius      Councillor Ella Rose  
Councillor Paul Edwards          Councillor Daniel Thomas  
Councillor Humayune Khalick      Councillor Sarah Wardle  
Councillor Kath McGuirk

Also in attendance

Cllr Geoff Cooke  
Cllr Laithe Jajeh

Apologies for Absence

Cllr Zahra Beg  
Cllr Alex Prager

## 1. MINUTES OF THE PREVIOUS MEETING

**RESOLVED** that the minutes of the meeting of the Housing and Growth Committee held on 17 January 2023 be approved as a correct record.

## 2. ABSENCE OF MEMBERS

Apologies for absence was received from Councillor Zahra Beg who was substituted for by Councillor Geoff Cooke.

Apologies for absence was received from Councillor Alex Prager who was substituted for by Councillor Laithe Jajeh.

On behalf of the Committee, the Chair offered his congratulations on the birth of Councillor Prager's daughter.

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

Councillor Kath McGuirk declared an interest in relation to item 6 by virtue of being a tenant of Notting Hill Genesis.

Councillor Anne Clarke declared an interest in relation to item 9 by virtue of being a Member of the London Assembly and a member of Campaign for Real Ale (CAMRA).

Councillor Ross Houston declared an interest in relation to item 6 by virtue of being a shareholder in Notting Hill Genesis.

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

There was none.

**5. MEMBERS' ITEMS (IF ANY)**

There were none.

**6. HOUSING PROVIDER - NOTTING HILL GENESIS**

Mark Vaughan, Deputy Group Director of Housing at Notting Hill Genesis (NHG), presented the report highlighting that the numbers of category 1 and 2 homes as well as open repairs had reduced.

It was noted that 395 stock condition survey inspections had been completed in the past year and 445 mixed tenure rental properties were to be surveyed in Barnet to fully verify the status of homes.

A zero tolerance approach to damp and mould was being adopted alongside a change in organisational culture, particularly around being open and listening to residents.

In response to Members, Mark Vaughan said that there had been an increase in damp and mould reporting as a result of ombudsman input and press releases. NHG carried out an annual visits with every resident and additional training was provided to Housing Officers and Surveyors specifically on damp and mould.

It was noted that in line with best practice, all areas of the home would be looked at holistically to eradicate damp and mould.

Cllr Jajeh joined the meeting at 7.18pm.

**7. PETITION TO REMOVE GOLDERS GREEN PARKLETS**

The Officer's recommendations were updated and presented at the meeting as follows:

1. That the Committee notes that one of the actions proposed by the petitioners has already been taken.
2. That the Committee notes that impact of parklets on local traffic and customer footfall is unsubstantiated.
3. Notwithstanding that, the Committee recognises the concerns of the petitioners and instructs officers to meet onsite with ward members of Childs Hill and Golders Green to make a further assessment and make recommendations.
4. That the Committee agrees for officers to conduct an evaluation of the Temporary Streetspace Fund to analyse its impact on town centres across the borough.

Councillor Dean Cohen presented the petition outlining the issues.

Councillor Nigel Young addressed the Committee on the existing strategy for the town centre, feedback from Childs Hill Ward Councillors and the way forward adding that

Officer recommendations should take into account unique parking considerations in Golders Green.

The Chair recommended that Officers liaise with Ward Councillors in the coming weeks for a review of specific areas for consideration.

**RESOLVED That the Housing and Growth Committee:**

- 1. Notes that one of the actions proposed by the petitioners has already been taken.**
- 2. Notes that impact of parklets on local traffic and customer footfall is unsubstantiated.**
- 3. Notwithstanding that, the Committee recognises the concerns of the petitioners and instructs officers to meet onsite with ward members of Childs Hill and Golders Green to make a further assessment and make recommendations.**
- 4. Agrees for officers to conduct an evaluation of the Temporary Streetspace Fund to analyse its impact on town centres across the borough.**

**8. PUBLIC QUESTIONS AND COMMENTS (IF ANY)**

The Committee noted the response to the Public Questions which were published and circulated to Members prior to the meeting.

Upon invitation of the Chair, Michael Mendelsohn asked a supplementary question which was responded to by the Officer present.

Upon invitation of the Chair, Joan Roselie asked a supplementary question which was responded to by the Officer and the Chair.

**9. EDGWARE TOWN CENTRE IN-PRINCIPLE CPO RESOLUTION**

The Chair introduced the report.

Members thanked Officers for progressing the works up to that point.

The Chair encouraged Members of the Committee to walk around the site.

**RESOLVED that the Committee:**

- 1. Agrees in principle to use compulsory purchase powers under section 226(1)(a) and Section 226 (1) (1A) of the Town and Country Planning Act 1990 (as amended) in respect of acquiring the land and rights within the area described in this report for Edgware Town Centre and shown on the plan attached at Appendix 1. This is on the basis that the Council is of the view that compulsory acquisition of the land may ultimately be necessary to secure delivery of the Edgware Scheme, which is seen as essential for the future economic, social and environmental well-being of the Town Centre.**

**2. Agrees in principle to use compulsory purchase powers under Section 47 of the Planning (Listed Buildings & Conservation Areas) Act 1990 in respect of the Railway Hotel, Station Road, Edgware.**

**3. Subject to the 'in-principle' decisions being made, authorises the Director of Growth or other Officer as delegated by the Director of Growth to:**

**a) settle the proposed form and content of the relevant Compulsory Purchase Orders (CPOs) and begin preparatory work to use compulsory purchase powers and the application for any other necessary statutory consents, licenses and orders to enable project delivery in a timely manner, potentially including the use of Section 203 of Housing and Planning Act 2016 to appropriate easements and other rights in the property. Preparations for making the CPOs are likely to involve appointing land referencing agents to thoroughly investigate all land interests, together with the preparation of draft Statements of Reasons and an Equalities Impact Assessment together with all other necessary documentation to progress a CPO.**

**b) ensure all reasonable endeavours are used to assemble the land by agreement/ private treaty prior to the making of any CPO. This will include settling the compensation payable in acquiring any land interests including entering into compensation settlement agreements or undertakings (where such agreements or undertakings are appropriate); as well as seeking to remove land no longer required from the CPO and/or making arrangement for relocation of occupiers and vesting of land acquired in the ownership of the Council or to transfer an interest in land in respect of the properties and proprietary interests acquired pursuant to the CPO to the Scheme regeneration partners, should this be required**

**4. Notes that:**

**a) The CPOs will only be made following a further detailed report and a Statement of Reasons being brought back to the Council.**

**b) A 'Promotion Agreement' is being negotiated with the JV which will indemnify the Council for costs incurred in promoting the Edgware Town Centre CPO for the benefit of the JV.**

**c) Any other necessary expenditure associated with preparatory work for the CPOs will be contained within the Council's existing approved budgets.**

**d) Approval of these recommendations in no way endorses the Scheme design now or at any time in the future. In this respect, the Local Planning Authority is the authority.**

## **10. WHITINGS ROAD & MOXON STREET OUTLINE BUSINESS CASE**

The Chair highlighted the report on good quality affordable housing incorporating community engagement.

In response to Members regarding perceived threat to large mature trees, it Was noted that in addition to one Tree Preservation Order (TPO), other trees in the area would be retained and protected.

**RESOLVED That the Housing and Growth Committee:**

1. **Notes and approves the Outline Business Case, including planning submission for the general fund land identified on the plans in appendices 2 and 4.**
2. **Notes that the additional capital funding for the next stage of work up to Full Business Case stage is subject to approval by Policy and Resources Committee in April 2023.**
3. **Delegates approval of the procurement and development delivery strategy to the Director of Growth.**
4. **Notes that the Full Business Case will be presented to Housing and Growth Committee ahead of entering into legal agreements at a later date.**
5. **Notes that for the Whitings Road site an amendment to the existing Secretary of State approval for removing the land from education use will be sought, to reflect amendments made to the boundary with the school, subject to the school's agreement.**
6. **Notes that The Barnet Group will continue discussions with the commercial tenant at 1-7 Moxon Street to determine whether an early start on site is possible.**
7. **Delegates to the Director of Growth the approval of the appropriation of the site, if required, to Planning purposes.**

**11. TENANCY STRATEGY**

The Chair introduced the draft strategy introduced to refresh the current strategy subject to the consultation process before final approval.

**RESOLVED that the Housing and Growth Committee:**

1. **Considers and, subject to any changes, approves the proposed draft Tenancy Strategy in Appendix 1 for consultation.**
2. **Notes that the results of the consultation be reported to Cabinet in the new municipal year together with officer recommendations and, if appropriate, a revised strategy.**

**12. HOUSING STRATEGY**

The Chair highlighted the strategy and the challenges faced.

In response to Members, the Officer said that in terms of the private rental sector, challenges included affordability which was a national issue as well as uncertainty around technology to address the retrofitting issues. Members suggested that other local schemes be looked at for affordable home ownership.

**RESOLVED that the Housing and Growth Committee:**

- 1. Considers and, subject to any changes, approves the proposed draft Housing Strategy at Appendix 1 for consultation.**
- 2. Notes that the results of the consultation be reported to Cabinet in the new municipal year together with officer recommendations and, if appropriate, a revised strategy.**
- 3. Notes the evidence base at Appendix 2.**

**13. HOMELESSNESS AND ROUGH SLEEPING STRATEGY**

The Chair highlighted the strategy.

**RESOLVED That the Housing and Growth Committee:**

- 1. Considers and Approves the proposed draft Homelessness and Rough Sleeping Strategy at Appendix 1 for consultation, subject to any Changes.**
- 2. Notes that the results of the consultation will be reported to Cabinet in the new municipal year together with officer recommendations and, if appropriate, a revised strategy.**
- 3. Notes the evidence base at Appendix 2.**

**14. HOUSING ALLOCATIONS SCHEME**

The Chair introduced the scheme.

**RESOLVED that the Housing and Growth Committee:**

- 1. Considers and, subject to any changes, Approves the proposed draft Housing Allocation Scheme for consultation.**
- 2. Notes that the results of the consultation will be reported back to Cabinet in the new municipal year together with officer recommendations for approval of the final version of the policy.**

**15. GRAHAME PARK NORTH EAST PROCUREMENT AND DELIVERY STRATEGY**

The Chair highlighted the strategy.

It was noted that the report was a follow up to one of the recommendations from the business case approved last November. The full business case would be reported post tender.

**RESOLVED that the Housing and Growth Committee:**

- 1. Approves the proposed development delivery and procurement strategy, comprising the establishment of a Joint Venture to deliver Phase 1 of the Grahame Park North East scheme (with the option to deliver additional sites) through a Competitive Dialogue procurement process.**
- 2. Notes that the proposal to form a Joint Venture with the preferred partner will be subject to further Committee approval and relevant appointments will be subject to Full Council approval.**

**16. DEVELOPMENT PIPELINE PROGRAMME - DELIVERY STRATEGY**

The Chair introduced the programme on the investment partnership.

Councillor Jajeh highlighted an issue with the numbering sequence in the Officer's report.

In response to Members questions about the selection of Kuropatwa Group, a soft marketing approach was undertaken which narrowed down three prospective partners based on certain criteria.

Councillor Cooke requested for a summary of all development sites that belonged to Barnet Council sites and Barnet Homes that were in the pipeline or recently completed.

It was noted that in terms of flood risk, candidate sites had not been assessed but site surveys were undertaken which showed that the sites were not prone to flooding.

Prior to the partnership, assessments would be undertaken to ensure viability and if results indicated that the site was prone to issues such as flooding, the Council would not be obligated to proceed with the transfer of land.

Officers confirmed that the development contractor was able to handle the project through inhouse resourcing. The Council and the potential partner had the ability to outsource services as required.

It was noted that the further information requested would be sent to Councillor Wardle and a follow up conversation be arranged with Ward Councillors.

Councillor Thomas requested that paragraph 1.2 of the report be corrected. In July 2022, under the direction of Councillor Thomas as Leader, Danegrove Playing Field was removed from the list of supply sites in relation to the Local Plan.

In relation to Trinity Church, the reprovision of a brand new facility on the site was offered with decanting options.

**RESOLVED that the Housing and Growth Committee:**

1. Approves the developer, Kuropatwa Group, as the Private Sector Partner for an Investment Partnership.
2. Grants delegated authority to the Deputy Chief Executive in consultation with the Chair of the Housing and Growth (HAG) committee/ Portfolio lead to:-
  - (a) in consultation with the S151 Officer, approve and finalise the terms of the proposed Investment Partnership Members' Agreement (as described in Section 4.1.1 of this report) and to establish the Investment Partnership;
  - (b) to agree the terms of and enter into a land sale agreement (or option agreement) under which the initial 4 Development Pipeline Programme (DPP) sites identified in this report may be disposed of to the Investment Partnership;
  - (c) to review and consider the outputs of due diligence to be undertaken in respect of the 3 car park sites identified in this report and, if they consider it appropriate in light of those outputs, to agree the terms of and enter into a land sale agreement (or option agreement) for the disposal of those sites to the Investment Partnership; and
  - (d) to agree the terms of and enter into all further documents that are required in order to give effect to the arrangements described in this report
3. Notes that the proposal to become a member of the proposed Joint Venture, or the appointment of officers and/or Members to the same will be presented for approval at a later date to full Council.

## **17. BUILDING SAFETY ACT READINESS - TO FOLLOW**

The Chair introduced the report. The Deputy Chief Executive added that the Council would act as the 'accountable person' and Barnet Homes would act as the agent to deliver that as management of the affected buildings.

**RESOLVED that the Housing and Growth Committee:**

**1. Note the content of the report**

**2. Note that the council (LBB) will be the 'Accountable Person' for the purposes of the Building Safety Act 2022 and ask Council to approve that the functions of the 'Accountable Person' be delegated to the Deputy Chief Executive and that the constitution be updated.**

**3. Approve that the housing management agreement between the council and Barnet Homes be updated as some duties of the 'Accountable Person' will be carried out by them as agent for the council.**

## **18. BRENT CROSS TOWN UPDATE**

The Chair highlighted the progress report.



In response to Members about covering costs, Officers advised that the sponsor would be liable for the initial operating deficit, three years from opening.

**RESOLVED that the Housing and Growth Committee:**

- 1. Note the progress across the programme as detailed in the report.**
- 2. Delegates to the Director of Resources in consultation with the Chair to finalise the heads of terms and to finalise and complete the required legal documentation to bring forward plot 22, as outlined in paragraph 1.26**
- 3. Delegates to the Brent Cross Programme Director to finalise and approve minor variations to existing licences, Lot 2 agreements and plot headleases where required to improve the effective and efficient running of the development as explained in paragraph 1.30-1.31**
- 4. Delegates to Chief Executive in consultation with the Chair to finalise and enter into the required legal agreement with BXSLP to undertake the works related to demolition of the low-rise Whitefield Estate subject to agreement with BXSLP, as explained in paragraph 1.43-1.44**
- 5. Approves that home loss and disturbance payments for secure tenants of the Whitefield Estate Part 2 is to be administered by Barnet Homes for 91 properties as set out in paragraph 1.38-1.39**
- 6. Delegates to the Brent Cross Programme Director to finalise and approve the relevant legal documents required to enter into a Memorandum of Agreement/Understanding with property owners and L&Q on terms to acquire existing property and roll-over value into new Shared Equity property on Plots 12 and 54 as explained in paragraph 1.54-1.55**
- 7. Notes to strategy to finalise and approve agreements required to regularise the land boundary and secure the remaining Network Rail land required for the Waste Transfer Station as explained in paragraph 1.63**

## **19. DAMP & MOULD**

Elliot Sweetman, Group Director of Operations & Property from Barnet Homes, presented the report. A detailed action plan included oversight of temporary accommodation and council stock in partnership with public health. Progress was underway with funding received to set up a new Healthy Homes Team.

The Chair thanked the team for all their hard work.

**RESOLVED that the Housing and Growth Committee note the report.**

## **20. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN UPDATE**

The Chair introduced the report.

Nicholas Stylianou, Head of Finance, added that rent which was capped at 7% along with an increase in costs to improve damp and mould have been factored into the plan. Taking into account the additional costs including annual capital works, the HRA would maintain positive reserves.

**RESOLVED that the Housing and Growth Committee approve the updated Housing Revenue Account Business Plan as attached in Appendix 1.**

**21. QUARTER 3, 2022/23 PERFORMANCE REPORT FOR RE AND THE BARNET GROUP SERVICES**

The Chair highlighted that there were challenges with the key performance indicators in relation to the private rental sector, half of which had been achieved.

**RESOLVED that the Housing and Growth Committee note the Quarter 3 (Q3) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) and Barnet Homes (The Barnet Group) that fall under the remit of this Committee.**

**22. FORECAST FINANCIAL OUTTURN AT MONTH 10 (JANUARY 2023) - TO FOLLOW**

The Chair introduced the report, highlighting that the projected savings target had been met but a number of risks would be faced the following year.

Nick Stylianou said that some of the challenges included Barnet's supply issues around temporary accommodation which was at its highest level and the resourcing private sector properties.

Although the pressure from energy rising costs had been managed well this financial year, rising costs were expected next year. The combination of rising interest rates and costs of cyclical repairs added to pressures.

**RESOLVED that the Housing and Growth Committee:**

**1. Notes the current forecast financial outturn for 2022/23.**

**2. Notes the projected use of reserves. (Table 2)**

**23. ANY OTHER ITEMS THAT THE CHAIR DECIDES ARE URGENT**

There were none.

**24. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

**The Committee resolved – 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 3 of Part 1 of Schedule 12A of the Act (as amended).

25. **EXEMPT- EDGWARE TOWN CENTRE 'IN PRINCIPLE' CPO RESOLUTIONS**
26. **EXEMPT - OUTLINE BUSINESS CASE FOR THE WHITINGS ROAD AND MOXON STREET DEVELOPMENT SITES**
27. **EXEMPT - DEVELOPMENT PIPELINE PROGRAMME - DELIVERY STRATEGY**
28. **EXEMPT - BRENT CROSS TOWN UPDATE**
29. **ANY OTHER EXEMPT ITEMS THAT THE CHAIR DECIDES ARE URGENT**

There were none.

The meeting finished at 9.26pm