

MEETING

POLICY AND RESOURCES COMMITTEE

DATE AND TIME

THURSDAY 1ST SEPTEMBER, 2016

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF POLICY AND RESOURCES COMMITTEE (Quorum 3)

Chairman: Councillor Richard Cornelius
Vice Chairman: Councillor Daniel Thomas BA (Hons)

Councillor Dean Cohen	Councillor Tom Davey	Councillor Paul Edwards
Councillor Anthony Finn	Councillor Ross Houston	Councillor Alison Moore
Councillor Alon Or-bach	Councillor Sachin Rajput	Councillor Barry Rawlings
Councillor Joan Scannell		

Substitute Members

Councillor Melvin Cohen	Councillor Geof Cooke	Councillor Arjun Mittra
Councillor Alan Schneiderman	Councillor Mark Shooter	Councillor Reuben Thompstone

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions or comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is 10AM on Friday 26 August 2016. Requests must be submitted to Sarah Koniarski, sarah.koniarski@barnet.gov.uk 020 8359 7574.

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Service contact: Sarah Koniarski sarah.koniarski@barnet.gov.uk 020 8359 7574

Media Relations contact: Sue Cocker sue.cocker@barnet.gov.uk 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	1 - 10
2.	Absence of Members	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (If any)	
4.	Report of the Monitoring Officer (if any)	
5.	Public Questions and Comments (if any)	
6.	Members' Items (if any)	
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14.	Committee Forward Work Programme	261 - 270
15.	Any other item(s) the Chairman decides are urgent	
16.	Motion to Exclude the Press and Public	
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FACILITIES FOR PEOPLE WITH DISABILITIES

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Decisions of the Policy and Resources Committee

28 June 2016

Members Present:-

AGENDA ITEM 1

Councillor Richard Cornelius (Chairman)
Councillor Daniel Thomas (Vice-Chairman)

Councillor Tom Davey	Councillor Alison Moore
Councillor Paul Edwards	Councillor Alon Or-Bach
Councillor Anthony Finn	Councillor Sachin Rajput
Councillor Ross Houston	Councillor Barry Rawlings
Councillor Joan Scannell	Councillor Melvin Cohen (as substitute)

Apologies for Absence

Councillor Dean Cohen

1. MINUTES OF LAST MEETING

RESOLVED – That the minutes of the meeting of the meeting held on 17 May 2016 be approved as a correct record.

2. ABSENCE OF MEMBERS

Apologies for absence were received from Councillor Dean Cohen. Councillor Melvin Cohen attended as a substitute.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

The following interests were declared:

Councillor	Agenda Item	Interest Declared
Councillor Richard Cornelius	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Daniel Thomas	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Sachin Rajput	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Joan Scannell	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Melvin Cohen	Item 6b – Members Item in the name of	Non pecuniary interest as was a member of the Local Authority

		Cllr Barry Rawlings	Pension Scheme
Councillor Rawlings	Barry	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Houston	Ross	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Edwards	Paul	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Finn	Anthony	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Cohen	Dean	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Moore	Alison	Item 6b – Members Item in the name of Cllr Barry Rawlings	Non pecuniary interest as was a member of the Local Authority Pension Scheme
Councillor Rawlings	Barry	Item 9 – Community Benefit Assessment Tool	A pecuniary interest as is a trustee of the Friern Barnet Community Library Board and there was an upcoming decision on a lease due for renewal. Cllr Rawlings noted he would leave the room for consideration and voting on this item.
Councillor Houston	Ross	Item 6b – Members Item in the name of Cllr Barry Rawlings, and Item 8 – Business Planning	Non pecuniary interest as he is a Council appointed representative on the Barnet Group Board
Councillor Rajput	Sachin	Item 10 – Barnet Draft Corporate Enforcement and Prosecution Policy	Non pecuniary interest as he is a practicing barrister with the potential for work in this area. He noted he does not take any prosecution work from Barnet.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

A public comment was received from Ms Julia Hines on agenda item nine, Community Benefit Analysis Tool. Members asked questions which were answered in the meeting.

6. MEMBERS' ITEMS (IF ANY)

(a) MEMBERS ITEM - CLLR ROSS HOUSTON - RETIREMENT AND SHELTERED HOUSING

Councillor Ross Houston introduced the Member's Item in his name which considered the matter set out at paragraph 1.1 of the report.

The Commissioning Director, Cath Shaw provided the committee with background on current policies and practice. With regards to the request for an inspecting and monitoring regime, it was noted that when the Council purchases care and support services for vulnerable people, it will agree a contract with the provider of the service. This confers rights and obligations onto the Council enabling it to monitor the service being provided and hold the provider to account. As the Council does not purchase retirement or sheltered accommodations it has no right of entry or powers to oversee, inspect or intervene unless safeguarding concerns are raised with respect to an individual resident.

Councillor Houston noted there would be benefit to clarifying how people can access advice and guidance on these matters, including relevant information on the council's website such as access to relevant regulatory bodies, and what the council is and is not empowered to do.

RESOLVED – That the Committee request Adults and Safeguarding Committee consider a short report on these matters.

- (b) **MEMBERS ITEM - CLLR BARRY RAWLINGS - CREATIVE RESOURCING OF AFFORDABLE HOUSING TO BENEFIT BARNET**
Councillor Barry Rawlings introduced the Member's Item in his name which considered the matter set out at paragraph 1.1 of the report.

The Committee discussed the matters raised in the report.

Councillor Barry Rawlings moved a motion that was duly seconded that:

"A report to come back to the 5 October Policy and Resources Committee meeting on the feasibility of:

- A) using the council's pension fund; and
- B) joining the UK Municipal Bond Agency - public body aiming to facilitate long term borrowing for local authorities below PWLB rates

in order to help the council fund the building of more affordable homes for home ownership and rent including at social rents in the borough which in turn will:

- help with the recruitment and retention of key frontline workers like teachers, social workers, street sweepers, refuse workers, carers, nurses and many others,
- reduce spend on the temporary accommodation budget,
- reduce the housing benefit bill,

- create more jobs and apprenticeships,
- tackle child poverty,
- improve the health of those otherwise living in substandard private rented accommodation,
- tackle increasing homelessness in the borough
- ensure a mixed, sustainable community.”

Having been put to the vote the Committee voted:

For: 5

Against: 7

Abstain: 0

The motion was therefore lost.

7. RESOLUTION OF FULL COUNCIL - 4 APRIL - OPPOSITION MOTION IN THE NAME OF COUNCILLOR ALON OR-BACH - EU REFERENDUM

Councillor Alon or-back introduced the report which considered the council motion as set out in paragraph 1.1 of the report.

The committee discussed the potential implications of the ‘vote leave’ result of the referendum including reports of racial tension in the borough. The Committee noted there were several areas of potential change which could have impact on the council and its partners, but that much was unknown at this stage.

Councillor Alon Or-bach moved a motion which was duly seconded that:

1. The Leader of the Council and the Leader of the Opposition issue a joint statement reassuring Barnet residents of all backgrounds of their welcome in the borough.
2. The council work with the Mayor of London to ensure continued access to the single market and ensure London gets a seat on the negotiation table.
3. That Policy and Resources Committee receive regular reports, as information becomes available to officers, on matters arising from the referendum such as the impact on Barnet, including budget, of government funding; regeneration products; what our lobbying position is; the impact of data from the European Union on Barnet pension funds; and the impact on prices, jobs and growth in Barnet.

With regard to recommendation three, Councillor Richard Cornelius agreed that regular monitoring at Policy and Resources would be helpful. He noted additional matters which Barnet would need to look at very carefully and develop a lobbying position including:

- Influencing the development of new procurement directives to replace the European procurement directives

- The EU social fund replacement, what will the new UK model look like and making sure that it does not adversely affect the outer London boroughs such as Barnet, Enfield and Harrow
- The landfill directive and how it comes forward with waste charges
- The continuing derogation of the Edmonton incinerator to make sure it can continue operating.

A vote was taken on each of the recommendations in Councillor Ross Houston's motion.

On recommendation one being put to the vote, the votes were recorded as follows:

For: 5
 Against: 7
 Abstain: 0

Recommendation one was therefore lost.

On recommendation two being put to the vote, the votes were recorded as follows:

For: 5
 Against: 7
 Abstain: 0

Recommendation two was therefore lost.

On recommendation three being put to the vote, the committee unanimously agreed the recommendation and it was therefore carried.

Immediately following the vote, Councillor Alon Or-bach, supported by three other members, moved that recommendations one and two be referred up to the next meeting of Full Council. The Committee was advised by officers that the Constitution, Responsibility for Functions, paragraph 6.5 states that "a report may not be referred up unless it is key" and that as this did not apply for these recommendations a referral could not be made.

RESOLVED – That Policy and Resources Committee receives regular reports, as information becomes available to officers, on matters arising from the referendum such as the impact on Barnet, including budget, of government funding; regeneration products; what the council's lobbying position is; the impact of data from the European Union on Barnet pension funds, and the impact on prices, jobs and growth in Barnet.

It was noted that the monitoring and update reports would include consideration of other relevant matters including those noted by Councillor Richard Cornelius.

8. BUSINESS PLANNING 2017-20

The Committee considered the report and the amended information as set out in the Addendum report.

Councillor Barry Rawlings noted that with regards to recommendation three, it would be appropriate that the Efficiency Plan come back to Policy and Resources Committee on 5 October in the event of changes to the MTFS which could result in significant change. The Committee agreed this was appropriate and that recommendation three should be amended to reflect this.

A separate vote was taken on recommendation four.

On recommendations one, two, three (as amended), five and six being put to the vote, the recommendations were unanimously agreed and declared carried.

On recommendation four being put to the vote the votes were declared as follows:

For:	7
Against:	5
Abstain:	0

The recommendation was carried.

RESOLVED – That the Committee

- 1. Notes the updated Medium Term Financial Strategy (MTFS) to 2020 as set out at appendix A and the assumptions underpinning this in para 1.3.3;**
- 2. Approves the proposal to engage with DCLG to seek a multi-year funding settlement to 2020, which requires the council to submit an ‘Efficiency Plan’ to DCLG by 14 October 2016, as set out in para 1.2.18-22;**
- 3. Delegates authority to the Chief Finance Officer, in consultation with the Chairman of Policy and Resources Committee, to submit the ‘Efficiency Plan’ on the basis of the existing MTFS, noting that that if there are changes to the existing MTFS the Efficiency Plan will require approval by Policy and Resources Committee on 5 October;**
- 4. Notes the distribution of savings across Theme Committees for the period 2017-20, which have previously been agreed, and the process to confirm delivery and achievement of these savings during the autumn, ahead of a draft budget report being presented to Policy and Resources Committee in December 2016;**
- 5. Approves the budget amendments in respect of 2016/17 as shown in section 1.4; and**
- 6. Approves the amendments to the current capital programme as shown in section 1.6.**

9. COMMUNITY BENEFIT ASSESSMENT TOOL

Councillor Barry Rawlings left the room for consideration and voting on this item.

The Committee considered the report.

RESOLVED – That the Committee agree that the business case and community benefit assessment tool approach including individual equality impact assessments to rent subsidies and leases, including renewals and new leases, set out in this report should be rolled out to all VCS organisations, as and when their leases are due for renewal or on first grant.

The Committee noted that the community benefit assessment tool approach should be kept under review by officers and requested that there be an update report to Policy and Resources Committee or Assets Regeneration and Growth Committee after a year.

10. BARNET DRAFT CORPORATE ENFORCEMENT AND PROSECUTION POLICY

The Committee considered the report.

The Committee requested wording amendments for accuracy to:

- The correct terminology for ‘formal cautions’ in paragraph 1.10 of the committee report is ‘cautions’, as noted in Section 13.1 (f) of the policy.
- Section 13.1 (f) of the policy should be amended to clarify that ‘Where a simple caution is offered and declined, the Council will consider prosecution’, rather than ‘is likely to consider prosecution’
- Section 14 should clarify that the policy will be reviewed periodically by the Policy and Resources Committee.

Councillor Richard Cornelius noted that paragraph 4.1 of the report sets out the next steps for consultation process, including consideration and report back, and that for clarity the report should contain a recommendation to note that the Policy will come back to Policy and Resources Committee following consultation. This was duly agreed by the Committee.

RESOLVED – That the Committee

- 1. Note the need for and confirm its support for a Corporate Enforcement and Prosecution Policy.**
- 2. Agree the consultation approach proposed, as set out in paragraph 4.1.**
- 3. Agree the proposed approach to the implementation of this policy.**
- 4. Note that the Policy will come back to Policy and Resources Committee following consultation.**

11. CUSTOMER ACCESS STRATEGY

The Committee considered the report.

Councillor Joan Scannell requested a wording change to the Strategy under the first bullet point in paragraph 5.1.5, to change the word 'drive' to 'encourage'. This was duly agreed by the committee.

The Committee noted there were reports of complaints from individuals regarding requests raised via the website which had not been acknowledged or dealt with, and complaints of difficulty in accessing council services via the telephone.

Stephen Evans, the Interim Chief Operating Officer stated that there is a Customer Service Improvement Plan and that work to improve customer services would be continuing, including improvements to the telephone system and to the functionality of the website. The Committee were encouraged to submit any example cases they had received to officers to assist in the work to improve services.

The recommendations in the report were put to the vote, and the votes were as follows:

For:	7
Against:	0
Abstain:	5

The recommendations were declared carried.

RESOLVED – That the Committee

- 1. Approves the Customer Access Strategy as attached at Appendix 1 as the final version of the Strategy.**
- 2. Approves the plan to bring a detailed business case, updated equalities impact assessment and Digital Inclusion strategy for the Customer Access Strategy to this committee for approval in October 2016.**

12. DRAFT SUSTAINABLE DESIGN AND CONSTRUCTION AND DRAFT RESIDENTIAL DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENTS

The Committee considered the report.

Officers advised that the words 'for adoption' should be removed from the end of the recommendations, as Full Council would be the final decision making body. The Committee duly agreed.

RESOLVED –

- 1. That the consultation draft Sustainable Design and Construction Supplementary Planning Document (attached at Appendix 1) is approved for consultation for 6 weeks and then reported back to Policy and Resources Committee.**

2. That the consultation draft Residential Design Guidance Supplementary Planning Document (attached at Appendix 2) is approved for consultation for 6 weeks and then reported back to Policy and Resources Committee.

13. ANNUAL EQUALITIES REPORT 2015/16

The Committee considered the report.

RESOLVED – That the Committee approve the Annual Equalities Report 2015/16 for publication on the council website.

14. AREA COMMITTEE BUDGETS UPDATE

The Committee considered the report and the addendum report.

RESOLVED – That the Committee

1. Note the contents of the report including the attached appendices which provide a full analysis of the allocated Area Committee funding.
2. Instruct Officers, if the Area Committee's support the continuation, for the transfer of £17,000 from each Area Committee's current budget for 2016/17 to the Corporate Grants programme budget. This is to be allocated through, and using the existing and established Corporate Grants application process and reported to the next meeting of each Area Committee.

15. COMMITTEE FORWARD WORK PROGRAMME

The Committee noted the work programme.

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

There were none.

The meeting finished at 9.08 pm

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	<h2>Policy and Resources Committee</h2> <h3>1 September 2016</h3>
<p style="text-align: right;">Title</p>	<p>Member’s Item: Cllr Barry Rawlings – Barnet’s Strategic Partnership Board</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Sarah Koniarski, sarah.koniarski@barnet.gov.uk 020 8359 7574</p>

<h2>Summary</h2>
<p>The report informs the Policy and Resources Committee of a Member’s item and requests instructions from the Committee.</p>

<h2>Recommendation</h2>
<p>1. The Policy and Resources Committee’s instructions in relation to this Member’s item are requested.</p>

WHY THIS REPORT IS NEEDED

- 1.1 Councillor Barry Rawlings has requested that a Member’s item be considered on the following matter:

‘Barnet’s Local Strategic Partnership – the Barnet Strategic Partnership Board – has not met since November 2013, just prior to the local elections in 2014.

Until that point it was meeting twice a year to discuss strategic issues in Barnet with partners including the police, health, Community Barnet, Brent Cross, Middlesex University, Barnet & Southgate College and others. Its

membership also included relevant Cabinet Members from the administration and senior council officers.

After the local elections in 2014 the committee system was introduced, and as a result, three members of the opposition Labour Group were appointed to the Board.

Unfortunately, since that Annual Meeting in 2014 the Board has not met once.

As stated on the Council's website "the Local Strategic Partnership (Barnet Partnership Board) is an advisory Committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies. In Barnet the functions of a Local Strategic Partnership are discharged by the Barnet Partnership Board."

I suggest to the Committee, given the current climate of austerity and the need for more joint working, that this Board needs to meet to discuss the issues within its remit.

I ask the Committee to agree that these meetings should take place, and that a schedule of dates for the Barnet Strategic Partnership Board are put forward for agreement by Full Council.'

2. REASONS FOR RECOMMENDATION

- 2.1 The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

5.3.1 The Council's Constitution ([Meeting Procedure Rules, Section 6](#)) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members' items must be within the terms of reference of the decision making body which will consider the item.

5.3.2 The Committee's terms of reference ([Annex A to the Responsibility for Functions](#)) include a responsibility for the overall strategic direction the the Council including strategic partnerships.

5.3.3 On [24 May 2016, Annual Council](#) made the following appointments to the Local Strategic Partnership (Barnet Partnership Board):

Conservative Councillor	Labour Councillor
Richard Cornelius	Barry Rawlings
Daniel Thomas	Ross Houston
David Longstaff	Pauline Coakley Webb

The Board includes the following partners:

- Barnet Clinical Commissioning Group
- CommUNITY Barnet
- Barnet and Southgate College
- Middlesex University
- Brent Cross Shopping Centre
- Metropolitan Police
- Job Centre Plus
- Groundwork London
- Federation of Small Businesses (North London Branch)
- West London Business
- Argent Related
- Saracens.

5.3.4 [Annex A to the Responsibility for Functions](#) state that the General Functions Committee is responsible for endorsing the calendar of meetings prior to Council approval. [Full Council procedure rules](#) state that Council's items of business include "to agree th council calendar of meetings including for ordinary meetings of the council."

5.4 Risk Management

5.4.1 None in the context of this report.

5.5 Equalities and Diversity

5.5.1 Members' Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 **Consultation and Engagement**

5.6.1 None in the context of this report.

6. **BACKGROUND PAPERS**

6.1 None.

	<h2>Policy and Resources Committee</h2> <h3>1 September 2016</h3>
<p style="text-align: right;">Title</p>	<p>Member’s Item: Cllr Ross Houston – Former Park Keeper’s Lodge, Victoria Park</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Sarah Koniarski, sarah.koniarski@barnet.gov.uk 020 8359 7574</p>

Summary

The report informs the Policy and Resources Committee of a Member’s item and requests instructions from the Committee.

Recommendation

1. The Policy and Resources Committee’s instructions in relation to this Member’s item are requested.

WHY THIS REPORT IS NEEDED

- 1.1 Councillor Ross Houston has requested that a Member’s item be considered on the following matter:

‘The sale of the former park keeper’s lodge in Victoria Park, and the plan to demolish it and build a block of eight flats in its place - none of which will be ‘affordable housing’ - is now being investigated by the external auditors.

Labour councillors voted against the sale at the time, and have been liaising with local residents on this issue – over 500 of whom are opposed to this plan and made their feelings clear in the 'consultation' on the plan.

I have some questions relating to the sale and the plans, and am particularly concerned with whether or not the sale and future plans represent value for money for both the Victoria Park Charitable Trust and the council tax payer, and whether the future plans for the Park meet strategic Corporate Plan and Local Development Plan policies:

- *The Lodge was sold for £623,000 - could P&R be provided with whatever valuations the council has for the Lodge?*
- *Of the £623,000 purchase price, how much is to be deducted for legal fees, the cost of a Project Manager for the park, and the creation of a car park?*
- *Why was the Lodge sold by 'informal tender' and to a cash buyer only?*
- *Please explain why it was decided to sell the freehold rather than granting a long lease, and why that represented better value for money for the Trust and the Park?*
- *There are covenants and restrictions on the land – please detail what they are and whether they permit it to be developed for housing? If not why was the site sold for that purpose?
In particular please explain why it was decided to sell the freehold to a developer for housing when the 4 November Full Council report states that:*

“1.4 The building needs an estimated £100,000 expenditure to bring it to decent homes standard which would be required to be able to use it as housing. However, housing accommodation, other than that of a park keeper, is not permitted within the requirements of the Trust and the lodge should not have been used as temporary accommodation in the past.”

- *The Lodge was being used as emergency accommodation for about 20 years - did the Park Charitable Trust benefit from income from the Council for this purpose?*
- *The 4 November Full Council report states that consideration was given by Barnet Homes to acquire the land to use for affordable or temporary accommodation, but it was found that paying market value for the land plus refurbishment costs would make this not viable. Did Barnet Homes or the Council give any consideration to acquiring the land and developing it for market sale or private rent? If that is a viable proposition for a small developer, why wouldn't it be for Barnet Homes or a Council Wholly Owned Company?*
- *At the 4th Nov 2014 Council meeting £100,000 was stated to be necessary to bring The Lodge to 'decent homes standard'. Please*

provide the evidence on which this claim was based, and a copy of the report in which it was made.

- *The planning application for the flats seems to be incomplete - pre-application advice for example has not been provided - was there any and what was it?*
- *Please confirm why the decision to sell was made by councillors at a Full Council meeting, rather than by a separate body of trustees? The 4 November Full Council report mentions that this could not be delegated to a council committee – please elaborate further.*
- *Why were the many objections raised by residents to the sale not appended to nor mentioned in the Full Council report recommending that the site was sold? Were the Trustees required to consider that information before agreeing to sell the site?*
- *How many residents were formally consulted on these plans and involved in discussions on the plans before the application was submitted?*
- *What is the precise role of the Etchingham Friends in the sale of the Lodge and planning application, when were they first involved and why?*
- *Please confirm whether the same officers who have given the pre-application advice, overseen the consultation and worked with the applicant on the application will also be making the recommendations on the application to the Planning Committee? Please advise if this is the normal process for planning applications and whether there is any oversight in the normal planning process by a supervisor/manager to ensure transparency and probity?*
- *What due diligence has been undertaken in relation to the application/applicants to ascertain if they are appropriate people to carry out this development?*
- *Why were all "supporting" comments in regard to the planning application anonymised, while all objections were published with full details of names and addresses, until complaints were made to the Chief Executive?*
- *Please confirm that the names and addresses of those leaving comments about the application online – whether in support or against – will be published?*
- *Please advise why local councillors for the ward have not been fully consulted on discussions relating to future plans for the park?*
- *For future consultation with local residents and users of the park can the council confirm what arrangements will be put in place and how will*

a more representative range of local residents, and ward councillors, be involved?

- *Public concerns have been expressed about plans for car parking at the park. Can P&R be provided with details of any plans for car parking within or on the boundary of the park?*
- *Please advise what corporate or planning policies are either met or contravened by cementing over part of the Park and erecting a car park?'*

2. REASONS FOR RECOMMENDATION

- 2.1 The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Council's Constitution ([Meeting Procedure Rules, Section 6](#)) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members' items must be within the terms of reference of the decision making body which will consider the item.

- 5.3.2 The Committee is advised that the decision to dispose was taken by Full Council (see section 6.1 below) as advice obtained from the Council's solicitors was that the decision to dispose of Victoria Park Lodge could only be taken by the Full Council, acting collectively as a corporate trustee.

5.3.3 Consequently, decisions relating to Victoria Lodge Park remain the responsibility of Full Council. This report, however, seeks the committee's instruction on the member's item. The Constitution ([Annex A to the Responsibility for Functions](#)) states that the Policy and Resources Committee is responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.

5.4 **Risk Management**

5.4.1 None in the context of this report.

5.5 **Equalities and Diversity**

5.5.1 Members' Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 **Consultation and Engagement**

5.6.1 None in the context of this report.

6. **BACKGROUND PAPERS**

6.1 Council Report 4 November 2014

<https://barnet.moderngov.co.uk/documents/s18822/Victoria%20Park%20Lodge-%20Report.pdf>

Council Minutes 4 November 2014

<http://barnet.moderngov.co.uk/documents/g7815/Public%20minutes%2004th-Nov-2014%2019.00%20Council.pdf?T=11>

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	<h2>Policy and Resources Committee</h2> <h3>1 September 2016</h3>
<p style="text-align: center;">Title</p>	<p>Member’s Item: Cllr Alison Moore – #SaveBarnetDiving</p>
<p style="text-align: center;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>None</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Sarah Koniarski, sarah.koniarski@barnet.gov.uk 020 8359 7574</p>

Summary

The report informs the Policy and Resources Committee of a Member’s item and requests instructions from the Committee.

Recommendation

1. The Policy and Resources Committee’s instructions in relation to this Member’s item are requested.

WHY THIS REPORT IS NEEDED

- 1.1 Councillor Alison Moore has requested that a Member’s item be considered on the following matter:

‘The current Rio Olympics and the 2012 London Olympics have shown what central and long-term planning and consistent investment can do for Team GB successes, and to encourage greater take-up of sport amongst both young and older people. The decision to scrap the diving facility at Copthall Leisure centre as part of plans to re-develop the centre is short sighted in comparison.

The diving boards are currently used by the Tom Daley Diving Academy which coaches 28 local children aged 5-11. The closure of the facility would force these children to travel at least two hours, three times a week, to get to the Olympic Park Aquatics Centre. This is likely to result in fewer children continuing with their diving classes and would inevitably deter more young people from getting involved in the future.

The Council is intending to spend £23m on refurbishing Copthall Leisure Centre and replacing the Church Farm swimming pool at a new facility in New Barnet, but argues that the cost of re-providing the diving facility at £676k is too much, and that it will reduce income by reducing the available space for swimming.

I ask the committee to re-consider, and to agree that a further options appraisal is brought back to the committee to include an option to retain the diving facility alongside expanded swimming facilities.

The options appraisal should also look at possible alternative funding streams including Sport England and the National Lottery to help retain a diving facility in Barnet.'

2. REASONS FOR RECOMMENDATION

- 2.1 The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Council's Constitution ([Meeting Procedure Rules, Section 6](#)) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members' items must be within the terms of reference of the decision making body which will consider

the item.

- 5.3.2 [Annex A to the Responsibility for Functions](#) sets out the terms of reference of the Policy and Resources Committee and states that ‘if any report comes with the remit of more than one committee, to avoid the report being discussed at several committees the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee’. In this case the report recommendations cut across the Adults and Safeguarding Committee, which has specific responsibility for leisure services and the Assets, Regeneration and Growth Committee is responsible for asset management.

5.4 Risk Management

- 5.4.1 None in the context of this report.

5.5 Equalities and Diversity

- 5.5.1 Members’ Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council’s Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 Consultation and Engagement

- 5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

- 6.1 Policy and Resources Committee, 16 December 2015:

“The relocation and redevelopment of Church Farm Leisure Centre and the redevelopment of Barnet Cophall Leisure Centre” Report

<https://barnet.moderngov.co.uk/documents/s28130/The%20relocation%20and%20redevelopment%20of%20Church%20Farm%20Leisure%20Centre%20and%20the%20redevelopment%20of%20Barnet%20Coph.pdf>

Appendix 1, The Sport and Physical Activity Project

<https://barnet.moderngov.co.uk/documents/s28131/Appendix%201%20-%20ORS%20Consultation%20Report.pdf>

Appendix 2, Health Impact Assessment

<https://barnet.moderngov.co.uk/documents/s28132/Appendix%202%20-%20Health%20Impact%20Assessment.pdf>

Appendix 3, Key Risks

<https://barnet.moderngov.co.uk/documents/s28133/Appendix%203%20-%20Key%20Risks.pdf>

Minutes (Item 12)

<https://barnet.moderngov.co.uk/documents/g8349/Printed%20minutes%2016th-Dec-2015%2018.30%20Policy%20and%20Resources%20Committee.pdf?T=1>

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	<p>Policy and Resources Committee</p> <p>1 September 2016</p>
<p style="text-align: right;">Title</p>	<p>Save Barnet Diving Petition</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>Mill Hill</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Sarah Koniarski Email: sarah.koniarski@barnet.gov.uk Tel: 020 8359 7574</p>

<h2>Summary</h2>
<p>This report advises the Policy and Resources Committee that a petition has been received which has met the requisite number of signatures in order to be considered by this theme committee.</p>

<h2>Recommendation</h2>
<p>1. The Policy and Resources Committee is requested:</p> <ul style="list-style-type: none"> a. To consider the ‘Save Barnet Diving’ petition detailed in section 1.2 of this report; and b. To give instructions, in line with the options outlined in the Public Participation and Engagement rules, specifically to either: <ul style="list-style-type: none"> • Take no action; • Note the petition; • Agree a recommended course of action; or • Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised.

1. WHY THIS REPORT IS NEEDED

1.1 The Council received the 'Save Barnet Diving' petition (in paper form) on 16 August 2016. The petition contained 2,161 signatures.

1.2 The table below details the petition received.

Title	Lead Petitioner	Text	Signatures
Save Barnet Diving	Wendy Kravetz (On behalf of the #SaveBarnet Diving Team)	Reverse the decision to remove the diving facility at Barnet Copthall With regards to the regeneration of Barnet Copthall Leisure Centre, we write to state our full objection to the removal of the diving pool. Please do not remove the diving facilities, let's be at the forefront of sporting excellence in the Borough. We believe all sports should be available in Barnet.	2,161

2. REASONS FOR RECOMMENDATION

2.1 It is a constitutional requirement for the relevant theme committee to consider petitions which receive between 2,000 – 6,999 signatures.

2.2 The Public Participation and Engagement rules stipulate the procedure to be followed at the meeting and the actions available to the committee.

2.3 Procedure:

- i) Lead petitioner is given five minutes to present the petition.
- ii) Committee members have an opportunity to ask questions of the lead petitioner.
- iii) Chief officer and chairman of the relevant committee respond to the issues raised in the petition.
- iv) Committee members ask questions of the chief officer and committee chairman.
- v) Committee will then consider the issues raised and the responses received and take action as outlined below.

2.4 Options available to the committee:

- i) Take no action;
- ii) Note the petition;
- iii) Agree a recommended course of action; or
- iv) Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised.

2.5 The instruction of the Policy and Resources Committee is therefore requested.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

4.1 The committee's decision will be detailed in the minutes of the meeting and any actions arising (if applicable) will be recorded.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Pending the instruction of the committee, following consideration of the petition, issues raised will be evaluated against the priorities of the Corporate Plan, any related performance measures, strategies or policies.

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

5.2.1 None in the context of this report.

5.3 Social Value

5.3.1 The committee is advised that the Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

5.4 Legal and Constitutional References

5.4.1 In accordance with the Council's Constitution, [Public Participation Rules](#), petitions which receive 2,000 signature and over but less than 6,999 will be considered by the relevant theme committee.

5.4.2 The Public Participation rules stipulate the procedure to be followed at the meeting (section 7.9) and the actions available to the committee (section 7.7).

5.4.3 [Annex A to the Responsibility for Functions](#) sets out the terms of reference of the Policy and Resources Committee and states that 'if any report comes with the remit of more than one committee, to avoid the report being discussed at several committees the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee'. In this case the report recommendations cut across the Adults and Safeguarding Committee, which has specific responsibility for leisure services and the Assets, Regeneration and Growth Committee is responsible for asset management.

5.5 Risk Management

5.5.1 Failure to deal with petitions received from members of the public in a timely way and in accordance with the provisions of the Council's Constitution carries a reputational risk for the authority.

5.6 Equalities and Diversity

5.6.1 Pursuant to the Equality Act 2010 (“the Act”), the council has a legislative duty to have ‘due regard’ to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; and promoting good relations between those with protected characteristics and those without. The ‘protected characteristics’ are age, race, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation. The ‘protected characteristics’ also include marriage and civil partnership, with regard to eliminating discrimination.

5.7 Consultation and Engagement

5.7.1 None in the context of this report.

5.8 Insight

5.8.1 Not applicable in the context of this report.

6. BACKGROUND PAPERS

6.1 A copy of the paper petition submitted to the council is held on record by the Governance Team in the Assurance Group.

6.2 Policy and Resources Committee, 16 December 2015:

“The relocation and redevelopment of Church Farm Leisure Centre and the redevelopment of Barnet Copthall Leisure Centre” Report

<https://barnet.moderngov.co.uk/documents/s28130/The%20relocation%20and%20redevelopment%20of%20Church%20Farm%20Leisure%20Centre%20and%20the%20redevelopment%20of%20Barnet%20Copth.pdf>

Appendix 1, The Sport and Physical Activity Project

<https://barnet.moderngov.co.uk/documents/s28131/Appendix%201%20-%20ORS%20Consultation%20Report.pdf>

Appendix 2, Health Impact Assessment

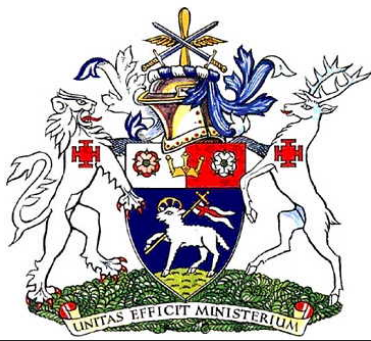
<https://barnet.moderngov.co.uk/documents/s28132/Appendix%202%20-%20Health%20Impact%20Assessment.pdf>

Appendix 3, Key Risks

<https://barnet.moderngov.co.uk/documents/s28133/Appendix%203%20-%20Key%20Risks.pdf>

Minutes (Item 12)

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Policy and Resources Committee
1 September 2016

Title	Cophall Planning Brief
Report of	Cath Shaw – Commissioning Director Growth and Development
Wards	Mill Hill
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix A – Consultation representations and responses Appendix B – Cophall Planning Brief
Officer Contact Details	Nick Lynch – Planning Policy Manager 0208 359 4211 Nick.lynch@barnet.gov.uk Mike Carless – Principal Policy Planner 0208 359 4657 mike.carless@barnet.gov.uk

Summary

The Planning Brief provides a framework for the coordination of development within the Cophall sports and recreation estate in Mill Hill (“the Estate”). The Planning Brief focuses on the following key objectives:

- To deliver a range of sports and physical activity facilities within a parkland setting
- To support the development of the new Cophall Leisure Centre
- To support new facilities including a new west stand at the Allianz Stadium
- To develop and enhance other facilities and coordinate investment in the parkland areas, improving access and way finding throughout the site
- To ensure the positive management of the Green Belt, enhancing openness and improving accessibility to sport and recreation

A draft version of the Planning Brief was consulted upon in winter early spring 2016, and the report of the consultation, and an updated final Planning Brief are attached to this report for adoption.

Recommendations

1. That the Committee note the responses and agree the Council responses in the Consultation Report attached at Appendix A.
2. That the Committee approve the proposed Copthall Planning Brief attached at Appendix B for adoption for use as guidance for planning applications for the site.

1. WHY THIS REPORT IS NEEDED

- 1.1 At the 17th February 2015 Policy and Resources Committee meeting approval was given for funding and the commencement of procurement work streams towards, and public consultation on, the delivery of a new leisure centre at Copthall. This was part of the wider Sports and Physical Activities Strategy of the Council.
- 1.2 At that time, it was envisaged that a Master Plan would be prepared for Copthall, in order to set out the objectives for the estate, identify the mix and spatial plan for facilities and a planning strategy for their delivery. The plan would also be used as part of the public consultation on the re-provision of Barnet Copthall Leisure Centre. However, in order to provide weight to planning decisions for the Estate, officers consider that a planning brief, which has been subject to public consultation, is the most appropriate avenue.
- 1.3 The Planning Brief (**see Appendix B**) sets out the key objectives for the site:
 - To create a hub for a range of sports that will sit within a parkland setting and attract the widest range of users that encourages sport take up, exercise and improves health within the Borough;
 - A core of sports and leisure facilities based on a new leisure centre, the Allianz Stadium and a new pavilion with satellite facilities which meet the future needs of sports clubs;
 - To provide a range of parkland facilities that will attract the widest range of visitors;
 - To respect the Green Belt location offering environmental and social enhancements that supports the case for development. In this regard the development must have a minimal impact on and enhance the landscape;
 - To create an accessible location for all visitors with vastly improved pedestrian and cycling movements within the site;
 - To create a park as an integral element of a network of green spaces connecting Copthall with its surrounding areas, in particular Sunny Hill Park, Hendon and the Middlesex University campus to the south, Mill Hill Park and Arrandene Open Space to the north, Burnt Oak and Mill Hill East via the disused railway line to the west and east respectively.

- 1.4 Copthall is located centrally within the Borough. Although enclosed by building development, it is also located within the Green Belt, is a public open space and part designated locally for nature conservation value. The site has an area of approximately 70 hectares (173 acres) of Green Belt land and supports a range of sporting facilities including the Copthall leisure centre, the Allianz Stadium, home to Saracens RFC and Shafesbury Barnet Harriers athletics club and a number of other sports tenants and seasonally let pitches. The site includes a Council's Green Spaces Operational Base which services the site and surrounding spaces.
- 1.5 The site is also an integral part of the green infrastructure network for the Borough and acts as a local park for the communities surrounding the site. The Estate helps promote health and wellbeing, conserve the natural character of the area, and encourage economic growth. An opportunity has arisen to fulfil these objectives and by working with the local community, stakeholders, tenants and users it will deliver an exemplar facility.
- 1.6 The site has many users with their own needs and aspirations for the future of the site. This is why this strategically important site requires an integrated plan and operating framework in place to guide these future developments.
- 1.7 The Planning Brief specifically promotes the development of:
 - A replacement for the Copthall Leisure Centre
 - A replacement of the west stand at the Allianz Stadium
 - A new green spaces operation base
 - New or renovated club houses for existing clubs
 - Improved access, car parking, and way finding
 - A replacement to the Copthall pavilion, including new changing and club house facilities
 - Investment in pitches

2. REASONS FOR RECOMMENDATIONS

- 2.1 Producing a Planning Brief is vital to ensure that future development of the Copthall site comes forward in line with Council priorities and delivers sustainable development. It is also vital to control development within this Green Belt location; ensure development accords with the objectives of the brief; and provide a framework for the coordination of development and working with partners on the site.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option is to not produce a Planning Brief. Not doing so would leave the site without a planning framework to coordinate development of this important site in the Green Belt. This may also result in Council priorities not being achieved.
- 3.2 The other alternative is to produce a full 'Site Allocation Development Plan Document'. This option would have greater weight for considering planning applications but would require a long lead in time before adoption. A full DPD would be particularly justified where a departure from policy in the Local Plan in relation to Green Belt was being proposed. In relation to development in Green Belt the Planning Brief makes clear that the nature of the development proposed should not disproportionately increase above the original which is consistent with Local Plan policy. The Brief goes on to make clear that disproportionate increase will be judged on its merits.

4. POST DECISION IMPLEMENTATION

- 4.1 The draft Copthall Planning Brief has been subject to a period of public consultation and revised in light of comments received and the proposed final Planning Brief will be used as a material consideration in the determining of planning applications on this site in the future.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

The Copthall Planning Brief helps to meet Corporate Plan 2015-20 strategic objectives in ensuring that Barnet is a place:-

- Of opportunity, where people can further their quality of life, Copthall will provide a major centre of sport and recreational activities for residents and visitors to the Borough. It will provide a combination of public and competition based sports facilities for active users and spectators. By the promotion of sport – active or as a spectator – the Council is seeking to encourage a more active lifestyle and sport take up. This in turn will help with the long term sustainability of sports local clubs and the long term investment in facilities.
- Where people are helped to help themselves, recognising that prevention is better than cure, Copthall as part of wider Sports and Physical Activity strategy as well as the Open Space Strategy, will assist local residents to enjoy the benefits of sport and recreation. Improved access, way finding and the range of formal and informal activities in one location, and as part of a borough wide network, ensures that the needs and capabilities of all residents are met, breaking down some of the barriers to participation.
- Where services are delivered efficiently to get value for money for the taxpayer,

The Copthall Planning Brief will encourage cooperation between the organisations on the site, delivering the most comprehensive level of services for the public, whether through public or private service provision.

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

5.2.1 The cost of producing the Planning Brief has been met from the Sports and Physical Activities transformation budget approved by the P&R Committee in February 2015.

5.2.2 The Council will engage with stakeholders to prepare a delivery plan for the proposals in the brief, including funding sources. Stakeholders include the clubs using the site, Sport England, National Governing Bodies of Sport, the local community and ward members.

5.3 **Social Value**

5.3.1 Social benefits will be secured through opportunity to increase participation in sport and physical activity in the Borough. This includes the health benefits, but also to benefits of participation.

5.3.2 Economic benefits will be delivered through the promotion of Barnet as a place for sport in North London. Businesses are attracted to locate to and stay in areas which offer staff a good range of sport and social activities. The continued presence of national teams such as Saracens Rugby Union Club and Barnet and Shaftesbury Harriers Athletics Club in the Borough is a major promotional tool for attracting business investment.

5.3.3 Environmental benefits will be delivered through enhancing the parkland setting of Copthall, which links to the Parks and Open Spaces Strategy.

5.4 **Legal and Constitutional References**

5.4.1 [Constitution, Responsibility for Functions, Annex A](#), sets out the terms of reference of the Policy and Resources Committee including responsibility for the overall strategic direction of the Council, including:

- approval and adoption of planning briefs
- consideration for approval and adoption documents related to the Local Plan
- those matters not specifically allocated to any other committee affecting affairs of the Council.

5.4.2 Site specific Planning Briefs provide an opportunity to bridge the gap between the provisions of the Local Plan and the requirements of any future planning application for the site.

5.4.3 Planning Briefs should be consistent with and provide guidance, supplementing the policies and proposals of the Local Plan. Planning Briefs cannot contradict, rewrite or introduce new policies.

5.4.4 Whilst Planning Briefs can have a number of functions, such as promoting

development of a site; addressing particular site constraints and/or further interpretation of local plan policies, it should be noted that a Planning Brief is not a full Development Plan Document and although a material consideration in any planning application it carries limited weight.

5.4.5 [Section 6.5 of the Responsibility for Functions](#) (Council Constitution) defines a key decision as one which:

- will result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- is significant in terms of its effects on communities living or working in an area comprising two or more wards.

5.5 Risk Management

5.5.1 Failing to produce a Planning Brief for the Copthall site may lead to a less strategic response to the development - particularly in the context of Green Belt, a less coordinated response to investment in the area, reducing potential economic benefits delivered through the promotion of Barnet as a place for sport which will result in Council priorities not being achieved.

5.6 Equalities and Diversity

5.6.1 The aim of Copthall is to create a fully inclusive location for sport and recreation within the Borough. The range of sport possible on the site means that all people, including those with disabilities, can use the facilities, or and visit the area as part of the Borough's extensive green spaces network.

5.6.2 The Public Sector Equality Duty contained in section 149 of the Equality Act 2010 requires public authorities to have due regard to a number of equality considerations when exercising their functions. In relation to the replacement leisure centre this function has been considered as part of decision making on the Outline Business Case for Sports and Physical Activity (SPA) Review. The Outline Business Case was supported by a desktop Equalities Impact Assessment (EqIA) and rapid Health Impact Assessment alongside consultation and engagement with Barnet's residents including residents with protected characteristics.

5.6.3 The principal of equalities impact assessment is to identify whether people with protected characteristics are likely to be affected disproportionately and/or differentially by impacts arising as a result of the proposals contained in the Planning Brief. A disproportionate equality effect arises when an impact has a proportionately greater effect on people sharing a protected characteristic as compared to other members of the general population at a particular location. The SPA Review early equality analysis suggested that the outcomes of the SPA project will not discriminate against any group and indicate a potential overall positive impact for the proposals. The details of the replacement leisure centre, the proposed replacement Saracens West stand and various other sporting enhancement and other proposals contained in the brief are not considered sufficiently detailed to enable further work on EqIA at this stage. Therefore further consideration of EqIA will be updated as the project develops, principally at submission of planning applications for development.

5.6.4 In line with the SPA review objectives reference is made in the Planning Brief to seeking the relevant quality mark for inclusive fitness initiative. The latest Equalities and Cohesion Data Summary published by the Council in January 2016 was considered in drafting the Brief.

5.7 Consultation and Engagement

5.7.1 A period of formal consultation on the draft Copthall Planning Brief took place over a period of 6 weeks extending from 7th January until 17th February 2016. Consultation involved letters that were e-mailed to stakeholders on the Local Plan consultation database as well as posted to residents living next to Copthall. This letter was also posted to all properties with an address on the Copthall Estate. A Public Notice was published in the Barnet Press to publicise the consultation and the draft Planning Brief was published on the Council's website. Further publicity included a drop-in session at the Copthall Leisure Centre on 2nd February 2016.

5.7.2 There were 12 responses received during the formal consultation. They were received from statutory stakeholders; Historic England, Highways for England, the Environment Agency and other stakeholders; the Mill Hill Preservation Society, the Mill Hill Neighbourhood Forum, Hasmore School and local residents.

5.7.3 The consultation responses did not include a response from key stakeholders including Saracens, Sport England, the Camden Community Football and Sports Association (Chase Lodge), Metro Golf Club, the Hendon Rugby Club, the Mill Hill Rugby Club and Powerleague. These key stakeholders were given a further opportunity to respond in May 2016 and responses were received from Mill Hill RFC and Metro Golf Centre.

5.7.4 Below is a summary of the issues raised, with a full set of summarised comments available in Appendix A:

Protecting Existing Green Belt Use

- Misleading regarding replacement of Allianz west stand. If it is similar to east stand then footprint of a new stand would be far larger than the existing stand and be an overall increase in floorspace.
- Development of a BMX/skateboard park/track, MUGA in south-west corner would be over development and impact on green belt character.
- Concern over development of closed circuit road cycle raceway and impact on green belt.
- Queen Elizabeth Park is not a realistic comparison.

Delivery of the Brief

- Not clear how and when the draft Planning Briefs objectives will be delivered by the council or other parties with no information on funding.
- Timeline for the delivery not clear.
- Copthall consortium welcomed, although needs a broad representative membership.

- Mill Hill RFC requires a long term lease to support investment in facilities.

Existing uses and users

- Gaelic Athletics Association not identified.
- Various maps not accurate, also show conflicting Copthall site boundaries. Both existing uses and proposed uses are not accurately reflected which is confusing.
- The recent investment and extension to the Metro Golf Centre is not recognised.
- Has the varying biodiversity value across the Copthall site been considered in developing the brief.
- Archaeology potential highlighted.

Transport/ Access

- Very poor public transport access - majority of users come by car. Current and proposed location of leisure centre excludes public transport users with reduced mobility and it was raised if this is the best location for the new leisure centre.
- Should parks operation base be adjacent to an already congested junction.
- Transport plans for any increased use, [Allianz stadium] needs to be considered.
- Welcome the intended improvements to cycle and pedestrian access and hope they resolve issues with waterlogging of footpaths.

Hasmonean School

- Make clear expansion plans and the land on which the expansion is proposed.
- The statement that it is important that the school can thrive and grow in line with the Council's requirements for increased secondary school places to meet the needs of Barnet's diverse population, seems incongruous in the middle of a brief for sports facilities.
- The potential transport impact on Champions Way is not considered.

5.8 Insight

- 5.8.1 Data from the SPA project has helped identify the priorities outlined in the Brief.

6 BACKGROUND PAPERS

- 6.1 [Copthall – draft Planning Brief](#) December 2015
- 6.2 [Barnet Local Plan Core Strategy](#), September 2012
- 6.3 [Barnet's Statement of Community Involvement](#), July 2015
- 6.4 [Sport and Activity Review Revised Outline Business Case](#), February 2015

London Borough of Barnet

Copthall Planning Brief

Consultation Report

September 2016

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Summary of Consultation Activity

Consultation on the draft Copthall Planning Brief took place over a period of 6 weeks extending from 7th January until 17th February 2016. Consultation involved letters that were e-mailed to stakeholders on the Local Plan consultation database as well as posted to residents living next to Copthall. This letter was also posted to all properties with an address on the Copthall Estate. A Public Notice was published in the Barnet Press to publicise the consultation and the draft Planning Brief was published on the Council’s website. Further publicity included a drop-in session at the Copthall Leisure Centre on 2nd February 2016.

There were 12 responses received during the consultation. They were received from a mix of statutory stakeholders including Historic England, Highways for England, the Environment Agency, the Mill Hill Preservation Society, the Mill Hill Neighbourhood Forum, Hasmonian School and local residents.

The consultation responses did not include a response from key stakeholders including Saracens, Sport England, the Camden Community Football and Sports Association (Chase Lodge), Metro Golf Club, the Hendon Rugby Club, the Mill Hill Rugby Club and Powerleague. These key stakeholders were given a further opportunity to respond in May 2016 and responses were received from Mill Hill RFC and Metro Golf Centre.

Below is a summary of the issues raised, with a full set of comments, alongside the Council’s response to each, and what action was taken to amend the Planning Brief to address the issue raised in the response included at Appendix A of this report.

Main issues raised

Protecting Existing Green Belt Use

- Misleading regarding replacement of Allianz west stand. If it is similar to east stand then footprint of a new stand would be far larger than the existing stand and be an overall increase in floorspace.
- Development of a BMX/skateboard park/track, MUGA in south-west corner would be over development and impact on green belt character.
- Concern over development of closed circuit road cycle raceway and impact on green belt.
- Queen Elizabeth Park is not a realistic comparison.

Delivery of the Brief

- Not clear how and when the draft Planning Briefs objectives will be delivered by the council or other parties with no information on funding.
- Timeline for the delivery not clear
- Copthall consortium welcomed, although needs a broad representative membership
- Mill Hill RFC requires a long term lease to support investment in facilities

Existing uses and users

- Gaelic Athletics Association not identified.
- Various maps not accurate, also show conflicting Copthall site boundaries. Both existing uses and proposed uses are not accurately reflected which is confusing
- The recent investment and extension to the Metro Golf Centre is not recognised
- Has the varying biodiversity value across the Copthall site been considered in developing the brief.
- Archaeology potential highlighted

Transport/ Access

- Very poor public transport access - majority of users come by car. Current and proposed location of leisure centre excludes public transport users with reduced mobility and it was raised if this is the best location for the new leisure centre
- Should parks operation base be adjacent to an already congested junction.
- Transport plans for any increased use, [Allianz stadium] needs to be considered.
- Welcome the intended improvements to cycle and pedestrian access and hope they resolve issues with waterlogging of footpaths

Hasmonean School

- Make clear expansion plans and the land on which the expansion is proposed.
- The statement that it is important that the school can thrive and grow in line with the Council's requirements for increased secondary school places to meet the needs of Barnet's diverse population, seems incongruous in the middle of a brief for sports facilities.
- The potential transport impact on Champions Way is not considered

Appendix A: Full list of Representations and Council Response

Protecting Existing Green Belt Use

Respondent	Response	Council Reply	Action
Mill Hill Preservation Society	1.8 We agree that the value of the Copthall site as part of the green infrastructure of the Borough and the contribution its green capital plays in enhancing the quality of life for the local community. The size of the site and its strategic location places it as a District Park in the hierarchy of parks in Barnet and possibly London. This aspect of the site, clearly stated in the report, must not be lost in the obvious enthusiasm to develop the whole area!	Noted.	No change
Mill Hill Preservation Society	Clause 2.3 sets out the key objectives for the Copthall site passed in Council February 2015. Generally we agree with these and would highlight the one that states... "To respect the Green Belt location offering environmental and social enhancements that supports the case for development. In this regard the development must have a minimal impact on and enhance the landscape". Some of the suggestions in the report have drifted away from this significant policy.	Noted.	No change
Mill Hill Preservation Society	3.1 This clause mentions "... a number of hedgerows split the various areas, a legacy from an earlier agricultural use, which contributes towards the overall feel and attractiveness of the site." We would like to stress the importance of hedgerows for wildlife as well, and to encourage consideration to be given to wildlife throughout the Copthall site.	The brief recognises the nature designations made on the site and references hedgerows in relation to amenity value. To reflect Local Plan policy biodiversity should also be referenced.	Include reference to biodiversity in relation to hedgerows.
Mill Hill Preservation Society	Open Space an Amenity Land: Two areas are suggested - north of the proposed site for the new leisure centre and west of the Copthall playing	It is the Council's aspiration is for the brief to fulfil a high quality leisure function, further establishing the area as a sub-regional leisure hub therefore it	Revise to remove reference to BMX track and other facilities in

	<p>pitches. These two are quiet, serene areas – one open space with grasses and paths cut through, providing a magnificent local amenity space. The other being a wooded area – which under Green Belt legislation, and the terms of the brief, should be protected. Instead the brief proposes to install the following: Children’s play area/adventure park, fitness trail/outdoor gym; BMX/Skateboard Park, water park, MUGA (Multi-Use Games Area is an outdoor fenced area for various types of games, such as football, basketball or tennis) and all weather pitches close to the new leisure centre, Aerial course, Parkour, Outdoor games: the provision of public toilets either in the new sports pavilion or in a separate unit. The Society feel the provision of these facilities in these Green Belt areas would be an intrusion and would destroy the local amenity for local residents. The details are not shown on the proposed plans and we see this as a way to have them provided without giving sufficient notification to local residents in the Consultation. This is a deception.</p>	<p>will be necessary for some areas to become more intensively used.</p>	<p>fields to south west location.</p>
<p>Mill Hill Preservation Society</p>	<p>Closed circuit Road Cycling track: This option is being considered and elsewhere in the brief mention is made of Redbridge and Hillingdon road cycle raceways. The Society has also looked at Hog Hill cycle circuit and we are of the opinion this sort of dedicated track is totally inappropriate at Copthall due to the amount of space required to lay out the tracks. We are concerned that the site will become even more built up with more green areas given over to metalled road surfaces.</p>	<p>It is considered that the creation of this feature would be more suitable in a different location.</p>	<p>Revise to remove reference to closed circuit cycling track in this location.</p>
<p>Mill Hill Preservation</p>	<p>8.4 Includes <i>Map Eight: Landscape Design Principles</i> that has some contentious points on it. Again, the</p>	<p>It is considered that the creation of this feature in a more central location would be more appropriate.</p>	<p>Revise to remove reference to BMX track</p>

Society	proposed car park to the south of Allianz Park is already there: The green space behind the Hasmonean School is special and should not be used as a BMX and all terrain circuit:		and other facilities in fields to south west location.
Mill Hill Preservation Society	8.4 Includes <i>Map Eight: Landscape Design Principles</i> that has some contentious points on it. Again, the proposed car park to the south of Allianz Park is already there: The green space behind the Hasmonean School is special and should not be used as a BMX and all terrain circuit: The area to the north of Mill Hill Rugby Club is shown wooded and should remain so – although it has been suggested that there should be new pitches and courts in this area.	It is the Council’s aspiration is for the brief to fulfil a high quality leisure function, further establishing the area as a sub-regional leisure hub. It is considered that the proposal in this location could be appropriate depending on detailed design.	Brief revised to reflect proposals.
Mill Hill Preservation Society	8.5 We have already noted our objection to using the south-west corner of the site, currently wild meadows, for anything other than that. The fact the new brief is stating sports facilities for this area - an outdoor gym, BMX track, skateboard park, children’s play area, small park pavilion with refreshment stall, and toilet/baby change facilities – will cause the area to lose its attraction and become ‘urbanised’. The brief should be protecting the various characteristics of the different parts of the site.	The brief recognises the nature designations made on the site and recognises the amenity value of these features and has been revised to recommend no development in this area, except for potential to increase pedestrian access.	Revised section on spatial strategy
Mill Hill Preservation Society	9.2 This clause describes the area of woodland to the north of Mill Hill Rugby Club. This is woodland area and should stay as green space and woodland as shown on <i>MAP EIGHT: Landscape design principles</i> . The existing footpath along the old railway line should be protected. Whilst it is shown as woodland and described as having fitness trails, in fact the brief calls for the space to be used for playing surfaces of various types that will be determined by the “emerging Playing Pitch Strategy”. The Society feel	It is the Council’s aspiration is for the brief to fulfil a high quality leisure function, further establishing the area as a sub-regional leisure hub. It is considered that the proposal in this location could be appropriate depending on detailed design.	Brief revised to reflect proposals.

	that to show the space as woodland and to call for it to be used for pitches to be entirely misleading.		
Mill Hill Preservation Society	9.7 We have covered this point previously under Section 7. We consider the idea inappropriate.	It is the Council's aspiration is for this area to fulfil a high quality leisure function. It is considered that the creation of this feature within the borough at this location is appropriate, subject to feasibility and it being appropriately landscaped.	No change.
Mill Hill Preservation Society	This section quotes some current planning law that in our opinion is not entirely correct. The statements are a little simplistic and do not refer to current case law. Clause 12.7 states the brief is designed to maintain openness of the Green Belt and minimise any harm. MHPS does not entirely agree with the statements made and suggests that each application will have to be dealt with and argued on its merits. Clause 12.8 states that the brief will ensure that any proposals are designed not to undermine any of the 5 purposes of the Green Belt in this location, maintaining the openness of the Green Belt and therefore not causing harm. Larger structures, additional car parking, cycle tracks, new roads, and loss of woodland (for example), taken together would not uphold Green Belt principles.	It is agreed that permissions will be determined in line with existing Green Belt Policies and would need to be judged on their merits. It is the role of the Council's Planning Brief to consider development aspirations against these policies. It is considered that the uses included in the Brief are compatible with the land's green belt designation.	Add reference to judging disproportionate increase on its own merits.
Mill Hill Preservation Society	Para 12.8: Consider that together, larger buildings, additional car parking, cycle tracks, new roads, and loss of woodland would not uphold greenbelt principles.	It is considered that all new developments should contribute to the established function of this part of the green belt.	No change.
Mill Hill Neighbourhood Forum	We recognise that the area is green belt and that, as such, any development will need to be sympathetic to the green belt vision and policies. We think this is recognised within the Planning Brief.	The support is welcomed.	No change.
Mill Hill Neighbourhood	The provision of completely new facilities (children's play areas, public toilets, BMX/skateboard-park, road	The support is welcomed.	No change.

Forum	cycling track etc) are all welcomed. We think that these new facilities, if sensitively developed, are not inconsistent with green belt objectives.		
Local Resident	I am concerned at 9.2 in 'other sports facilities'. Why should this area be considered for new outdoor sports facilities with different type and number of playing surfaces? Has an assessment of its natural importance been undertaken? This area would be better enhanced as a passive recreation area. The regenerating oaks need to be valued and the area closer to Page Road, while initially requiring the removal of asphalt should then be left to naturalise, so complementing the old railway line. This could form a valuable natural area easily accessible to many residents.	It is the Council's aspiration is for the brief to fulfil a high quality leisure function, further establishing the area as a sub-regional leisure hub. It is considered that the proposal in this location could be appropriate depending on detailed design. Agreed, that one of the key principals of this site as part of the green belt is to preserve and enhance biodiversity and an assessment of biodiversity will form part of any planning proposal on this site.	Include further detail in section 12 Planning Requirements setting out biodiversity approach.
Mill Hill Preservation Society	Allianz Stadium: The statement "Replacement west stand with integrated under stand facilities reduces the overall footprint" is totally inaccurate. The proposed footprint of the new stand compared to the existing one represents a huge increase.	Guidance on the application of green belt for this site is contained in the Planning Brief, it is not the intention of this Planning Brief to allow a disproportionate increase.	Minor changes to drafting made.
Mill Hill Preservation Society	There is a café in a landscaped setting shown in front of Saracens' proposed new west stand and this is located on an area that Saracens propose to use as a grass rugby pitch.	This map has been removed.	Remove Map 8
Mill Hill Preservation Society	Map 8: Footprint of proposed west stand is smaller than that of the existing East Stand, which is not perceived as what is going to happen.	Guidance on the application of green belt for this site is contained in the Planning Brief, it is not the intention of this Planning Brief to allow a disproportionate increase.	No change.
Mill Hill Preservation Society	8.8 Just to point out that for the East Stand the temporary seating in front of the stand that sits over the athletics track, is not removed on non-match days to allow full use of the athletics track. It is removed at the end of the rugby season to allow a full width track	Agreed.	Amend document.

	for the summer athletics. The track is then reduced in width again for the rugby season.		
Mill Hill Preservation Society	8.13 The brief states that any proposed development should be “designed to ensure that there is no disproportionate increase in the floor space over and above the existing structures, and they sit as far as reasonably possible over the existing footprint”. Given that the proposed new West Stand has been indicated to be the same size as the current East Stand, then this will be vastly greater than the old west stand in both height and footprint. How can the brief make such contradictory statements like controlling the size of new structures, when the brief objectives also state that the Council “will support new facilities, including a new west stand at Allianz Stadium”?	Guidance on the application of green belt for this site is contained in the Planning Brief, it is not the intention of this Planning Brief to allow a disproportionate increase.	No change.
Mill Hill Neighbourhood Forum	The redevelopment of the West stand at Allianz stadium is noted and welcomed. The move of Saracens to Allianz stadium 3 years ago has brought great benefit to the area, not only in the arrival of one of the best rugby union clubs in Europe, but also the support they have provided to the community. A new West stand will benefit both the club and the community further still.	The support is welcomed.	No change.
Mill Hill Neighbourhood Forum	Whilst the maximum capacity should stay at 10,000 we think that further consideration should be given to the occasional temporary increase of capacity to 15,000 for European championship quarter and semi final matches. We think that, as this would only impact one or two matches each year, the effect on the locality would be small overall. The benefits in terms of prestige and economics would be important both to Mill Hill and to Barnet	Noted	No change

Metro Golf Centre	Metro GC agrees with MHPS's response dated 3rd June 2016, we do not support the overdevelopment in the Green Belt.	Noted	No change
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Delivery of the Brief

Respondent	Response	Council Reply	Action
Mill Hill Preservation Society	1.10 The wording of this clause suggests that Council are looking towards various parties on, or associated with the site, to deliver the proposals through their own investment. We are concerned that the Council do not make it clear what their contribution will be towards the achievement of 'the Brief' alongside the current stakeholders.	It is not the purpose of a Planning Brief to identify funding streams. The Planning Brief will provide a greater degree of certainty for potential developments coming forward increasing confidence for investment.	No change
Mill Hill Preservation Society	Mill Hill Rugby Club and Hendon Rugby Club: Again improvements are called for but will funds be made available to do this? We would also suggest that any changes to their car parking arrangements should be subject to the same stringent assessment that Saracens had to produce by way of Transport Plans for their match days. The Council need to consider that any increase in parking will be mostly sub-let on Saracens match days, causing Saracens Transport Plan to be no longer accurate for the Cophall Site. This in turn will cause considerable inconvenience to local residents.	It is not the purpose of a Planning Brief to identify funding streams. The Planning Brief will provide a greater degree of certainty for potential developments coming forward increasing confidence for investment.	No change.
Mill Hill Preservation Society	Comments made against Mill Hill Rugby Club and Hendon Rugby Club indicate that both their clubhouses 'should be replaced'. Is this also the intention of the clubs concerned and will funds be made available from the local authority to facilitate this replacement?	It is not the purpose of a Planning Brief to identify funding streams. The Planning Brief will provide a greater degree of certainty for potential developments coming forward increasing confidence for investment.	No change.
Mill Hill Preservation Society	9.1 This clause makes mention of "the new Mill Hill Rugby Club clubhouse", incorporating a new Parks Resource Centre. This "new clubhouse" has not been mentioned previously. It is strange that on the one hand the cost of rebuilding of such facilities is to be the responsibility of the clubs, but if this rebuilding is not possible then presumably the necessary relocation of the Parks Resource Centre will not be possible. Surely the brief should facilitate things happening that are not dependent on other actions being undertaken.	It is appropriate that the Brief indicates that the co-location of these functions would be supported from a planning standpoint. It is not the purpose of a Planning Brief to identify funding streams. The Planning Brief will provide a greater degree of certainty for potential developments coming forward increasing confidence for investment.	No change.
Mill Hill	15.2 In our opinion this planning brief needs considerably	Cophall is a large site, with various	No change.

Preservation Society	more ‘joined-up-thinking’ to make it an effective brief. It seems more a collection of random ideas thrown together than a cohesive development strategy. If potential developers expect to be able to carry out a project simply because it is mentioned in the brief then it will be a recipe for disaster.	potential actions, it is considered that the objectives included at section 2 of the Planning Brief demonstrate a “joined-up” rationale for these.	
Mill Hill Preservation Society	Para 16.1: This clause suggests a Copthall Consortium and the Society is not against this idea as long as the net of users and stakeholders is drawn wide enough to ensure development takes all aspects of development into consideration including local residents and the needs of the community. We are concerned about finances and funding and that appropriate contributions should be available from all users including the normal responsibilities of a Local Authority.	Noted. It is not the role of the Planning Brief to establish a governance structure.	No change.
Mill Hill Neighbourhood Forum	The brief currently does not have an indicative timeframe, though, for the various proposals. We understand the need to consult on each individual proposal before the development is started. We also recognise the funding constraints the Council are working within and the need to work with external funding bodies, such as sports funding bodies. Both these points mean that exact timings for any particular proposal cannot be confidently forecast. Nevertheless the MHNF believes that an indicative timeframe for the whole site, covering the next 5 or 10 years, showing the potential sequence of developments would be helpful to everyone. This could serve to galvanise pro-active behaviour towards making the Copthall site a premier location for sport in North West London, without it appearing as a building site over a protracted period.	It is not appropriate for the brief to provide an indicative timeframe with various interdependences between proposals and commercial decision making needs.	No change.
Mill Hill Neighbourhood Forum	Nevertheless the MHNF believes that an indicative timeframe for the whole site, covering the next 5 or 10 years, showing the potential sequence of developments would be helpful to everyone. This could serve to galvanise pro-active behaviour towards making the Copthall site a premier location for sport	It is not appropriate for the brief to provide an indicative timeframe with various interdependences between proposals and commercial decision making needs.	No change.

	in North West London, without it appearing as a building site over a protracted period.		
Mill Hill Neighbourhood Forum	The establishment of a Copthall consortium is welcomed. We firmly believe that by working together with other users and stakeholders, Copthall can be developed into a sports hub and recreational facility that will be second to none and one that Mill Hill and Barnet can be proud of.	The support is welcomed.	No change.
Mill Hill RFC	Mill Hill RFC has been on site since 1957, operating without any call on council resources, and our needs are simple, i.e. a long lease. With that security in place we can go ahead and improve the structure, facilities and 'front gate image' of the club. We can also then start to deliver our player / community strategy which has been extensively discussed (for the last three years at least) with various bodies including Barnet Property Services, Capita , Greenspaces, 4Global, The Rugby Football Union (a major source of investment funds) , Councillor Sury Khatri, Councillor Rozenberg,(Barnet's Assets, Regeneration and Growth Committee) and other organisations who wish specifically to promote the amateur game and other sports. Its just a pity that we seem to have been omitted so far, from your consultation process , along with several others – Hendon RFC, Metro Golf et al.. . 2017 will be our 80 th year. This therefore provides a fine opportunity to move us on finally from square one, to which we keep returning.	London Borough of Barnet property services are aware of the requirement for a long lease.	No change.
Metro Golf Centre	Regarding the developments including the Saracens West Stand and the new leisure centre my view on this is that it would enhance what is becoming a great site offering many different sports. My only reservation is the amount of disruption caused by construction and how it would impact our trade. I am sure that you are aware of the high rent and rates we pay and we	Individual planning applications would be required to demonstrate through a Construction Management Plan how the impact on existing users would be mitigated.	Include reference to Construction Management in section 12: planning delivery strategy

	would suggest a rent reduction during the period of construction.		
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Existing uses and users

Respondent	Response	Council Reply	Action
Mill Hill Preservation Society	3.5 <i>Map Two: Planning Brief Area</i> does not indicate the Hendon Rugby Club located to the south of Allianz Park and who are an equally important stakeholder on the site as the Mill Hill Rugby Club. We would also note that the Gaelic Athletics Association are not mentioned in the brief. They are based at Copthall and use one of the pitches of the Mill Hill Rugby Club for Gaelic Football.	The map was extracted from the internet, and was not intended to identify users.	Map has been replaced
Mill Hill Preservation Society	Para 3.5: GAA use at Copthall not mentioned in the brief.	It is noted that there is at present Gaelic Athletics Association use of the site. No users of the site will be removed before a satisfactory alternative provision has been identified.	Include reference to existing users of the site needs being met elsewhere in relation to loss of pitch.
Mill Hill Preservation Society	The main uses section under the Copthall Playing Pitches is totally inaccurate. The brief states 4 football pitches, and 3 rugby pitches – whereas there are 4 rugby pitches and at least 18 football pitches of various sizes based on the requirements of junior football. We agree the current pavilion is in a poor state and again we ask will funds be made available by the Council for its replacement?	After reviewing, there are at least 4 rugby pitches, and 15 football pitches on this part of the site.	Update to state that there are at least 4 rugby pitches, and 15 football pitches on this part of the site.
Mill Hill Preservation Society	On <i>Map Six: Existing Uses</i> the car park to the south of Allianz Park is not shown as part of Saracens' domain, whereas in fact it is. Again Hendon Rugby Club is not shown.	Noted.	Revised Map 6 to better reflect land use
Mill Hill Preservation Society	On <i>Map Six</i> : Again Hendon Rugby Club is not shown.	The map was extracted from the internet, and was not intended to identify users.	Revised Map 6 to better reflect land use
Mill Hill Preservation Society	7.1 Copthall Leisure: If the new centre is to the west of the existing with the resultant loss of one pitch, the requirements of the Gaelic Athletics Association need to be taken into account as the 'lost' pitch is likely to be the one they play Gaelic football on.	It is noted that there is at present Gaelic Athletics Association use of the site. No users of the site will be removed before a satisfactory alternative provision has been identified.	Include reference to existing users of the site needs being met elsewhere in relation to loss of pitch.

Mill Hill Preservation Society	Whilst we appreciate the Allianz Stadium is home to Shaftesbury Barnet Harriers, it is also home to Barnet & District Athletics Club who are not mentioned.	Noted.	List Barnet & District Athletics Club as users of Allianz Arena.
Mill Hill Preservation Society	9.5 "Mill Hill Golf Club"?	This use adjoins the site, but is not within.	Paragraph amended to refer to Hendon Golf Club.
Mill Hill RFC	Having read the draft document I note that it is still a draft and that some of the initial planning ideas that have now apparently been dropped but not yet omitted. From Mill Hill RFCs point of view the idea of a shared facility with Greenspaces and the alternative Champions Way Route we believe are no longer on the table – please correct me if I am wrong. There are still some inconsistencies ('Page Road'?) but overall the principles of the brief appear reasonably sound.	This proposal to re-route Champions Way has been dropped. The inconsistent use of Page Road is an error.	Remove text and Map 9 This will be amended in the document.
Metro Golf Centre	To follow up on the above I am not sure if you have recently visited or have ever visited our golf centre but the information in your brief suggests the latter. Metro Golf Centre has undergone major refurbishment during the past 3 years. We have spent in excess of half a million pounds upgrading our facility during this time. The Golf Centre now offers the following to any members of the public: <ul style="list-style-type: none"> • 45 Bay Driving Range- refurbished • Metro Golf Academy- enclosed teaching area where our 5 PGA Professionals use the latest state of the art equipment teaching members of the public to play golf • Metro Curve Simulator- 1 of a kind in North London golf simulator, offers members of the public to the opportunity to play over 150 golf courses worldwide in a lounged out heated room while the piazza serves food and drink. • 9 Hole Academy golf course- Open to the public this golf course tests all level of golfers. 	The recent investment is noted	The text has been updated

	<ul style="list-style-type: none"> • American Golf Super store- The U.K's leading golf retailer now has a 2500 square foot outlet at Metro • Captains Bay Adventure Golf- 9 hole adventure golf course. The course was completed in January 2016 with the purpose of getting more young people and families to take up the game of golf and has proven very successful in doing this. • Short Game area- offering a chipping green, bunker practise and putting green. • Metro Piazza Restaurant- Italian restaurant • Improved car park- tarmac and repaired problem areas. <p>During this time Metro Golf Centre has also created strong relationships with the following golf clubs:</p> <ul style="list-style-type: none"> • Hendon Golf club • Finchley Golf Club • Mill Hill Golf Club • Muswell Hill Golf Club • Stanmore Golf Club <p>This partnership allows all members of the above clubs to use the Metro GC at a reduced cost and it allows all Metro GC members reduced green fees at all the above clubs, this initiative brings us and all our partners together promoting golf in our borough.</p> <p>Combining all the above Metro GC is now recognized as the busiest Golf Centre in North London</p> <ul style="list-style-type: none"> - 3500 active members - 7 million golf balls hit per annum - 10 000 plus rounds played on the academy course - 12 000 Golf lessons given by our PGA Professionals last year - 35 000 visitors to the American golf store - 20 000 visitors to the Metro Piazza per annum 		
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	<p>Further to this our PGA Professionals actively visit schools in the borough giving young people the opportunity to learn and play golf for free.</p> <p>To date 12 schools visit the centre on a weekly basis allowing their students to practise golf. The England golf team and Middlesex county uses our centre for training.</p> <p>The reason I'm mentioning the above is not only did you not have us on the Copthall map during your presentation but also your description of Metro GC is totally incorrect in your brief.</p> <p>Metro has spend a considerable amount of money on improving the Centre and saying that our building is acceptable and our car park needs work is not acceptable when you have not even visited the centre.</p> <p>May I take this opportunity to invite you to visit Metro GC and I'll gladly give you a tour of wonderful facility.</p>		
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Transport / Access

Respondent	Response	Council Reply	Action
Mill Hill Preservation Society	6.3 It is agreed that the site does not have a high PTAL rating, and we agree that improving connectivity between the site and stations, whether by foot, cycling and bus services needs to be explored with the relative bodies and providers. However, we do not accept that car usage should be pandered to on the site and we totally disagree with the sentence... "It also means that car usage is likely to be high and the level of car parking needs to reflect this". The Society are totally against an increase in car parking on this Green Belt site, although we can see how existing car parking can be better used throughout the various sporting seasons.	Parking provided will be commensurate with the type of development permitted, in line with both London and Local Plans. Provision of parking will need to consider impact on green belt. The Planning Brief includes reference to formalising arrangements to sharing parking on site.	Revise Planning Brief to include reference to formalising arrangements to sharing parking on site.
Mill Hill Preservation Society	Map 7 & 8: Car park shown as proposed which is already there.	This is an error and will be rectified	Existing car parks are now identified in map 6.
Mill Hill Preservation Society	8.3 Under this section one sub-clause calls for "Improvements in the general landscaping layout, including access, circulation, car parking, sound buffering and green transportation links." The Society can support many of these items but we are set against increased car parking on the site.	Parking provided will be commensurate with the type of development permitted, in line with both London and Local Plans. Provision of parking will need to consider impact on green belt. The Planning Brief includes reference to formalising arrangements to sharing parking on site.	Revise Planning Brief to include reference to formalising arrangements to sharing parking on site.
Mill Hill Preservation Society	Table 7: Will improved car parking at Mill Hill and Hendon Rugby Clubs be consistent with the travel plan for Saracen's use at Allianz?	Parking provided will be commensurate with the type of development permitted, in line with both London and Local Plans. Provision of parking will need to consider impact on green belt. The Planning Brief includes reference to formalising arrangements to sharing parking on site.	Revise Planning Brief to include reference to formalising arrangements to sharing parking on site.
Mill Hill Preservation Society	Council Parks Operation Base: The brief states that the base will need to be relocated. We accept this, but would argue against the proposal made by the	The parks operational base needs to be relocated and to avoid traffic conflict and to best meet operational needs it is intended to locate it	No change.

	Council. "The base will need to be relocated to make way for the new leisure centre, and to avoid traffic conflict it is proposed to relocate it to a site close to the junction of Champions Way and Page Road (presumably Page Street?) in a landscaped setting and in a manner which minimises the openness of the Green Belt and its impact on residential amenity." As this is a very congested junction already we feel there is little scope for locating the depot at this junction in the manner described and nothing is shown on the plans to indicate the actual location.	proximate to the junction with Pages Road.	
Mill Hill Preservation Society	10.1 Given that the brief suggests that the Council are looking towards to various parties on, or associated with the site, to deliver the proposals through their own investment – we are concerned as to where fund will come from for this road realignment? In any event the Society feels that it is unnecessary expense and a rather 'hare-brained' idea.	This proposal has been dropped.	Remove text and Map 9
Local Resident	I am pleased to see that you are proposing to make the site properly accessible for walking and cycling and hope that you will make sure that public transport is similarly improved.	The support is welcomed. Depending on the development proposals put forward there maybe further work on public transport.	No change.
Local Resident	I hope that the whole site will be pedestrian and cycle friendly along with covered cycle parking at all venues.	Noted, it is crucial that the amount of mode share accounted for by pedestrians and cyclists is maximised. Facilities for cyclists should be provided in all development.	Include reference to importance of cycle parking facilities.
Mill Hill Neighbourhood Forum	2.1 The potential to use Copthall as a site to develop sports education, working with Middlesex University and Barnet and Southgate College, as well as local schools, is welcome. MHNF would like to see the development of cycle and walking routes from these colleges to Copthall to facilitate easy access without car or coach use.	The support is welcomed. Importance of the walking/cycling route from Middlesex University is identified in the brief.	Include reference to importance of cycle link to Middlesex University

Mill Hill Neighbourhood Forum	2.2. The objective to “vastly improve pedestrian and cycling movements within the site” is also welcomed. The site has many existing paths, routes and trails for walking, cycling and jogging. However many of them are difficult to use in autumn and winter due to ground conditions and water logging. We would like consideration included to provide permeable artificial surfaces on the worst affected areas so that use of the paths and trails becomes much more enjoyable over the whole year to a larger number of users.	It is agreed that the routes through the site should be designed in such a way that makes them useable all year round.	Add a bullet point with regard to securing year-round access routes throughout the site.
Mill Hill Neighbourhood Forum	2.3. We see development of these paths and trails as an integral part of a wider green network. We would support proposals to develop routes up to Arrendene open space and eventually to the Ridgway and Totteridge valley. Also to Hendon through Sunny Hill Park and to Burnt Oak and Edgware using sections of the disused railway line. We believe that this old railway line should be strategically reserved for future transport related use that would serve in part to improve the Orbital links across the Borough & NW London generally. Initially this could be part of a bus link from Mill Hill East with a safe cycle-way, but ultimately this could be part of a Tram/Lite-Rail link between Finchley Central, Mill Hill and Edgware or even Bushey. It could also be linked through Colindale, Brent Cross and Dudding Hill to Old Oak Common, where some track beds still exist.	The aspiration for a light rail link is noted as being positive for reducing car dependency, however there are no proposals to implement this at the present time.	No change.
Mill Hill Neighbourhood Forum	2.4. We note though that the development of green routes is also mentioned in the draft Parks and Open Spaces Strategy, but perhaps with less emphasis. The MHNF believe that both this brief and that strategy need a similar set of words (and timeframe) to help develop an integrated approach to this objective.	Ensuring the connectedness of the borough’s greenspaces are included within all capital investment projects from 2016 is an action and intended environmental outcome of the Parks and Open Spaces Strategy for Barnet 2016-2026	No change

Mill Hill Neighbourhood Forum	Access to the Copthall site and facilities remains the biggest single issue. Excluding Saracens games the majority of users come to Copthall by car.	Noted.	No change.
Mill Hill Neighbourhood Forum	2.14. In particular swimming galas result in a large number of cars parking on the site. The gala on 30 January this year is an example. The car park was completely full with at least 50 cars parking illegally on double yellow lines, in service areas and down Greenfields Lane.	The Planning Brief includes reference to formalising arrangements to sharing parking on site for the benefit of site tenants.	Revise Planning Brief to include reference to formalising arrangements to sharing parking on site.
Mill Hill Neighbourhood Forum	2.15. Whilst noting the improvement to cycling and walking facilities that the site will have, the MHNF firmly believe that improved bus facilities are important to the success of the proposed developments. We think that consideration should be given to ensuring the proposed new roadways on the site are wide enough for buses	Noted	No change.
Mill Hill Neighbourhood Forum	We also think that discussions should be held with TfL about a new regular bus route which would go through the site, perhaps encompassing Mill Hill, Colindale, Hendon and Finchley. This would allow the existing and growing populations of these centres greater flexibility to get to Copthall and minimise the use of cars and resultant traffic problems. We recognise that Copthall is a Barnet wide facility and not just for the use of Mill Hill residents; accordingly it should have appropriate public transport to allow Barnet residents to use it without bringing their cars.	Noted	No change.
Mill Hill Neighbourhood Forum	2.19 We note that the area of the site between Mill Hill Rigby Club & the Old Railway Line, which was previously the site of the Old Copthall School until it burnt down, is marked on your Maps Seven and Eight for "Fitness and Play Trails". We also note under paragraph 7.1 references to the need for Camden	Parking provided will be commensurate with the type of development permitted, in line with both London and Local Plans. Provision of parking will need to consider impact on green belt. The Planning Brief includes reference to formalising arrangements to sharing parking on site.	Revise Planning Brief to include reference to formalising arrangements to sharing parking on site.

	Community Football and Sports Association to have improved parking provision. It is definitely necessary to reduce parking on Page Street, when this organisation is operating but we believe that any on-site parking provision should be provided wholly within the site that they lease and manage, not in any other part of the Copthall site.		
Mill Hill Neighbourhood Forum	At 9.5 you refer to Mill Hill Golf Club, but mean Hendon Golf Club.	Noted.	Amend reference
Mill Hill Neighbourhood Forum	In many places your Draft Document refers to “Page Road”, when it is in fact “Page Street”.	Noted.	Brief revised accordingly .
Local Resident	I would have thought that easy access to public transport would have been a requirement of the new leisure centre. The 221 bus route along Pursley Road should mean that the new leisure centre is situated along Pursley Road. This would give the new leisure centre access to more people and by giving direct access to public transport encourage people to come by public transport with the car parking requirement being reduced. A better site would be where there is a ‘car park’ and green space at the top of map eight. There are people with disabilities who would find aqua activities beneficial to them but who will be denied use of the leisure centre facilities because they cannot manage the walk from the bus to where you propose to place the new centre (for example, those with MS). You have the example of the new Finchley Memorial Hospital, where the sighting of the new hospital did not consider people using public transport to get there. Barnet Council needs to promote public transport over private car use and the	The replacement leisure centres location is considered appropriate to maintain green belt openness and other considerations including servicing, biodiversity and access. Flat and level access is available from existing bus stop. A more accessible location is not considered possible and may have a greater impact on the objectives for green belt.	No change

	sighting of the new leisure centre should reflect this. As it is an indoor facility, there is no advantage to be gained by sighting it in the middle of Copthall fields compared to the periphery. But there are advantages of having it on the periphery.		
Local Resident	The old railway-line has a great natural surface and natural paths should be allowed to form through the other areas. This could allow a circuit from Page Street, which could also become a natural science study area as there are three distinct natural areas. Please do not add asphalt paths with concrete edges or add cycle-ways. Pedestrians need their own space to meander and this would also enhance the biodiversity of the area by increasing the width of the natural area. With so many more pedestrians than cyclists, pedestrians need greater consideration, especially for improving health and well-being. If this area is retained as a natural area Champions Way should not be re-routed to the side of it.	A wayfinding and landscaping strategy are required to deliver the objective to create an accessible location for all visitors with vastly improved pedestrian and cycling movements within the site. Part of this will include improving surfacing of routes.	No change
Local Resident	In an area this size it should be possible to provide separate provision for pedestrians and cyclists. The requirements of pedestrians and cyclists are very different so why do planners downgrade the provision for each with the 'shared' option? Natural areas should remain cycle-free, so they remain a destination and not downgraded to a transport corridor. Consideration needs to be given to enhancing pedestrian areas, to improve the health and well-being of residents. More people exercise by being pedestrians – walking, jogging or running, than any other exercise, yet, it is often not appreciated enough to be catered for in its own right. The use of hard surfaces, like concrete and asphalt, should be avoided	A wayfinding and landscaping strategy are required to deliver the objective to create an accessible location for all visitors with vastly improved pedestrian and cycling movements within the site. Part of this will include improving surfacing of routes.	No change

	in preference for more user-friendly natural surfaces or those made using recycled rubber.		
Metro Golf Centre	9.5 'Metro golf Centre adjoins Mill Hill Golf Club' - Please note that we are adjoining Hendon Golf Club, Mill Hill Golf Club is situated about 5 miles from Copthall and is located on the A1 motorway.	Noted.	Amend reference
Metro Golf Centre	Champions Way at best of times is a one car in one car out road, creating an entrance to a school within this road will cause major disruption and a serious loss of revenue to the Metro GC	Individual planning applications would be required to demonstrate through a transport assessment their impact on the local road network.	No change
Local Resident	In terms of accessibility I can't see how the new position for the Leisure Centre improves the situation particularly for people traveling by public transport which has long been an issue. Has the old Copthall School site on Page Street been considered as an option for the Leisure Centre? Wouldn't that open up the possibility of a Bus route and stop close to the Leisure Centre as well as preventing the loss of a playing pitch?	The replacement leisure centres location is considered appropriate to maintain green belt openness and other considerations including servicing, biodiversity and access. Flat and level access is available from existing bus stop. A more accessible location is not considered possible and may have a greater impact on the objectives for green belt.	No change

Hasmonean School

Respondent	Response	Council Reply	Action
Hasmonean School	The development of the area for sporting activity; passive recreation; green infrastructure; local park; and community use is supported in principle. However, there are aspirations and discussions with the Council to expand the current Girl's School site immediately adjacent the Planning Brief area to provide a combined Boys and Girls school, which will deliver an extra 2 form entry provision for Barnet educational need. This area is identified for fitness & play and BMX. It is considered that the school proposals can significantly enhance the sporting provision at the western end of the site by providing community use of new MUGA, all weather pitch and sports facilities. The proposed education and sporting facilities by the school would be more appropriate than the current proposal of BMX for the long term vision of Cophall and its neighbourhood.	The Council will consider the Hasmonean proposals on their merits. The provision of high quality facilities that the community can also benefit from will be considered as part of any planning application.	Amend all maps to be consistent and to reflect the site boundary of Cophall Estate.
Hasmonean School	The proposed school development can also enhance pedestrian and cycling routes around the boundary of the site increasing permeability within the Cophall sporting area.	The boundary of the Planning Brief has been amended to include the entire Cophall Estate and ensure consistency across the various maps in the document. The south west corner of the site forms part of the Cophall Estate so should be included in Planning Brief.	Revise to remove reference to BMX track in south west location of Cophall Estate.
Hasmonean School	There is no specific funding identified in the brief and the new school proposal can deliver new facilities and offer a community use agreement.	It is considered that the creation of the BMX feature in a more central location would be more appropriate.	
Hasmonean School	There is the opportunity to discuss specific sporting provision as part of development that could meet existing deficiencies.		
Hasmonean School	Map 6 in the Planning Brief shows the site of the proposed school expansion as having no existing use and it is suggested that this area rather than specifically noted for BMX, fitness & play is marked up for exploration of mixed use education / sporting use.		
Hasmonean School	Generally, the brief is supported provided that a reference is added to promote educational facilities that enhance sporting community provision.		

Hasmonean School	This western area of the brief is only approximately 7% of the total site, so introducing enhanced educational facilities would not undermine the overall vision of sporting provision especially as these can be provided by a new school for community use.		
Mill Hill RFC	However, with the Hasmonean School development coming in to play at such a late stage, there may be some significant rethinking to be done, not least with regard to access from Page Street and the potential logistical chaos ensuing from simultaneous major developments (Saracens new stand, Hasmonean School)	The Council will consider the Hasmonean proposals on their merits including the potential transport impacts and access arrangements.	No change
Metro Golf Centre	The Cophthall Sports and Leisure area was established for recreation purposes and Metro GC does not support the idea of building a school within this area. <ul style="list-style-type: none"> Metro GC agrees with MHPS's response dated 3rd June 2016, we do not support the overdevelopment in the Green Belt. 	Noted	No change

Other Issues

Respondent	Response	Council Reply	Action
Mill Hill Preservation Society	Metro Golf Centre – the brief states “Although not incongruous the current buildings are not modern.” However, we would note that the centre has been recently overhauled, updated and extended and the buildings are perfectly acceptable. In fact better than many others on the site.	Response from Metro Golf Centre has highlighted the recent investment made and the Planning Brief has been revised.	Revise brief to reflect Metro Golf Centre investment.
Mill Hill Preservation Society	Para 6.3: Noting low PTAL, support improved cycle and pedestrian access.	Support is noted.	
Mill Hill Preservation Society	8.1 We can make no sense of the 3 Key Nodes strategy for improvement and development. <i>Map Seven: Landscape Nodes</i> shows at least 7 areas, not three. There are yellow dotted lines that are not on the key so the reader is left not understanding what they are for. The map also shows a proposed car park to the south of Allianz Park which is already there as part of	Acknowledge that this map could be improved and replaced. Spatial strategy has been revised to reflect three areas to better reflect access character.	Updated access map included and updated spatial strategy map and spatial strategy section.

	Saracens Stadium. (This also relates to our comments under 7.1 above)		
Mill Hill Preservation Society	Metro Golf Centre: We simply do not understand the comments made in the brief. Long term investment has been put into the centre and the car parking is adequate as it is.	Response from Metro Golf Centre has highlighted the recent investment made and the Planning Brief has been revised.	Revise brief to reflect Metro Golf Centre investment.
Mill Hill Preservation Society	8.1 We can make no sense of the 3 Key Nodes strategy for improvement and development. <i>Map Seven: Landscape Nodes</i> shows at least 7 areas, not three.	The spatial strategy has been revised to refer to northern, central and southern areas rather than nodes to better describe the different areas of development.	Update spatial strategy section
Mill Hill Preservation Society	8.6 This clause embodies some of our greatest concerns. The suggestion that the Queen Elizabeth Park (QEP), which was the venue for the 2012 Olympics, could in some way be an exemplar for the Copthall site is strange. The size, funding, management, and timescales are all totally different and bear little resemblance to the challenges set by QEP. For instance, the Olympic Park was 560 acres (Copthall being some 173 acres), with 6.5 km of waterways, 15 acres of woodland and 4,300 new trees, and plans for 15,000 jobs to be created. The Society challenges the comparison.	While only given as an example agreed that the reference may have been misinterpreted and has been removed.	Remove comparison to Queen Elizabeth Park.
Mill Hill Preservation Society	8.26 As far as we understand the location of the new Leisure Centre will be sited to the west of the current centre – not to the south west as indicated in this clause of the brief.	Noted.	Section has been amended.
Mill Hill Preservation Society	10.3 This clause discusses the walkway along the old railway line. It talks of it becoming a major asset. The Society is of the opinion it is a major asset already and should be protected.	Agreed	Brief to reflect status as a major asset.
Mill Hill Preservation Society	14.1 It is hard to reconcile the Local Plan – which embodies protection of the Green Belt as one of the Councils Three Strands Approach – with the aspiration to model Copthall on the Queen Elizabeth Park.	While only given as an example agreed that the reference may have been misinterpreted and has been removed.	Remove comparison to Queen Elizabeth Park.
Mill Hill Preservation Society	Para 15.3: We find the last sentence of this clause odd, in so far as the Hasmorean School is outside the site boundary as set out in the brief. The statement that it is important that the school	The objectives in the Brief are to deliver a core of sports and leisure facilities at Copthall. The objectives do not relate to	No change.

	can thrive and grow in line with the Council's requirements for increased secondary school places to meet the needs of Barnet's diverse population, seems incongruous in the middle of a brief for sports facilities unless it is intended that land should be made available to them. If this is the case it should be properly stated as part of the Public Consultation.	the Hasmonean School.	
Mill Hill Preservation Society	15.4 The list of items that developers must consider is inadequate. In addition to the items stated others should be included such as The London Plan, Barnet Local Plan Core Strategy, Green Belt Regulations and National Planning Policy Framework. If applications are made these are the items that they will be examined against.	A fuller list of planning considerations will be added.	Planning delivery strategy section expanded.
Mill Hill Preservation Society	In conclusion The Society feel this is a poorly drafted document with some ill-conceived ideas and we hope the points we have made will be taken into account as the brief is developed. The inaccuracies are easily ironed out, but the conflicting policies need further thought. Finally, we are concerned that the author of the report does not have a firm grasp of local issues and Copthall as part of the local network of green space and the Green Belt.	Noted	Various amendments made in response to comments made.
Highways Agency	No comments.	Noted.	No change.
Herts and Middx Wildlife Trust	The plans must take appropriate account of the existing ecological value of the site. The development proposals must demonstrate how they will conserve and enhance biodiversity, in accordance with NPPF. This will entail ecological survey of the site and the specification of any avoidance, mitigation, compensation or enhancement measures required to achieve net biodiversity gain. The survey should be consistent with BS 42020 'Biodiversity code of practice for planning and development'. It should show; what is there, how it will be affected by the development proposals and how any adverse impacts can be avoided, mitigated or compensated in order to	Further work on biodiversity value of the site will be required as part of detailed development proposals.	Amend biodiversity requirements

	achieve net ecological gains. Ongoing management proposals to achieve net gain should be described, including the funding arrangements required to maintain ecological gains in perpetuity.		
Local Resident	I am very pleased to see that you have future plans for Copthall, I always felt that it is under-utilised.	Support is welcomed.	No change.
Local Resident	I very much support your proposal for the BMX / all terrain circuit and would also strongly support the development of a closed circuit road cycling track.	Support is welcomed.	No change.
Barnet Borough Arts Council	<p>BBAC links arts, drama, music, history and environment groups across the Borough, publicising what's on through Barnet Arts magazine and website, quarterly magazine and Art & Information exhibitions.</p> <p>There is particular concern that there are very few exhibition facilities in the Borough apart from arts depot, and have suggested in the consultation on libraries that these be included in future, providing wall spaces or screens with good lighting in locations with many visitors. arts depot has space available in holiday weeks in the Apthorp Gallery but is used for education by the dance school during term-times, although they do have a wall in their café area for local artists. There are occasional travelling exhibitions in Chipping Barnet library on screens, but very few other opportunities to show work.</p> <p>Our Executive Committee ask that I write to suggest that exhibition spaces be included in the two new sports complexes suggested at Copthall and Church Farm, in the foyers near to the cafés. They could display exhibitions on many subjects - arts, sports, photography and the many new technology subjects and techniques, using screens.</p> <p>Professional management is required and it is suggested that there should be a franchise arrangement similar to that used for</p>	This relates to management of the individual facilities although reference can be included in the Planning Brief.	Include reference to possibility for art space in the brief

	the cafes.		
Hendon and District Archaeological Society (HADAS)	The draft brief ought to cover heritage matters as well as nature conservation. Paragraph 4.1.1 correctly identifies the setting of the listed 'The Lodge' as something that must be covered, but does not discuss the possibility of there being archaeological remains on the site which will need addressing in any final proposals for its improvement. Although not itself in an Area of Special Archaeological Significance, the site borders Areas 5a and 5b delineated in the map at Appendix 1 to the Development Management Policies document of Barnet's Local Plan, published in September 2012. 5a (western area) is part of an estate belonging to Nicholls of Copthall in the 1570s, and was part of Hendon Manor. In area 5b a Roman trackway/road of mid 1st/early 2nd century date running approximately north/south was found by HADAS in 1967; it was possibly associated with Roman road 167 or a track leading off the A5 Edgware Road to the west. The recent discovery of prehistoric remains on the site of the old Inglis Barracks is another indication of the potential. The Planning Brief should draw attention to all this, and indicate that any proposals which involve significant excavation, whether for building or the improvement of sports pitches, etc., should take into account the possibility that archaeology, whether artefacts or evidence of earlier landscape use, will be encountered and should be studied appropriately. It will be for Historic England to advise on whether any specific archaeological condition should be imposed on any planning application made in pursuance of any Planning Brief.	Archaeology would be considered as part of an updated list of planning considerations.	Update list of planning considerations
Environment Agency	Our mapping and the submitted site location plan indicates that the Hendon Cemetery Drain (designated as a sealed main river) flows through the south eastern part of the site.	Noted.	Include further details of what is required in response to flood risk and mitigation.

	<p>The application site lies partially within Flood Zone 3 defined by Table 1 of the National Planning Practice Guidance, Flood Risk and Coastal Change (section 25) as having high probability of flooding. Footnote 20 paragraph 103 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit a Flood Risk Assessment (FRA) when development is proposed in such locations.</p> <p>Paragraph 4.1.4 of the submitted Planning Brief acknowledges that the southern part of the site is within Flood Zone 3 and recognizes that a flood risk assessment will be required.</p> <p>The Flood Risk Assessment should include (but not necessarily be limited to) the following:</p> <ul style="list-style-type: none"> • Identification of the Flood Zone and vulnerability classification in accordance with Table 2 of the National Planning Practice Guidance, Flood Risk and Coastal Change (section 25). • Confirmation of any flood defences and standard of protection provided, to confirm the level of residual risk in accordance with the Strategic Flood Risk Assessment (SFRA) for the borough. • Estimation of flood depths at the site for a range of flood events. • Suitable flood mitigation measures based on flood characteristics at site. • Details of set back of the development from the riverbank. <p>We cannot prepare or provide FRAs. However, our Customers and Engagement Team can provide any relevant flooding information that we have available for you to use. Please note that there may be a charge for this information.</p>		
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	<p>To request flood risk data, you can email: HNLquiries@environment-agency.gov.uk, or telephone 03708 506 506 and ask for the North East Thames Customers and Engagement team.</p> <p>For further information on our flood map products please visit our website.</p>		
Environment Agency	<p>It will need to be shown that any increase in built footprint within the 1 in 100 chance in any year (including an allowance for climate change) flood extent can be directly compensated for, on a volume-for-volume and level-for-level basis to prevent a loss of floodplain storage. Please be aware that if there are no available areas for compensation above the design flood level, then compensation will not be possible and no increases in built footprint will be allowed. The use of voids, stilts or undercroft parking as mitigation for a loss in floodplain storage should be avoided as experience shows that they become blocked over time by debris or domestic effects, and we would recommend to the LPA that these are not accepted as methods of compensation.</p>	Noted.	Include guidance in the Planning Brief.
Environment Agency	<p>We request that for any new developments within Flood Zones 3 and 2, finished floor levels are set no lower than 300 millimetres above the 1 in 100 chance in any year including an allowance for climate change flood level, to protect people and the property from flooding. Where this cannot be achieved due to other planning constraints, we request that floor levels are set as high as possible (for extensions to existing buildings, no lower than the existing floor levels) and that flood resilience/resistance measures are considered, where appropriate, up to the design flood level. Information on preparing property for flooding can be found in the documents 'Improving the Flood performance of new buildings' and 'Prepare your property for flooding'.</p>	Noted.	Include guidance in the Planning Brief.
Environment	Safe Access	Noted.	Include guidance in

Agency	<p>During a flood, the journey to safe, dry areas completely outside the 1 in 100 chance in any year plus including an allowance for climate change floodplain would involve crossing areas of potentially fast flowing water. Those venturing out on foot in areas where flooding exceeds 100 millimetres or so would be at risk from a wide range of hazards, including for example unmarked drops, or access chambers where the cover has been swept away.</p> <p>Safe access and egress routes should be assessed in accordance with the guidance document 'FD2320 (Flood Risk Assessment Guidance for New Developments)'. Where safe access cannot be achieved, an emergency flood plan that deals with matters of evacuation and refuge to demonstrate that people will not be exposed to flood hazards should be submitted to and agreed with the local planning authority.</p> <p>We recommend that you also discuss this with the local authority emergency planners as they will be responsible for agreeing to any emergency plan submitted with your application.</p>		the Planning Brief.
Environment Agency	<p>Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the main river (Hendon Cemetery Drain).</p>	Noted.	Include guidance in the Planning Brief.
Environment Agency	<p>Biodiversity</p> <p>The finalised scheme should be designed with a naturalised buffer zone of at least 8 metres from the Hendon Cemetery Drain (designated main river) to ensure access for flood defence maintenance. These buffers should be planted with native species to enhance the ecological value of the river corridor. You should consider setting back the existing flood defences into the site and provide soft engineered alternative to the hard flood wall. This approach is in line with the requirements of the</p>	Noted.	Reference to 8 metre consent to be included in Brief.

	River Basin Management Plan and Water Framework Directive.		
Historic England	The Copthall site covers a large area of undeveloped land between two parts of the Copthall and Holders Hill Archaeological Priority Area as currently defined. The course of a Roman road is believed to run north-south through the eastern side of the site. Under new GLAAS guidelines for defining Archaeological Priority Areas it is likely that the undeveloped land at Copthall would be recommended for inclusion in an extended Archaeological Priority Area to better reflect the significant potential for new discoveries. GLAAS would therefore recommend that any major planning application is supported by an archaeological desk-based assessment and where necessary field evaluation. More minor schemes might also merit archaeological mitigation depending on their location, scale and nature particularly if they are cumulatively part of a wider scheme of intensified use.	Noted	Update and include in list of planning considerations
Historic England	The area is also covered by hedgerows which are survivals from the pre-twentieth century historic landscape, and might well be considered 'important hedgerows' under the Hedgerow Regulations 1997 – the conservation of this historic field pattern should be covered in the proposed landscape management plan.	Noted	Update and include in list of planning considerations
Mill Hill Neighbourhood Forum	Generally we welcome the strategy proposed to develop the Copthall site as an integrated sports and recreation facility. In particular we think the enhanced facilities will be important in supporting public health objectives, as well as providing an improved range of facilities that thousands of residents can enjoy on a regular basis.	Support welcomed	No change
Mill Hill Neighbourhood Forum	We note in section 5 the comment that Copthall Leisure Centre's "location is poor in relation to the rest of the sports facilities". Given this, is the location of the new leisure centre optimum within the new Copthall scheme?	The replacement leisure centres location is considered appropriate to maintain green belt openness and other considerations including servicing,	No change

		biodiversity and access.	
Mill Hill Neighbourhood Forum	2.6. Also we note the comment in section 7 that the new leisure centre should “be designed so that it can expand as resources and planning policy allow”. The MHNF believe that consideration should be given to an increased swimming pool capacity when the new facility is built. This could be the provision of two 25x10 lane pools, rather than the currently proposed one 8 lane and one 6 lane pools. This would give greater flexibility for the growing number of swimming galas that are held at the leisure centre and would also “future proof” the facility to deal with the forecast population growth in Barnet over the next fifteen years.	The replacement proposals for the Copthall Leisure Centre were consulted on in summer 2015 and the specification is decided.	No change
Mill Hill Neighbourhood Forum	2.7. The replacements for the Mill Hill and Hendon rugby clubs facilities and the Copthall playing field changing facilities are particularly welcomed. We think that when designing and locating the new facilities consideration should be given to maximising the quality of the views across the whole site. In particular the current location of Mill Hill rugby club blocks views across the site, whilst the Copthall grounds changing facilities are unsightly and have a negative impact on the views across the fields and trees. In general we think it would be good to “open up” the boundaries of Copthall, where possible, as this would improve the visual amenity offered and attract more users as a consequence.	The hedgerows area feature of the site providing amenity and screening whilst also having biodiversity value. The Brief notes the negative visual impact of both the Mill Hill rugby club block, the Hendon Rugby Club block and the Copthall Playing Fields pavilion.	No change
Mill Hill Neighbourhood Forum	2.8. The relocation of the Barnet parks operational base to the edge of the estate is a sensible move which will reduce traffic within the site. Any redevelopment at the Page Street entrance, though, should be positioned so as to minimise the impact on the views and visual amenity across the site. It should be an attractive “Gateway” to the site.	The work on wayfinding will consider how best to improve the entrance as a gateway.	Amend and make reference
Mill Hill Neighbourhood	We note in section 9 the comment on “the emerging playing field strategy” and look forward to reviewing it.	Noted.	No change.

Forum			
Mill Hill Neighbourhood Forum	While perhaps originally used as caretaker cottages we think it is quite bizarre that apparently planning permission has been given for the development of a very large residential property at Copthall Lodge (referenced under 5.1.1. between Alliance Stadium and the Leisure Centre. This is a wholly inappropriate development without a sports related rationale that would allow some conformance with the policies set out in the NPPF.	Was previously a residential use converted into one residential unit, a family unit.	No change
Local Resident	I found the Planning Brief difficult to follow. I downloaded and printed the document but then it was difficult to read the key and the descriptions on the maps as the type was so small. There was also no mention of the direction of north so I hope I was correct to assume it was in the direction of the top of the page.	The maps are being revised	All maps amended
Local Resident	Toilet facilities for those who wish to enjoy outdoor, independent exercise are sadly lacking in Barnet. However, where these are planned the safety of users should be a major consideration. There needs to be self-contained cubicles with outward opening doors opening directly to the park – no internal passageways. If these are to be included as part of the leisure centre, it should not be necessary to pass reception in order to use them.	Noted	No change

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Copthall Planning Brief

September 2016

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Copthall Planning Brief

1. Introduction and Background

- 1.1 This Planning Brief has been prepared with the objective of guiding the future of Copthall and provides a framework for future use and development. Copthall has an area of approximately 70 hectares (173 acres) of Green Belt land including grassland, woodland and copse areas. The site has a range of sporting facilities which support a variety of sporting activities including the Copthall leisure centre, the Allianz Stadium and a number of community sports organisations and seasonally let pitches. Casual, active and passive recreation is a large element of community use. Copthall is also the location for Barnet Council’s Green Spaces Operational Base.
- 1.2 Copthall is also an integral part of the green infrastructure network for the Borough and acts as a local park for the communities that surround the site.
- 1.3 Barnet aims to be a national leader in developing attractive suburban parks in partnership with its communities. Such parks will promote health and wellbeing, conserve the natural character of the area and encourage economic growth. An opportunity has now arisen to fulfil these objectives. By working with the local community, stakeholders, tenants and users it will deliver an exemplar facility at Copthall.
- 1.4 The site has many users each having needs and aspirations for the future of the site. This is why this strategically important site requires an integrated plan and operating framework in place to guide future development.
- 1.5 The supporting evidence behind this Copthall Planning Brief is contained in the Parks and Open Spaces Strategy 2016 to 2025 which was adopted by Barnet’s Environment Committee in May 2016. To create the strategy all the green spaces in Barnet were surveyed to:
 - Enable the Council to prioritise, plan and commit resources across the Borough
 - Make case to funders to increase resources
 - Make informed decisions for future the management regimes for the service
 - Ensure open space development and improvements are informed by open space needs and requirements
- 1.6 The Sport and Physical Activity Strategy (July 2014) also provides guidance and direction for the development of the site to meet the existing sporting and future

needs of the Borough, and the emerging Playing Pitch Strategy which will also provide guidance and direction on the existing future needs of playing pitches in the Borough. The Strategy has the objectives of:

- giving an accurate picture of supply and demand of playing pitches
- providing a clear understanding of existing levels of provision, in terms of quality, quantity, accessibility, location and management,
- identifying how these facilities will meet the existing and future needs of the community, and
- provides an evidence base that will allow Barnet to plan, prioritise and schedule future improvement projects.

- 1.7 The existing mix of users on the site includes the regionally important Barnet Swimming Club and the Shaftesbury Barnet Harriers, together with the attraction of the Allianz Stadium as the home of the European Cup and Premiership winning Saracen's Rugby Club, which can be regarded as solid foundations on which to develop a major sporting hub for the Borough.
- 1.8 Close proximity to primary and secondary schools, together with the presence of Middlesex University at Hendon and Barnet and Southgate College at Colindale, create the opportunity for Copthall to play a leading role in the development of sport in education.
- 1.9 The promotion of sport in Barnet with Copthall at the hub of a network of local facilities, alongside the use of the parkland elements for informal fitness and active recreation, ensures the key role of Copthall in contributing towards the achievement of Public Health Objectives and delivery of the Sports and Physical Activity Strategy.
- 1.10 The nature of delivery and proposals will depend on the investment decisions of national governing bodies of sport or other funding bodies together with the various parties on or associated with the site.

2. Objectives of the Planning Brief

- 2.1 The Copthall site in Mill Hill, offers an opportunity for a high quality green space with an integrated sports and leisure provision. Development here will support the Council's strategic objective of being seen as a national leader in developing attractive suburban parks with its communities that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth alongside the objective of delivering increase participation in sport and improving public health. It will support the continued growth of Saracens Rugby Club together

with investment of local sports clubs through a diversified sports provision. It will leave Barnet with a lasting parks and recreational legacy and first class facilities that complement other facilities within the Borough.

2.2 Copthall is inextricably linked to the future of other Council owned sports facilities that deliver quality services on a sustainable footing. The range of existing/enhanced spaces and facilities integrated with a new leisure centre, new investment in the Allianz Stadium and a landscaped parkland setting will provide the key hub for sports development within Barnet and the north-west London sub-region. This is the only location in the Borough which has the combination of space and a mix of existing facilities where this can be achieved.

2.3 These key objectives for Copthall were approved by the Council in February 2015 as part of the Sports and Physical Activity Review¹. The relevant objectives for this planning brief are identified as follows :

- To create a hub for a range of sports that will sit within a parkland setting and attract the widest range of users that encourages sport take up, exercise and improves health within the Borough;
- A core of sports and leisure facilities based on a new leisure centre, the Allianz Stadium and a new pavilion with satellite facilities which meet the future needs of sports clubs;
- To provide a range of parkland facilities that will attract the widest range of visitors;
- To respect the Green Belt location offering environmental and social enhancements that supports the case for development. In this regard the development must have a minimal impact on and enhance the landscape;
- To create an accessible location for all visitors with vastly improved pedestrian and cycling movements within the site;
- To create a park as an integral element of a network of green spaces connecting Copthall with its surrounding areas, in particular Sunny Hill Park, Hendon and the Middlesex University campus to the south, Mill Hill Park and Arrandene Open Space to the north, Burnt Oak and Mill Hill East via the disused railway line to the west and east respectively.

¹ The Outline Business Case for the Sport and Physical Activity Review set out the full list of key objectives, see appendix 1 section 5

<http://barnet.moderngov.co.uk/documents/s21209/Appendix%201%20Outline%20Business%20Case.pdf>

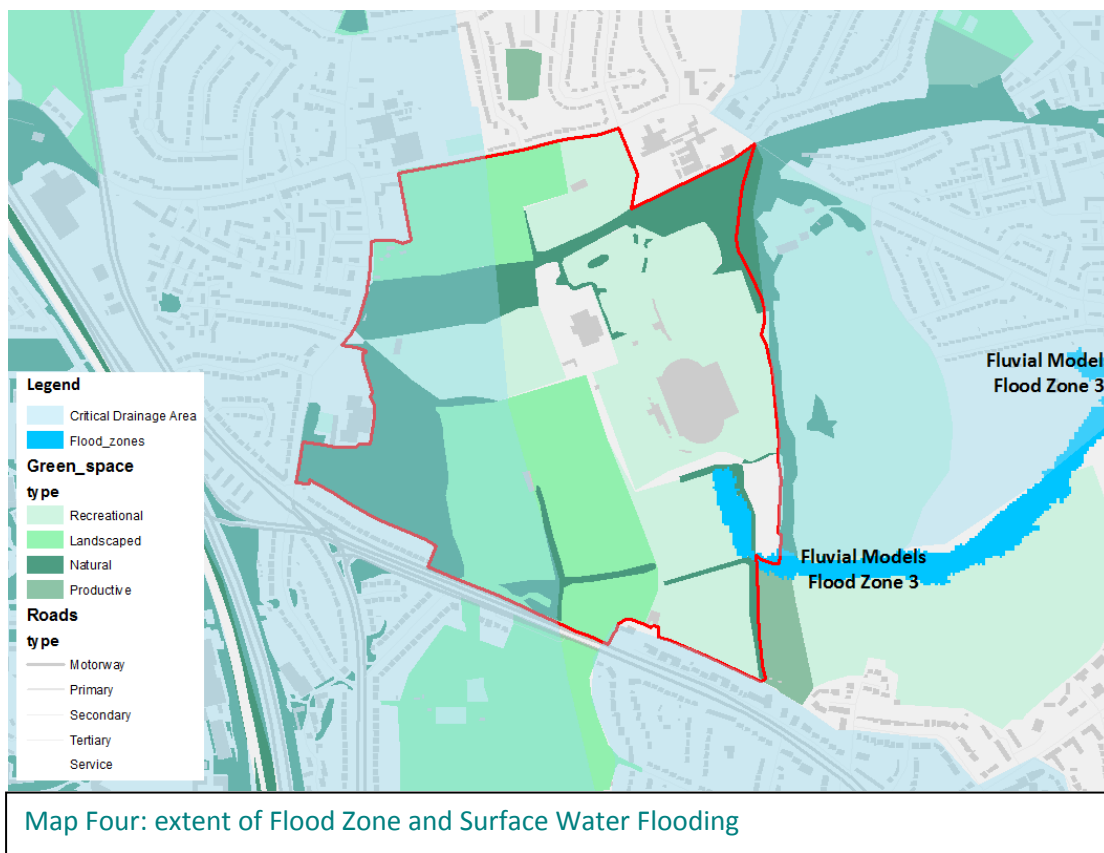
3. The Site

- 3.1 The Copthall site is located centrally within the London Borough of Barnet in the Mill Hill Ward. The site has an area of approximately 70 hectares (173 acres). The site slopes slightly to the south east and has generally even topography. A number of hedgerows form boundaries across the site, a legacy from an earlier agricultural use, which contributes towards both amenity and biodiversity value.
- 3.2 The Copthall site is bounded to the south by the A1 Great North Way, and beyond that by residential properties and Sunny Hill Park, which is connected to Copthall by an underpass under the A1. Sunny Hill Park provides pedestrian access to Brent Street and Hendon town centres and the main Middlesex University Campus.
- 3.3 To the east lies Hendon Golf Club, which is a privately run 18-hole golf course. To the south east boundary are the Archfields Allotments. The northern boundary of the site is defined by Pursley Way with the Dollis Junior and infant School to the north east. Beyond Pursley Way are residential areas and Mill Hill School. The western boundary is formed by Page Street, which is predominantly residential.
- 3.4 Also lying on the western boundary are developments at the former hospital and the Hasmonian High School (for Girls). Both are accessed from Page Street and lie outside the Copthall site boundary.
- 3.5 Crossing east to west through the site is a disused railway, which once linked the underground at Mill Hill East with Edgware. Tracks were removed in 1964 and the disused line is now a public right of way and an attractive tree lined walk known as the Copthall Railway Walk



Map One: Planning Brief Area

- 3.6 The Cophthall site forms part of the Mill Hill Neighbourhood Development Plan area which covers all of Mill Hill ward and the NW7 parts of Hale ward. The Mill Hill Neighbourhood Forum are currently producing the Neighbourhood Plan which will upon adoption form part of Barnet's Development Plan.



4.1.5 Nature Conservation

The Copthall Railway Walk and Copthall Old Common covers an area of 11 hectares and is designated as a Grade 2 Site of Borough Importance for Nature Conservation. The Railway Walk and Copthall Old Common are a mixture of grassland and woodland with access by a public bridleway. Copthall South Fields within the south west of the site covers an area of 6 hectares and is designated as a Site of Local Importance for Nature Conservation. The three fields and hedgerows provide a pocket of countryside locally and are managed to encourage wild flowers. These areas of nature conservation importance will enhance the parkland element and the overall attractiveness of Copthall as a visitor destination.

5. Current uses on the site

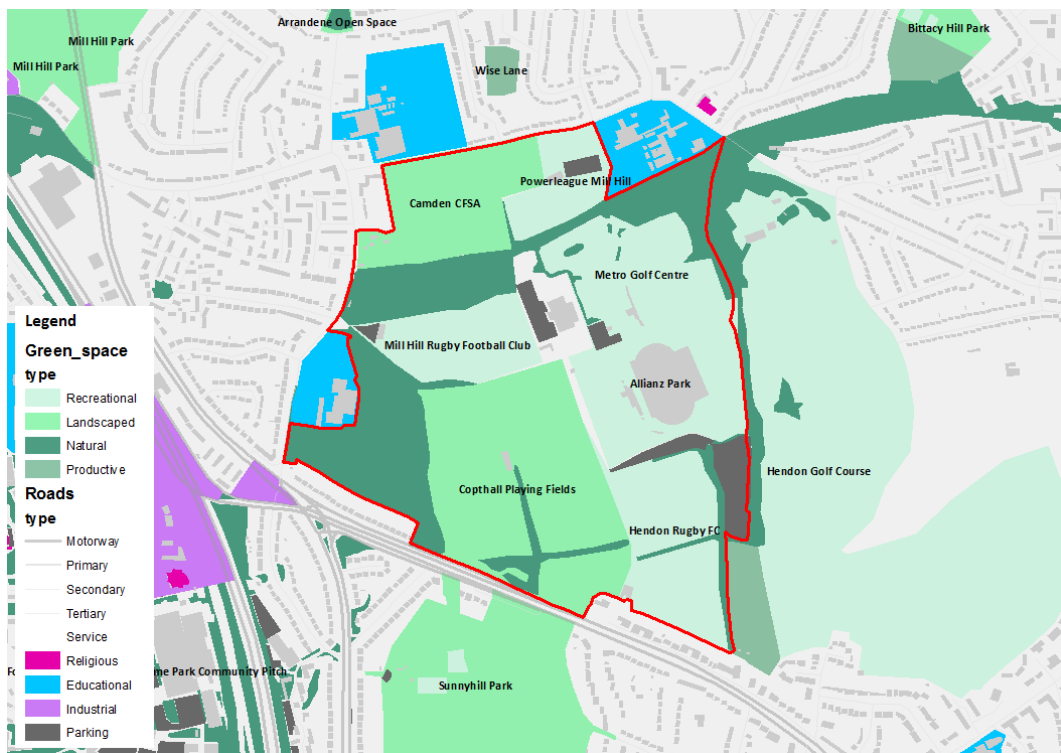
5.1.1 The site is presently used for sports, recreation and amenity. Table 1 broadly sets out the main uses on the Cophall Estate (see also Map Five):

Site	Main uses	Considerations for investment
Cophall Leisure Centre	Swimming, including diving Gym Café Car Parking	The current centre requires replacement as identified within the Sports and Physical Activity Strategy. Its relationship to other sports facilities on the site could be improved. It currently has no sports hall.
Allianz Stadium	10,000 seat (maximum) sports stadium Rugby Union (Saracens) Athletics (Barnet & District Athletics Club) Education Conference and meeting space Car Parking	Saracens are developing proposals for a new west stand. The athletic facilities are split between the track and field facilities to the rear of the east stand. The internal areas of the east stand are used for events and training. The internal areas of the new stand may be used as Saracens training academy alongside other sports training / education uses.
Metro Golf Centre	45 bay golf driving range Par 3 nine-hole golf course nine-hole novelty golf course Shop and café/restaurant	Buildings and facilities have been subject to recent refurbishment and investment. There maybe further investment potential going forward.

Site	Main uses	Considerations for investment
	Offices in converted house Car parking	
Powerleague Soccer	12 football pitches – 2 large Function room/bar Car parking	Situated to the north of the leisure centre there is a separation between the Powerleague and other areas of the Copthall Estate
Chase Lodge	Full size and junior football pitches Changing facilities Car parking	Separated from main sports areas
Mill Hill Rugby Club	Club house, with function facilities 3 full size rugby pitches	Buildings would benefit from investment in order to create a more positive first impression of Copthall. Should be replaced or renovated. Gaelic Athletics Association use the pitches
Hendon Rugby Club	Club House with facilities 2 full size pitches	Buildings would benefit from investment in order to create a more positive impression of Copthall. Should be replaced or renovated.
Copthall Playing Pitches	15 Football 4 Rugby 3 cricket Changing room facility	The large two storey changing room facility is extremely prominent and in need of investment. Should be replaced or renovated.
Council parks operational	Green space depot used	Located to front of the

Site	Main uses	Considerations for investment
base	to support the management and maintenance of Cophall and other green spaces in the area	Leisure Centre. Needs to be relocated.
Open space and amenity land	10.6 hectares	Lacks facilities – toilets, children’s play area, teen activities etc. Should be better integrated into the overall concept.

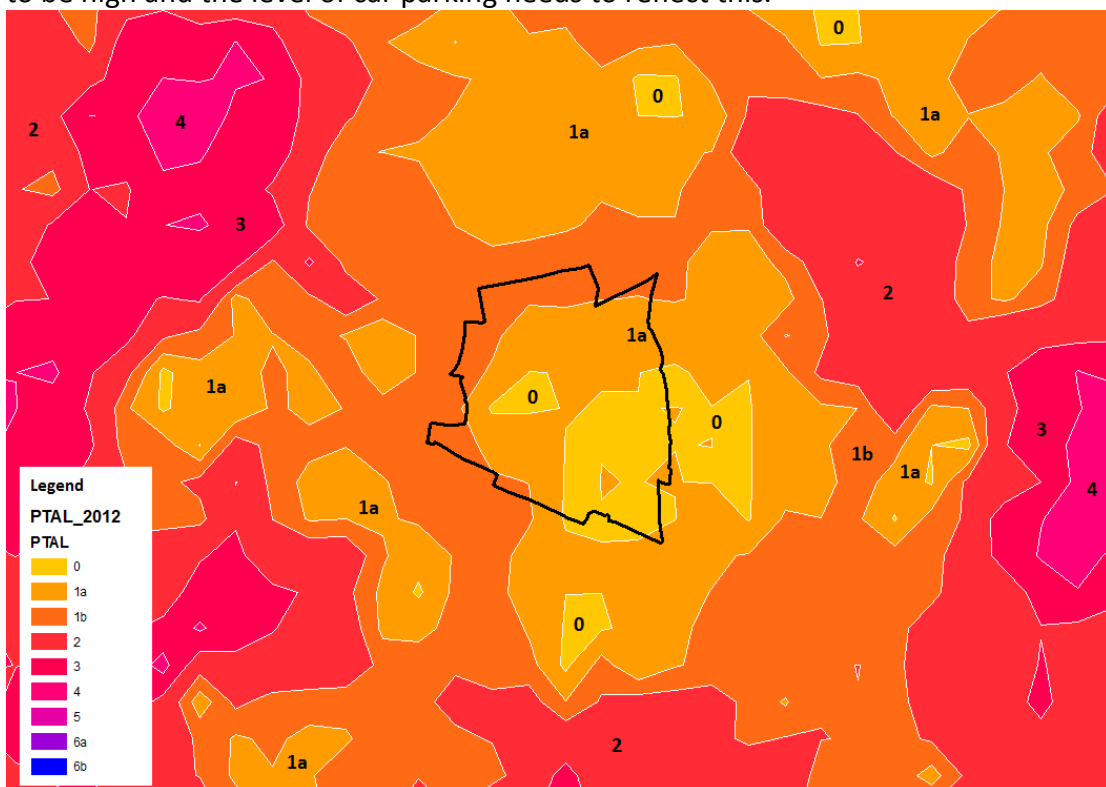
There is one residential property within the site, Cophall Lodge, located between the Allianz Stadium and the Cophall Leisure Centre.



Map Five: Existing Uses

6. Accessibility

- 6.1 The site is located centrally within the Borough, approximately 1.5 km from Mill Hill East Underground station and the same distance from Mill Hill Broadway Station served by Thameslink. Hendon station is approximately 2.5 km to the south.
- 6.2 The 221 bus service serves the site with stops along Pursley Road. The Service connects Cophthall with Edgware, Mill Hill Broadway (including the station), Mill Hill East station, North Finchley, Friern Barnet and beyond to Wood Green and Turnpike Lane. There are no bus services along Page Street. Coach access and parking is provided at the current Leisure Centre and Allianz Stadium.
- 6.3 The site (taken as the Leisure Centre) does not have a PTAL (Public Transport Accessibility Level) rating. However, Pursley Road has a rating of 1b. This reflects the relative isolation of the site from railway stations. Therefore, improving connectivity between the site and stations, whether by foot, cycling and bus services needs to be explored with the relevant bodies and providers. It also means that car usage is likely to be high and the level of car parking needs to reflect this.



Map Six: Location of Cophthall (PTAL Map)

- 6.4 The principal access to the site is from Page Street via a T-junction. The quality of this entrance to Copthall should be improved and an evaluation of traffic flows and junction redesign as well as better signage.
- 6.5 The Chase Lodge Playing Fields have a separate access off Page Street, whilst the Powerleague is accessed from Pursley Road.
- 6.6 There is a secondary left hand in and out access from the A1. However, there is no slip road (in or out), and the footbridge restricts scope to create on.
- 6.7 Pedestrian access is via the footbridge over the A1 to Sun Hill Park to the south and a footpath from Pursley Road, which provides access for those travelling by bus.
- 6.8 Within the site, Champions Way serves the existing facilities. Whilst adequate for the volumes of traffic, way-finding is limited and improvements should be incorporated into the Copthall investment package.
- 6.9 Improved cycle parking should be provided as part of new development.
- 6.10 It is recommended that a feasibility study is undertaken to consider options for improving public transport access, and delivering new walking and cycling routes and improved connections. This study could then sit alongside this Planning Brief providing clarification around the appropriate ways for addressing accessibility concerns through the investments being delivered across the site over time.

7. Scope of development

7.1 A range of facilities are proposed including enhancing existing facilities, replacing existing facilities and supporting the sports and open spaces provision within the site. The level of new development is limited with the most significant changes being a replacement west stand at the Allianz Stadium and a replacement Copthall Leisure Centre.

Use	Proposed uses	Key considerations
Copthall Leisure Centre	25 m 8 lane pool 25 m 6 lane pool Training pool Sports hall Up to 115 station Gym Café Car Parking Changing rooms Public toilets	<ul style="list-style-type: none"> ensuring continuing provision of a leisure centre for users during re-provision Scale of the centre should not disproportionately exceed the existing centre Any changes to / loss of sports pitches will need to ensure that existing needs are met elsewhere new centre should be designed so that it can expand as resources and planning policy allows, in particular to enable the introduction of a suitably sized sports hall if required.
Allianz Stadium	Replacement West Stand to match east stand and facilities underneath New stand similar height of east stand. Retention of athletics and home to Shaftesbury Barnet Harriers.	<ul style="list-style-type: none"> Replacement west stand should minimise its overall footprint Space below any new stand should provide further economic or community benefit or associated uses Reduce the visual impact of floodlighting Maintain the open nature of the stadium Improve car parking arrangements including surfaces, and maximising shared use by all users. Maximising the opportunity for improved and more flexible use of land surrounding the stadium (e.g. event day parking areas doubling up as informal recreation or sporting uses). Maintaining continued use of the stadium for athletics and better integration of track and field facilities and activities.

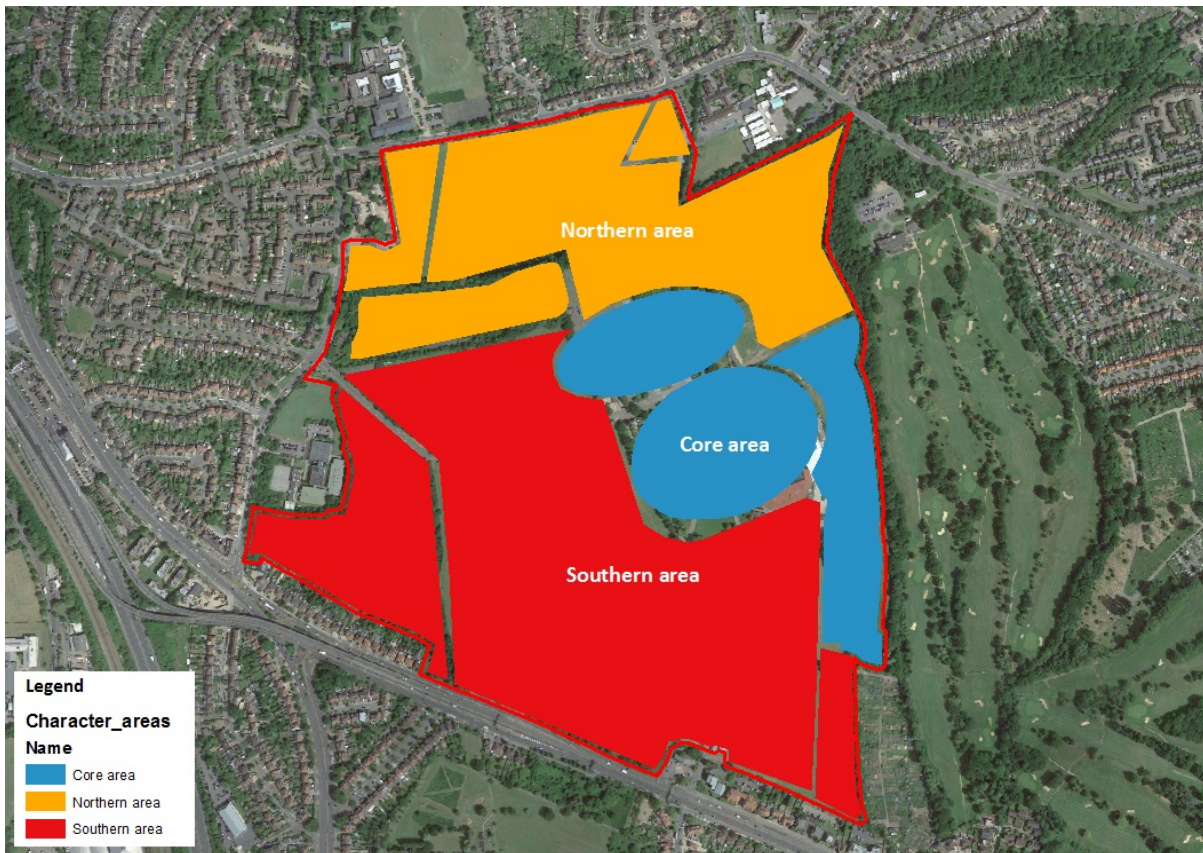
Use	Proposed uses	Key considerations
Golf – Metro Golf Centre	No changes proposed.	<ul style="list-style-type: none"> Recent investment has delivered a range of refurbished and new facilities including facilities for children and families, new technologies for golf leisure/training and associated on site retail.
Powerleague	No changes proposed	<ul style="list-style-type: none"> Improving links with other parts of Copthall.
Camden Community Football and Sports Association	Full size all weather pitch with flood lighting and stand (circa 100 seats) and associated parking and changing facilities	<ul style="list-style-type: none"> car parking provision and impact on green belt Potential flood lighting impact on biodiversity Stand impact on green belt openness Demonstrating need for the facility Nature of ‘community use’ offer/access
Mill Hill Rugby Club	No changes proposed, option for replacement or renovated clubhouse.	<ul style="list-style-type: none"> Potential loss of pitch associated with replacement Copthall Leisure Centre. Current clubhouse and car parking environment could be improved to improve the first impressions of Copthall.
Hendon Rugby Club	No changes proposed, option for replacement or renovated clubhouse.	<ul style="list-style-type: none"> Current clubhouse and car parking environment could be improved
Copthall Playing Pitches	Option for replacement or renovated pavilion in a new location. Various improvements to pitches/fields for existing users and for outdoor exercise	<ul style="list-style-type: none"> The existing poor quality pavilion building detracts from and fails to respond to its visibly prominent position in this green belt location Any design should maintain and enhance current use as a pavilion for existing sporting users and provide opportunities for other sports. Support a wider range of sports on the existing pitches as well as facilitate wider use for outdoor exercises / active recreation.
Council Parks	To be re-provided	<ul style="list-style-type: none"> Maintaining an operational base for the Council’s Green Spaces team which meets the boroughs

Use	Proposed uses	Key considerations
Operational Base		<ul style="list-style-type: none"> current and future needs • Avoids traffic conflict • Minimises its impact on the openness of the Green Belt
Open Space and Amenity Land	<p>Creation of recreational spaces including:</p> <p>Children’s natural play area / adventure playground</p>	<ul style="list-style-type: none"> • Two locations: <ul style="list-style-type: none"> ○ North of the proposed site for the leisure centre ○ On land of existing leisure centre • The impact of these facilities on the green belt maybe a consideration • Improving pedestrian and cycling accessibility into the Copthall Estate especially to the south • Introduction of appropriate features for informal recreation and sports where blended into the natural environment (e.g. climbing, fitness trails)
Copthall Playing Pitches	New facility that is being explored	<ul style="list-style-type: none"> • A dedicated track over 1km in length, 6 m width roadway surface with run off areas • To provide safe training and race facilities for Road Cycling • Could serve North London • Would also support triathlon and road based sports training and events.

Spatial Strategy

7.2 The spatial strategy for Copthall is characterised by the following three areas :

- A northern area with private access outdoor sporting space
- A core area with public/private access and a focus on built sporting facilities
- A southern area of public access outdoor sporting and recreational space



Map Seven: Barnet Cophall character areas

Spatial Strategy: Southern area

- 7.3 The expanse of playing fields and natural greenspace to the south provides a substantial physical space for informal recreational activities to take place. Primarily comprised of fields with pitches and an area of natural greenspace it provides a significant social and environmental asset in its own right with permanent public access. The space forms the backdrop to the central area.
- 7.4 The area of grassland in the south west corner of the site provides access to natural greenspace and it should retain that function with no development. Improved pedestrian access should be created at the southwest corner of the site – giving access to the pedestrian subway.
- 7.5 The field used by Hendon Rugby FC will remain as it is currently used. Options to improve access from the south-east corner of the site should be considered to enable a link north to Allianz Stadium. Connections to Sunny Hill Park to the South and the relationship between the open spaces should be improved.

- 7.6 The fields with the central two storey pavilion and other fields to the south and east known as Copthall Playing Fields could provide various opportunities. For existing users the Copthall playing fields need improvements; cricket pitches are rated poor, football pitches - standard and rugby pitches – very poor in the draft Playing Pitch Strategy Assessment. The fields should be improved to maintain their existing sporting provision for cricket, rugby and football.
- 7.7 Going forward Copthall Playing Fields may provide opportunities for an enhanced fitness trail/measured walking route. It has been suggested the fields could also incorporate a 1km length tarmac track for cycle training (road and triathlon) however this would require work on feasibility and deliverability with Sport England and British Cycling and its impact on existing sporting users, as well as impact on green belt objectives.
- 7.8 A longer term aim should be to replace the existing two storey pavilion with a modern building, potentially closer to the Allianz Park Stadium and core area where there is already a built environment focus, ensuring sporting users’ needs are maintained. This could reduce the impact on the openness of green belt of the existing structure. Any replacement pavilion would need to be multi-use changing room and storage facility of a more sympathetic design. The Copthall Playing Fields also provide the opportunity for events space such as drive in cinema, food markets, circus and fairs.

Spatial Strategy: Central area

- 7.9 The Central area is focused on Allianz Park Saracens Stadium and Copthall Leisure Centre. Whilst the Allianz Park Saracens Stadium is the principle focus for this area the land released by the leisure centre has potential to create a more public focus for the site as a whole. The possibility to provide formal recreational use is available such as a playground or picnic area, there is also potential to develop a more intensive alternative sporting use such as a skate/BMX park or rock park in this location. The relationship with the leisure centre car park and transition to Allianz Park Stadium would be important to create an attractive space.
- 7.10 The Allianz Park Stadium is the principle focus for this area, and rugby and athletics use will continue to share facilities and the stadium will continue to act as a community facility. The development of the west stand may present an opportunity for Middlesex University to expand their facilities onto the site.
- 7.11 The East Stand is a multi-purpose facility incorporating Saracens shop and offices, conferencing and banqueting facilities and training facilities, including an indoor

100m running track. The stand consists of permanent seating and temporary seating to the front which sits over the athletics track. This seating is removed seasonally to allow full use of the athletics track.

- 7.12 The existing West Stand was built in the 1970's and is showing its age. It has a limited capacity and does not comply with the highest standards of stadium design. Due to the limited height the stand is flanked by two floodlight towers, which are the most prominent features of Copthall and the only features visible from surrounding areas.
- 7.13 At either end of the stadium are two temporary stands, dismantled out of season to allow for the full use of the athletics track.
- 7.14 Any proposed development should be designed to ensure that there is no disproportionate increase in the floorspace over and above the existing structures, and that they sit as far a reasonably possible on the existing footprint. Disproportionate increase will be judged on its own merits. The openness of Green Belt can potentially be maintained if built facilities are concentrated in this central area. Use of the undercroft space for economic growth, continuing community use of the stadium, reducing further car park hard standing and not affecting the athletics use of the stadium are all important considerations.
- 7.15 Depending on the scale or amendments to, the permission for the temporary seating over part of the athletics track which is dismantled when not in use may continue.
- 7.16 Any new stand constructed will be expected to meet Building Research Establishment Environmental Assessment Methodology, BREEAM, Very Good.
- 7.17 The Council proposes to replace the existing 40 year old Copthall Leisure Centre with a new modern facility that will be more efficient to run and improve the overall experience for users.
- 7.18 In order to ensure that there is no break in the use of the sports facilities, the replacement Leisure Centre will be located to the west of the existing centre.
- 7.19 Any loss of site facilities or playing space as a result of the rebuilt leisure centre must be re-provided. In the case of sports pitches on the vacated area and/or other space within the site with new state of the art pitches in accordance with the emerging Playing Pitch Strategy and built facilities elsewhere on the site.

- 7.20 The new facility should have a massing which is not disproportionate to the existing centre and its replacement should be an opportunity to design a facility which is more in keeping with the parkland and Green Belt setting.
- 7.21 Exhibition space for the arts should be considered at either newly built facilities or possibly use of outdoor amenity space.

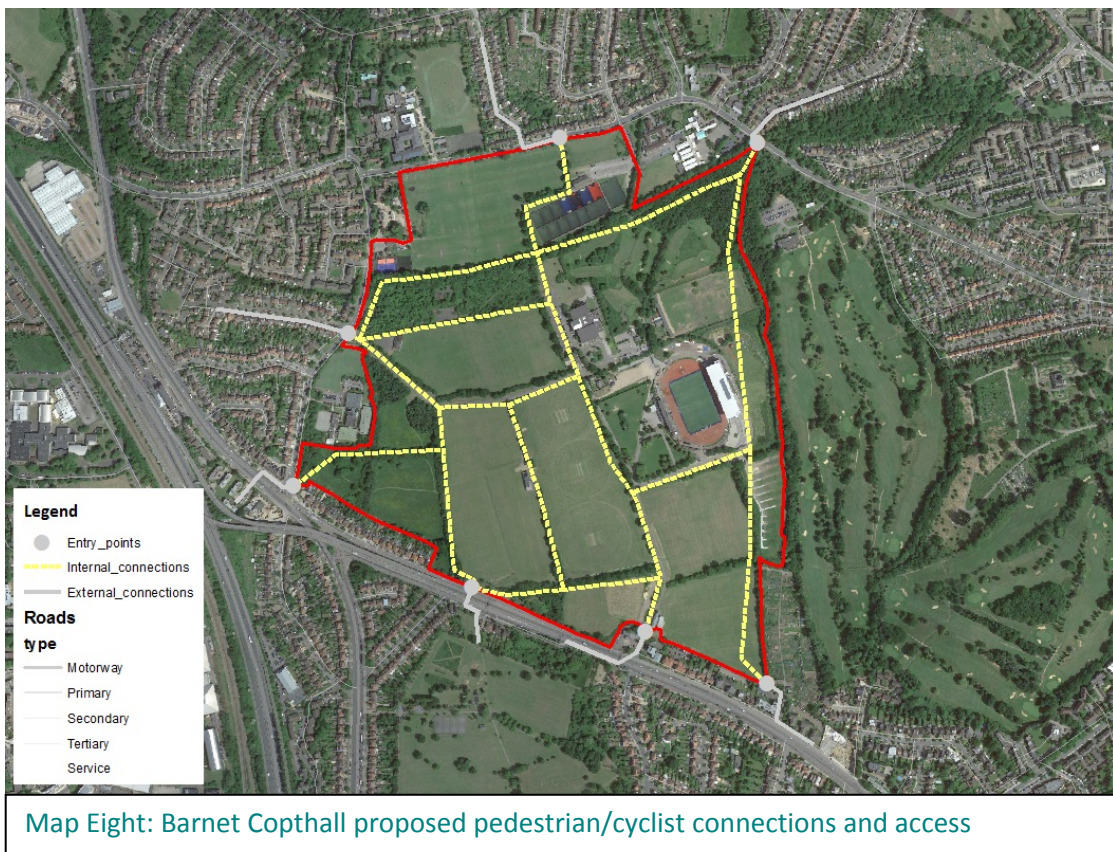
Spatial Strategy: Northern area

- 7.22 This area does not have public access. Metro Golf, the Camden Community Football and Sports Association playing fields are all private sporting facilities which make an important contribution to the range of sporting facilities on site. There are public rights of way through this northern area which should be maintained and enhanced where appropriate; opportunities for improved accessibility would be beneficial.
- 7.23 New outdoor sports facilities are proposed for the land between the existing pathway along the old railway line and the Mill Hill rugby club. The CCFSA propose a full size all weather pitch with flood lighting and stand (circa 100 seats) and associated parking and changing facilities on the site of the former Cophthall Girls School - a derelict and private piece of land this proposal would bring this back into use. Access and parking should aim to minimise the amount of hardstanding, investigating shared parking facilities with the Cophthall Leisure Centre or Mill Hill Rugby Club should be considered.
- 7.24 Mill Hill Rugby Club clubhouse, which could be renovated or redeveloped to provide an improved first impression of Cophthall.
- 7.25 The intended new parks operations centre is to be located adjacent to the Mill Hill rugby club. It may share access with the proposal from Camden Community Football and Sports Association subject to highways assessment.
- 7.26 The Powerleague Soccer centre off Pursley Road is well established and self-contained. Possibly could benefit from improved links to the footpath on its west boundary, and through to the leisure centre and the wider Cophthall area.
- 7.27 The Metro Golf Centre is a popular facility in this northern area that provides a two tiered golf driving range and a 9-hole par 3 golf course in well landscaped setting. The centre is a feeder and training facility for golf courses throughout north and west London. It adjoins the Hendon Golf Club. The centre also includes a Golf Shop

and restaurant. It has its own car parking, which together with the approaches should be enhanced.

8. Way-finding and Signage

- 8.1 Vehicular access to Copthall is presently provided from Page Street with Champions Way acting as the principal service road for all of the facilities. The junctions and road is adequate for existing usage and likely to remain so after the implementation of the proposals in this Planning Brief.



- 8.2 Each on site user currently has their own specific car park. Increasing individual tenants car parking space in the longer term could be an inefficient use of land. Formalising arrangements for sharing car parking should be sought to ensure that the minimum land is developed for this purpose. Site wide management of this parking should also be considered for the benefit of site tenants.

- 8.3 Improving north/south access for cyclists is important. The route to the Hendon University Campus is approximately a 1.5km walk – a more attractive cycle. Helping to encourage cycling will support the link with the University. Providing cycle parking centrally as part of both Cophthall Leisure Centre and Allianz Stadium West Stand will be essential. Providing signage and route improvements for cyclists and pedestrians would help encourage use of this north/south route.
- 8.4 The old railway is a major asset and could be enhanced to create a more direct and safe pedestrian/cycling route to Mill Hill station. If the route is to be reused for other forms of transport then the pathway will need to be re-provided as part of those proposals. The impact of introducing lighting on biodiversity would need to be considered.
- 8.5 It is essential that accessibility for pedestrians/cyclists within the site is also improved and maintained. The southern area contains large expanses of open space, with little signage making clear the leisure facilities and key pedestrian access routes.
- 8.6 A common criticism at major event locations is the lack of information for users on where facilities are located and on what is on offer. The signage on Page Street is poor, and likewise there is poor signage within the site with which to clearly identify the routes to the various facilities or even what the facilities are across the site. Developing a way finding strategy for the site is a priority.

9. Planning Policy Framework

- 9.1 The development plan for Barnet is the London Plan and the Barnet Local Plan. The latter consists of the Core Strategy and Development Management Policy Development Plan Documents, both adopted in 2013. The key policy consideration for Cophthall is the Green Belt. The site is within the Mill Hill Neighbourhood Plan Area. The Mill Hill Neighbourhood Forum is in the early stages of producing a Neighbourhood Plan. The emerging Mill Hill Neighbourhood Plan will be subject to adoption eventually form part of Barnet's development plan.
- 9.2 The National Planning Policy Framework sets out the Government's planning policies. In it the Government state that the fundamental aims of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts being their openness and permanence.
- 9.3 The Green Belt is one of the most significant and enduring national planning policies, and the Government, Greater London Authority and London Borough of Barnet attach great importance to it and regard any new development within the Green Belt

against the policies set out in paragraphs 79 to 92 of the NPPF. It is not the purpose of the Brief to repeat verbatim those policies, but to highlight the **issues that they raise with regard to the re-use and redevelopment of this site. In paragraph 80 of the NPPF states that the Green Belt serves five purposes:**

- *‘To check the unrestricted sprawl of large built up areas*
- *To prevent neighbouring towns merging into one another*
- *To assist in safeguarding the countryside from encroachment*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.’*

9.4 Most development is inappropriate in the Green Belt. Such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The harm of new development on the Green Belt is a key test. However, Paragraph 88 of the NPPF states that *‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.’*

9.5 Inappropriate development is defined, in paragraph 89 of the NPPF, to include all development except, *inter alia*, for:

- *‘The provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it*
- *An extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original*
- *The replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces*
- *Limited infilling or the partial or complete redevelopment of previously developed sites (brown field land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the purposes of the Green Belt and the purpose of including land within it than the existing development.’*

9.6 The development proposed in this planning brief, are related to sport and recreation; propose extending or replacement of existing facilities with new ones and the redevelopment of previously developed sites.

9.7 The spatial strategy in this Brief is designed to maintain openness of the Green Belt and minimise any harm. New facilities are either in the existing site or as close as possible, with the existing facilities returned to open uses. The spatial strategy is

focusing built development in the core area at Allianz Park Stadium and Copthall Leisure Centre. Best use is to be made of land already developed. Modern standards mean that new buildings may be of a different massing and scale to existing, these will be judged on their own merits. The openness of Green Belt can potentially be maintained and enhanced if built facilities are concentrated in this central area and attention is given to their cohesiveness together with surrounding landscaping.

10. The London Plan

- 10.1 Adopted in 2011, the London Plan was revised and updated in March 2016. Through it the Mayor reaffirms the NPPF stating in Policy 7.16 that *‘the strongest protection should be given to London’s Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.’*
- 10.2 The Mayor does support the positive use of Green Belt particularly where it improves health and quality of life and the Green Belt is positively managed.

11. The Local Plan

- 11.1 The Barnet Local Plan Core Strategy was adopted in September 2012. It complies with the NPPF and sets out planning policy and a spatial strategy for the Borough.
- 11.2 Whilst the Barnet Core Strategy creates a framework for significant growth, it also seeks to protect the Green Belt alongside built and green heritage and character areas. Protection of the Green Belt is part of one of the Three Strands Approach the Council has towards planning, development and regeneration. Therefore the Local Plan and Development Management DPD (Policy DM15) reaffirm the NPPF policies in respect of Green Belt.
- 11.3 Policy DM15 in particular sets out both the Council’s general approach to development in the Green Belt and specific requirements in respect of particular types of development. It reinforces the NPPF and in particular states that *‘The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt.’*

12. Planning Delivery Strategy

- 12.1 The developments outlined in this Planning Brief will require separate planning permission. The sensitivities of a green belt location, and the importance that design will require detailed plans for each facility.
- 12.2 Each planning application should show how it fulfils the objectives of this Draft Planning Brief and the planning objectives for Copthall. This will ensure that the overall vision is observed and discordant development is not allowed. Any development over and above that highlighted in this plan will need to show how it still meets the objectives of the plan and the Green Belt.
- 12.3 All planning applications must conform to the Validation Requirements set out by the Council to be found at www.planningportal.gov.uk/planning/applications. Pre-application discussions should take place with the Council.
- 12.4 There are no phasing plans in the Planning Brief. The Council will continue to work with the various parties to establish likely timeframes for investment and establish a programme that enables the on-site stakeholders and off-site stakeholders such as the Neighbourhood Forum and Copthall Community Sports Group and schools such as the Hasmorean to understand the programme, manage the impacts and discuss any variations. This Planning Brief recognises it is important that the school can thrive and grow in line with the Council's requirement for increased secondary school places to meet the needs of Barnet's diverse population.
- 12.5 Development options for the sites within Copthall estate must have particular regard to the following matters (although not exclusive):
- Site topography and existing trees, *where there are existing trees, hedges, topsoil, log piles or other valuable habitat features which can be included within the final development design, these should be properly preserved where practical during the construction phase. Topography and dips or undulations in the landscape should be used where possible to reduce the impact of any built development on the openness of green belt*
 - Biodiversity, *ecological assessments /statements should set out further detail on how biodiversity and habitat quality will be protected including protected species. Reports produced for different sites across Copthall should be shared to build up a common resource of biodiversity across the site. The Green Infrastructure SPD will also set out further detail on how biodiversity and habitat quality will be protected in due course with a draft expected to be published autumn 2016*

- Construction management and neighbouring users amenity, *should be considered by preparing and implementing a Construction Management Plan for developments. Such plans should as a minimum address the following issues: water, waste, noise and vibration, dust, emissions and odours, ground contamination, wildlife and features and archaeology.*
- Access, highway and parking implications, *in planning new development, its full impact on the whole transport system will need to be considered and where necessary, mitigation measures required in order to ensure that the additional travel generated by a proposed development can be accommodated*
- Accessibility, *new development to consider quality mark ‘inclusive fitness initiative’*
- Flood Risk, *A flood risk assessment will be required to consider flooding within the site and the impact of additional run off on Dollis Brook. This would need to be provided in line with EA standing advice. Any works within 8 metres of the Hendon Cemetery Drain ‘main river’ would need Environment Agency consent.*
- Character and form of surrounding area, *proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets*
- User and service requirements, *where existing users remain and there is continued demand their needs should continue to be met either on or off-site*
- Consultation responses, *these will be published as part of the committee reporting process and should be considered where relevant to a development proposal*
- Landscape management, *landscaping should aim to choose plants which are beneficial to wildlife using indigenous plants wherever possible, which require low levels of water and are low maintenance. In addition the southern area should be a priority to develop a Landscape Management Plan encompassing;*
 - *The retention and improvement of the areas of trees and hedgerows*
 - *The retention and improvement of the grassland fields*
- Archaeology, *developers should assess whether the site is likely to contain archaeological remains given the proximity of the two Areas of Special*

Archaeological Significance to the west at Chase Lodge and to the east at Holders Hill and the significant amount of undeveloped land.

13. Funding and Governance Options

- 13.1 To enable Copthall to realise its full potential as an exemplar of good planning, design and management it is proposed that a Copthall Consortium, be made up of site users and stakeholder, be formed to explore the options for future delivery of the aspirational developments outlined within this Planning Brief and its subsequent governance and management.

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Policy and Resources Committee

1 September 2016

Title	Pentavia Retail Park - Draft Planning Brief
Report of	Cath Shaw - Commissioning Director Growth and Development
Wards	Mill Hill
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1: Pentavia Retail Park - Draft Planning Brief
Officer Contact Details	Harriet Beattie – Principal Planning Officer 0208 359 7131 harriet.beattie@barnet.gov.uk

Summary

The draft Planning Brief for the former Pentavia Retail Park responds to national and regional planning policy drivers that seek to effectively utilise brownfield land and ensure that residential development is a key consideration. This draft Planning Brief highlights the environmental and accessibility challenges of bringing forward residential development within this site. It also seeks to promote mixed use redevelopment of the site including new business space that ideally will provide new affordable workspaces for Small to Medium Enterprises within Barnet alongside ancillary community and retail spaces

The draft Planning Brief will be subject to a 6 week period of public consultation. Upon adoption the Planning Brief will guide development proposals for this site.

Recommendations

1. That the Committee approve the Pentavia Retail Park draft Planning Brief for public consultation as set out in paragraph 5.7.
2. That the proposed final planning brief is reported back to the Committee for adoption after taking into account comments made as part of the consultation

1. WHY THIS REPORT IS NEEDED

- 1.1 Surrounded by the A1, M1 and Midland Mainline, the former Pentavia Retail Park presents an opportunity to create a sustainable mixed use development on a challenging site.
- 1.2 In order to shape the future of this site a draft Planning Brief has been produced. This sets out the key parameters to consider in determining the future of the site reflecting its out of town centre location and site history. It also highlights the potential for the delivery of new homes and the opportunity for affordable employment space that supports small to medium enterprises together with ancillary retail and leisure uses.
- 1.3 The draft Planning Brief sets out the Council's vision for the sustainable mixed use development of the former Pentavia Retail Park site. The draft Planning Brief focuses on the following key objectives :
 - a sustainable mixed use development with a range of new affordable homes that contribute to housing choice;
 - new employment space to serve the needs of modern businesses, in particular small to medium enterprises;
 - new outdoor amenity space and landscaping;
 - new and ancillary small-scale 'non-destination' retail and leisure uses;
 - new and ancillary community space such as a nursery;
 - exemplary standards of sustainable design and environmental quality that respond to the challenging environmental context of the location; and
 - improvements to existing transport infrastructure and creation of new pedestrian and cycle links.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Producing a Planning Brief is vital to ensure that future development of the former Pentavia Retail Park site comes forward in line with Council priorities and delivers sustainable development.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option is to not produce a Planning Brief. Failure to produce a Planning Brief could result in a less strategic response to the development of the site. This may also result in Council priorities not being achieved.

4. POST DECISION IMPLEMENTATION

- 4.1 The draft Planning Brief will be subject to a six week period of public consultation. The document will be revised in light of comments received and the proposed final Brief will be reported back to the Policy and Resources Committee for adoption. The Consultation Programme in Appendix 2 of the

Brief sets out further detail on how the Council will engage with the local community and other local stakeholders. A public event in Mill Hill will be held to provide the opportunity for people to discuss the proposals with officers.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The draft Pentavia Retail Park Planning Brief helps to meet Corporate Plan 2015-20 strategic objectives in ensuring that Barnet is a place:-

- of opportunity, where people can further their quality of life – *the draft Brief provides guidelines for ensuring that development will enhance the appearance of this site. It supports the provision of a good mix of uses including residential, employment and ancillary retail and leisure as well as a range of housing types that provide housing choice.*
- where people are helped to help themselves, recognising that prevention is better than cure – *the draft Planning Brief supports provision of employment floorspace that meets the needs of modern businesses.*

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

5.2.1 The cost of producing the draft Planning Brief is being met by the prospective developers. The Planning Brief has been produced by Regional Enterprise (Re) on behalf of the Council.

5.3 Social Value

5.3.1 The draft Planning Brief sets out the parameters for the delivery of a mixed use development. Through the delivery of a new suburban mixed and balanced community in Mill Hill, future development will secure social, economic and environmental benefits.

5.3.2 Social benefits will be secured through the delivery of a mix of housing unit sizes and tenures including affordable housing.

5.3.3 Economic benefits will be delivered through the provision of modern business space that addresses the needs of small and medium enterprises.

5.3.4 Environmental benefits will be delivered through provision of soft landscaping on the site and utilising mitigation measures to address existing high levels of noise and air pollution.

5.4 Legal and Constitutional References

5.4.1 [Constitution Responsibilities for Functions Annex A](#) sets out the terms of the Policy and Resources Committee including “to be responsible for the overall strategic direction of the Council including approval of development of statutory Local Plan related documents” and “approval and adoption of planning briefs”.

5.4.2 Site specific Planning Briefs provide an opportunity to bridge the gap between

the provisions of the Local Plan and the requirements of any future planning application for the site.

5.4.3 Planning Briefs should be consistent with and provide guidance, supplementing the policies and proposals of the Local Plan. Planning Briefs cannot contradict, rewrite or introduce new policies.

5.4.4 Whilst Planning Briefs can have a number of functions, such as promoting development of a site; addressing particular site constraints and/or further interpretation of local plan policies it must be noted that a Planning Brief is not a full Development Plan Document and although a material consideration in any planning application it carries limited weight.

5.4.5 [Section 6.5 of the Responsibility for Functions \(Council Constitution\)](#) defines a key decision as one which:

- Will result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- Is significant in terms of its effects on communities living or working in an area comprising two or more wards.

5.5 Risk Management

5.5.1 A consequence of failing to produce a Planning Brief for the Pentavia Retail Park site may lead to a less strategic response to the development and result in Council priorities not being achieved.

5.6 Equalities and Diversity

5.6.1 The draft Brief helps implement policy set out in the Local Plan Core Strategy. Adopted in 2012 the Core Strategy was subject to an Equalities Impact Assessment (EqIA).

5.6.2 The Public Sector Equality Duty contained in section 149 of the Equality Act 2010 requires public authorities to have due regard to a number of equality considerations when exercising their functions. The principal of equalities impact assessment is to identify whether people with protected characteristics are likely to be affected disproportionately and/ or differentially by impacts arising as a result of the proposals contained in the Planning Brief. A disproportionate equality effect arises when an impact has a proportionately greater effect on people sharing a protected characteristic as compared to other members of the general population at a particular location. The details of the Pentavia redevelopment, contained in the brief are not considered sufficiently detailed to enable further work on EqIA at this stage. Therefore further consideration of EqIA will be updated as the project develops, principally at submission of planning applications for development.

5.6.3 This mixed use residential led development will provide choice in terms of a range of units by size, type and tenure. It will also provide choice for businesses in terms of access to a range of employment spaces. Any new residential development will need to meet London Plan standards for

wheelchair accessibility and retail and employment uses will need to comply with the relevant legislation.

5.7 Consultation and Engagement

5.7.1 The Council will carry out a public consultation exercise on the draft Planning Brief for a period of six weeks.

5.7.2 The Brief will be published online and advertised in the local paper. A public event in Mill Hill will be held to provide the opportunity for people to discuss the proposals with officers and provide feedback. Further detail on consultation arrangements is set out in Appendix 2 of the Brief.

6. BACKGROUND PAPERS

6.1 [Barnet Local Plan Core Strategy](#), September 2012

6.2 [Barnet's Statement of Community Involvement](#), July 2015

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Pentavia Retail Park, Mill Hill

Draft Planning Brief

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Introduction

Purpose of the Planning Brief

- 1.1 Surrounded by the A1 / A41, M1 and Midland Mainline, the former Pentavia Retail Park presents an opportunity to create a sustainable mixed use development on a physically constrained site of low environmental quality in an outmoded out of town centre location, reuniting the site with the surrounding residential area of Mill Hill.

Objectives for the Pentavia site

- 1.2 The objectives for the site are:

- a sustainable mixed use development, creating a new place where people will chose to live with a range of new affordable homes that contribute to housing choice;
- new employment space to serve the needs of modern businesses, in particular small to medium enterprises;
- new outdoor amenity space and landscaping of a quality that enhances this location on the edge of Mill Hill;
- new and ancillary small-scale 'non-destination' retail and leisure uses that serves the needs of the new development;
- new and ancillary community space, such as a nursery, that serves the needs of Colindale and Mill Hill;
- exemplary standards of sustainable design and environmental quality in order to mitigate and adapt to the effects of a changing climate as well as respond to the challenging environmental context of the location; and
- improvements to existing transport infrastructure and creation of new pedestrian and cycle links to Mill Hill Town Centre, Colindale, Mill Hill Park, Copthall and local transport nodes.

- 1.3 In order to deliver these objectives, the sustainable redevelopment of the Pentavia site presents a number of opportunities. These include:

- bringing this brownfield site back into a beneficial and more sustainable use through the removal of the existing out of centre retail park primarily accessible by car;

- new residential uses that contribute towards housing delivery and choice in Barnet;
- new commercial uses to serve the needs of SME businesses and community uses primarily to serve the needs of Colindale and Mill Hill;
- new green infrastructure that contributes to the amenity of residents as well as local biodiversity;
- a development of an innovative and exemplary design that helps to re-integrate the site with surrounding residential areas and screen it from the M1 and A1 / A41; and
- new pedestrian and cycle links that contribute to the re-integration of the site with Colindale and Mill Hill.

2 The Existing Site

- 2.1 The site is the former Pentavia Retail Park, as shown in Figures 1 and 2, which is in the Mill Hill ward to the north of the London Borough of Barnet. The 3.45 hectare site, see Figure 3, forms an island surrounded by major transport infrastructure and consists of a former out-of-town retail park with associated parking. The retail development comprised 9600 m² of A1 / A41-A3 floorspace.



Figure 1: Former Comet building



Figure 2: Existing TGI Friday

- 2.2 Consisting of large single buildings exhibiting a coarse grain of built form without an overarching urban structure, the retail park falls within the primary typology of a box development as set out in the Barnet Characterisation Study.
- 2.3 The retail buildings occupied the northern part of the site. Existing buildings are considered to be architecturally poor and do not contribute to the character and appearance of Mill Hill. The site is not subject to any other Local Plan designation, is not part of a conservation area and there are no listed buildings on site.

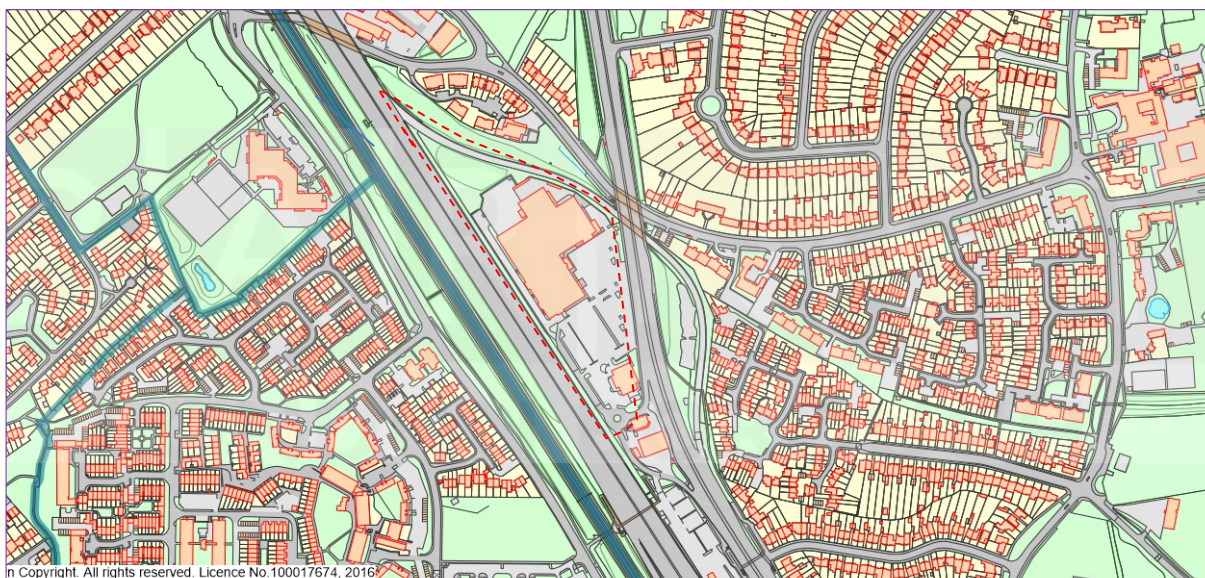


Figure 3: Existing site shown in red dashed line

Site History

2.4 The site has a short development history. The Pentavia Retail Park was built in the early 1990s following planning consent in 1988 for a scheme comprising non-food retail warehouses, a garden centre and petrol station. Prior to 1988 the site had been used as allotments and a sports ground as well as a construction site for the M1. The historical development of the site over the last 150 years is shown in Figures 4, 5, 6 and 7. The isolation of the Pentavia site was clearly the product of the development of the A1 / A41 and M1.

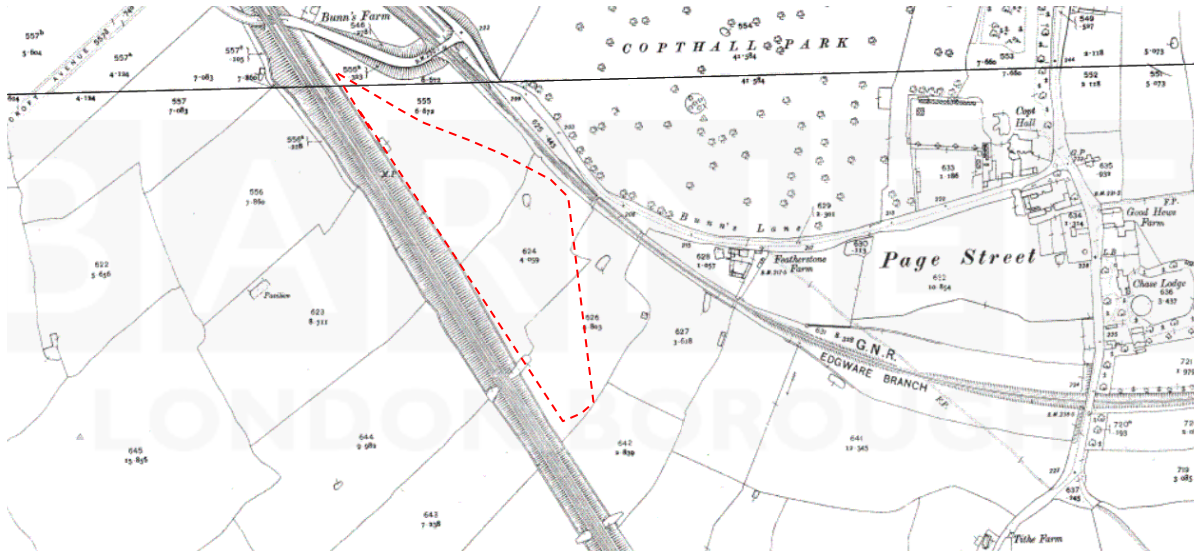


Figure 4: Map showing site between 1865-1894, before construction of A1 / A41

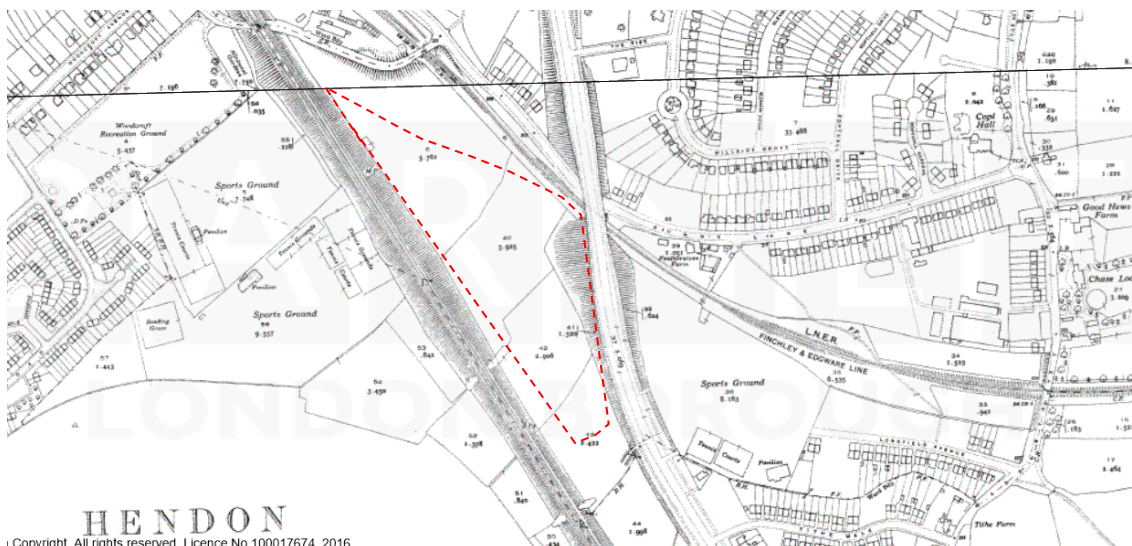


Figure 5: Map showing agricultural uses from 1932-1941

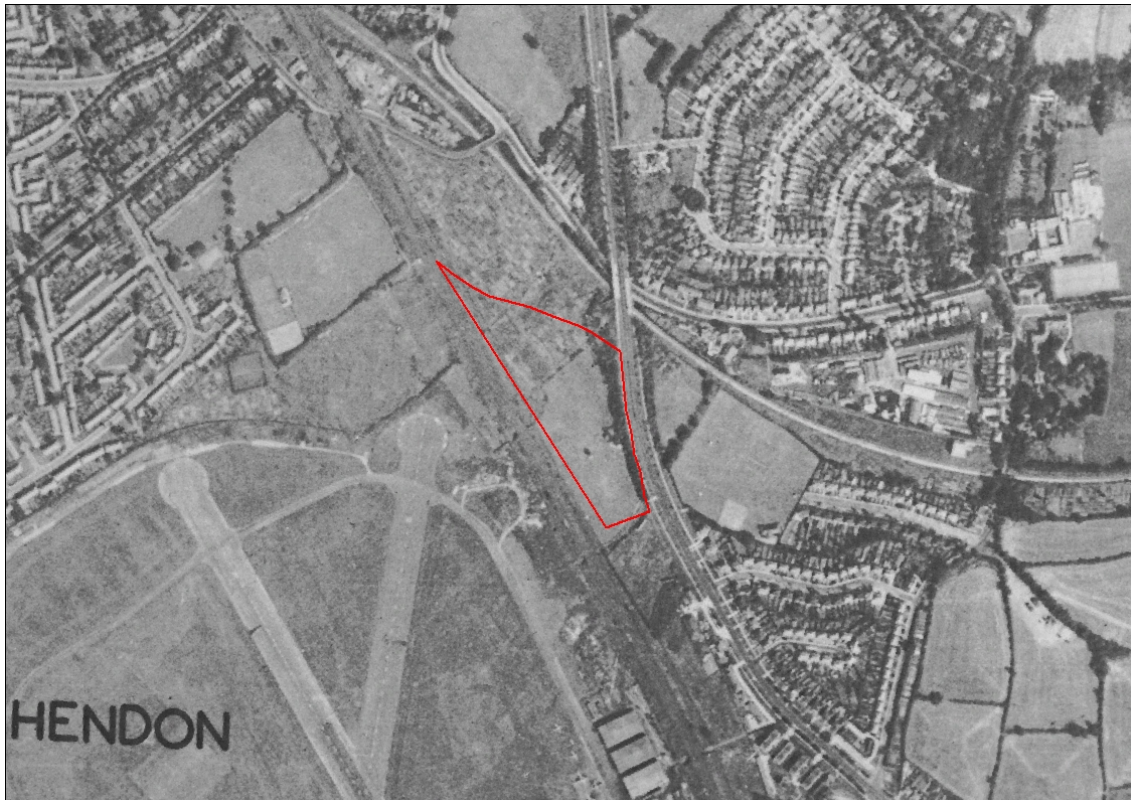


Figure 6: Aerial photograph 1945

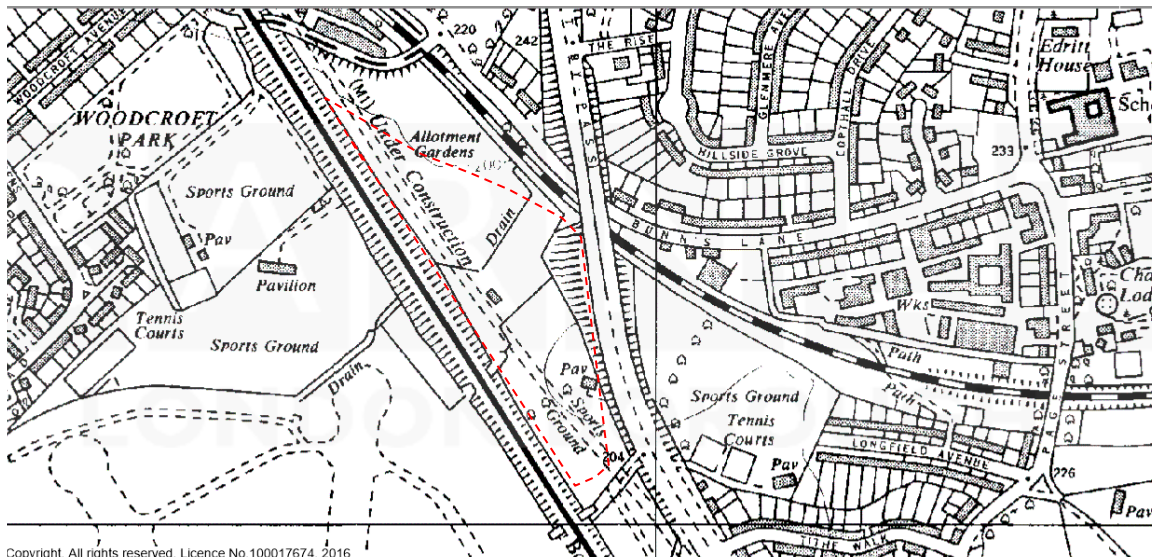


Figure 7: Map show site between 1958-1968 with allotment and sports uses

2.5 Like many out of town centre retail parks in London, the Pentavia site became outmoded as national planning policy and investment has been directed towards the renewal of town centres, focusing on making such centres of historic trade more vibrant and vital places which are accessible by a range of sustainable transport

modes. With an emphasis on car trips combined with constraints linked to the access to and from the A1 / A41, the Pentavia Retail Park is considered to have failed as a modern and sustainable development. Up until 2015 the site had been occupied by major national retailers including Homebase, Comet and Argos (Use Class A1 / A41). Since September 2015 the site has been temporarily occupied by Kosher Outlet Store. The TGI Friday restaurant (Use Class A3) remains open.

Built Character of the Surrounding Area

- 2.6 The former retail park site is adjoined by A1 / A41 to the east and the M1 to the west.
- 2.7 To the north west of the Pentavia site are Bunns Lane and the route of the former rail link between Mill Hill East and Edgware. Between Pentavia and Bunns Lane there is a new 34 unit residential development, Churchill Place, which was approved in 2013 (planning reference H/02796/11) and completed in 2016. The impact on this new adjoining residential area will be a key consideration in determining the acceptability of proposals for the site subject to this Planning Brief.
- 2.8 Further to the north of Bunns Lane are the Mill Hill Industrial Estate and Bunns Lane Works. Both of these sites are designated as Locally Significant Industrial Sites in the Local Plan.
- 2.9 Mill Hill Town Centre is 0.8 miles from Pentavia (about 16 minutes walk). The residential areas to the west of the site consist of two storey houses. To the south west (about 300 metres away) is the Watling Estate Conservation Area which typically consists of rows of two storey terraced dwellings or pairs of semi-detached properties with pitched roofs. Residential also characterises the east of the site with several blocks of flats of three to four storeys. To the south there is a BP petrol station and a car dealership West Way Nissan at 517 Watford Way showroom, together with slip roads connected to the A1 / A41/A41. This narrow neck of land is closest to the M1 and A1 / A41/A41.

3 Planning Policy Framework

- 3.1 The Barnet statutory development plan is the 2012 Local Plan Core Strategy and Development Management Policies, alongside the 2016 London Plan (consolidated with alterations since 2011) which was published in March 2016. Regard has to be had to the National Planning Policy Framework (NPPF) in decision making.
- 3.2 The site is within the Mill Hill Neighbourhood Plan Area. The Mill Hill Neighbourhood Forum is in the early stages of producing a Neighbourhood Plan. The emerging Mill Hill Neighbourhood Plan will, subject to adoption eventually form part of Barnet's development plan. Should this be in place when an application is considered it will be a material consideration.
- 3.3 Rather than repeat policies as part of the Brief a Planning Policy Matrix has been produced to highlight the main planning issues for consideration and enable cross-reference to relevant parts of the Local Plan, London Plan and the National Planning Policy Framework (NPPF). The Matrix is set out in **Appendix 1**. The key policy issues relevant to the site are housing, employment, transport, design, environmental quality and community uses. These are summarised below.

National Planning Policy Framework (NPPF)

- 3.4 The NPPF sets down the Government's planning policies for England and how they expect these to be applied to all forms of development. There is a presumption in favour of sustainable development which will be achieved if development is in line with the NPPF policies and objectives.
- 3.5 Paragraph 58 sets out the following aims for the design requirements for development that will:
- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - be visually attractive as a result of good architecture and appropriate landscaping.

- 3.6 The NPPF states at paragraph 59 that design policies should avoid unnecessary prescription or detail and should not attempt to impose architectural styles or particular tastes.

London Plan 2016

Residential Uses

- 3.7 **Policy 3.5 Quality and Design of Housing Developments** requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, addressing in particular the needs of children and older people.

- 3.8 **Policy 3.8 Housing Choice** also requires that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these. The 2016 London Plan specifically highlights in Policy 3.8 that the planning system should provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery.

Open Space

- 3.9 **Policy 3.6 Children and Young People's Play and Infant Recreation Facilities** requires that all children and young people have safe access to good quality, well-designed, secure and stimulating play and informal recreation provision, incorporating trees and greenery wherever possible. The quantum is dependent on the final mix of unit sizes; further detail is contained in the Barnet Local Plan Development Management Policies and Barnet Planning Obligations SPD.

Economic Uses

- 3.10 **Policy 2.7 Outer London: Economy** supports consolidating and developing the strengths of outer London's office market through mixed use redevelopment and encouraging new provision in competitive locations.
- 3.11 **Policy 4.1 Developing London's Economy** states that the Mayor will promote and enable the continued development of a strong and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces including suitable environments for small and medium sized enterprises.
- 3.12 **Policy 4.7 Retail and Town Centre Development** highlights that boroughs should firmly resist inappropriate out of centre development and manage existing out of

centre retail and leisure development in line with the sequential approach, seeking to reduce car dependency, improve public transport, cycling and walking access and promote more sustainable forms of development.

- 3.13 **Policy 4.10 New and Emerging Economic Sectors** encourages boroughs to work with developers to ensure availability of a range of workspaces, including start-up space, co-working space and 'grow-on' space.

Barnet's Local Plan Policies

Residential Uses

- 3.14 **Policy CS4: Providing quality homes and housing choice in Barnet** seeks to ensure a mix of housing products in the affordable and market sectors to provide choice for all households. New developments should provide a range of dwelling sizes and types of housing including family homes which does not undermine suburban character or local distinctiveness. Affordable Housing should be provided in line with the Council's strategic borough-wide target of 40% provision, subject to viability, for all new homes with a tenure mix of 60% social rented and 40% intermediate. In accordance with the London Plan, affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate, it may be provided off-site.
- 3.15 Any affordable housing proposal which does not meet the Council's policy will need to be supported by a Viability Assessment. The Council expects the developer to enter into dialogue regarding the proposed level of affordable housing to be provided prior to the submission of a planning application and after the Council has been supplied with sufficient detail of the proposed scheme so that it can carry out its own assessment. This will help agree the assumptions to be included in a viability assessment reach an early agreement on the level of provision and avoid a protracted S106 negotiation.
- 3.16 **Policy DM08: Ensuring a variety of sizes of new homes to meet housing need** recognises that the development should include a mix of residential units. Maintaining and increasing the supply of family housing is a priority in Barnet. Barnet's Housing Strategy 2015 recognises the market's pre-disposition to provide 1 and 2 bedroom units, and maintains the priority for family homes across all tenures.
- 3.17 **Policy CS5: Protecting and enhancing Barnet's character to create high quality places** means that the Council seeks to ensure development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. All development should maximise the opportunity for community diversity, inclusion and cohesion and should contribute to people's sense of place, safety and security.

- 3.18 Given the proximity of the Watling Estate Conservation Area and potential for visual impact in relation to Mill Hill Conservation Area, we highlight the requirement of Policy CS5 that we will require proposals within or affecting the setting of heritage assets to provide a site assessment which demonstrates how the proposal will respect and enhance the asset.
- 3.19 Policy CS5 identifies eight strategic locations in the Borough where Tall Buildings (8 storeys (or 26 metres) or more) may be appropriate. Pentavia Retail Park is not one of these locations.

Town Centre Uses

- 3.20 National guidance defines the main town centre uses. This definition includes retail development, leisure, entertainment facilities such as cinemas, restaurants, pubs, offices and theatres, museums and hotels.
- 3.21 Town centre first has been firmly established as national planning policy for more than 20 years. On this basis Local Plan policies are clear in demonstrating which uses are more appropriately located in Barnet's town centres.
- 3.22 Pentavia has not been successful as an out of centre retail park and the Council's objective remains to promote its network of town centres. It therefore does not support any enhancement of this out of centre location in terms of uses such as retail and leisure that make the development a destination.
- 3.23 Mill Hill town centre is one of Barnet's district centres and given moderate levels of demand for retail, leisure or office floorspace combined with transport capacity is considered to have medium growth potential according to the London Plan.
- 3.24 **Policy CS6: Promoting Barnet's Town Centres** states that we will promote successful and vibrant centres throughout Barnet to serve the needs of residents, workers and visitors and ensure that new development is of an appropriate scale and character for the centre in which it is located;
- 3.25 **Policy DM11: Development principles for Barnet's town centres** states significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be strongly resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan. Edge of centre proposals will not normally be appropriate and therefore should demonstrate why they are not locating in a town centre site. Appropriate mixed use re-development will be expected to provide re-provision of employment use, residential and community use.

Employment Uses

- 3.26 **Policy CS8: Promoting a strong and prosperous Barnet** states that we will support businesses by encouraging development that improves the quality of existing

employment provision. CS8 also highlights that in order to support small to medium sized enterprises new employment provision should include a range of unit sizes and types such as affordable and flexible workspaces and home working hubs. This policy also states that we will require major developments to provide financial contributions to and deliver employment and training initiatives. Further details are set out in the Supplementary Planning Document on Delivering Skills, Employment, Enterprise and Training (SEET) from Development through S106.

4 Constraints

4.1 The following constraints will need to be addressed in any future development:

- Levels
- Mill Hill and Watling Estate Conservation Areas
- Site permeability and accessibility
- Environmental Factors

4.2 A Constraints Plan is set out at para 4.12.

Levels

4.3 The extent of level changes across the site is currently not known. Topographical or cross sectional drawings/surveys will therefore need to be provided in the event of an application. Observations of the site indicate that there are no significant level changes on the site itself. However, there are significant level differences between the site and surrounding areas. This is particularly significant at the northern boundary close to which lies Churchill Place; and the western boundary towards Grahame Park Way.

4.4 These level changes may have an impact on any new development achievable within the site, which will need to be addressed with any redevelopment proposal especially in terms of privacy and overlooking.

Mill Hill and Watling Estate Conservation Areas (adjoining building scale)

4.5 The Mill Hill Conservation Area sits atop Mill Hill extending round to Holcombe Hill and Highwood Hill. Although Pentavia does not fall within this Conservation Area, there is an impact in terms of views from the Conservation Area (see Mill Hill Conservation Area Character Appraisal, April 2008) which is on higher ground. Pentavia is in a location surrounded by low rise suburban housing. Relevant viewpoints include the view from Mill Field, a public open space located within the Conservation Area together with the view from St Joseph's Missionary College that sits on the adjacent hillside. In both cases Pentavia Retail Park lies to the south and any denser form of development would act as a dominant impression on the skyline from these locations.



Figure 8: View of the site from Mill Hill field

- 4.6 The Watling Estate Conservation Area is located within 300 metres of the Pentavia Retail Park. This Conservation Area is characterised by small scale two storey properties, which form pairs of semi-detached properties or rows of terraces. The proximity to the Watling Estate Conservation Area boundary coupled with the elevated nature of the site means that there is potential for any proposed development to impact on the setting of this Conservation Area. Any proposed development will therefore need to have due regard to character and appearance (see Watling Estate Conservation Area Character Appraisal, July 2007) and must not have a harmful impact on views of the Watling Estate and its setting.

Site Permeability and Accessibility

- 4.7 At present there is only one vehicular entrance to the site from the A1 / A41 Watford Way. As the A1 / A41 is a dual carriage way, this entrance is one way in, one way out. The exit is northbound only, and in order for vehicles leaving the site to travel in a southerly direction, they have to turn right at the junction at Mill Hill Broadway. This access arrangement presents a significant obstacle to the redevelopment of the site and the improvement of public transport accessibility for the site.
- 4.8 In terms of pedestrian access the only opportunity for pedestrians to cross the southbound carriageway of the A1 / A41 is either the four flights of stairs (two down and two up again) via Bunns Lane (see Figure 10) or to go via the subway adjacent to the West Way Nissan car dealership (also multiple flights of stairs).

- 4.9 To the southwest there is a pedestrian bridge (see Figure 9) which crosses over the M1 and then goes underneath the Midland Mainline via a pedestrian tunnel providing a connection to the former site of Barnet College. This pedestrian bridge has step and ramp access potentially making it suitable for bicycles.



Figure 9: Pedestrian bridge over M1



Figure 10: External stairs connecting Watford Way to Bunns Lane

Environmental Factors

- 4.10 Due to the site's proximity to the M1, A1 / A41 and Midland Mainline, the site is exposed to poor air quality, high levels of particulate and severe acoustic problems. Measurements taken on site show that National Air Quality Objectives for Nitrogen Dioxide and Particulate Matter (PM10) are exceeded.
- 4.11 Detailed mapping of particulates across the site will be required due to its constrained nature between transport corridors. Furthermore, an on-site assessment will be required to identify if more permanent measuring systems and controls to limit health risks are required in order to ensure proposed uses support improvement of health and wellbeing as envisioned within the Council's Health and Wellbeing Strategy.

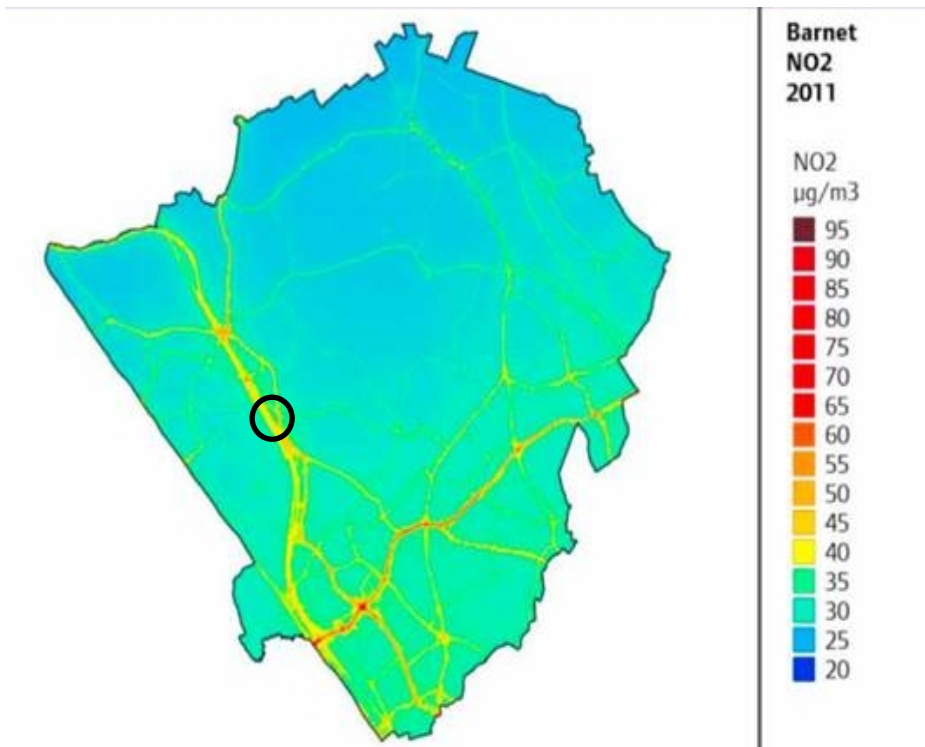


Figure 11: NO₂ emissions within Barnet (Pentavia site circled)

Constraints Plan

4.12 The main constraints are shown on the below plan:



Figure 12: Site Constraints

5 Relationship with Surrounding Area

Adjoining Sites

- 5.1 Due to adjoining strategic transport infrastructure that acts more as a barrier than a connection for the site, the site itself only directly borders other forms of development to the north and south.
- 5.2 The only residential area bordering this site is the new development at Churchill Place. Churchill Place directly adjoins the M1 and Midland Mainline and has environmental issues from being exposed to noise and air pollution. However, Churchill Place also benefits from its location bordering Bunns Lane with Mil Hill Park directly opposite and the disused railway line woodland buffer to the rear sitting between the residential properties and the Pentavia Retail Park.
- 5.3 Individual residential properties on this site have been protected from the transport corridors through the installation of sound proof walling, which runs along the western boundary. As outlined above, the Churchill Place development is downslope of the site. Topographical / cross sectional drawings will need to be submitted for the Pentavia site in order to ascertain the extent of the level change.
- 5.4 Bunns Lane provides the closest route from the site to the nearest local town centre, Mill Hill. The only link between the Pentavia site and Bunns Lane is a set of pedestrian stairs which lies to the north of the site accessed via Watford Way. Access improvements in and around this location would be essential to enabling any residential development to be considered within the site instead of the current limit to such development defined by Churchill Place.



Figure 13: Churchill Place properties fronting Bunns Lane

- 5.5 To the east of the site is the A1 / A41 dual carriageway; beyond this road is a disused exit ramp from the M1 that formerly enabled direct connection from the M1 into the A41 at this location. Adjacent to this are low rise houses that are screened from the A1 / A41 and Pentavia by existing mature trees. These properties would be sensitive to matters of building height and massing.
- 5.6 To the south are the West Way Nissan dealership and the BP petrol station. These sites are squeezed between the transport corridors as they gradually come together at Junction 2 of the M1. The considerations associated with these corridors become increasingly significant as one travels from north to south through the site.



Figure 14: West Way Nissan dealership – 517 Watford Way

- 5.7 Around 100 metres to the west of Pentavia is Grahame Park Way which consists of two storey terraced and semi-detached houses together with public open space at Woodcroft Park. This area falls within the Colindale Regeneration Area identified as an Opportunity Area in the London Plan and subject to the Colindale Area Action Plan adopted in 2010. Colindale is expected to deliver a minimum of 12,500 new homes before 2031. The area of Grahame Park Way closest to Pentavia is not identified as a development site in the Area Action Plan. However it is adjacent to the Grahame Park Way Corridor of Change which focuses on the regeneration of the Grahame Park Estate and the site at Barnet College. Further detail on the master planning of the Grahame Park Estate is set out in the Grahame Park Supplementary Planning Document adopted in May 2016. The relationship with Grahame Park is another key consideration for any future development of Pentavia.
- 5.8 There appears to be significant level changes between the site and Grahame Park Way. This requires further investigation. It is, however, anticipated that this area of low rise residential housing may be affected by any future development on the Pentavia site. Again careful consideration will need to be given to building height and mass as well as set back distances at this boundary.

Connectivity

- 5.9 The Pentavia site has a PTAL rating of 1b. There is a bus stop directly outside the site on the A1 / A41 Watford Way which serves routes 113 and N113. These buses serve Mill Hill and Hendon on a route that runs from Edgware to Trafalgar Square at a frequency of every 6-11 minutes during peak times. A key consideration for any future development is making effective use of this bus route improving the poor connectivity from the site to the bus stops along the northbound and southbound carriageways of Watford Way. The bus stop at Bunns Hill Bridge serving destinations to the south including Hendon is closer to the Pentavia site than the northbound bus stops serving Mill Hill and Edgware.
- 5.10 The other accessible bus route is the 221 that runs along Bunns Lane. This route serves both Mill Hill Broadway and Mill Hill East stations with a frequency of every 4-6 minutes during peak times. The lack of direct access to Bunns Lane and the 221 bus service needs to be considered in any future proposal for the Pentavia site. Even with improvements to accessibility, the variation across the site is likely to be significant in defining the approach to layout and the nature of any proposed development.
- 5.11 The nearest rail station is Mill Hill Broadway which is 0.9 miles from the site when accessed by the external stairs to the north of the site (17 minutes' walk). The nearest underground station is Colindale a distance of 1.3 miles which is accessed via the footbridge over the M1 and pedestrian tunnel under the Midland Mainline, followed by a 15 minute walk along Grahame Park Way and Colindale Avenue.
- 5.12 Due to the low PTAL rating combined with difficult pedestrian and cycling linkages any future development will need to both improve these access routes and also provide suitable car parking that complies with the Council's parking standards as outlined in Policy DM17 Travel Impact and Parking Standards. The Policy requires:
- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms);*
 - ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and*
 - iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)*
- 5.13 The area is already dominated by adjacent vehicle corridors, therefore the impact of parking on internal streetscape within the site should be minimised to ensure a high quality of environment and landscaping. We recommend strong consideration is given to the use of basement parking.

6 Approaches to Redevelopment

Land use

- 6.1 This is a site largely surrounded by barriers in the form of major transport routes which limit permeability and accessibility. Due to these restrictions, careful consideration must be given regarding appropriate uses for any future development to ensure that they do not result in a level of movement into and out of the site which has a detrimental impact on surrounding road networks.
- 6.2 Although there have been no previous residential uses on this site, there are residential areas to the north, east and west of the site. Residential use as part of a mixed use development is considered appropriate for the site. The Council recognises that as housing need increases new innovative and non-conventional housing products will come forward. Given the environmental constraints of this location the Council will consider well-designed, high quality products which help to widen housing choice. We will support such products on the basis that they:
- demonstrate how they meet identified housing needs and contribute to the delivery of mixed and balanced communities;
 - contribute to the maximum reasonable amount of affordable housing in line with Local Plan and London Plan policies;
 - comply with Housing Act standards and requirements;
 - demonstrate effective management arrangements, lettings policies and support services for occupiers;
 - do not have a negative impact on surrounding neighbourhoods and
 - are not converted to student accommodation, HMO, hotel or temporary homeless accommodation without planning consent.
- 6.3 Flexible business uses as part of a mixed use scheme would be appropriate. Any future development would need to provide a range of unit sizes and tenures to meet a variety of business needs.
- 6.4 The Council will expect new business space to be delivered in a specific part of the site. The narrowest part of the site which is closest to the A1 / A41 and M1 would be an appropriate location for new business accommodation (see Figure 12). The Council will support provision of a range of new business spaces that are both flexible and affordable, providing the conditions for start-ups to grow and to enable existing small to medium enterprises to prosper.
- 6.5 The scale of development also triggers a requirement to manage development related job opportunities. The Council will use a Local Employment Agreement (LEA) to manage such opportunities. A LEA sets out the skills, employment and training opportunities to be delivered from development and must include all employment

opportunities generated by construction as well as the end use where the development creates more than 20 FTE (full time employee) jobs.

(i) Impact on transport corridors and access

6.6 It is important that future uses do not result in a level of vehicular movement into and out of the site which has a detrimental impact on surrounding road networks, particularly where they are already congested at peak times.

6.6 The introduction of residential land uses would be subject to demonstrating the ability to provide suitable accessibility for future residents through the creation of new and improved vehicular and transport connections, alongside improvements to cycling and pedestrian access and choice.

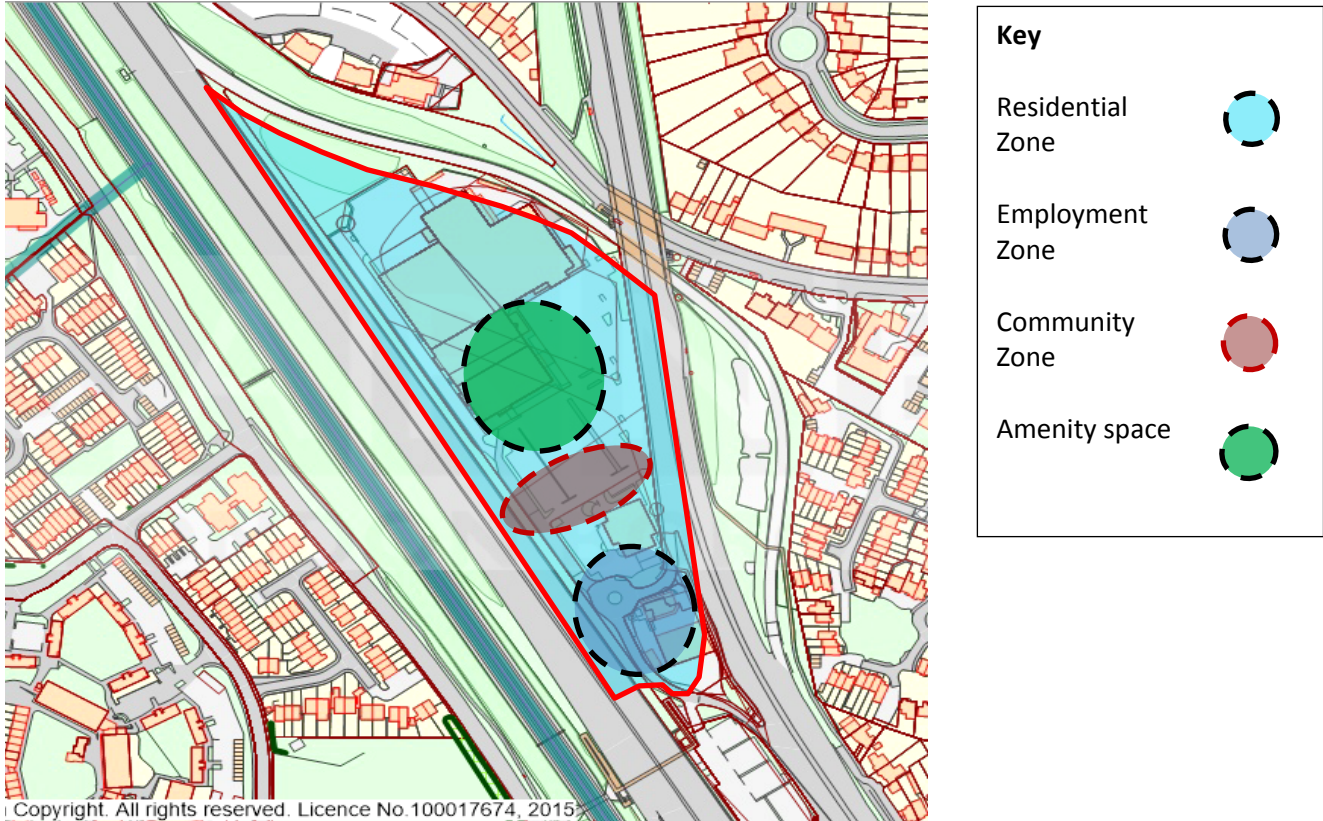


Figure 15: Zoning Map

(ii) Suitability of the environmental context

- 6.7 The suitability of different land uses within the site is highly influenced by the environmental constraints highlighted earlier. Suitability for any residential use is a key consideration. Proven mitigation measures and controls need to be in place to give certainty that the environmental issues resulting from the adjoining transport routes and poor permeability will not affect the health and wellbeing of residents and employees. The Council's Joint Strategic Needs Assessment and Strategy identifies that the cost of health services for individuals and their life expectancy are strongly related to the broad environmental context in which they live.
- 6.8 If residential development is to be provided on site, this will need to be as part of a mixed use development. It is important that, in order to comply with the objectives of the National Planning Policy Framework (NPPF) which seeks sustainable, inclusive and mixed communities, the new residential properties should be supported by a range of on-site community and retail uses. These uses should be ancillary to the residential elements of the mixed use development and not form a destination in themselves.

(iii) Designing for a changing economy

- 6.9 Flexible business uses as part of a mixed use scheme would be appropriate. Any future development would need to provide a range of unit sizes and tenures to meet a variety of business needs.
- 6.10 The Council will expect new business space to be designed in order to provide larger spaces that can be easily sub-divided, changed and re-used in a variety of ways over time to adjust to the changing nature of business within the wider economy. Affordable workshop spaces are particularly sought after within the local economy; but whatever provision is proposed it should consider the importance of a balance of suitable internal and external spaces, quality ventilation arrangements and arrangements such as loading areas and parking.
- 6.11 The site is not located within a town centre and therefore the business uses should be appropriate to the lower public transport accessibility of the site.

Urban Form and Character

(i) Responding to the local built form and skyline

- 6.12 The current form of development on site consists of low rise, warehouse style buildings with large footprints (8200 m²). As the site is separated from surrounding built environments by major transport infrastructure, there is an opportunity to create a distinctive built form which can help to inform and instruct the 'place making' essential for any residential development.

- 6.13 Local Plan policies CS5 and DM6 set out the Council's approach to managing tall buildings in Barnet. There is a clear direction that they should be restricted to strategic locations within the Borough. As this site is not within a strategic location, tall buildings of 8 storeys or more in height will not be supported.
- 6.14 Any development proposals for Pentavia should demonstrate successful integration into the existing urban fabric and have regard to topography and no adverse impact on Local Viewing Corridors identified in Map 8 of the Local Plan Core Strategy, local views and the skyline. 'Viewing Corridor A' passes close to the site and therefore the impact of proposed development on the context of this view and adjacent views will be given particular attention.
- 6.15 Density should have regard to Table 3.2 of the London Plan, which guides density in terms of the surrounding character of the area, and access to public transport.
- 6.16 The proximity of the site to low rise residential areas of Grahame Park Way to the west, Bunns Lane to the north and Mill Hill to the east, entails that the height of any new build should not have a detrimental impact on these neighbouring properties in terms of overbearing and overshadowing.
- 6.17 As the site is highly visible from these locations as well as the Watling Estate and Mill Hill Conservation Areas, the appearance of the development in terms of height, mass and bulk of any new buildings will require careful consideration so as not to appear excessively dominant within this low rise landscape.
- 6.18 Particular consideration will need to be given to visible elevations, as the appearance of untreated walls will be detrimental to the views. The treatment of visible elevations should utilize modern building techniques in order to make any visible proposed structures more pleasing to the eye whilst ensuring overall legibility of the views from all adjacent areas.
- 6.19 Any development proposals should further account for roofline interest, by varying the height of structures in the appropriate places. This should stem from detailed massing and view studies of the proposed buildings. A monotonous roofline motif will have a detrimental impact on surrounding areas. However some roofline interest might frame the sky exposure of views from adjacent areas and make any structures less overbearing.

(ii) Responding to the environmental context

- 6.20 If the site is to be occupied by residential uses, appropriate mitigation measures will need to be installed to ensure that future residents are not exposed to detrimental levels of noise and air pollution. The Council's Environmental Health department will assess the proposed mitigation measures. Mitigation measures will need to be designed into the development to ensure that residential units are not exposed to noise levels exceeding 55db or poor air quality.
- 6.21 As well as consideration of external mitigation measures such as noise barriers, building design techniques and green buffers, the design of the scheme will need to be considered carefully to determine if the built structures proposed can in fact provide sufficient mitigation to overcome the environmental problems and provide satisfactory screening to noise and air pollution.
- 6.22 The internal layout of units will also need to be carefully considered to ensure that main habitable rooms are not exposed to more sensitive locations and single aspect units do not face onto transport infrastructure.

7 Details to be considered

Privacy and overlooking

- 7.1 Any proposed development should respond to nearby residential properties in terms of their height and proximity to adjoining boundaries with a view to avoiding loss of privacy. In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden.

Outdoor Amenity Space

- 7.2 Provision of outdoor amenity space is vital in Barnet and is a key consideration for new residential developments. Gardens/outdoor amenity spaces make a significant contribution to local character, specifically towards biodiversity, tranquillity, amenity, setting and sense of space.
- 7.3 Any proposed development will need to meet the minimum outdoor amenity space standards as outlined in Barnet Council's Sustainable Design and Construction SPD. The location of this amenity space, within the site, will need to be carefully considered in terms of the surrounding uses to ensure that proposed amenity space provides appropriate space for residents as well as employees. Private gardens should not be overlooked and all amenity space must be sheltered from surrounding major forms of transport infrastructure to provide suitable spaces.
- 7.4 The incorporation of high quality soft landscaping into the proposed street scene will be important to ensure visual interest and seasonal diversity of any new development. A key part of this will be the introduction of trees to the site; with particular attention being given to their location, function, and sufficient maturity and variety of ages to ensure the benefits are experienced early in the life of the development. Soft landscaping will be important to provide relief and privacy screening. Particular attention should be paid to the boundaries between the site and the adjoining Bunns Lane development as this will impact on both the development and the quality of life for those existing residents.
- 7.5 It is recognised that in order to ensure a high quality redevelopment is delivered that secures an excellent quality of streetscape; the soft landscaping, refuse and parking measures will all need to be considered in detail at the planning application stage rather than being dealt with through a condition. This is essential to enable assessment of the capability of these features to support the objectives of the scheme as a whole; and thus the suitability of the overall scheme design.

Building heights and bulk

- 7.6 As noted the site is separated from other adjoining residential areas by major transport infrastructure and therefore there is the opportunity to construct a distinctive built form that utilises modern building techniques to mitigate constraints and deliver an efficient and flexible form of development for the site.
- 7.7 However, as this site is elevated above the surrounding area, it is visible from a number of locations including Mill Hill Village and the Watling Estate, as well as a number of parks and recreation areas. For this reason, any proposed redevelopment incorporating blocks of 4 to 7 storeys is likely to be quite visible. The design must not appear overbearing on the Barnet skyline nor to adjoining residential areas and as noted previous must give full and due consideration.
- 7.8 Lastly, it will be important to bear in mind the nearby context of the Mill Hill Observatory run by the University of London. By ensuring appropriate built form (height and massing) any development should avoid artificial light impacting on the operation of the observatory due to the direct line of sight across Mill Hill Park.



Figure 16: Location of Mill Hill Observatory

Access and Connectivity

- 7.9 The current site has poor permeability and accessibility due to the boundary effects of surrounding major road transport infrastructure (M1 and A1 / A41), with a single left-in left-out access via the A1 / A41 Watford Way northbound carriageway, which is part of the Transport for London road network (TLRN).
- 7.10 Access to the site for traffic travelling southbound on the A1 / A41 requires vehicles to undertake a legal U-turn manoeuvre at Fiveways Corner; 1.8km south of the site whilst traffic egressing the site and heading south are required to use the roundabout at Mill Hill Circus to return in the opposite direction; 2.5km north of the site. In both directions the junctions can become heavily congested at peak times. Therefore the additional traffic movements from proposed new uses for the site need to be carefully considered and might become a constraint on the scale of development.
- 7.11 Pedestrian access to the site is also constrained, only being possible from the east via the existing A1 / A41 footway and the west via a pedestrian bridge over the M1 and then a subway under the Midland Mainline. Facilities for cyclists are also limited, although there is an off-road cycle route along the east side of the A1 / A41 which extends south to Hendon and on to Brent Cross (accessed from the site via a subway, so cyclists would be required to dismount). Grahame Park Way that runs parallel to the M1 is also signed for cyclists; this route can be accessed via the subway and footbridge, however cyclists are required to dismount as cycling is not permitted in the subway and on the footbridge.
- 7.12 The Pentavia site has a low PTAL rating of between 1a (very poor) and 3 (Moderate), with the majority of the location being 1b (very poor). The nearest railway station is Mill Hill Broadway which is 960m from the site and is served by Thameslink services. The typical daytime service from the station is four trains per hour to central London, Wimbledon and Sutton, of which two terminate at St Albans and two at Luton. The nearest underground stations are Colindale, Burnt Oak and Mill Hill East, all on the Northern line. Bus routes 113 and 221 provide reasonably frequent services as discussed earlier. However innovative solutions need to be found to provide better access to these and other bus routes; ensuring high quality sustainable transport connections, including continuous, safe and accessible pedestrian and cycle links are essential.
- 7.13 Improving linkages to existing and potentially new public transport services and facilities, as well as other key local centres and amenities, will be critical for the redevelopment of this site. In effect, direct and safe links that provide accessibility to all should be provided to adjacent bus stops, local primary / secondary schools, Mill Hill Broadway Town Centre, Mill Hill Broadway Station and one or both of the nearest Underground Stations. In addition to infrastructure measures it is envisaged that a

range of sustainable transport proposals, including the introduction of car clubs and other travel plan incentives for the site, will need to be implemented.

- 7.14 The primary vehicular access to this site for entry is expected to continue to be via the A1 / A41 Watford Way. However, there is an opportunity to provide better pedestrian and cycle access to and from the site by creating a new link to Bunns Lane. Due to existing traffic congestion on Bunns Lane any new vehicular connection between the development and this road will need to demonstrate it can be safely accommodated and have nil detriment on the connections in both directions.
- 7.15 A full Transport Assessment (TA) will therefore be required to examine the impact of the proposed development and how such impacts will be mitigated. It will therefore need to include a detailed assessment of any new link road/s. The impact of the development on the local road network, as assessed in the TA, should include, and not be restricted to the following junctions:
- i. A41 / Page Street / Hall Lane / A1 / A41 Great North Way (Fiveways Corner);*
 - ii. A1 / A41 / The Broadway (Mill Hill Circus);*
 - iii. Bunns Lane / Grahame Park Way;*
 - iv. Page Street / Pursley Road / Bunns Lane;*
 - v. Both ends of Flower Lane; and*
 - vi. Bunns Lane / Hale Lane / The Broadway.*
- 7.16 Any vehicular access onto Bunns Lane from the site will create a new appealing connection between the A1 / A41 Watford Way northbound and Bunns Lane / Grahame Park Way. Therefore consideration as to the need for installation of robust entry and exit control measures should be given to discourage through movement. Full details of such control measures will be required to be considered as part of the planning application, and are expected to be conditioned under any planning consent.
- 7.17 The design of the proposals should take into account the Council's Draft Developer's Design Guide, and current applicable standards.
- 7.18 Residential parking provision must be in accordance with Local Plan policy DM17, and also take into account provision for disabled drivers and electric vehicle charging points as set out within the London Plan. Non – residential parking standards should also accord with the London Plan. Parking restrictions on the local streets adjacent to the site will require review, with changes likely to be required to existing CPZs and potentially the introduction of new controls. Cycle parking provision on site should also accord with the London Plan.
- 7.19 To minimise the impact of the development on the highway network, Travel Plans will be required for both residential and commercial elements of any development.

These will contain associated required targets and monitoring, a Servicing and Delivery Strategy, as well as a Construction Transport Management Plan. Within the site a Car Parking Management Plan will be required to support the developer's proposals alongside an Access Management Plan. Together such plans and measures will require suitable monitoring as well as joined-up site leadership. This will be addressed through a Planning Agreement associated with any application.

- 7.20 The collection of refuse will be required to be in accordance with Council policies with refuse facilities to be located within 10m of the highway for collection.
- 7.21 It is likely that any approved application will require contributions to be made to improve local sustainable transport modes in order to help support any new residential community as well as the success of future business uses on site. The developer will likely also need to fund offsite highway works that may be considered necessary to mitigate any detrimental impacts of the development.

8 Planning Application Requirements

- 8.1 A full planning application will need to be submitted for the site. This will enable the Council to consider the detailed design issues alongside the general principles of redevelopment, as the two are inter-related.
- 8.2 The Council has a Validation Checklist, which sets out the national and local requirements for planning applications. The developer, through the pre-application process should engage with the Council's planning officers to agree the range of documents to be submitted and the scope and standard expected. This will help to ensure that there are no delays in the validation process, and that requests for additional information are minimised once the application has been received.
- 8.3 This Brief identifies a number of elements of any application (landscaping, refuse, parking, and details of any new road links) that should be considered in full within the application rather than being left to future consideration under a condition. Early discussion is welcomed on these issues.
- 8.4 Furthermore, it is recommended that early discussions with Council officers on the likely conditions should any application be approved. Where conditions require the submission and discharge of further documents, the scope of those documents should be agreed before they are submitted. This will also help with the smooth discharge of those conditions.
- 8.5 The Council's requirements for consultation on planning applications are set out in the Statement of Community Involvement as adopted in June 2015. The applicant will need to demonstrate that the proposal has undergone significant community engagement in order to consult with different groups including the Mill Hill Neighbourhood Forum within the local community. This will be detailed within the Community Involvement Statement as submitted with the application.

Energy and Carbon Reduction

- 8.6 The London Plan Policy 5.2 Minimising Carbon Dioxide Emissions emphasises that development proposals should make a contribution to minimising carbon dioxide emissions in conjunction with the energy hierarchy. Within major developments this leads to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019.
- 8.7 Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy

- 8.8 Development should demonstrate how its Lean, Clean and Green through submission of an Energy Statement.
- 8.9 The London Plan highlights that the move to zero carbon from major development should take account of the ease and practicability of connection to existing networks, context, size, nature, location, accessibility and expected operation.

Surface Water Management

- 8.10 The development should not have a harmful impact on the water environment, water quality and drainage systems. There are no water features on site and the site does not fall within a flood zone. However, the site is expected to provide suitable mechanisms for managing surface water flows and runoff within the site to avoid and redirect run-off from the mains drainage system.
- 8.11 A site wide Surface Water Drainage Strategy is required and this would need approval from the Council in its capacity as Lead Local Flood Authority. New water features should be natural to improve biodiversity. Dependant on the findings of the Surface Water Management Report, the uses of Sustainable Urban Drainage Systems (SUDS) may be appropriate.

9 Development Contributions

Community Infrastructure Levy

- 9.1 The purpose of CIL is to pay for infrastructure required to mitigate the impact of development across the Borough. Barnet's CIL charging rate has been set at: £135 per m² indexed linked. It applies to the 'net additional floorspace' of new development which is delivering 100 m² or more of gross internal floorspace or the creation of one additional dwelling. Provided such floorspace is demonstrated as meeting the relevant tests to show that it has been 'in use'.
- 9.2 In addition to Barnet's CIL the Mayoral CIL applies to all chargeable development in the borough this is currently a flat rate of £35 per m², index-linked.

S106 Requirements

- 9.3 The items sought through a planning obligation will vary depending on the development scheme and its location. Considerations that may be included in a Section 106 agreement are included below, the highlighted elements are those considered most likely to apply to a proposed scheme at this site:

- improvements to public transport infrastructure, systems and services
- education provision
- affordable or special needs housing
- health facilities
- small business accommodation and training programmes to promote local employment and economic prosperity
- town centre regeneration and promotion
- management and physical environmental improvements including heritage and conservation
- improvements to highways and sustainable forms of transport
- environmental improvements
- provision of public open space and improving access to public open space including sport pitches
- other community facilities including policing
- other benefits sought as appropriate.

- 9.4 In accordance with Paragraph 204 of the NPPF and Community Infrastructure Levy Regulations 122, planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

- 9.5 In considering planning obligations, we will take into account the range of benefits a development provides. It will also be important to ensure that the scale of obligations are carefully considered so they do not threaten the viability of development, in accordance with paragraph 173 of the NPPF.
- 9.6 The extent to which a development is publicly funded will also be taken into account and policy applied flexibly in such cases. Pooled contributions will be used when the combined impact of a number of schemes creates the need for infrastructure or works, although such pooling will only take place within the restrictions of the Community Infrastructure Levy Regulations 2010.

Appendix 1 - Relevant National, Regional and Local Planning policies

Key Policy Documents

National Planning Policy Framework

The London Plan 2015

LB Barnet Core Strategy

LB Barnet Development Management Policies

Policy Summary Index

Planning Issue	National Planning Policy Framework (NPPF)	London Plan Policy	Local Plan Policy
Accessibility	Protecting Sustainable Transport – paragraph 32	Policy 7.2: An inclusive environment	Policy DM 3: Accessibility and inclusive design
Employment	Delivering sustainable development - paragraph 22	<p>Policy 4.1: Developing London’s Economy</p> <p>Policy 4.7: Retail and Town Centre Development</p> <p>Policy 4.10: New and emerging economic sectors</p> <p>Policy 4.11: Encouraging a connected economy</p> <p>Policy 4.12: Improving opportunities for all</p>	<p>Policy DM14: New and existing employment space</p> <p>Policy CS 8: Promoting a strong and prosperous Barnet</p>

<p>Housing Delivery</p>	<p>Delivering a wide choice of high quality homes – paragraph 50</p>	<p>Policy 2.6:Outer London - Vision and strategy</p> <p>Policy 2.7:Outer London - economy</p> <p>Policy 2.8:Outer London - transport</p> <p>Policy 3.4:Optimising housing potential</p> <p>Policy 3.5: Quality and design of housing developments</p> <p>Policy 3.6 - Children and Young People’s Play and Infant Recreation Facilities</p> <p>Policy 3.8: Housing Choice</p> <p>Policy 3.12: Negotiating affordable housing on individual private residential and mixed use schemes</p>	<p>Policy CS4: Providing quality homes and housing choice in Barnet.</p> <p>Policy DM08: Ensuring a variety of sizes of new homes to meet housing need.</p>
<p>Heritage and Landscape character</p>	<p>Conserving and enhancing the historic environment – paragraph 126</p>	<p>Policy 7.4: Local character</p> <p>Policy 7.8:Heritage assets and archaeology.</p>	<p>Policy CS5: Protecting and enhancing Barnet’s character to create high quality places</p> <p>Policy DM06: Barnet’s heritage and Conservation</p>

Health	Promoting healthy communities - paragraph 72	Policy 3.17: Health and social care facilities	Policy DM14: Community and education uses
Environment and Biodiversity	Conserving and enhancing the natural environment – paragraph 109	<p>Policy 2.18: Green Infrastructure – The multi-functional network of green and open spaces</p> <p>Policy 7.19: Biodiversity and access to nature</p> <p>Policy 7.21: Trees and woodlands</p>	<p>Policy CS7: Enhancing and protecting Barnet’s open spaces</p> <p>Policy DM 15: Green Belt and open Spaces</p> <p>Policy DM 16: Biodiversity</p>

Appendix 2 - Community Engagement

Whilst Planning Briefs do not have a consultation requirement in the Council's Statement of Community Involvement they will be treated for consultation purposes as equivalent to a Supplementary Planning Document (SPD).

The statutory requirements for preparing SPDs are laid out in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).- the key points of which are set out in Figure 1. Like an SPD, Planning Briefs are not subject to independent examination, but do require Council agreement before adoption.

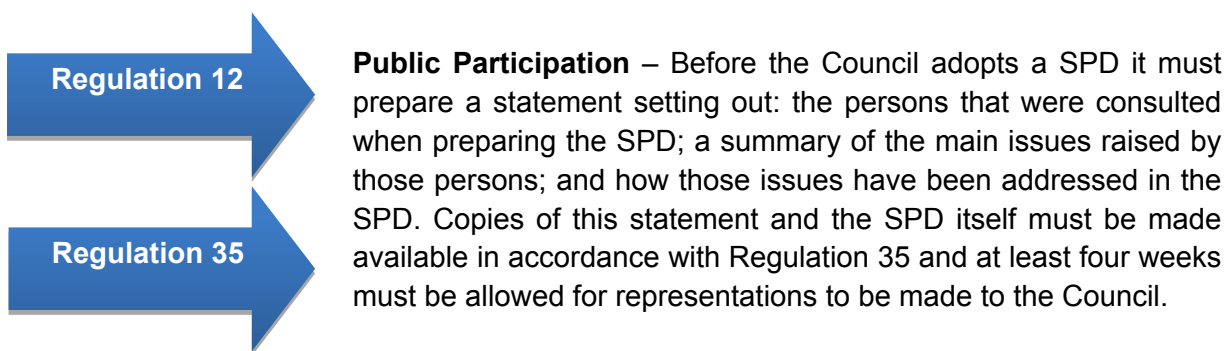


Figure 17: Regulations for Consulting on SPDs and Planning Briefs

When engaging the community on planning documents, we understand the importance of providing feedback to those who have made the effort to respond. There is usually just one stage of public consultation in the production of a Planning Brief. With Pentavia it is anticipated that consultation will last 6 weeks commencing in September 2016. Comments received will be taken into consideration when drafting the final document and documented in a Consultation Statement.

A Consultation Report will be produced and published alongside the Planning Brief consultation. This is comprised of a Representation Report; essentially a schedule of submitted comments together with the Council's responses. The other part of the Consultation Report is the Consultation Statement itself. This sets out who was consulted, how they were consulted, a summary of the main comments received and how these have been addressed. The Consultation Statement will be reported to Committee as part of the decision making process of the Planning Brief.

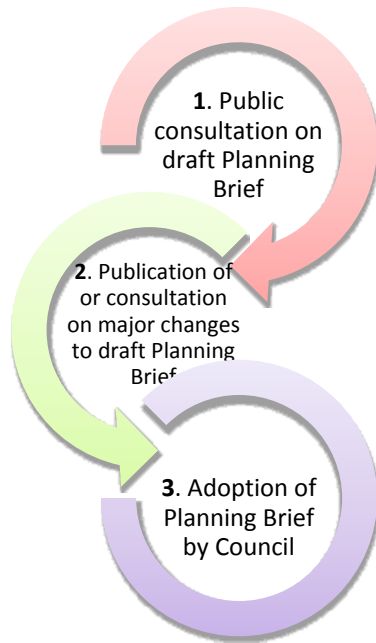


Figure 18: Stages in production of a Planning Brief

Opportunities to be involved


During consultation on a Planning Brief, the relevant documents will be made available for inspection on the Planning Policy pages of the Council’s website and hard copies of the relevant documents will also be made available in Mill Hill and Colindale libraries and in the Council’s offices at Planning Reception at Barnet House, Whetstone, N20 0EJ. A public notice will also be advertised in the local press to publicise the consultation.

We will consult as widely as resources will allow using Barnet’s Local Plan Consultation Database and use email as a primary communication method. There will be engagement with local groups in Mill Hill including the Mill Hill Neighbourhood Forum, Mill Hill Preservation Society and Mill Hill Residents Association, as well as the Colindale Communities Trust. Briefings on the draft Planning Brief will also be provided for local councillors of both Mill Hill and Colindale wards.

All groups and individuals who have made comments during the consultation will be notified of further stages of production of the Planning Brief and will be informed of its formal adoption at the end of the process.

The Council will expect the developers to exhibit proposals publicly in order to raise awareness and to give local residents and stakeholders the opportunity to raise their concerns and for these to be taken into consideration prior to any planning application being made.

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	<p>Policy and Resources Committee 1 September 2016</p>
<p style="text-align: center;">Title</p>	<p>Local Development Scheme 2016</p>
<p style="text-align: center;">Report of</p>	<p>Commissioning Director, Growth & Development – Cath Shaw</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Urgent</p>	<p>No</p>
<p style="text-align: center;">Key</p>	<p>Non-key decision</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A: Barnet’s Local Development Scheme 2016</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Nick Lynch, Planning Policy Manager nick.lynch@barnet.gov.uk, 0208 359 4211 Rita Brar, Principal Policy Planner rita.brar@barnet.gov.uk, 0208 359 4177</p>

Summary

The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a three year project plan, the Local Development Scheme (LDS), setting out the programme for preparing the Local Plan. This LDS signals the review of the existing Local Plan which was adopted in 2012. It reflects the changing context for planning in particular the revisions to and the proposed review of the London Plan together with national planning reforms. In order to deliver more new homes the assumptions behind the Local Plan have changed.

Recommendation

1. That Barnet’s Local Development Scheme, as set out in Appendix A to this report, be approved for publication.

1. WHY THIS REPORT IS NEEDED

- 1.1 Barnet is a growing and changing borough. Regeneration and development proposals principally in the west of the borough as well as opportunities for infill growth in Barnet's town centres will help change the borough.
- 1.2 In order to effectively manage this change and positively respond to a changing national and London-wide agenda on planning the Council needs to keep the Local Plan up to date. In order to signal to the Government, Mayor of London, strategic partners, developers and local residents the Council's intention to review the Local Plan a revision is required to the Local Development Scheme (LDS).

2. REASONS FOR RECOMMENDATION

- 2.1 Section 15 of the Planning and Compulsory Purchase Act requires local planning authorities to prepare and maintain a LDS specifying a timetable for preparation and revision of Local Plan documents. This is a rolling three-year project plan setting out all the planning documents to be produced by the authority and the timetable for their preparation.
- 2.2 The Localism Act 2011 allows Local Planning Authorities to adopt their own Local Development Schemes without approval from the Secretary of State and Mayor of London. Section 143 (in force from 13 July 2016) of the Housing and Planning Act 2016 also places a new duty on all Local Planning Authorities to maintain their Local Plans and keep their LDSs up to date.
- 2.3 The LDS, set out in Appendix A, provides background information on Local Plan document preparation up to 2019 enabling partners, residents and businesses to know where, when and how the planning policy framework for Barnet is progressing. This is the fifth revision to Barnet's LDS setting out the programmes for the production of the new Local Plan, a single document consisting of strategic and development management together with specific site proposals. This will be illustrated by a Local Plan Policies Map. This LDS covers the period 2016 - 2019 and supersedes the Council's adopted LDS 2015.
- 2.4 The review of the Local Plan is triggered because the context and assumptions behind the Local Plan have changed.
- 2.5 The National Planning Policy Framework (NPPF) which sets out Government planning policy was published in March 2012. The Council's existing Core Strategy and Development Management Policies documents were adopted in September 2012 and remain consistent with the NPPF. However a review of the NPPF is underway and it is therefore expected the Government will publish a revised NPPF in late 2016.
- 2.6 In response to unexpected demographic growth a partial review of the London Plan was completed in March 2015. The partial review still leaves a shortfall in accommodating this growth. A full review of the London Plan's existing

strategy and philosophy is required in order to deliver sufficient homes to meet objectively assessed need. This review is underway and not expected to complete until 2019.

2.7 Other reasons for the review of Barnet’s Local Plan include :

- **Demographic Growth** – Barnet’s population was underestimated in the Local Plan as the baseline figure of 349,800 was modelled before the 2011 Census was published and revealed a figure of 356,000 existing residents. The most recent round of GLA population projections estimates that nearly 370,000 persons live in Barnet in 2016. Looking ahead over 15 years (the lifetime of a Local Plan) the population is projected to reach 419,000 by 2031. Analysis of the elements of demographic growth including in migration and intensification of the way people are occupying properties will form the foundations of the Local Plan evidence base. The 2011 London Plan underestimated London’s demographic growth by 0.4 m people. The gap identified by the 2011 Census was the main premise for the revisions that formed the 2015 London Plan.
- **Further Alterations to the London Plan (FALP) (March 2015)** – Based on an assessment of capacity Barnet’s housing target was increased from **2,255** new homes per annum to **2,349** per annum. This is still the 4th highest in London and largely reflects opportunities in Brent Cross-Cricklewood, Colindale and Mill Hill East. With capacity wrapped up in these major complex regeneration areas Barnet is not meeting this target. It delivered 1,327 new homes per annum in 2014/15. Barnet’s target contributes to a London-wide target of 42,400 homes per annum against an assessed housing need of 49,000 over 10 years. This shortfall of 6,600 new homes is to be filled by maximising opportunities in town centres, surplus strategic industrial locations and opportunity areas.
- **London Plan Review 2016** - The Further Alterations to the London Plan (FALP) Inspector was not convinced that the existing strategy will deliver sufficient homes to meet London’s objectively assessed need but recommended adoption on basis of immediate review. The issue of building even more new homes at a faster rate in London rests with the new Mayor and a significant review of the London Plan is expected. Evidence gathering has commenced. The provisional timetable for London Plan review is :

• 100 Days – early proposals for review	Autumn 2016
• Draft London Plan	Spring / Summer 2017
• Examination in Public	Spring / Summer 2018
• Publication	Spring 2019

- **Relaxation of Planning Use Classes Order** – In order to remove barriers to housing delivery the Government relaxed certain provisions in the Use Classes Order. The main change was in 2013 which enabled offices to be converted to residential without planning permission but through a Prior Approval There has been a major take-up of Prior Approval with around

20,000 m² of former office floorspace lined up for residential conversion. Prior Approval has now been extended to other forms of business space including warehouses. Understanding the impact of these revisions to the Use Classes Order on small to medium enterprises and formulating a policy framework that helps to better manage change will be a key role for the Local Plan review.

- **The Housing and Planning Act 2016:** The Act introduced Starter Homes as a new form of affordable housing for purchase. The Act has introduced the concept of 'Permission in Principle', allowing sites to be identified in planning document that firmly establish the principles for development prior to more detailed proposals known as 'technical details consent' being submitted for approval. Secondary legislation is awaited on most elements of the Act.

2.8 The Local Plan Core Strategy 2012 highlights that if progress is not made with the implementation and delivery of regeneration in Brent Cross - Cricklewood (BXC) the Council will, through a revision to the LDS, instigate a review of the existing planning policy framework for the BXC area. Progress with the delivery of the 2010 planning consent (and Section 73 revisions approved in 2014) is highlighted in the Barnet's most recent Authorities Monitoring Report published in March 2016 and the Council is satisfied that a review to the BXC planning policy framework is not required at present. .

2.9 The revised LDS also takes into account revisions to the charging schedule underpinning Barnet's Community Infrastructure Levy (CIL) which was introduced in May 2013. The revised standard charge for CIL will contribute to the costs of infrastructure arising from development across the Borough; therefore the timetable for the revision of CIL will run parallel with the review of the Local Plan.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 The alternative option is not to revise the LDS and not signal the intention to keep the Local Plan up-to-date. This option sends out a negative message to residents, businesses and the development industry that we are not prepared to manage new challenges and opportunities facing the Borough.

4. POST DECISION IMPLEMENTATION

4.1 LDSs are prepared through powers contained within the Planning and Compulsory Purchase Act 2004 and the associated Town and Country Planning (Local Planning) Regulations 2012. Within a reasonable time period from the decision to adopt the LDS, the required statement confirming the new LDS being in place will be published.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Corporate Plan for 2015 - 2020 highlights that "Barnet is changing and the Council is embracing this through growth and regeneration of the

borough's infrastructure. This is essential, not just to cope with an increasing population but, ultimately, so that the borough continues to be a place where people aspire to live. Growth is an essential part of the council's strategy, as *we become less reliant on Government funding and more financially independent by growing the level of income we generate locally.*"

5.1.2 The Corporate Plan's objectives are embedded within the documents that are identified in the LDS. In particular Barnet:

- is a place of opportunity where people can further their quality of life; and where people are helped to help themselves, recognising that prevention is better than cure; and where responsibility is shared, fairly, the LDS sets the programme for a review of the Local Plan and CIL that:
 - provides increased housing choice in mixed communities;
 - supports social infrastructure delivery including new schools that enables children and young people to develop skills and acquire the knowledge to lead successful adult lives;
 - targets unhealthy lifestyles and health inequalities through planning policy;
- where services are delivered efficiently to get value for money for the taxpayer the LDS addresses the need to revise the charging schedule for CIL, the primary source of development contributions to infrastructure provision.

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

5.2.1 There are no financial implications arising from the LDS itself, it is a requirement that Council publish one setting out their plan production schedule. Any financial implications arise from the cost of developing a new Local Plan and potentially from any slippage in the timetable that delays Local Plan production where this impacts on development management decision-making, housing land supply and infrastructure funding.

5.2.2 The preparation of the LDS document is part of core specification and all costs are included in the Strategic Planning Core Fee budget for 2016/17.

5.2.3 Use of IT, Barnet's website and existing community events for publicising the Local Plan, North London Waste Plan and SPDs will be maximised in order to reduce process, consultation and production costs whilst optimising channel change and access by planning customers.

5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The Act is not applicable in the context of this report as it does not concern a procurement process.

5.4 **Legal and Constitutional References**

5.4.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country

Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of the Local Plan. The Localism Act 2011 allows Local Planning Authorities to adopt their own Local Development Schemes without approval from the Secretary of State and Mayor of London

- 5.4.2 It is a legal requirement to publish a Local Development Scheme (LDS) containing the timetable for the Local Plan. It is also a legal requirement for the Local Plan to be prepared in accordance with the LDS, and for the LDS to be revised at such time as the local planning authority considers appropriate.
- 5.4.3 Upon adoption the LDS becomes a statutory document that forms part of Barnet's planning policy framework. Barnet's Local Plan documents should be prepared in accordance with the LDS.
- 5.4.4 The Council's Constitution, [Annex A \(Responsibility for Functions\)](#) details that the Policy and Resources Committee has a responsibility to consider the Local Development Scheme for approval and adoption.

5.5 Risk Management

5.5.1 The LDS timetable for preparing Local Plan and CIL documents is based on the current legislative and regulatory context, together with assumptions about the availability of resources and the work involved in compiling a robust evidence base. The following are the main sources of uncertainty and mitigation measures:

- **National planning reforms:** Further detail is awaited in the form of secondary legislation with regards to the Housing and Planning Act 2016 for which the main implications for Barnet's Local Plan are: the review of the NPPF, Starter Homes and Permission in Principle. Working with the Planning Advisory Service, London Councils and Planning Officers Society will help ensure early awareness of the implementation of national changes to planning.
- **London Plan:** The new London Mayor is required to conduct a full review of the London Plan, with the direction of travel in terms of planning policy being determined by the new Mayor's priorities. This may affect timelines, particularly for the Local Plan review. In common with other London Boroughs this risk will be mitigated by working with the Mayor on the review of the London Plan.
- **Consultation and stakeholder engagement:** Risks apply both in terms of stakeholder and public consultation. In terms of stakeholder consultation, the Council must ensure it meets the requirements of the 'Duty to Cooperate', whilst in terms of public consultation the Local Plan review may raise issues that had not been fully anticipated and give rise to the need for further research or re-drafting. An emphasis on early consultation and engagement will mitigate this risk.
- **Staff resources and technical expertise:** Meeting timetables is dependent on appropriate and timely resources being made available to

ensure all aspects of the Local Plan review including evidence gathering, public consultation and examination are appropriately funded and delivered according to the project plan. Mitigation of this risk is to be managed through a project board and appropriate process.

- **Ensuring the Local Plan is deliverable, viable, realistic and flexible:**
To manage the complexity and challenges associated with a review of the Local Plan, various governance arrangements are being put into place including: a Project Board to manage the detailed programme and risks, a working group to discuss evidence and agree content / policy proposals and draft wording of documentation, together with a cross-party member steering group to review proposed content and shape emerging policy changes at each stage of the Local Plan review. An emphasis on early dialogue / engagement and timely input / feedback will mitigate the risk of any delays.

5.5.2 The Local Plan programme remains challenging. The most fundamental mitigation measure is to ensure the Project Board designs a realistic programme from the outset and then to ensure appropriate resources are available throughout the programme. The timescales reflected in the LDS represent the outline programme and what is currently believed to be realistic and achievable provided sufficient funds are in place.

5.6 Equalities and Diversity

5.6.1 The Local Plan as identified in the LDS is subject to an Equalities Impact Assessment (EqIA). EqIAs are not a legal requirement under the Equality Act 2010 but the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 requires public authorities to have due regard to a number of equality considerations when exercising their functions and are a way of ensuring that the Public Sector Equality Duty has been complied with.

5.6.2 For Barnet's Local Plan an Integrated Assessment (IA) will be undertaken. The Integrated Assessment includes elements of an Equality Impact Assessment and Health Impact Assessment as well as a Sustainability Appraisal and Strategic Environmental Assessment. This integrated approach will assess the impact of the Plan on social, economic, environmental, health and equality objectives. This assessment will be a continuous work in progress and will be carried out during all stages of the Plan preparation. The initial IA scoping document will be consulted on by the three statutory authorities as the SEA Directive requires that the Scoping Report should be referred to the three statutory consultation bodies with environmental responsibilities, which are Natural England, English Heritage and the Environment Agency to comment on the scope and level of detail of the environmental information to be included in the IA Report for a period of 5 weeks.

5.6.3 Once the document is finalised it will be available on Barnet's website and submitted to Secretary of State at Regulation 22 stage of the development plan preparation. Barnet will ensure that a proportionate, timely approach is taken to equality assessment at the outset of the policy making process and that an audit trail is kept to ensure that due regard has been paid to the

issues, if any. The Local Plan EqIA will ensure that policies developed and implemented through the Local Plan process contribute to improving the lives of local communities.

5.7 **Consultation and Engagement**

- 5.7.1 There are no external consultation requirements on the LDS except for publishing the adoption version on Council's website. This is Barnet's most concise version of the LDS and it is hoped that such conciseness will make it a more publically accessible document.

6. **BACKGROUND PAPERS**

- 6.1 Committee, 2 June 2015 (Decision item 10) approved the Local Development Scheme for adoption.
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8345&Ver=4>
- 6.2 Council, 11 September 2012 (Decision item 4.1) approved the Local Plan Core Strategy and Development Management Policies for adoption.
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=6671&Ver=4>
- 6.3 Cabinet, 6 September 2010 (Decision item 4) approved the Local Development Scheme 2010
<http://barnet.moderngov.co.uk/Data/Cabinet/201009061900/Agenda/Document%207.pdf>
Followed by Cabinet Member for Housing, Planning and Regeneration's Delegated Powers (Executive Function) report 27 May 2011
<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=3768>

Appendix A: London Borough of Barnet's Local Development Scheme: Version 5

With effect from 1st September 2016

This Local Development Scheme (LDS) sets out Barnet Council's timetable for preparing its Local Plan (2016-2031). It supersedes the LDS 4th Revision that was published in July 2015. Section 15 of the Planning and Compulsory Purchase Act 2004 (as recently amended by the Housing and Planning Act 2016) requires local planning authorities to prepare and maintain a LDS specifying a timetable for preparation and revision of Local Plan documents.

Local Plan related documents	Regulatory Stages and Timetable					
<p>All documents listed below are part of the Local Plan - the document for managing growth in Barnet. The Plan identifies the space to accommodate growth in terms of new homes, jobs, school places, community facilities and other supporting infrastructure. It also reflects how service delivery and interfaces between the Council and its partners are changing. The Local Plan also sets out how initiatives such as One Public Estate, the Development Pipeline and the Community Asset Strategy work together in delivering a place where people aspire to live.</p> <p>As Barnet changes it is important that we keep the Local Plan up to date so that change is managed locally.</p>	<p>Evidence gathering and pre-preparation stage</p> <p>(Including consulting on sustainability reports where applicable)</p>	<p>Reg 18: Preparation of Local Plan and Consultation</p> <p>Opportunity for interested parties and statutory consultees to be involved at an early stage.</p>	<p>Reg 19: Publication of Local Plan and Consultation</p> <p>The Council publishes the draft plan. There follows a period of at least 6 weeks consultation.</p>	<p>Reg 22: Submission</p> <p>The Council submits the Local Plan to the Secretary of State with representations received.</p>	<p>Reg 24: Examination in Public</p> <p>Conducted by independent Planning Inspector who will consider representations made at Reg 22 stage.</p>	<p>Reg 26: Adoption</p> <p>Subject to outcome of examination, the Council formally adopt the plan.</p>
<p>Local Plan for Barnet</p> <p>The new Local Plan for Barnet will cover a 15 year period up to 2031. The new single document will replace the Core Strategy and Development Management Policies documents adopted in 2012</p> <p>The new Local Plan will comprise a suite of Barnet's strategic and development management policies together with site proposals. This will be illustrated by a Local Plan Policies Map.</p>	<p>Summer 2016-Spring 2017</p>	<p>Summer 2017</p>	<p>Spring 2018</p>	<p>Autumn 2018</p>	<p>Spring 2019</p>	<p>Autumn 2019</p>

<p>North London Waste Plan Allocates sites for development of waste management facilities and provides a policy framework against which planning applications for waste management facilities can be considered.</p>	Summer 2014	Spring 2015	Spring 2017	Winter 2017/18	Spring 2018	Autumn 2018
<p>Green Infrastructure Supplementary Planning Document (SPD) Aim of the Green Infrastructure SPD is to deliver an integrated boroughwide strategy which identifies priority areas for improvement in the network of green spaces, places and features that thread through and surround urban areas in Barnet. The SPD sets out how contributions from development will be utilised.</p>	Summer 2016 - Autumn 2016	Not applicable	Reg 12 consultation on draft SPD – Winter 2016/17	Not applicable	Reg 13 Internal Assessment of Representations - Winter/Spring 2017	Spring 2017
<p>Affordable Housing Supplementary Planning Document This SPD updates and clarifies the Council’s approval to securing affordable housing from residential development. Since the existing SPD was adopted in 2007 there have been significant changes to the housing market since as well as national policy, most notably the Housing & Planning Act 2016.</p>	Spring 2016 - Winter 2016/17	Not applicable	Reg 12 consultation on draft SPD - Spring 2017	Not applicable	Reg 13 Internal Assessment of Representations - Summer 2017	Autumn 2017
<p>Community Infrastructure Levy (CIL) Review of effectiveness of Barnet’s CIL since introduction in Spring 2013. The CIL charging schedule is the primary means of funding local infrastructure Preliminary draft charging schedule (PDCS) – Spring 2018 Draft charging schedule (DCS) – Autumn 2018</p>			PDCS Spring 2018	DCS Autumn 2018	CIL Examination Spring 2019	CIL Adoption Autumn 2019



POLICY AND RESOURCES COMMITTEE

1 SEPTEMBER 2016

Title	Disabled Persons Freedom Pass Review: Draft criteria for assessment and next steps for implementation
Report of	Jamie Blake, Commissioning Director, Environment
Wards	All
Status	Public
Urgent	Yes
Key	Yes
Enclosures	Appendix 1 – Draft Disabled Persons Freedom Pass Criteria Appendix 2 – Department for Transport Guidance Appendix 3 – Section 240 Greater London Authority Act Appendix 4 – Review Terms of Reference Appendix 5 – Current Disabled Persons Freedom Pass Criteria
Officer Contact Details	Jamie Cooke, Strategic Lead, Effective Borough Travel Jamie.Cooke@barnet.gov.uk 020 8359 2275 Paul Bragg, Infrastructure and Parking Manager Paul.Bragg@barnet.gov.uk 020 8359 7305 Sameet Pandya, Contract Performance Officer Sam.Pandya@barnet.gov.uk 020 8359 5640

Summary

This report summarises the progress of the review into the Disabled Persons Freedom Passes assessment process and criteria to date. The report makes recommendations about a new draft Disabled Persons Freedom Pass process and eligibility criteria for Committee to consider. Finally, the report outlines the future actions the working group intends to take in order to produce a final version of the new Disabled Persons Freedom Pass Process by late November 2016. Following approval of the new draft criteria by the Committee, the revised process will be implemented by early 2017.

Recommendations

That the committee:

- 1. Approve the draft Disabled Persons Freedom Pass eligibility Criteria in Appendix 1 of this report.**
- 2. Agree the next steps outlined in this report related to consultation and user group testing of the new process.**
- 3. Agree to receive a report back on 1 December 2016, with the outcomes from the consultation and a progress update on the introduction of the revised criteria.**

1. WHY THIS REPORT IS NEEDED

- 1.1 A Freedom Pass is a concessionary travel scheme funded by local authorities and is coordinated by London Councils. Freedom passes are available to people who are eligible for the state pension and individuals with disabilities that meet criteria set by London Councils and the Department for Transport (DfT).
- 1.2 Previous to 2012 the age of eligibility for Freedom Pass was 60. Since 2012, the eligibility age for the Older Persons Freedom Pass has been rising gradually in line with the increase in women's state pension age, until late 2020 when anyone born on or after 6 October 1954 will become eligible for the scheme on their 66th birthday.
- 1.3 When the increase was announced the Mayor at the time introduced a new scheme called the 60+ London Oyster Photocard which is administered by TfL which is a separate scheme to Freedom Pass. The scheme is for London residents only and provides free travel in London. The 60+ pass covers the period from when someone turns 60 and expires two weeks after the date that they become eligible for the Older Persons Freedom Pass.
- 1.4 London Councils administer passes for older people across London, whilst Local Authorities administer passes for people with disabilities within their

particular borough. Freedom passes are valid for a period of five years before they are required to be renewed.

- 1.5 In 2010, when responsibility for administration passed to the Council 4,768 Disabled Persons Freedom Passes were issued to Barnet residents by the Authority, which were due to be renewed in 2015. During the transfer of services from the Council to the newly formed Customer Support Group (CSG) in 2013, the Freedom Pass renewals process, which was previously covered 'in house', was not initially incorporated within the contract between the Council and CSG. When the 2010 passes came up for renewal, in order to guard against passes expiring without a renewal process being in place, an agreement was reached between the London Borough of Barnet and London Councils that passes due for renewal in 2015 would be automatically renewed. It was also agreed that our delivery partner, CSG, would retrospectively check eligibility of individual cases against the eligibility criteria.
- 1.6 This work involved retrospectively checking eligibility for the 4,768 customers whose passes were automatically renewed. Unfortunately, residents were not informed that their eligibility would be retrospectively checked when their passes were originally issued in 2015. They were also not informed, at the point of issue, that their passes could be deactivated if they did not meet the eligibility criteria.
- 1.7 The Council recognises that the retrospective checking process resulted in 230 Disabled Persons Freedom Passes being withdrawn from residents in Barnet without appropriate guidance being provided. This situation understandably caused distress to a number of Freedom Pass holders for which the Council has apologised unreservedly. As an immediate measure, deactivated passes were reactivated and returned to 194 residents whilst a full review was instigated to examine Barnet's current Disabled Persons Freedom Pass processes and eligibility criteria.
- 1.8 This review has aimed to ensure that the Council is adhering to section 240 of the Greater London Authority Act 1999 as amended by section 151 of the Transport Act 2000, Department for Transport Guidance and is promoting the principles of the Care Act 2015 as part of its process. In addition, a letter of apology and an offer of compensation was made to all pass holders that may have incurred a financial loss due to the deactivation of their pass. To date (16 August 2016), 51 residents have submitted claims, totalling £6952.12 which have been paid.
- 1.9 The review commenced on the 20 June 2016, led by the Commissioning Director for Environment and Strategic Lead for Effective Borough Travel, with the aim of providing a new exemplar Disabled Persons Freedom Pass Process. In order to fulfil this intention, a Working Party Group was arranged with subject matter specialists from Adults and Children's services, an Equalities subject matter expert as well as representatives from the Customer Support Group. The Group also looked at best practices from other Councils and has liaised with London Councils.

1.10 Further research was carried out to obtain information from other London boroughs on their Disabled Person's Freedom Pass processes which included:

- Policy
- Processes
- Communication
- Accessibility

The full terms of reference for the review are available to view in Appendix four.

1.11 The new process will encompass a criteria that conforms to the s240 of the Greater London Authority Act (as amended), Department for Transport Guidance and promotes the Care Act 2015.

2. REASONS FOR RECOMMENDATIONS

2.1 A revised Freedom Pass Process and associated criteria has been designed and are presented in draft for the Committee to consider ahead of consultation. This process and criteria has been informed by and aligns to the s240 of the Greater London Authority Act (as amended), Department for Transport Guidance and the Care Act 2015. It also incorporates best practice approaches which were observed at other London boroughs and from with London Councils.

Recommended Option: Adoption of revised process and eligibility criteria based on Department for Transport Guidance

2.2 The revised draft criteria and assessment process will more clearly align with the seven types of recognised disabilities as stipulated by Department for Transport guidance and the s240 of the Greater London Authority Act (as amended).

2.3 The methods of assessment for the new criteria widen acceptable forms of evidence of eligibility. Appendices one and five highlight how the assessment of the eligibility criteria has been widened.

2.4 There are seven categories of disabled person identified as eligible for concessionary bus travel in the 2000 Act. The same categories are reproduced in s240 in the 1999 Act, although that Act lists blind and partially sighted people separately.

2.5 The seven recognised types of disability recognised by the s240 of the Greater London Authority Act (as amended) are:

- a. Is blind or partially sighted
- b. Is profoundly or severely deaf
- c. Is without speech

- d. Has a disability, or has suffered an injury, which has a substantial and long-term adverse effect on his ability to walk
- e. Does not have arms, or have long term loss of both arms
- f. Has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning
- g. Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.

2.6 The Council recognises that historically, Barnet had interpreted an 'eighth criterion' from the Department for Transport (DfT) Guidance which it has referred to as 'Mental Health'. The revised criteria incorporate Mental Health conditions within the Department for Transport Category of '*Refused a driving licence, other than on the grounds of persistent misuse of drugs or alcohol*' which allows applicants suffering as described in the DfT guidance:

'There are a number of categories of "severe mental disorder" under which people may qualify. Authorities will need to assess individuals on a case-by-case basis as eligibility may depend on the severity of the condition. Such conditions include (but are not limited to) dementia (or any organic brain syndrome); behaviour disorders (including post head injury syndrome and Non-Epileptic Seizure Disorder); and personality disorders.'

2.7 As mental health conditions are covered by the Department for Transport's "refused a driving licence" category as evidenced above, it is recommended that Barnet does not include a separate Mental Health category as it has done in the past.

The full revised draft criteria and acceptable proof of eligibility are set out in Appendix one.

2.8 Subject to P&R Committee approval to proceed, a consultation process will take place to ensure that service users and other stakeholders have the opportunity to express their views on the criteria.

2.9 It is proposed that a consultation commences following approval of the new draft criteria. The consultation will begin week commencing 12th September 2016 following Committee approval.

2.10 The consultation will involve service users, residents and volunteers whom will form a task and finish group and will be asked to share their views on communication, accessibility, processes and the eligibility criteria. The method of consultation will include face to face working party groups and online surveys on Engage Barnet.

2.11 The final proposed criteria, reflecting the outcome of the consultation, will be presented to P&R Committee for final approval on 1 December 2016, after which implementation will commence.

- 2.12 As recommended by the DfT Guidance, Barnet will continue using an Independent Medical Assessor, where necessary, to carry out assessments for applicants in an assessment of the inability to walk under category d. This is because the DfT has suggested that using a GP compromises the doctor/patient relationship. However, other GP evidence may be accepted if offered voluntarily for eg person having no legs.
- 2.13 In other categories, medical evidence from a GP can be accepted, for example 'Do not have arms, or have long term loss of both arms', or 'Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the grounds of persistent misuse of drugs or alcohol'.
- 2.14 The Council recognises that medical specialists may charge applicants to provide a report confirming 'Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the grounds of persistent misuse of drugs or alcohol'. To mitigate the Council proposes a GP/specialist is able to complete a 'Supporting Information Request Form' for an applicant as this form requests answers to factual questions only and does not ask for the opinion of the GP/Specialist so is no cost to the applicant.

Additional process improvements

- 2.15 As part of the review all processes, accessibility and procedures will be revised including the introduction of 'Easy Read' documents, revised paper, manual and web based electronic applications and a full update of the web pages relating to Disabled Persons Freedom Passes.
- 2.16 The review has highlighted the following areas which will be addressed going forward:
- **Website information and functionality** – User testing has highlighted that web content requires improvement so that applicants can obtain information in a more clear and direct way. Improvement to the content is already underway.
 - **Application Forms** – Forms will be improved so that they offer guidance to applicants. They will also be clearly labelled and incorporate an anti-fraud clause and sharing of information statement. Paper application forms will be updated and introduce a choice of 'Easy Read'.
 - **Communication Templates** – Templates will be created that are suitable to the applicant in 'Plain English' ensuring that all rejections are bespoke.

- **Renewals** – All renewals will be communicated in a timely manner with existing pass holders, ensuring that adequate support is given.
- **Accessibility** – Whilst the process fully supports the Customer Access Strategy, it is acknowledged that vulnerable persons may need assistance in completing their application and the Council will consider how this support can be provided. The second phase of the review will consider options for this.
- **Diversity** – The Council recognises that the borough has a diverse population and as such will endeavour to assist applicants where English is not their first language by providing translation as necessary.
- **Disability** – By the very nature of the service being applied for there will be applicants who have disabilities requiring additional assistance eg those with sight impairment. The second phase of the review will consider what support can be provided for these applicants.
- **Re-designing applicant journeys end-to-end** – Introduction of operational level agreements will be implemented. The benefit of these will be:
 - (i) Clear timescales for applications and renewals
 - (ii) Tracking of all applications
 - (iii) Monitoring Equality & Diversity
 - (iv) Clear process maps for applications/renewals and appeals
 - (v) Expected standards (Letter writing, answering of enquiries and dealing with complaints)
- **Appeals Process** – This area is currently under review; currently all appeals are being carried out internally by a London Borough of Barnet officer.
- **Automatic renewals** – The Council proposes to introduce eligibility review checks to coincide with award expiry dates, ensuring that the individual is entitled to the pass. The pass holder will be required to submit a further award letter in order to have continuing eligibility for the pass. Where an individual has a disability which is considered as permanent the Council accepts that renewals will be carried out automatically providing:
 - The individual is still residing within the Borough
 - The individual can provide evidence/or a remote Council Tax check can take place
- **Desk based assessments** – It is proposed that the Council continues with desk based assessments and Independent Medical Assessments relating to the category 'Has a disability, or has suffered an injury, which has a substantial and long-term adverse effect on his ability to

walk.’ A full process will be created following approval of the new draft criteria.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Council has considered ceasing the use of an independent medical assessor to determine eligibility and allow applicants to provide medical evidence from their own GP. The main argument against this approach is that it compromises the doctor/patient relationship. The Department for Transport guidance and the review group believes that utilising medical assessors is the most appropriate way to determine eligibility for some disability types and where there is doubt of eligibility.
- 3.2 The Council had the option of not instigating a review and allowing the current criteria to remain in place but recognised that this would not be an option to be considered as this would not be commensurate with a clearer robust criteria aligned with legislation.

4. POST DECISION IMPLEMENTATION

- 4.1 The future implementation of the Disabled Persons Freedom Pass Process has also been considered. Possible options are as follows:
1. End to End process continues via our partner, Customer Support Group, after a period of training on the revised process and criteria
 2. End to End Process is carried out ‘In House’
 3. End to End Process is carried out by another London borough.
- 4.2 A user group consisting of service users and vulnerable persons will test the criteria, ensuring that it is ‘fit for purpose’ during September 2016. The user group will also test webpages, application forms and telephony channels with any proposed changes being considered.
- 4.3 A further report will be presented to the P & R Committee on the 1st December 2016 which will outline the final improved process and plan for its implementation.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The review into Disabled Person’s Freedom Passes supports the Council’s following organisational values:
- **Fairness:** By providing a fully accessible, transparent and straight forward application process supported by consistent criteria which align with the Department for Transport Guidance, the Care Act and the s240 of the Greater London Authority Act (as amended).
 - **Responsibility:** By recognising that the Local Authority has a responsibility to provide a robust process for the application and renewal of Freedom Pass based on eligibility.

- Opportunity: By providing choice and independence to people with disabilities and enabling them to access services, education and employment via assisted travel support.

5.1.2 The Disabled Person's Freedom Pass Review will also assist the Health and Wellbeing Strategy by supporting those with disabilities to live independently wherever possible.

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

5.2.1 Regular monitoring of the budget and reporting will be in place for all stakeholders ensuring that the residents are receiving 'Value for Money'.

5.2.2 Disabled Persons Freedom Passes does not form a budget saving in line with the Medium Term Financial Savings.

5.2.3 It must be noted that the Disabled Persons Freedom Passes review is aiming to obtain the best practice to meet resident's expectations and not to reduce costs. It is possible that the new process may result in increased costs for the Council. The Council recognises this and this is addressed in the risk mitigation section of this report. Any financial implications that arise from the proposed criteria will be reported with the final proposals in December 2016.

5.3 Social Value

1.11.1 The proposals outlined in this report seek to ensure that the revised criteria achieve the Council's vision to allow full access for disabled persons to apply for a Disabled Persons Freedom Pass ensuring that the criteria is fair, accessible and conforms to the s240 of the Greater London Authority Act (as amended), Department for Transport Guidance and promotes the Care Act 2015. The vision for Barnet is to allow disabled persons to access the service at ease, and where assistance is required, this is always available ensuring residents are treated with respect, dignity and fairness.

5.4 Legal and Constitutional References

1.11.2 Section 240 of the Greater London Authority Act 1999 as amended by section 151 the Transport Act 2000 provides the statutory basis for travel concessions on journeys in and around Greater London.

The full section of the Act is documented in Appendix three.

1.11.3 The Concessionary Bus Travel Act 2007 ('the 2007 Act') provides for a statutory guarantee of free off-peak travel for eligible older and disabled people on local bus services anywhere in England ('the national concession'). Provisions in the 2007 Act have been commenced to enable the national concession to begin on 1 April 2008.

1.11.4 The 2007 Act modifies existing legislation which guarantees free off-peak local bus travel in England only within the area of the local authority in which an eligible person resides. The grant of concessions is governed outside Greater London by sections 145 to 150 of the Transport Act 2000 ('the 2000

Act') and within London by sections 240 to 244 of, and Schedule 16 to, the Greater London Authority Act 1999 ('the 1999 Act').

1.11.5 [Annex A to the Responsibility for Functions](#) (Council Constitution) sets out the terms of reference of the Policy and Resources Committee and states that 'if any report comes with the remit of more than one committee, to avoid the report being discussed at several committees the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee'. In this case the report recommendations cut across the Environment Committee which has specific responsibility for transport and the Adults and Safeguarding Committee, which is responsible for promoting the best possible adult social care services.

1.11.6 [Section 6.5 of the Responsibility for Functions](#) (Council Constitution) defines a key decision as one which:

- will result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- is significant in terms of its effects on communities living or working in an area comprising two or more wards.

1.11.7 The approval of the draft Disabled Persons Freedom Pass eligibility criteria would be significant in terms of its effects on communities living or working in all wards.

1.11.8 In accordance with [section 6.5 of the Responsibility for Functions](#) (Council Constitution) the Chairman of the committee and the Chief Executive have agreed that this report is urgent because a decision is required before the next meeting of Council which is on 1 November 2016. The reason for this is that immediate work is required to progress the second phase of the Disabled Person's Freedom Pass review in order for residents to benefit from the implementation of the new and improved application process and revised eligibility assessment criteria by early 2017.

5.5 Risk Management

5.5.1 The main risks associated with the Disabled Person's Freedom Pass Review are as follows:

- Improvement of eligibility criteria and method of assessment leads to dissatisfaction of some existing pass holders who may no longer be eligible. This risk will be mitigated by the new process being more closely aligned with the Department for Transport (DfT) Guidance for assessment meaning transparent and justifiable eligibility criteria to determine entitlement which applies to all residents.
- It has been identified that the new draft criteria has removed Mental Health which has been incorporated within category g 'Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to

section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol'. This could entail that an individual who obtained a Disabled Person Freedom Pass historically under mental health may no longer be eligible under the new draft criteria.

- Withdrawal of temporarily issued passes when the new criteria are implemented. There is a risk that some residents who have had their Freedom Passes temporarily reactivated will subsequently not meet the new eligibility criteria and will therefore have their Freedom passes deactivated. This risk will be mitigated by affected residents receiving appropriate and timely communication and support.
- A further risk is that there could be an unforeseen delay in implementing the new Disabled Person's Freedom Pass Process and Criteria. Should the risk occur and become a live issue then it will be mitigated by appropriate service provisions being put in place and prompt communications to residents.
- It has been recognised there may be additional costs associated with assessments of applicants. This risk will be mitigated by the 'Supporting Information Request Form' designed for GP to complete which will provide factual answers.

5.6 Equalities and Diversity

5.6.1 The applications and renewal process and the eligibility criteria will be subject to a full equalities impact assessment during the second the phase of the review (September 2016). These proposals have been formulated bearing in mind the Council's Public Sector Equality duty as set out below.

5.6.2 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 - advance equality of opportunity between people from different groups
 - foster good relations between people from different groups

5.6.3 The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

5.6.4 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.6.5 In addition all templates should advise the inclusion of:

- Up to date information about the Equalities impact of the proposal and details of how this has been assessed
- Sources of data
- Assessment of equalities risks and what has been done to mitigate them

5.6.6 Freedom Passes are one way of supporting people with disabilities to maintain a level of independence and therefore it is important to ensure that the eligibility criteria and the process of assessment allows everyone who is eligible to apply and receive a pass.

5.6.7 The Council and our delivery partner, Customer Support Group (CSG), recognise a responsibility to make changes to the Freedom Pass applications and renewal process so that all applicants will receive equal treatment. It is recognised that applicants may require reasonable adjustments to be made to the process which take account of their specific disabilities under the 2010 Equality Act.

5.6.8 The process will therefore offer a choice of contact methods:

Web

Applicants will have access to the Barnet website and London Councils for help and assistance

Telephone

Applicants will be offered support via the telephone Monday-Thursday between the hours of 9am-5.15pm and Friday 9am-5pm.

Face-to-face

In the case where an individual needs face-to-face support, this will be provided at Barnet House and Burnt Oak Library.

Email

Applicants have the option to email for support.

5.6.9 We are satisfied that the new process will be accessible to all residents taking into account their particular circumstances and disabilities. All communication materials will be available in a variety of accessible formats to take account of applicants' specific needs and presented in a manner that is easy for them and their carers/advocates to access and understand.

5.6.10 The change to the eligibility criteria may impact 376 pass holders who have obtained Disabled Person Freedom Passes under the current criteria of Mental Health. It is proposed that those who may no longer be eligible under the new draft criteria are allowed to retain their pass until the renewal date in

2020, This cohort of pass holders will be given 12 months notification that they will be required to renew their pass under the new criteria. There is a risk that these individuals may not be eligible under the new draft criteria.

5.6.11 Family services work with children and young people up to the age of 18 with the exception of Onwards and Upwards (the leaving care service) which works with young people who qualify for the service until the age of 21 or 25 if they are in education and the 0-25 Service. Family services will be involved in the eligibility process for Freedom Passes.

5.7 Consultation and Engagement

5.7.1 Following this report being agreed by this committee, a user testing group will be set up by the 15 September 2016 inviting Barnet Volunteers vulnerable persons to carry out user testing of the revised criteria, web access, application forms and sample responses.

5.7.2 The consultation will seek to discover the impact that the revised criteria may have on the customers that need to use the service. Once feedback has been received, service users will be engaged in any further design.

5.7.3 Face-to-face and online platforms are being considered for the consultation and advice is currently being sought on the most appropriate channels for the consultation.

5.8 Insight

5.8.1 Insight on the needs of resident groups has been utilised to inform the review and the areas in which the process needs to be improved.

5.8.2 Further insight from the planned user group testing and consultation will inform and guide the design of the final improved Disabled Persons Freedom Pass Process and eligibility criteria.

6. BACKGROUND PAPERS

6.1 Policy and Resource Committee 17 May 2016

Report: Member's Item, Disabled Persons' Freedom Passes

<http://barnet.moderngov.co.uk/documents/s31818/Members%20Item%20-%20Cllr%20Barry%20Rawlings.pdf>

Minutes (Item 6a)

<http://barnet.moderngov.co.uk/documents/g8354/Printed%20minutes%2017th-May-2016%2019.00%20Policy%20and%20Resources%20Committee.pdf?T=1>

6.2 Section 240 Greater London Authority Act:

<http://www.legislation.gov.uk/ukpga/1999/29/section/240>

6.3 Department for Transport Guidance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181507/eligibility-review.pdf

6.4 DVLA guidelines on medical fitness:

<https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals>

London Borough of Barnet

DRAFT PROPOSAL

DISABLED PERSONS FREEDOM PASS ELIGIBILITY CRITERIA

Distributed to:

Head of Learning Disabilities, LBB
Head of Mental Health, LBB
Equalities Policy Officer, LBB
Head of Perm, Transition & Coop Parenting, LBB
Adults Wellbeing Strategic Lead, LBB
Acting Head Of Service-Jcu, LBB
Head of Communications and Customer Care, LBB
Infrastructure & Parking Manager, LBB
Engagement Lead, LBB
HB Law

Eligibility for a Disabled Persons Freedom Pass (DPFP)

To be eligible for a Disabled Persons Freedom Pass:

- Your sole or principal residence must be in London
And
- Have any of the statutory disabilities listed in the section 240 of the Greater London Authority Act 1999 as amended by section 151 of the Transport Act 2000.

The seven categories identified by the s240 of the Greater London Authority Act (as amended) are:

- (b)who are blind;
- (c)who are partially sighted;
- (d)who are profoundly or severely deaf;
- (e)who are without speech;
- (f)who have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on their ability to walk;
- (g)who do not have arms or have long-term loss of the use of both arms;
- (h)who have a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning; or
- (i)who, if they applied for the grant of a licence to drive a motor vehicle under Part III of the ^{M2} Road Traffic Act 1988, would have their applications refused pursuant to section 92 of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.

People who have automatically eligibility

As per the s240 of the Greater London Authority Act (as amended) eligibility may be considered 'automatic' if an individual is in receipt of any of the following state benefits:

- Higher Rate Mobility Component of the Disability Living Allowance (HRMCDLA)
- War Pensioners' Mobility Supplement (WPMS)
- Personal Independence Payment (PIP), with an award of eight points or more for either or both of the two relevant activities: 'Moving Around' and 'Communicating Verbally'.

Assessment Criteria

Category	Acceptable evidence of stated disability
Is blind or partially sighted	A Certificate of Visual Impairment (CVI) <i>or</i> A BD8 Certificate <i>or</i> A London Borough of Barnet (LBB) Social Care Direct registration number
Is profoundly or severely deaf	A recent Audiogram or an Audiology Report which states a severe hearing loss of 70-95 dB HL (Hearing Level) and a profound loss of 95+ dB HL <i>or</i> Provide London Borough of Barnet Social Care Direct registration number
Is without speech	Recent Personal Independence Payment (PIP) award letter stating an award of eight points or more for 'Communicating Verbally' <i>or</i> Recent Medical Evidence from a Speech Therapist
Has suffered an injury, which has a substantial and long term adverse effect on your ability to walk	Recent Personal Independence Payment (PIP) award letter stating an award of eight points or more for the 'Moving Around' <i>or</i> Recent Higher Rate Mobility Component of Disability Living Allowance (HRMCDLA) award letter <i>or</i> Recent War Pensioners Mobility Supplement (WPMS) award letter <i>Or</i> Mobility assessment by LBB's Independent Medical Assessor (if Desk Based Assessment returns a score of 8-9 points)
Do not have arms, or have long term loss of both arms	Medical Evidence demonstrating: <ul style="list-style-type: none"> - Loss of both arms <i>or</i> - Impairment resulting in loss of use of both arms <i>or</i> - Deformity of both arms resulting in being unable to carry out day-to-day tasks

APPENDIX 1

<p>Has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning</p>	<p>Provide proof of accepted registration with the Barnet Learning Disabilities Services (BLDS) <i>or</i> Receiving Services from BLDS <i>or</i> Recent Clinical Psychological/Psychiatrist Assessment Report <i>or</i> Current Educational Health Care Plan (EHCP) with relevant assessment/Education statement <i>or</i> Receiving benefits relating to their disability</p>
<p>Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.</p>	<p>Refusal or revocation letter from DVLA <i>or</i> Recent Medical evidence of: i. Epilepsy <i>or</i> ii. Severe mental disorder <i>or</i> iii. Sudden attacks of fainting <i>or</i> iv. Inability to read a registration plate at 20.5 metres even with lenses <i>or</i> v. Other disabilities which are likely to cause the driving of vehicles by them to be a source of danger to the public <i>or</i> ‘Supporting Information Request Form’ completed by a specialist <i>or</i> Evidence of contact with mental health professional in relationship to a mental health diagnosis which has a significant impact on their wellbeing <i>or</i> Subject to Current Mental Health Care Programme Approach <i>or</i> Evidence of receiving benefits such as DLA OR PIP relating to their disability</p>



Department
for Transport

Guidance to local authorities on assessing eligibility of disabled people in England for concessionary bus travel

Version 1.2

The Department for Transport has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard please contact the Department.

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Introduction

The English National Concessionary Travel Scheme (ENCTS) was introduced in April 2008 to provide free England-wide off-peak bus travel to eligible older and disabled people. Local buses are the most commonly used mode of public transport, and the purpose of providing free local bus travel England-wide is to ensure that no older or disabled person in England need be prevented from bus travel by cost alone. For many older and disabled people a free local bus service can be a lifeline, providing access to healthcare and other essential services as well as allowing people to visit family and friends, stay active and avoid isolation.

In 2008 the Department for Transport (DfT) published its guidance document to aid local authorities in assessing the eligibility of disabled applicants for the ENCTS. This revised version has been updated to reflect changes in state benefits for disabled people and will enable authorities to continue providing access to concessionary travel on the basis of automatic entitlement wherever possible.

Version 1.2 will replace the previous Guidance (though not the guidance addendum "*Guidance on assessing the eligibility of Service Personnel and Veterans for the England National Concessionary Travel Scheme*") from the 8th April 2013, coinciding with the launch of the Government's new benefit for disabled people.

The Government has recently announced important reforms to the welfare system. Personal Independence Payment (PIP) will be introduced for people who are aged 16 to 64 on or after 8th April 2013. The new benefit will be introduced for new claims in a limited geographic area, in the North West and part of the North East of England, from April 2013, before the DWP expect to take new PIP claims in all remaining areas of Great Britain from June 2013. The DWP has published a final implementation timetable; this sets out that the reassessment of Disability Living Allowance (DLA) recipients will be undertaken on a significantly slower timetable with the peak period of reassessments starting from October 2015. Therefore, whilst some disabled people will begin presenting PIP award letters as evidence of concessionary travel entitlement from Spring 2013, others will continue to use their DLA claim for some time to come. Advice on evidencing a continuing DLA claim is provided at Annex A.

We will aim to update this guidance to reflect any future changes in the timetable for the implementation of PIP, further details of which may be found on the Department of Work and Pensions' website, at:

www.gov.uk/pip

To reflect the introduction of PIP, and to allow for the passporting of eligibility for concessionary travel for disabled people in certain categories, we have amended the guidance at several points, including:

- 1 Adding specific awards (against specific activity criteria) of PIP to the applicable list of state benefit components, and reflecting this in the guidance for assessing applicants; and
- 2 Updating the guidance on assessing eligibility for the statutory concession on the basis of ability to walk or to speak, informed by the introduction of PIP.

A number of minor formatting and typographical adjustments as well as some updates to reflect changes in the law have also been made to aid clarity, however no further substantive amendments have been introduced. The Department continually reviews the effectiveness of its policy and guidance documents, and a more comprehensive revision may be released in due course.

Administering the Concession

The all-England Concession

1. The Concessionary Bus Travel Act 2007 ('the 2007 Act') provides for a statutory guarantee of free off-peak travel for eligible older and disabled people on local bus services anywhere in England ('the national concession'). Provisions in the 2007 Act have been commenced to enable the national concession to begin on 1 April 2008.
2. The 2007 Act modifies existing legislation which guarantees free off-peak local bus travel in England only within the area of the local authority in which an eligible person resides. The grant of concessions is governed outside Greater London by sections 145 to 150 of the Transport Act 2000 ('the 2000 Act') and within London by sections 240 to 244 of, and Schedule 16 to, the Greater London Authority Act 1999 ('the 1999 Act').

Outside Greater London

3. The 2000 Act requires the operator of a bus service to provide the statutory minimum to any person holding a 'statutory travel concession permit'. Local authorities which are 'travel concession authorities' must issue a permit free of charge to any applicant who appears to that authority to be an 'elderly or disabled person' residing in its area. An 'elderly person', for the purposes of the 2000 Act (as amended), is a woman of pensionable age, or a man of the pensionable age of a woman born on the same day¹. The pensionable age for women is due to rise from 60 to 65 by 2018. For the purposes of the 2000 Act, disabled people are defined by reference to seven categories (section 146).

Greater London

4. The 1999 Act has the effect of requiring London local authorities to agree uniform arrangements with Transport for London under which travel concessions are extended to older people and to disabled people in the same categories as those listed in the 2000 Act. Failure to reach

¹ The definition of "elderly person" in section 146 of the 2000 Act was amended by the Travel Concessions (Eligibility) Act 2002. The Travel Concessions (Eligibility) (England) Order 2010, made under that Act, substituted the age of an elderly person with references to the pensionable ages mentioned above in section 146 of the 2000 Act.

agreement on such arrangements would trigger a reserve 'free travel scheme' (see Schedule 16), under which certain travel concessions must be provided.

Free Bus Passes

5. The concessionary fares pass for the statutory minimum is to be issued free of charge. The legislation does not require the applicant to be fully indemnified for the cost of providing his/her photograph - nor for any signed medical certification, or any postage on his/her application. Local authorities should issue passes which conform to the standard design specifications set out in regulations².

Replacement Bus Passes

6. Bus operators must grant the statutory minimum concession to eligible persons. The purpose of imposing on the authority a duty to issue passes is to enable concessionaires to provide evidence to bus operators of their entitlement. There is no provision in the legislation about safe keeping and it is the Department's view (which it is stressed is only a view) that it is the pass holder's responsibility to look after their bus pass. This suggests that the obligation to issue a pass free of charge would be limited to the first pass only. However, if a person applies for a replacement it is doubtful whether the authority would have the right to refuse to issue one without good reason or to charge more than a sum representing roughly the cost of producing it. It is the Department's view that nothing in the legislation would prevent an authority from refusing to issue a replacement pass to a person whom it had good reason to believe is engaged in fraud. As a matter of good practice in preventing fraud, the Department strongly recommends that any pass issued in replacement for one which has been lost or stolen should generally be issued using the same photograph as the original pass. Each travel concession authority is strongly encouraged to maintain a database of persons to whom concessionary travel passes have been issued, including a digitised photograph of each recipient.

Discretionary concessions and eligibility for the statutory minimum concession

7. In addition to the statutory minimum concession guaranteed under the 2000 Act, the Transport Act 1985 (as amended) ('the 1985 Act') gives local authorities outside London the power, at their discretion, to offer additional travel concessions to people in any of the categories defined in section 93(7) of that Act. For example, although the statutory

² The relevant regulations are the Concessionary Bus Travel (Permits) (England) Regulations 2008 (S.I. 2008/417) (as amended).

concession does not extend to companions of disabled pass holders, local authorities remain free to offer concessions to companions using discretionary powers under the 1985 Act.

8. It is important to emphasise that national concession bus passes may only be issued to eligible older and disabled people (as assessed using this guidance). Passes of the national concession design must not be issued to other groups, such as companions of disabled people, as this could lead to confusion about their entitlement to the statutory concession as opposed to discretionary enhancements. Passes issued on a discretionary basis (under the 1985 Act) rather than under powers in the 2000 Act and the 1999 Act should be produced to a different design from the national pass.
9. Under the terms of the 2000 Act and the 1999 Act, it is for a local authority to determine whether someone is a 'disabled person' for the purposes of concessionary travel. But the 2000 Act and the 1999 Act both provide for the Secretary of State to issue to local authorities guidance to which they must have regard in reaching a decision. In doing so, the Secretary of State is obliged to consult the Disabled Persons Transport Advisory Committee (DPTAC - the Government's statutory advisers on the mobility needs of disabled people) and local authority interests.
10. This statutory Guidance, which has been subject to the required consultation, applies only to England. Concessionary travel is a devolved policy area, and legislation and assessment of eligibility with regard to concessionary travel in Wales, Scotland and Northern Ireland are matters for the appropriate devolved administration.

General criteria to be taken into account in determining entitlement

11. The categories of disabled person listed in the 2000 Act and the 1999 Act in relation to concessionary travel do not cover the full range of disabled people included within the Equality Act 2010 (EA) definition.
12. However, in line with the central principle of the EA definition, the types of disability which should enable people to claim the statutory minimum bus travel concession are those which are permanent, or which have lasted at least 12 months, or which are likely to last at least 12 months or are likely to recur (although the likelihood of an effect recurring may be disregarded in pre-agreed circumstances). This disability should have a substantial effect on a person's ability to carry out normal day-to-day activities.
13. It should not be necessary for the effect of the disability to be the same throughout the period - it may worsen or diminish at different times - but local authorities should nevertheless satisfy themselves that it will have (or be likely to have) such an effect throughout the period.

- 14.** A person may have more than one disability which would cause them to be eligible for the concession.
- 15.** The 2007 Act provides an entitlement to a concession against a full adult fare. It does not set age limits for recipients of this concession. It should therefore be taken to apply the concession to adults and to all disabled children and young people of fare-paying age.
- 16.** In any application for a concessionary travel pass, the onus will be on the applicant to prove their entitlement.

Assessing Eligibility

Automatic Eligibility

Passporting from state benefits

17. The Department recommends that, where available, the most robust way of assessing eligibility is likely to be via other relevant state benefits.
18. Eligibility for a concessionary travel pass may be considered "automatic" (not requiring further assessment) where a person is in receipt of any of the following state benefits, which link eligibility to receive the benefit to the ability to walk or, in the case of PIP, to communicate orally, provided that the person is of fare paying age and that the award of the benefit has been for at least 12 months or is expected to be for at least 12 months:
 - a. Higher Rate Mobility Component of Disability Living Allowance (HRMCDLA);
 - b. Personal Independence Payment (PIP), where the applicant has been awarded at least eight points against either the PIP "Moving around" and/or "Communicating verbally" activities ³⁴;
 - c. War Pensioner's Mobility Supplement (WPMS).
19. Applicants claiming these benefits will be able to provide documentary evidence of their entitlement. An example of proof of entitlement is proof of payment of the allowance. An applicant receiving the HRMCDLA or PIP will be able to produce an award notice letter from the Department for Work and Pensions (DWP) or, alternatively, an excise duty exemption certificate (which is given to those who receive HRMCDLA). If they have lost the award notice, the Department for Work and Pensions can provide another copy at:
<https://www.gov.uk/disability-benefits-helpline>

Even where such a letter does not in itself automatically entitle the applicant to the statutory concession, Authorities may wish to consider the degree to which it provides evidence in support of the conclusions of independent medical assessments (see below). For instance, the

³ Advice on recognising a PIP award of eight points or more can be found at Annex A.

⁴ A PIP claimant will already have been assessed as having a disability which will, or is likely to, last for at least twelve months.

activity descriptors in an award letter may support the conclusions reached by a medical professional, or detract from them.

Example PIP award letters and advice on identifying relevant disability descriptors indicating passportable entitlement are provided at Annex A.

20. An applicant receiving WPMS will have an award letter from the Service Personnel and Veterans Agency (Free-phone enquiry number: 0800 169 22 77).
21. Eligibility may also be considered automatic where a disabled person of fare paying age has been issued with a disabled persons' parking badge ("Blue Badge"). It does not follow that a person who has a concessionary travel pass is necessarily eligible for a Blue Badge.

Disability Registration

22. For applicants outside the above categories, the Department recommends that the next most robust means of assessment is likely to be via local authority lists of registered blind, partially-sighted, or profoundly or severely deaf people. This is covered in more detail below. Where a person is registered with an authority outside their current area of residence, the local authority may wish to consider the desirability of contacting that authority as against other means of assessing eligibility.

Independent Medical Assessment

23. For other applicants, where there is any doubt about eligibility, the Department recommends that local authorities seek independent medical evidence to inform their decision. The cost of this should not be borne by the applicant.
24. Using an applicant's GP to verify that an individual meets the criteria for a concessionary travel pass is regarded as an unsatisfactory arrangement for both the GP and the administrators of the scheme. The main argument against this approach is that it compromises the doctor/patient relationship.
25. The Department strongly recommends that independent health professionals should undertake assessments in place of GPs. In the case of assessment of the inability to walk, for example, occupational therapists or physiotherapists are often best placed to assess eligibility due to their professional knowledge of mobility. Transferring assessment to such specialists implicitly suggests the importance of making judgements based on physical mobility rather than medical conditions.
26. The Department recommends that, where possible, local authorities run dedicated assessment centres to assess eligibility. As well as having the potential to reduce costs, this can help to ensure that a fair and equitable

service is provided to all applicants who are required to have an assessment. Moreover, scope for identity fraud can be reduced if photographs for use on passes are taken at the time of assessment.

27. Neighbouring authorities may wish to work together in running such assessment centres to achieve economies of scale. In assessment centres, or where any specialist is consulted, an authority will need to satisfy itself of the fitness of the specialist to carry out the assessment.
28. In a rural authority, where the population is scattered and accessibility could be a problem, careful consideration needs to be given as to how medical assessments are carried out, such as whether people may require additional assistance to attend medical facilities.
29. Where, as a last resort, it is necessary to use a GP, the contact should be made direct by the authority, having secured the applicant's agreement, and the GP should only be asked for answers to factual questions. They should not be asked for an opinion on whether someone meets the criteria.

The Seven Categories of Disability

30. There are seven categories of disabled person identified as eligible for concessionary bus travel in the 2000 Act. The same categories are reproduced in the 1999 Act, although that Act lists blind and partially sighted people separately.
31. The Department strongly recommends that when a local authority issues a concessionary travel pass to an eligible disabled person, the authority keep a record of the particular category of disability under which a person qualifies (as well as details of how the assessment was carried out and by whom). The Department also recommends that the local authority should consider the category of disability when setting the expiry date of the pass. This would reflect the fact that some disabilities are clearly permanent, whereas others may last for only a limited period. It may therefore be appropriate to consider setting an expiry date of one year, for example, where circumstances would suggest this is sensible. Authorities are encouraged to seek independent medical advice on this point.
32. Under the legislation, an eligible disabled person is someone who:

"(a) is blind or partially sighted"

33. 'Blind' means having a high degree of vision loss i.e. seeing much less than is normal or perhaps nothing at all. 'Partially sighted' is a less severe loss of vision. Partially sighted people can see more than someone who is blind, but less than a fully sighted person. Blind and partially sighted people can register with their local council. The register is held by the social services or social work department, or by a local voluntary agency, and is confidential.

34. For registration purposes, the term 'blind' now becomes 'severely sight impaired (blind)' and partially sighted becomes 'sight impaired (partially sighted)'. The formal notification required to register as "severely sight impaired" or "sight impaired" is a Certificate of Vision Impairment (CVI), signed by a Consultant Ophthalmologist (eye specialist). However, registration is voluntary. The individual should have a copy of their CVI and should be encouraged to register, if they have not already done so, as they may be entitled to various other benefits too.
35. In general terms a person can be registered as severely sight impaired (blind) if they cannot see (with glasses, if worn) the top letter of the eye test chart (used by doctors and opticians) at a distance of 3 metres or less. Some people who can read the top letter of an eye test chart at 3 metres, but not at 6 metres, may still be eligible for registration as blind if their field of vision is also severely restricted. Only being able to read the top letter at 3 metres is sometimes referred to as 3/60 vision: the person can see at 3 metres what a person with normal vision can see at 60 metres.
36. A person can be registered as sight impaired (partially sighted) if they have a full field of vision but can only read the top letter of the eye test chart at a distance of 6 metres or less (with glasses, if worn). However, if they can read the next three lines down at the same distance, but the field of vision is either moderately or severely restricted, they may still qualify for registration.
37. The Department advises that concessionary travel passes should be issued to people whose sight is so impaired that they would be able to register as severely sight impaired (blind) or sight impaired (partially sighted). Local authorities may, where a person is not on the local authority register, require evidence from an eye specialist, for example an optometrist, that the applicant would qualify to be registered as severely sight impaired (blind) or sight impaired (partially sighted). Advice on how to register can be found on the Royal National Institute of Blind People (RNIB) website at:
<http://www.rnib.org.uk/registrationcard>

"(b) is profoundly or severely deaf"

38. Hearing loss is measured in decibels across the normal hearing spectrum, as dB HL (Hearing Level). People are generally regarded as having a severe hearing loss if it reaches 70-95 dB HL and a profound loss if it reaches 95+ dB HL. The Department advises that the statutory minimum concession should be made available to people in these categories.
39. There is no statutory registration system for deaf people. However, many will be registered on a voluntary basis with their local authority social services department. The register is open to people who have varying degrees of hearing loss, so in checking the register a local authority is advised to check that the applicant is profoundly or severely deaf before issuing a national concession bus pass.

40. As in the case of blind and partially sighted people, local authorities may, where appropriate, require applicants to provide evidence of registration before issuing a pass, or evidence that they could register, for example, an audiological report, or a report from an aural specialist.

"(c) is without speech"

41. Included within this category are people who are unable to communicate orally in any language. Those people will be:
- a. unable to make clear basic oral requests e.g. to ask for a particular destination or fare;
 - b. unable to ask specific questions to clarify instructions e.g. 'Does this bus go to the High Street?'
42. This category would not, in the Department's opinion, cover people who are able to communicate orally but whose speech may be slow or difficult to understand, for example because of a severe stammer.
43. In considering an application on these grounds the local authority may accept receipt of PIP, with a score of at least eight points for the "Communicating verbally" activity, as providing an automatic entitlement to the Concession. Further detail on passporting eligibility from PIP, including details of the descriptors indicating an award of eight points or more, is provided at Annex A. Alternatively, where PIP has not been applied for, or where insufficient points have been awarded, authorities may reasonably require medical evidence to support the application.

"(d) has a disability, or has suffered an injury, which has a substantial and long-term adverse effect on his ability to walk"

44. To qualify under this category, a person would have to have a long term and substantial disability that means they cannot walk or which makes walking very difficult.
45. It is envisaged that passes will be issued to people who can only walk with excessive labour and at an extremely slow pace or with excessive pain. Their degree of impairment should be at comparable level to that described in the "Guidance on assessing ability to walk" box below. Where an applicant has been awarded PIP, with an award of eight points or more for the "Moving around" activity, or the Higher Rate Mobility Component of Disability Living Allowance (HRMCDLA), a relevant benefit award letter may be accepted as evidence of an automatic entitlement to the travel concession (see Annex A for details). Where the specified rates of PIP or DLA have not been awarded, or where these benefits have not been applied for, applicants may still be found eligible if assessed using the criteria below:

Guidance on assessing ability to walk

"(i) they cannot walk or..."

Being unable to walk means that they cannot take a single step.

They need to show that because of their disability they cannot put one foot in front of the other.

Walking involves always having one foot on the ground.

If their only way of getting about is to swing through crutches then they will be considered unable to walk.

"(ii) ...they are virtually unable to walk, or..."

They will need to show that they are unable to walk very far without experiencing severe discomfort.

Discomfort can mean either pain or breathlessness. Extreme fatigue and stress may also be taken into account. It has been accepted that discomfort is subjective and that some people have higher pain thresholds than others.

Unless both legs are missing then they will need to show that they experience severe discomfort even when using an artificial aid.

When deciding whether they are virtually unable to walk the following factors should be taken into account:

- the distance over which they can walk without experiencing severe discomfort
- the speed at which they can walk
- the length of time for which they can walk
- the manner in which they can walk

If they can only walk up to 27 metres without severe discomfort then they will qualify for the statutory concession.

If they can only walk between 27 and 64 metres without severe discomfort then it is likely that they will qualify for the statutory concession.

If they can walk more than 64 metres without severe discomfort then they will need to show that the other three factors mean that they are virtually unable to walk. For example, if they can show that it takes them five minutes to walk 100 metres, they should qualify for the statutory concession.

As a guide, the average person can walk the following in a minute:

- 90 metres at a brisk pace
- 60-70 metres at a moderate speed

- 40-50 metres at a slow pace
- 30-40 at a very slow pace

It does not matter whether the severe discomfort occurs at the time of their walk or later. What counts is that the discomfort is a direct result of their attempt to walk.

"(iii) The exertion required to walk would "constitute a danger to their life or would be likely to lead to a serious deterioration in their health."

The test here is whether the exertion required to walk would constitute a danger to their life or whether it would be likely to lead to a serious deterioration in their health.

They need to show that they should not walk very far because of the danger to their health.

This criterion is intended for people with serious chest, lung or heart conditions.

Some people with haemophilia may also qualify for the statutory concession in this way.

The serious deterioration does not need to be permanent but it should require medical intervention for them to recover.

They will need to show that any danger to their health is a direct result of the physical effort required to walk.

People with epilepsy will need to show that any fits were brought about by the effort required to walk.

- 46.** In all cases, entitlement depends on the applicant's difficulty in walking and considerations, such as difficulty in carrying parcels, are not to be taken into account.
- 47.** The fact that a walking aid is or is not used may be relevant to the eventual decision, but these alone should not determine whether or not a person qualifies. For example, if a person can walk relatively normally with the use of an artificial leg, then they should not be considered eligible. Alternatively, a person who can only swing through on crutches could be considered eligible, as they would be seen as having considerable difficulty walking (provided it is due to a long term disability and not due to legs being in plaster).
- 48.** The Department advises that the authority should normally require medical evidence to support the claim that the applicant's walking ability is long term and substantially impaired.

"(e) does not have arms or has long-term loss of the use of both arms"

49. This category includes people with a limb reduction deficiency of both arms; bilateral upper limb amputation; muscular dystrophy; spinal cord injury; motor neurone disease; or a condition of comparable severity.
50. In the Department's opinion, it also covers both people with deformity of both arms, and people who have both arms, if in either case they are unable to use them to carry out day-to-day tasks, for example, paying coins into a fare machine. In these latter cases the Department advises that a local authority should normally require independent medical evidence to support the application.

"(f) has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning"

51. A person with a learning disability has a reduced ability to understand new or complex information, a difficulty in learning new skills, and may be unable to cope independently. These disabilities must have started before adulthood and have a lasting effect on development. The person should be able to qualify for specialist services and he or she may have had special educational provision.
52. The Department of Health adopted the term 'learning disability' in 1992. It has the same meaning as its predecessor 'mental handicap' but it is seen as more acceptable, particularly in reducing the confusion with mental illness.
53. In determining eligibility in a case where there has been no previous contact with specialist services a local authority should normally require independent medical advice, or check any register of people with learning disabilities which might be held by the Social Services Department of the applicant's local council.

"(g) would, if he applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol."

54. Under Section 92 of the Road Traffic Act 1988 the Secretary of State may refuse to issue a driving licence on the grounds of the applicant's medical fitness. Those who are currently barred from holding a licence are people with:

- a. epilepsy (unless it is of a type which does not pose a danger - see below);
 - b. severe mental disorder;
 - c. liability to sudden attacks of giddiness or fainting (whether as a result of cardiac disorder or otherwise);
 - d. inability to read a registration plate in good light at 20.5 metres (with lenses if worn);
 - e. other disabilities which are likely to cause the driving of vehicles by them to be a source of danger to the public.
- 55.** It will be seen that specific reference is made to people who persistently misuse drugs or alcohol. Those people are not covered by the definition of 'disabled person' under the 2000 Act and are thus not entitled to the statutory minimum travel concession.
- 56.** It is not a condition of entitlement under this category that the disabled person should apply for and be refused a driving licence (which would be unduly burdensome for everyone involved). If, for people with any of the disabilities (b) - (d) listed above, the local authority can be confident that a licence would be refused it should therefore be able to issue the travel pass automatically. For (a) epilepsy - the bar is not automatic and depends on the circumstances.
- 57.** The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (SI 2013/258) permit the grant of a driving licence to a person with epilepsy if that person meets a number of conditions concerning the type and frequency of their seizures.⁵
- 58.** There are a number of categories of "severe mental disorder" under which people may qualify. Authorities will need to assess individuals on a case-by-case basis as eligibility may depend on the severity of the condition. Such conditions include (but are not limited to) dementia (or any organic brain syndrome); behaviour disorders (including post head injury syndrome and Non-Epileptic Seizure Disorder); and personality disorders.
- 59.** Other groups include:
- a. People with restricted visual fields, who will be refused a licence if they do not have a horizontal field of vision of at least 120 degrees, or if they have significant scotoma encroaching within 20 degrees of the central fixation point in any meridian or, sometimes, if they have restricted vertical fields of vision; and
 - b. People with insulin-dependent diabetes: In general people with insulin dependent diabetes can continue to drive - though their licence may be renewable on a 1, 2, or 3-yearly basis. However, where the person experiences disabling hypoglycaemia they will be prevented from driving until their diabetes is controlled.
- 60.** The above list is not comprehensive. Any person with a cardiac, locomotor, renal or neurological disorder might qualify. Where there is

⁵ See the *Motor Vehicle (Driving Licences) Regulations (S.I. 1999/2864) (as amended)*.

doubt about whether someone would be refused a driving licence, the local authority is strongly advised to seek independent medical advice.

Annex A: Evidencing Receipt of Personal Independence Payment (PIP)

Introduction

- A.1** The Guidance recommends that applicants in receipt of Personal Independence Payment (PIP), with a score of at least eight points on account of their inability to walk, or to communicate orally without support, should be automatically eligible for the statutory minimum concession. This Annex provides further advice on identifying such applicants.
- A.2** All recipients of PIP will be issued with an award letter by the Department for Work and Pensions (DWP), specifying the conclusions of their assessment, and the level of benefit awarded. An example of this letter is provided below.
- A.3** It should be noted that the specimen letter provided here is only an example, and may not represent exactly what an applicant may present as evidence. The Department recommends that in cases where such a letter is presented, and the Authority is unsure of its authenticity, checks are undertaken to provide such assurance. In exceptional circumstances such a check might include contacting the Department for Work and Pensions to ensure that the name, address and qualifying descriptors indicated on an applicant's PIP award letter are authentic, and have not been altered. DWP's PIP Enquiry Line can be contacted on **0845 8503 322**.
- A.4** Eligibility descriptors will be included at a standard location in award letters. See the second page of the specimen letter below.

Identifying Eligible PIP Recipients

- A.5** Applicants for PIP will be assessed against a number of activities, considering their mobility and their ability to carry out Daily Living tasks. Award letters will include descriptors to explain to applicants the result of DWP's assessment of each activity.
- A.6** Between April and October 2013 the following descriptors will be used on claimants' award letters without details of the number of points

scored. After October 2013 letters will display both descriptors and points. Examples of both pre- and post-October 2013 letters are provided below.

- A.7** You may accept such award letters as proof of automatic eligibility for the Concession only where you believe them to be authentic and unaltered, and where at least one of the following descriptors is used:

Moving around activity:

- A.8** Descriptors indicating award of eight points or more:

- **8 Points**

Descriptor 12C

"I've decided you can stand and then move unaided more than 20 metres but no more than 50 metres."

- **10 Points**

Descriptor 12D

"I've decided you can stand and then move using an aid or appliance more than 20 metres but no more than 50 metres."

- **12 Points**

Descriptor 12E

"I've decided you can stand and then move more than 1 metre but no more than 20 metres."; or

Descriptor 12F

"I've decided you cannot stand or move more than 1 metre."

Communicating verbally activity

- A.9** Descriptors indicating award of eight points or more:

- **8 Points**

Descriptor 7D

"I've decided you can express and understand basic verbal information with help from someone who is trained or experienced in helping people to communicate."

- **12 Points**

Descriptor 7E

"I've decided you cannot express or understand verbal information at all, even with help from someone who is trained or experienced in helping people to communicate."

Specimen PIP award letter (April - October 2013)

This is a draft example and may not represent exactly the final version of this notification.

If you contact us, use this reference:
AB123456C – PIP31032013



Mr Tim Ber
7 Woodland Walk
Forest Hill
Cedarshire
FX1 9PE

DWP Address Line 1
DWP Address Line 2
DWP Address Line 3
DWP Address Line 4

www.gov.uk/dwp

DWP Telephone Number
DWP TextPhone Number

Date

Personal Independence Payment Your Personal Independence Payment Decision

Dear Mr Ber,

<Introductory Text>

<Introductory Text>

<Introductory Text>

I've decided you're entitled to the Daily Living component of Personal Independence Payment at the Enhanced rate of £<Amount> a week from <Date> for an ongoing period.

I've decided you're entitled to the Mobility component of Personal Independence Payment at the Enhanced rate of £<Amount> a week from <Date> for an ongoing period.

Please keep this letter as it may be needed as proof of your Personal Independence Payment award.

<Further information on the award>

<Further information on the award>

<Further information on the award>

Having looked at all the information provided, I've decided you meet the following descriptors for the **Daily Living component**:

Preparing food
I've decided you <Decision Text>.

Taking nutrition
I've decided you <Decision Text>.

Managing therapy or monitoring a health condition
I've decided you <Decision Text>.

Washing and bathing
I've decided you <Decision Text>.

Managing toilet needs or incontinence
I've decided you <Decision Text>.

Dressing and undressing
I've decided you <Decision Text>.

Communicating verbally
I've decided you can express and understand basic verbal information with help from someone who is trained or experienced in helping people to communicate.

Reading and understanding signs, symbols and words
I've decided you <Decision Text>.

Engaging with other people face to face
I've decided you <Decision Text>.

Making budgeting decisions
I've decided you <Decision Text>.

Having looked at all the information provided, I've decided you meet the following descriptors for the **Mobility component**:

Planning and following a journey
I've decided you <Decision Text>.

Moving Around
I've decided you cannot stand or move more than 1 metre.

Specimen PIP award letter (October 2013 onwards)

This is a draft example and may not represent exactly the final version of this notification.

If you contact us, use this reference:
AB123456C – PIP31032013



Mr Tim Ber
7 Woodland Walk
Forest Hill
Cedarshire
FX1 9PE

DWP Address Line 1
DWP Address Line 2
DWP Address Line 3
DWP Address Line 4

www.gov.uk/dwp

DWP Telephone Number
DWP TextPhone Number

Date

Personal Independence Payment Your Personal Independence Payment Decision

Dear Mr Ber,

<Introductory Text>

<Introductory Text>

<Introductory Text>

I've decided you're entitled to the Daily Living component of Personal Independence Payment at the Enhanced rate of £<Amount> a week from <Date> for an ongoing period.

I've decided you're entitled to the Mobility component of Personal Independence Payment at the Enhanced rate of £<Amount> a week from <Date> for an ongoing period.

Please keep this letter as it may be needed as proof of your Personal Independence Payment award.

<Further information on the award>

<Further information on the award>

Decision Maker's Reasoning

<Text explaining the decision-maker's decision>

<Text introducing the Daily Living Component>

Using all the information provided, I've given you the following scores for the **Daily Living component** I've decided:

Preparing food

<Decision Text>. This gives you a score of <Score>.

Taking nutrition

<Decision Text>. This gives you a score of <Score>.

Managing therapy or monitoring a health condition

<Decision Text>. This gives you a score of <Score>.

Washing and bathing

<Decision Text>. This gives you a score of <Score>.

Managing toilet needs or incontinence

<Decision Text>. This gives you a score of <Score>.

Dressing and undressing

<Decision Text>. This gives you a score of <Score>.

Communicating verbally

You can express and understand basic verbal information with help from someone who is trained or experienced in helping people to communicate.. This gives you a score of 8.

Reading and understanding signs, symbols and words

<Decision Text>. This gives you a score of <Score>.

Engaging with other people face to face

<Decision Text>. This gives you a score of <Score>.

Making budgeting decisions

<Decision Text>. This gives you a score of <Score>.

<Text introducing the Mobility Component>

Using all the information provided, I've given you the following scores for the **Mobility component** I've decided:

Planning and following a journey

<Decision Text>. This gives you a score of <Score>.

Moving Around

You cannot stand or walk or more than 1 metre. This gives you a score of 12.

Identifying Continuing DLA Claims

- A.10** During the implementation of PIP, until October 2017, working age applicants may continue to present evidence of existing DLA claims as proof of automatic entitlement to the statutory concession. Others, including children under sixteen, and people who were born on or before the 7th April 1948 may present DLA evidence beyond October 2017.
- A.11** Authorities who wish to confirm that a DLA claim is still active, and has not expired or been replaced by PIP, are recommended to request the applicants' most recent "DLA uprating letter".
- A.12** Uprating letters are provided to DLA claimants on an annual basis to notify them of changes in the amount they are paid. They also confirm the relevant DLA components (i.e. Higher Rate Mobility Component) that the claimant is in receipt of. Details contained in the uprating letter may therefore be cross-referenced with the applicant's original award letter.
- A.13** Requesting uprating letters will ensure that a DLA claim was active during the past twelve months.
- A.14** An example DLA uprating letter is shown below.

Specimen DLA Uprating Letter

This is a draft example and may not represent exactly the final version of this notification.

If you contact us, use this reference:
AB123456C – PIP31032013



Mr Tim Ber
7 Woodland Walk
Forest Hill
Cedarshire
FX1 9PE

DWP Address Line 1
DWP Address Line 2
DWP Address Line 3
DWP Address Line 4

www.gov.uk/dwp

DWP Telephone Number
DWP TextPhone Number

Date

Disability Living Allowance

Dear Mr Berr,

The purpose of this letter is to give you:

- Proof of entitlement to your benefit
- Information about Disability Living Allowance rates
- Information about changes you must tell us about
- Important information about how Disability Living Allowance is being replaced by a new disability benefit called Personal Independence Payment. There is more information at the end of this letter – please read it carefully.

Please read all this information carefully.

Keep this letter safe because it is proof of your entitlement to Benefit.

Disability Living Allowance Entitlement

You are entitled to:

- middle rate care component for help with personal care until 28/5/13
- higher rate mobility component for help with getting around until 28/5/13
- middle rate care component for help with personal care from 1/6/13 until 28/2/14
- lower rate mobility component for help with getting around from 1/6/13 until 28/2/14.

Further Advice

Controlled introduction of PIP

A.15 Changes to concessionary travel eligibility guidance may be required in the future as a result of operational experience, on-going monitoring, testing and evaluation of PIP. In such an event this document will be reviewed and updated accordingly to ensure that eligibility for the statutory concession may continue to be demonstrated through the presentation of benefit award letters. Further information on the Department for Work and Pensions' timetable for the introduction of PIP can be found on its website, at: <http://www.dwp.gov.uk/pip-toolkit/>

Alternatives to automatic eligibility

A.16 The threshold for an award of PIP with a score of at least eight points on account of the applicant's ability to walk (the "Moving around" activity), does not correspond exactly with that for the Concession. Where an applicant is not found to be eligible on the grounds of their PIP award, or where PIP has not been applied for, they may still be found eligible through an assessment against the criteria recommended in the Guidance. Recommended eligibility criteria for the statutory minimum concession have been maintained at the levels suggested in previous versions of this Guidance document. Authorities may also wish to consider the degree to which evidence provided in applicants' PIP award letters, where appropriate, support or detract from the conclusions of independent medical assessments.

Status: Law In Force

Greater London Authority Act 1999 c. 29

Part IV TRANSPORT

Chapter VIII TRAVEL CONCESSIONS

This version in force from: **October 17, 2007** to **present**

(version 6 of 6)

240.— Travel concessions on journeys in and around Greater London.

(1) Subject to subsection (3) below, any local authority, or any two or more local authorities acting jointly, may enter into arrangements with Transport for London under which—

(a) Transport for London grants, or arranges with some other person for that other person to grant, such travel concessions as may be provided for by the arrangements to [such of the persons eligible to receive them in accordance with subsection (5) below as are specified in the arrangements] ¹

; and

(b) that local authority reimburses (or, as the case may be, those local authorities in such proportions respectively as they may agree amongst themselves reimburse) the cost incurred in granting those concessions.

(2) Subject to subsection (3) below, any London authority, or any two or more London authorities acting jointly, may enter into, with any independent transport service operator or with the [Secretary of State] ²

, arrangements under which—

(a) that operator or (as the case may be) the [Secretary of State] ²

grants such travel concessions as may be provided for by the arrangements to [such of the persons eligible to receive them in accordance with subsection (5) below as are specified in the arrangements] ¹

; and

(b) that authority reimburses (or, as the case may be, those authorities in such proportions respectively as they may agree among themselves reimburse) the cost incurred in granting those concessions.

(3) The concessions that may be provided for by any arrangements under subsection (1) or (2) above are concessions on journeys—

(a) between places in Greater London;

(b) between such places and places outside but in the vicinity of Greater London; or

(c) between places outside but in the vicinity of Greater London.

(4) Any arrangements entered into by a local authority under subsection (1) or (2) above may include provision for the performance of functions in connection with the travel concessions in question by the local authority or local authorities concerned.

(5) The persons eligible to receive travel concessions under arrangements made under subsection (1) or (2) above [by an authority are] ³

[...] ⁴

[

(a) persons appearing to the authority to have their sole or principal residence in the authority's area and to be persons—

(i) who have attained the age of 60 years;

(ii) who are blind;

(iii) who are partially sighted;

(iv) who are profoundly or severely deaf;

(v) who are without speech;

(vi) who have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on their ability to walk;

(vii) who do not have arms or have long-term loss of the use of both arms;

(viii) who have a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning; or

(ix) who, if they applied for the grant of a licence to drive a motor vehicle under [Part III](#) of the [Road Traffic Act 1988](#), would have their applications refused pursuant to [section 92](#) of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol; or

(b) persons to whom a current statutory travel concession permit has been issued under [section 145A\(4\)](#) of the [Transport Act 2000](#).

] ⁴

[...] ⁴

[(5A) The Secretary of State may issue guidance to local authorities to which they must have regard in determining whether a person falls within subsection [(5)(a)(ii) to (ix)] ⁴

above.

(5B) Before issuing guidance under subsection (5A) above the Secretary of State shall consult—

(a) the Disabled Persons Transport Advisory Committee;

(b) associations representative of local authorities; and

(c) such other persons as he thinks fit.

] ⁵

[(5C) The Secretary of State may issue guidance to local authorities to which they must have regard in determining for the purposes of this Chapter whether a person has his sole or principal residence in an authority's area.

] ⁴

(6) In subsection (2) above "*independent transport service operator*" means any person, other than a person to whom subsection (7) below applies, operating—

(a) a public service vehicle undertaking ("public service vehicle" for this purpose having the meaning given by [section 1](#) of the [Public Passenger Vehicles Act 1981](#));

(b) a system using guided transport within the meaning of [subsection \(1\) of section 67](#) of the [Transport and Works Act 1992](#);

(c) a railway within the meaning of that subsection;

(d) a tramway within the meaning of that subsection;

(e) a trolley vehicle system within the meaning of that subsection; or

(f) an undertaking providing public passenger transport services on the river Thames or a tributary of the river Thames between places in Greater London or between places in Greater London and places outside Greater London.

(7) This subsection applies to—

(a) Transport for London or any of its subsidiaries;

(b) the [Secretary of State] ²
; and

(c) any person providing public passenger transport services in pursuance of an agreement entered into by Transport for London by virtue of [section 156\(2\)](#) or [\(3\)\(a\)](#) above or in pursuance of a transport subsidiary's agreement.

(8) In this Chapter—

[...] ⁶

"*local authority*" means the council of a county or district and any London authority;

"*London authority*" means any London borough council and the Common Council; and

"*travel concession*" means the reduction or waiver of a fare or charge either absolutely or subject to terms, limitations or conditions.

(9) For the purposes of this Chapter a reference to an agreement entered into by Transport for London under [section 156\(2\) or \(3\)](#) above includes a reference to an agreement—

(a) which was entered into by London Regional Transport under [section 3\(2\) or \(2A\)](#) of the [London Regional Transport Act 1984](#), and

(b) which by virtue of [section 300](#) or [415](#) below has effect as if made by Transport for London.

Notes

- ¹ . Words substituted by Transport Act 2000 c. 38 [Pt II s.151\(3\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
- ² . Amended by Railways Act 2005 c. 14 [Sch.12 para.14](#) (June 8, 2005)
- ³ . Words substituted by Transport Act 2000 c. 38 [Pt II s.151\(4\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
- ⁴ . Amended by Concessionary Bus Travel Act 2007 c. 13 [s.4](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))

5. Added by Transport Act 2000 c. 38 [Pt II s.151\(5\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
6. Definition repealed by Transport Act 2000 c. 38 [Sch.31\(IV\) para.1](#) (February 1, 2001 as SI 2001/57)

Modifications

Whole Document	Modified by Commission for Architecture and the Built Environment (Dissolution) Order 2012/147, art. 7(4)
Pt IV c. VIII s. 240(1)	Modified by London Regional Transport (Transitional Modifications) Order 2000/1504, art. 5(1)
Pt IV c. VIII s. 240(1)(a)	Modified by London Regional Transport (Transitional Modifications) Order 2000/1504, art. 5(2)
Pt IV c. VIII s. 240(5)(a)(i)	Modified by Travel Concessions (Eligibility)(England) Order 2010/459, art. 2(1)
Pt IV c. VIII s. 240(7)	Modified by London Regional Transport (Transitional Modifications) Order 2000/1504, art. 5(5)

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Part IV TRANSPORT

Chapter VIII TRAVEL CONCESSIONS

This version in force from: **October 17, 2007** to **present**

(version 3 of 3)

241.— Reserve free travel scheme [...] ¹

▪

(1) If immediately before 1st January in any financial year it appears to Transport for London that there are not for the time being in force arrangements under [section 240\(1\)](#) above for travel concessions [...]

which—

(a) meet the requirements of [section 242](#) below as to scope,

(b) meet the requirements of [section 243](#) below as to uniformity, and

(c) will apply throughout the next following financial year,

there shall have effect during that next following financial year a scheme (the “free travel scheme”) for the purpose of ensuring that travel concessions are provided for [all eligible England residents and that additional travel concessions are provided for]

[all]

eligible London residents.

(2) Where individual arrangements under [section 240\(1\)](#) above made between a particular local authority or local authorities and Transport for London apply to [certain eligible England residents or]

certain eligible London residents only, all arrangements so made shall be considered together for the purpose of determining whether the requirements of [sections 242 and 243](#) below are satisfied.

(3) In any financial year during which the free travel scheme has effect it shall be the duty of Transport for London to provide or secure the provision of the travel concessions for [eligible England residents and the additional travel concessions for] ⁵

eligible London residents required by the free travel scheme.

[(4) In this Chapter–

"eligible England residents" means–

(a) persons to whom a current statutory travel concession permit has been issued under [section 145A\(4\)](#) of the [Transport Act 2000](#), and

(b) eligible London residents;

"eligible London residents" means persons whose sole or principal residence is in Greater London and who are eligible in accordance with [section 240\(5\)\(a\)](#) above to receive travel concessions under arrangements under [subsection \(1\)](#) of that section.

] ⁶

(5) [Schedule 16](#) to this Act (which makes further provision relating to the free travel scheme) shall have effect.

Notes

- 1 . Words repealed by Concessionary Bus Travel Act 2007 c. 13 [Sch.3 para.1](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
- 2 . Words inserted by Concessionary Bus Travel Act 2007 c. 13 [s.5\(2\)\(b\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
- 3 . Word inserted by Transport Act 2000 c. 38 [Pt II s.151\(6\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
- 4 . Words inserted by Concessionary Bus Travel Act 2007 c. 13 [s.5\(3\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
- 5 . Words inserted by Concessionary Bus Travel Act 2007 c. 13 [s.5\(4\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
- 6 . Substituted by Concessionary Bus Travel Act 2007 c. 13 [s.5\(5\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))

Modifications

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	(Dissolution) Order 2012/147, art. 7(4)
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Part IV TRANSPORT

Chapter VIII TRAVEL CONCESSIONS

This version in force from: **October 17, 2007** to **present**

(version 4 of 4)

242.— Requirements as to scope

(1) Arrangements under [section 240\(1\)](#) above for travel concessions [...] ¹
meet the requirements of this section as to scope if they provide [—] ²

[

(a) for the grant of travel concessions to all eligible London residents on journeys falling within subsection (2) below

[

(b) for the grant to all eligible England residents of the travel concession specified in subsection (8) below; and

(c) for the grant to all eligible London residents of the additional travel concession specified in subsection (8A) below.

] ³

] ²

[(1A) Paragraphs (b) and (c) of subsection (1) above are not to be taken as restricting the concessions that may be provided to eligible London residents on the London bus network by virtue of paragraph (a) of that subsection.

] ⁴

(2) [The journeys referred to in subsection (1)(a) above] ⁵

are journeys of a description falling within [section 240\(3\)](#) above, on the London Local Transport Network.

(3) For the purposes of this Chapter, the London Local Transport Network consists of—

(a) bus services which together make up the London bus network within the meaning of [section 181](#) above;

(b) services using a system of guided transport which are provided by Transport for London or under an agreement entered into by Transport for London under [section 156\(2\)](#) or [\(3\)\(a\)](#) above or under a transport subsidiary's agreement;

(c) railway services which are so provided;

(d) tramway services which are so provided; and

(e) services on the river Thames or a tributary of the river Thames which are so provided.

(4) In subsection (3) above "*guided transport*", "*railway*" and "*tramway*" have the same meanings as in [section 240\(6\)](#) above.

(5) [Subsection (1)(a) above does] ⁶

not preclude the imposition of terms, limitations or conditions with respect to the particular journeys falling within subsection (2) above on which travel concessions are available.

(6) Such terms, limitations or conditions may make different provision for different categories of eligible London residents.

(7) In this Chapter a reference to a category of eligible London residents is a reference to [a category specified in any one of the [sub-paragraphs of [section 240\(5\)\(a\)](#)] ⁸

] ⁷

above.

[(8) The travel concession which must be granted for all eligible England residents is a waiver of the fare for each journey beginning on the London bus network–

(a) at any time on a Saturday or Sunday or on any day which is a bank holiday in England and Wales under the [Banking and Financial Dealings Act 1971](#); or

(b) in the period from 9.30 am to 11.00 pm on any other day,

(whether or not the journey ends on that network).

(8A) The additional travel concession which must be granted for all eligible London residents is a waiver of the fare for each journey which is on the London bus network and which begins–

(a) in the period from midnight to 4.30 am; or

(b) in the period from 11.00 pm to midnight,

on any day other than one mentioned in subsection (8)(a) above.

(8B) In subsections (8) and (8A) above "*journey*" means a journey on one public service vehicle (in one direction); and for this purpose "*public service vehicle*" has the meaning given by [section 1](#) of the [Public Passenger Vehicles Act 1981](#).

] [9](#)

[...] [10](#)

[...] [11](#)

Notes

1. Words repealed by Concessionary Bus Travel Act 2007 c. 13 [Sch.3 para.1](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
2. Substituted by Transport Act 2000 c. 38 [Pt II s.151\(8\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
3. S.242(1)(b) and (c) substituted for s.242(1)(b) by Concessionary Bus Travel Act 2007 c. 13 [s.6\(2\)\(b\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
4. Added by Concessionary Bus Travel Act 2007 c. 13 [s.6\(3\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
5. Words substituted by Transport Act 2000 c. 38 [Pt II s.151\(9\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
6. Words substituted by Transport Act 2000 c. 38 [Pt II s.151\(10\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
7. Words substituted by Transport Act 2000 c. 38 [Pt II s.151\(11\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
8. Words substituted by Concessionary Bus Travel Act 2007 c. 13 [s.6\(4\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
9. S.242(8)-(8B) substituted for s.242(8) by Concessionary Bus Travel Act 2007 c. 13 [s.6\(5\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
10. Repealed by Travel Concessions (Extension of Entitlement) (England) Order 2005/3224 [art.2\(2\)\(b\)](#) (December 30, 2005)
11. Repealed by Concessionary Bus Travel Act 2007 c. 13 [Sch.3 para.1](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))

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Part IV TRANSPORT

Chapter VIII TRAVEL CONCESSIONS

This version in force from: **October 17, 2007** to **present**

(version 3 of 3)

243.— Requirements as to uniformity.

(1) Arrangements under [section 240\(1\)](#) above for travel concessions [...] ¹
meet the requirements of this section as to uniformity if they—

(a) make the same provision, for all eligible London residents of the same category, with respect to the benefit of any travel concession granted to those residents under the arrangements and the periods during which it is available;

(b) make the enjoyment of the benefit of any travel concession granted under the arrangements conditional on the production, by any person seeking to travel under that concession, of a travel concession permit [...] ²
; and

[(i) issued to the person in accordance with the arrangements by the London authority in whose area the person has his sole or principal residence (in the case of an eligible London resident), or

(ii) issued to the person pursuant to [section 145A\(4\)](#) of the [Transport Act 2000](#) (in the case of any other eligible England resident).

] ²

(c) make the same provision with respect to the period of validity of all travel concession permits issued in accordance with the arrangements to eligible London residents of the same category,

whether or not, in any other respects, the arrangements make different provision for different cases to which they apply.

(2) References in subsection (1) above to the benefit of a travel concession are references to the waiver or reduction of any fare or charge to which the arrangements in question apply, as distinct from any terms, limitations or conditions applicable to that waiver or reduction in accordance with the arrangements.

(3) For the requirements of this section as to uniformity to be met it is sufficient that those requirements are met in relation to each description of services comprising the London Local Transport Network individually.

(4) The reference in subsection (3) above to a description of services is a reference to the descriptions mentioned in [paragraphs \(a\) to \(e\) of section 242\(3\)](#) above.

(5) In this Chapter "*travel concession permit*" means , in relation to a travel concession granted under or by virtue of this Chapter, a [permit in any form (subject to any regulations under subsection (7) below)] ³

indicating that the person to whom it is issued is a person entitled in accordance with the provisions of this Chapter to receive the concession in question .

[(6) No charge may be made for the issue to an eligible London resident of a travel concession permit relating to the travel concession specified in [[section 242\(8\) and \(8A\)](#)] ⁵

above.

] ⁴

[(7) Subject to subsection (1)(c) above, the Secretary of State may by regulations make provision about the form and period of validity of travel concession permits issued by a London authority relating to the travel concession specified in [section 242\(8\) and \(8A\)](#) above.

] ⁶

Notes

1. Words repealed by Concessionary Bus Travel Act 2007 c. 13 [Sch.3 para.1](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
2. S.243(1)(b)(i) and (ii) substituted for words by Concessionary Bus Travel Act 2007 c. 13 [s.7\(2\)\(b\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
3. Words substituted by Concessionary Bus Travel Act 2007 c. 13 [s.7\(3\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
4. Added by Transport Act 2000 c. 38 [Pt II s.151\(13\)](#) (April 1, 2001 subject to transitional provisions specified in SI 2000/3229 art.4)
5. Word substituted by Concessionary Bus Travel Act 2007 c. 13 [s.7\(4\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))
6. Added by Concessionary Bus Travel Act 2007 c. 13 [s.7\(5\)](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))

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Part IV TRANSPORT

Chapter VIII TRAVEL CONCESSIONS

This version in force from: **October 17, 2007** to **present**

(version 2 of 2)

244.— Exercise of functions by a joint committee.

(1) If all the London authorities enter into arrangements under [section 101\(5\)](#) of the [Local Government Act 1972](#) for the joint discharge of their functions under—

(a) [subsection \(1\) of section 240](#) above, or

(b) [subsection \(2\)](#) of that section, [or] ¹

[

(c) [sections 148 to 150](#) of the [Transport Act 2000](#) (enforcement and reimbursement of mandatory concession for journeys not beginning on the London bus network),

] ¹

and the arrangements so provide, then this section shall apply.

(2) The arrangements shall have effect for such period as may be specified in the arrangements or until otherwise terminated by the unanimous decision of the London authorities.

(3) The arrangements must provide for the function to be discharged only by a joint committee under [section 101\(5\)\(a\)](#) of the [Local Government Act 1972](#).

(4) The joint committee must consist of one member of each London authority.

(5) Decisions of the joint committee must be unanimous decisions of those present and voting.

(6) Subsection (5) above is subject to a resolution of the joint committee, passed unanimously by those present and voting, that—

(a) decisions of a kind specified in the resolution, or

(b) decisions generally,

may be made by such majority of those present and voting as may be specified in the resolution.

(7) The majority specified in a resolution under subsection (6) above must be not less than two-thirds of the members of the joint committee.

(8) In consequence of the preceding provisions of this section—

(a) [section 102](#) of the [Local Government Act 1972](#) (appointment of committees) has effect in relation to the joint committee subject to those provisions; and

(b) [paragraph 39\(1\) of Schedule 12](#) to that Act (questions to be decided by simple majority), as applied to a joint committee by [paragraph 44\(1\)](#) of that Schedule, does not have effect in relation to the joint committee.

Notes

- [1](#). Added by Concessionary Bus Travel Act 2007 c. 13 [Sch.2 para.8](#) (October 17, 2007 for purposes specified in SI 2007/2799 art.2; April 1, 2008 otherwise, subject to transitional provisions as specified in SI 2007/2799 art.4(1))

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Disabled Persons' Freedom Pass Renewals Process Improvement Group; Terms of Reference

Version 5 (20.06.2016)

1. The Disabled Persons' Freedom Pass Improvement Group is the principal forum for the improvement of the Disabled Person's Freedom Pass renewals process and the integration of this process to a business as usual setting.
2. The Group will be responsible for reviewing the existing "as is" Disabled Persons' Freedom Pass Process and identifying weaknesses. The group will then design a new improved "to be" process which will aim to be an exemplar best practice process.
3. The Group will be a forum for development, innovation and performance improvement and will aim to provide the best possible future Disabled Persons' Freedom Pass renewal process for the residents of Barnet.
4. The Group will be guided by the requirements of the Equality Act 2010 and in particular the need to make reasonable adjustments to enable equal access and fair treatment for people with disabilities. The group will also be mindful of Barnet's Corporate values of:
 - Opportunity where people can further their quality of life.
 - People are helped to help themselves, recognizing that prevention is better than cure.
 - Responsibility is shared fairly.
 - Services are delivered efficiently to get value for money for the taxpayer.
- The group will also be mindful of Barnet's refreshed values for customers and staff:
 - We Care
 - We Can be Trusted
 - We Work Together
 - We Value Diversity
 - We Embrace Change and Innovation
5. The Group will ensure that the newly designed process undergoes a comprehensive Equalities Impact Assessment.
6. The Group will be accountable to the Parking Transformation Board which it will report to on a monthly basis.

Process Improvement

7. The Group will include all relevant process based stakeholders as well as subject matter experts from Adults and Children's Services to ensure that the most appropriate future "to be" process is designed which takes full account of the needs of service users.
8. The Group will maintain an overview of innovation, ensuring that best practice Disabled Persons' Freedom Pass renewals process from other London Boroughs are investigated and evaluated and drawn from as appropriate. The Group will liaise closely with London Council's to ensure that it benefits from the organisation's considerable knowledge and support network in relation to Freedom Passes.
9. The Group will consider what is the most appropriate external quality assurance arrangements for the review and commission resources accordingly.
10. The Group will ensure that the new improved Freedom Pass process is checked by HB PublicLaw and LB Barnet's Equalities subject matter experts in order to ensure that it is appropriate for Barnet Residents.
11. The Group will examine the Disabled Persons' Freedom Pass renewals appeals process to ensure that it is clear, user friendly, transparent and fair for all applicants.
12. The Group will consider a process for issuing discretionary Disabled Person's Freedom Passes and will recommend changes to this process and its associated criteria if necessary.
13. The Group will examine the issue of the transition from under age 18 passes to the over 18's adult passes to ensure that a smooth transition is in place for residents when they progress from one category to another. The group will also consider what the definition of Adult is in relation to the Freedom Pass process and how it links with other Adults and Children's' service.

Eligibility Criteria and Assessment

14. The Group will closely examine the Department for Transport's criteria for issuing Disabled Person's Freedom Passes in relation to the Authority's current eligibility assessment methods. The group will utilise support and guidance from London Councils when it does this.
15. Specifically the Group will examine the current assessment criteria for entitlement categories:
 - a. Physical disability
 - d. Mental Health
 - e. Learning Disability

Where there are shortcomings in relation to the current assessment methods for the eligibility criteria for these categories, the group will work with subject matter experts from Adults and Children's services to formulate more appropriate assessment methods.

The Group will ensure that the eligibility criteria and assessment methods used accord with the Public Sector Equality Duty as set out in s149 of the Equality Act 2010.

Correspondence and Communications

The Group will audit all correspondence that is sent to residents and tailor it as necessary to ensure that it is appropriate to meet residents' diverse needs and the reasonable adjustment requirement of Equality Act 2010 for people with disabilities. The group will also audit all web content to ensure that it is appropriate and offers a good level of signposting to Adults and Children's support services.

Lessons Learnt

16. The Group will consider what lessons can be learnt from the issues experienced from the current Freedom Pass Process and how these can be used to inform other processes.
17. The Group will consider how the Disabled Person's Freedom Pass Renewals Process should operate in the future and where in the organisation the process should be situated.

Ongoing review

18. The group will formulate a monthly reporting mechanism for the new process so that performance data is available for review by the Parking Transformation Board.

Membership

19. The Group will consist of the following officers or their delegated representatives:
 - Strategic Lead for Effective Borough Travel
 - Parking and Infrastructure Manager
 - Contract Performance Manager
 - Representative from Commercial Services Head of Integrated Care
 - Engagement Lead
 - Interim Head of Learning Disabilities
 - Commissioning and Equalities Policy Officer
 - Head of Customer Services, CSG

- HB PublicLaw
- Operations Director, CSG
- Head of 0-25 Service
- Adults and Wellbeing Strategic Lead
- Barnet Clinical Commissioning Group

It will also be considered if People with disabilities can be involved in the process review and any user testing given the Council's policy of 'nothing about us without us'.

Support Stakeholders to be engaged on a monthly basis (to attend every other meeting)

- London Councils
- Other London Authorities
- MENCAP
- Age UK

Ways of working

20. Fortnightly meetings initially with Monthly meetings thereafter.
21. Chairing role will be held by the Strategic Lead for Effective Borough Travel.

Timescale

22. Review to complete by September 2016.
23. Report to Policy and Resources Committee – September 2016.

Questions to be answered

The following questions will be addressed during the review process. The list is not exhaustive, and may be updated as the review proceeds.

- a) Should the recently reinstated Disabled Persons Freedom Passes should be renewed to 2020. If not how to develop a justifiable process to communicate appropriate expectations to service users about what will happen and when.
- b) What is the best way to construct justifiable and fair eligibility criteria for discretionary disabled persons' Freedom Passes should be proposed going forward.

APPENDIX 4

- c) Where the Council needs to set-out / confirm eligibility criteria for discretionary Passes these criteria should residents who have been assessed on previous criteria gain “grandfather” rights.
- d) Should the eligibility criteria for discretionary disabled persons' Freedom Passes be agreed by the P&R committee and be subject to consultation, including in Easy Read. Note that this consultation must also include Adult & Community Services.
- e) The new 0-25 team should ensure service users are enabled to have choices and independence (as required by the Care Act), and that they are not disadvantaged when turning 18 by losing the ability to travel freely if it restricts their ability to study, work and socialise.
- f) The eligibility criteria for discretionary Passes should comply with the Care Act, including the requirement to enable choice and independence.
- g) Only 20% of Adults with long term needs have a Care Plan therefore LB Barnet should not use 'known to Adult Services' as a local criteria for discretionary granting of Freedom Passes.
- h) If an assessment decides someone is no longer entitled to a discretionary pass they need to be assessed against their ability to have a driving license before a final decision is made.
- i) If a Pass is to be removed there must be a right of appeal - and the status quo must be observed until the end of the appeal process.
- j) Consideration should be given as to who manages the Freedom pass service in the future

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London Borough of Barnet

DISABLED PERSONS FREEDOM PASS
CURRENT ELIGIBILITY CRITERIA

Eligibility for a Disabled Persons Freedom Pass (DPFP)

To be eligible for a Disabled Persons Freedom Pass:

- Your sole or principal residence must be in London

And

- Have any of the statutory disabilities listed in the section 240 of the Greater London Authority Act 1999 as amended by section 151 of the Transport Act 2000.

The seven categories identified by the s240 of the Greater London Authority Act (as amended) are:

- (b)who are blind;
- (c)who are partially sighted;
- (d)who are profoundly or severely deaf;
- (e)who are without speech;
- (f)who have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on their ability to walk;
- (g)who do not have arms or have long-term loss of the use of both arms;
- (h)who have a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning; or
- (i)who, if they applied for the grant of a licence to drive a motor vehicle under Part III of the ^{M2} Road Traffic Act 1988, would have their applications refused pursuant to section 92 of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.

People who have automatically eligibility

APPENDIX 5

As per the s240 of the Greater London Authority Act (as amended) eligibility may be considered 'automatic' if an individual is in receipt of any of the following state benefits:

- Higher Rate Mobility Component of the Disability Living Allowance (HRMCDLA)
- War Pensioners' Mobility Supplement (WPMS)
- Personal Independence Payment (PIP), with an award of eight points or more for either or both of the two relevant activities: 'Moving Around' and 'Communicating Verbally'.

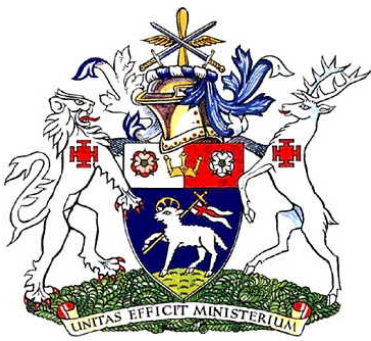
Current assessment Criteria

Category	Current acceptable evidence of disability
Is blind or partially sighted	Provide London Borough of Barnet (LBB) registration number
Is profoundly or severely deaf	Provide London Borough of Barnet (LBB) registration number
Is without speech	Provide London Borough of Barnet (LBB) registration number
Has suffered an injury, which has a substantial and long term adverse effect on your ability to walk	Receives Personal Independence Payment (PIP)/ Higher Rate Mobility Component of Disability Living Allowance (HRMCDLA) <i>or</i> War Pensioners Mobility Supplement (WPMS) <i>or</i> Independent Medical Assessment (if Desk Based Assessment returns a score of 8-9 points)
Do not have arms, or have long term loss of both arms	Medical Evidence from GP
Has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning	Registered with Barnet Learning Disabilities Team

APPENDIX 5

Would, if he/she applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol	Registered with Dennis Scott Unit for 2 years or more and must be seen regularly
Mental Health	Registered with Dennis Scott Unit for 2 years or more and must be seen regularly

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Policy and Resources Committee

1 September 2016

Title	Colindale: Financial assistance for RAF museum site re-development
Report of	Cath Shaw, Commissioning Director for Growth and Development
Wards	Colindale
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1: Assets Regeneration and Growth Committee Report, 11 July 2016
Officer Contact Details	Martin Smith Martin.Smith@Barnet.gov.uk 0208 359 7419

Summary

At its meeting of July 11 2016 the council’s Assets, Regeneration and Growth Committee (ARG) considered the report attached as Appendix 1. The report requested that the council make a contribution of £500k towards the RAF Museum’s renewal programme, which totals £23m, and concludes in the centenary year of 2018. ARG resolved:

1. Subject to the approval of the Policy and Resources Committee, to:
 - (i) Approve financial assistance totalling £500,000 to the RAF museum, phased on an agreed basis over the project period 2016-2018, released subject to confirmation by the museum that the remaining balance of the shortfall (£6,151,253) has been secured.
 - (ii) Authorise the Commissioning Director Growth and Development in consultation with the Chairman of the Committee to agree the details of the payment programme in conjunction with the RAF Museum; and to
2. Approve the above at the next meeting of the Policy and Resources Committee.

Recommendations

- 1. That Policy and Resources Committee note the resolution of the Assets Regeneration and Growth Committee on 11 July 2016 outlined above.**
- 2. That Policy and Resources Committee:**
 - (i) Approve financial assistance totalling £500,000 to the RAF museum, phased on an agreed basis over the project period 2016-2018, released subject to confirmation by the museum that the remaining balance of the shortfall (£6,151,253) has been secured; and**
 - (ii) Authorise the Commissioning Director Growth and Development in consultation with the Chairman of the Committee to agree the details of the payment programme in conjunction with the RAF Museum.**

1. WHY THIS REPORT IS NEEDED

- 1.1 To agree the committee resolutions of ARG July 11 2016 outlined in the report attached (Appendix 1).

2. REASONS FOR RECOMMENDATIONS

- 2.1 See attached report

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 See attached report

4. POST DECISION IMPLEMENTATION

- 4.1 See attached report

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 See attached report

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

- 5.2.1 The proposal has no additional cost to the capital programme, with the proposed £500k being funded from an existing capital budget. Further explanation is provided in the attached report (para 5.2.). The approval of Policy & Resources Committee is needed as this is a new capital scheme. The recommendation is subject to the museum securing the remaining balance of the current funding shortfall.

5.3 Social Value

- 5.3.1 See attached report.

5.4 Legal and Constitutional References

5.4.1 [Constitution, Responsibility for Functions, Annex A](#), sets out the terms of reference of the Policy and Resources Committee including responsibility for the Council's capital and revenue budget setting (subject to Full Council) and Medium Term Financial Strategy.

5.4.1 [Section 6.5 of the Responsibility for Functions](#) (Council Constitution) defines a key decision as one which:

- will result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- is significant in terms of its effects on communities living or working in an area comprising two or more wards.

5.5 Risk Management

5.5.1 See attached report

5.6 Equalities and Diversity

5.6.1 See attached report

5.7 Consultation and Engagement

5.7.1 See attached report


5.8 Insight

5.8.1 See attached report

6. BACKGROUND PAPERS

6.1 See attached report

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	<h2>Assets, Regeneration, and Growth</h2> <h3>11/07/2016</h3>
<p style="text-align: right;">Title</p>	<p>Colindale. Financial assistance for RAF museum site re-development:</p>
<p style="text-align: right;">Report of</p>	<p>Cath Shaw, Commissioning Director for Growth and Development</p>
<p style="text-align: right;">Wards</p>	<p>Colindale</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Outline Business Case</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Martin Smith 0208 359 7419</p>

<h2>Summary</h2>
<p>The RAF Museum at Colindale is both a nationally important visitor attraction and a generator of valuable economic activity within Colindale. The museum is approaching its centenary celebrations in summer 2018 and undertaking a renewal programme for its site, galleries and organisation with the ambition of creating a world-leading visitor destination that engages, inspires and connects everyone with the RAF story through the exploration of its people and its collections. The work is scheduled to complete in 2018 and to be the focal point for celebrations and high profile visits to the museum and the wider Colindale area. The total cost of the renewal programme is £23,000,000 which includes the development and delivery of 4 project phases. Phase 1 (£2m) was completed in December 2014. Phase 2 (19.5m) is due for completion in the centenary year 2018. To date (May 2016), since the fundraising campaign was launched in July 2015, the Museum has raised £12,931,460 towards its phase 2 target of £19,582,713 leaving a shortfall of £6.65m.</p>
<p>Of this shortfall, £4M is needed to be pledged by September 2016 to ensure the release of Heritage Lottery funds and that works are commenced in time to meet the Museum’s 2018 RAF Centenary year deadline. Council assistance of £500,000 is sought towards the delivery costs shortfall. The remaining balance (£6,151,253) will be met through continuing fundraising activity with corporate and private supporters of the Museum as well as public</p>

fundraising initiatives. The museum remains confident that it can reach the £4m pledge target. A range of funding applications has been submitted to Trusts, Foundations, and large defence companies etc. These have been supplemented by high visibility public campaigns. The outcomes of those applications will be communicated during the next few months.

The grant sought from the council may be phased over the delivery period of the project 2016 - 2018

Recommendations

1. Subject to the approval of the Policy and Resources Committee that:

- (i) the Committee approve financial assistance totalling £500,000 to the RAF museum, phased on an agreed basis over the project period 2016-2018, released subject to confirmation by the museum that the remaining balance of the shortfall (£6,151,253) has been secured.**
- (ii) the Committee authorise the Commissioning Director Growth and Development in consultation with the Chairman of the Committee to agree the details of the payment programme in conjunction with the RAF Museum**

2. That the Committee recommends the above for approval at the next meeting of the Policy and Resources Committee.

1. WHY THIS REPORT IS NEEDED

- 2.** The RAF museum at Colindale is a visitor attraction of major significance both locally and nationally, providing vital economic activity and a wide range of community benefits for the local area. The museum has embarked upon an exciting renewal programme the completion of which is due to coincide with the high profile Centenary celebrations in summer 2018. The museum has been successful in attracting significant funds from the Government's Heritage and Lottery fund but still faces a shortfall of £6.6m to enable the scheme to push ahead. The committee is asked to pledge £500k towards this shortfall with actual payment to be phased over the years 2016-218 so that the larger HLF fund can be secured and works can commence.

3. REASONS FOR RECOMMENDATIONS

- 3.1** The Royal Air Force Museum is a registered charity and a National Museum with a purpose to tell the story of the RAF through its people and collections. It was constituted in 1968 to celebrate the 50th anniversary of the formation of the RAF in 1918 and opened on the former RAF Hendon site in 1972.

- 3.2 The RAF Museum is governed by a Board of Trustees appointed through the public appointments process and is a non-departmental public body audited by the National Audit Office. It receives grant-in-aid from the Ministry of Defence to support the National Collection and generates revenue from trading activities. It exists on three sites, in Colindale, London, Cosford, West Midlands and Stafford.
- 3.3 The Museum's 20-acre London site incorporates a series of five hangar structures and a number of ancillary buildings. The hangars house part of the National Collection relating to the RAF. The buildings are a mixture of listed First World War structures (including the Watch Office and Factory moved as part of a S106 agreement in 2003), 1930s ancillary brick buildings, and post-1970 structures built by the Museum. These are arranged around a large car park and some lawn
- 3.4 .The Museum's strategic direction is guided by a five year Strategic Plan 2013 - 2018 supported by a corporate business plan. It has a 10 year development programme focussing initially on the Colindale site. The Museum functions as a visitor attraction; an educational resource accessed by 28,000 school children in formal learning programmes in 15/16; and an events venue for corporate, private and community meetings, dinners, road-shows and lectures. It is a popular venue for children's birthday parties, bar and bat mizvahs, wakes and family outings.
- 3.5 The Museum welcomed 363,541 visitors in 2015/16. Of this total 15% were Barnet residents and approximately 3% came from the Grahame Park Estate. The estate was built on the former runways of the RAF Hendon and is currently subject to a major regeneration programme.
- 3.6 The Museum is undertaking a renewal programme for its site, galleries and organisation with the ambition of creating a world-leading visitor destination that engages, inspires and connects everyone with the RAF story through exploration of its people and its collections.
- 3.7 Tied to the Centenary of the Royal Air Force in 2018, the Museum will:
- 3.8 Execute a new interpretation strategy based on a chronological 'chapter structure' starting with the First World War in the Air and completing the Introduction and Now and the Future chapters by 2018.

- 3.9 Rearrange the circulation of the Museum to create a new visitor car park at the start of the visitor journey, a single point of entry into the Museum estate with improved visitor welcome facilities, and a hub and spoke orientation around the galleries.
- 3.10 Create a safe central green space, including a children's playground, with a naturally planted perimeter, and green landscaped core to reflect the former airfield heritage.
- 3.11 Restore a derelict historic 1930s building to become a new site restaurant and bookable event space.
- 3.12 Improve the commercial and secondary spend opportunities within the new visitor centre with new bookable event spaces and dining areas within the museum galleries.
- 3.13 Create 10 new contract posts, funded for at least 2 years as part of the project. New permanent roles will be created by our catering partner and the Museum's trading company.
- 3.14 The project has been drawn up in consultation with the council, RAF Air Command, other key stakeholders and members of the public. The work has been assessed by English Heritage which is supportive of the plan. The project is being managed by professional project managers and is scrutinised by a dedicated project board.
- 3.14 A detailed programme is attached at Annex A

4. POST DECISION IMPLEMENTATION

- 4.1 The decision will enable the Council to formally pledge the funds whilst a phased payment schedule is negotiated between both parties

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The vision for 2020 expressed within the Council's corporate plan 2015-2020 expresses the principles of fairness, responsibility and opportunity and the following strategic objectives;
- 5.1.2 The council, working with local, regional and national partners, will strive to ensure that Barnet is the place:
 - 1. of opportunity, where people can further their quality of life
 - 2. where people are helped to help themselves
 - 3. where responsibility is shared, fairly
 - 4. where services are delivered efficiently to get value for money for the taxpayer
- 5.1.3 The RAF museum's renewal programme in creating economic and

employment opportunities at the heart of the regeneration area will contribute to all four strategic objectives but with special focus on 1 and 4

5.1.4 The plan proposes a number of achievements. Those particularly relevant to this initiative as follows;

5.1.5 • more involved and resilient communities,

5.1.6 • a clean and attractive environment, with well-maintained roads and pavements, flowing traffic, increased recycling

5.1.7 • a responsible approach to regeneration, •

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

5.2.1 At its December 2015 meeting the Council's Policy and Resources Committee agreed a Colindale Highways and transport budget totalling £8.807 m (appendix c capital additions 2016 – 2020). This includes a sum of £4m from the infrastructure reserve. It is proposed to re-designate the use of the infrastructure reserve to include an appropriation of part of that towards the total payment of £500k to the museum to be profiled at £250k for financial years 16/17 and 17/18 respectively. This will be at no additional cost to the council's capital programme

5.2.2 Though within existing capital budget resources, this will be a new additional scheme, and as such will require the approval of Policy & Resources Committee.

5.3 Legal and Constitutional References

5.3.1 The terms of reference of Assets, Regeneration and Growth Committee which includes: to develop and oversee a Regeneration Strategy; develop strategies which maximise the financial opportunities of growth; 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. This is outlined in the Council's Constitution.

5.3.2 The Constitution- Annex A Responsibility for Functions provide that the Policy and Resources Committee's remit includes the approval of the Corporate Plan, the Council's capital and revenue and budget setting (subject to Full Council) and Medium Term Financial Strategy, and to be responsible for the overall strategic direction of the Council.

5.4 Risk Management

5.4.1 There are three major risks associated with the council's investment in this facility. The first is that the full funding requirement is not in place in sufficient time to enable the works programme to complete in time for the centenary celebrations. This might mean failure to achieve funds at HLF round 2. The mitigation for this is a solid funding platform, matched to the HLF requirements and robust fund raising strategy to raise all the necessary funds

5.4.2 The second risk is that project costs have been underestimated leading to overspend in response to the pressure to complete on time. The mitigation is the early appointment of a quantity surveyor and clear change control mechanisms.

5.4.3 The third risk is that the award of such a large grant to the museum is perceived as inappropriate at a time of financial restraint and reductions elsewhere. The mitigation is twofold; Firstly the Council's contribution to the overall cost represents around 2.2% of the overall funding envelope and as such represents a very high degree of leverage. Secondly the major economic and social benefits the museum brings to a disadvantaged area including employment and training opportunities, community facilities, open spaces, play facilities etc.

5.5 Equalities and Diversity

The Council is committed to improving the quality of life and wider participation for all the economic, educational, cultural, and social and community life within the borough. This is achieved by pursuing successful regeneration of the Borough's regeneration areas. This benefits all sections of society by directly addressing the shortage of housing in the Borough across all tenures.

The Council will seek to ensure that the benefits arising from this development are distributed amongst its most disadvantaged residents including those with protected characteristics through training, information and a range of engagement activities building on its existing structures.

5.6 Consultation and Engagement

5.6.1 In preparation for the Centenary Programme, the Museum has delivered considerable in-depth consultation with staff and volunteers, stakeholders, the local community and the heritage sector, consulting with over 1,100 people including:

5.6.2 Consultation focus groups:

5.6.3 Work with Grahame Park Community Researchers – local people looking to re-engage with work who have been trained in consultative research – to undertake research with visitors on perceptions of our thresholds and the use of green space at the heart of the site.

5.6.4 A site entry and exit workshop with internal and external stakeholders

5.6.5 Two attitudes and engagement workshops with local 15yr old boys

5.6.6 A workshop for professional nannies and full time mums

5.6.7 Two days of public consultation on the plans as part of the planning application. Staff, visitors and local community members attended

5.6.8 Museum leadership and project staff have met with and gained support for the project from;

5.6.9 London Borough of Barnet councillors and mayors

- 5.6.10 All stakeholder and residents' groups:
- 5.6.11 The Colindale Community Trust,
- 5.6.12 The Colindale Consortium (formerly Grahame Park Consortium), the Grahame Park Economic and Community Strategy Group
- 5.6.13 London Borough Barnet officers, local and regional regeneration teams
- 5.6.14 GLA regeneration teams
- 5.6.15 Our London Assembly Member, Andrew Dismore
- 5.6.16 Our local MP, Matthew Offord
- 5.6.17 Veterans of the RAF
- 5.6.18 The RAF Family of charities
- 5.6.19 RAF100, the committee at Ministry of Defence level which is managing the national RAF centenary events and legacy, headed by the Assistant Chief of the Air Staff

5.8 **Insight**

- 5.8.1 There are no data sources available that are applicable to this proposal

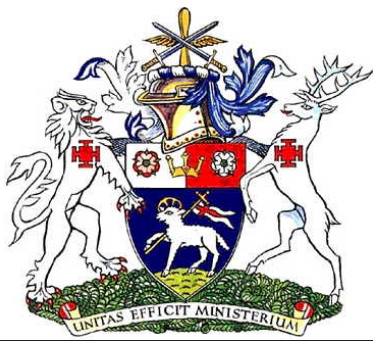
5.9 **Social Value**

- The renewal programme for the museum brings with it a range of social value, including;
- The creation of a new central green space with a children's playground.
- Environmental and highways improvements
- The creation of local employment and training opportunities in a disadvantaged neighbourhood with disproportionately high levels of unemployment
- Activity plans associated with the capital works will connect a local, national and international audience to the RAF Story through a targeted 'Historic Hendon' programme of local engagement, a new Science, Technology, Engineering and Maths learning programme and a digital story-collection project

6. **BACKGROUND PAPERS**

- 6.1 ^{15th} December 2015 Policy and Resources Report

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Policy and Resources Committee

1 September 2016

Title	Proposed Extension of the Shared Service Agreement with Harrow for the Provision of Legal Services (HBPL)
Report of	Davina Fiore, Assurance Director
Wards	All
Status	The report and appendices are public with the exception of the appendix containing hourly rates which is exempt information which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended (commercially sensitive information).
Urgent	No
Key	Yes
Enclosures	Appendix 1 Key Performance Indicators Appendix 2 Exempt information on hourly rates
Officer Contact Details	Davina Fiore, Assurance Director davina.fiore@barnet.gov.uk

Summary

In 2012 Barnet Council entered a shared service agreement for legal services with Harrow Council which commenced on 1 September 2012 for a minimum of five years. It is therefore due to expire on 1 Sep 2017. Under the terms of the agreement the parties may agree to extend the agreement for a further period of up to five years. If the agreement is not to be extended it will be necessary to start planning now for the end of the agreement and the future provision of legal services for Barnet Council. It is recommended that the agreement is extended and the delivery of legal services is delegated to the shared legal service.

Recommendations

- 1. That the Committee note that the shared service has been extended to include Hounslow and Buckinghamshire County Council and Aylesbury Vale District Council.**
- 2. That the Committee agree to extend the agreement with Harrow for a shared legal service, dated 17th August 2012, for a further period of five years until 1 September 2022 (in accordance with paragraph 2.2 of the agreement).**
- 3. That the Committee agree that the London Borough of Harrow discharge Barnet Council's function in respect of the delivery of legal services in accordance with section 101 of the Local Government Act 1972 and the inter authority agreement.**

1. WHY THIS REPORT IS NEEDED

- 1.1 In 2012 Barnet Council entered a shared service agreement with Harrow which commenced on 1 September 2012 for a minimum of five years. It is therefore due to expire on 1 Sep 2017. Under the terms of the agreement the parties may agree to extend the agreement for a further period of up to five years. If the agreement is not to be extended it will be necessary to start planning now for the end of the agreement and the future provision of legal services for Barnet Council.

2. REASONS FOR RECOMMENDATIONS

- 2.1 HBPL provide a comprehensive legal service to Barnet Council, however there is nothing to prevent Barnet using other legal providers for specific pieces of work if it wishes to do so, as has happened for example for the Brent Cross Compulsory Purchase Orders and related inquiries. The service is a shared service, and the objectives set out in the agreement are to provide a high quality service, commitment to staff and clients of the service and to long term savings and benefits to both parties.
- 2.2 This partnership approach has overall been successful. HBPL provide a full legal service across all areas of the Council's work and legal work is carried out by HBPL where possible. This has led to a reduction in the use of counsel and instructions to external firms on more routine matters. Overall HBPL meets its performance targets and clients are satisfied with the service.
- 2.3 The Performance Indicators (set out in Appendix 1) are monitored at monthly performance meetings between the HBPL Head of Legal Practice, Barnet Council's Assurance Director, who as a local government solicitor provides an "expert client" role, and the Commercial Performance and Development Manager from Barnet's Commercial Team, and are then reported to the Delivery Board and the Performance and Contract Management Committee. In addition there are regular meetings of the Strategic Monitoring Board under the contract which consists of the Chief Executives of Barnet and Harrow, and the relevant Directors, and this also considers performance information. A

summary of the performance information which has been reported to Performance and Contract Management Committee is set out in Appendix 1.

- 2.4 There have of course been issues which have needed to be resolved, and the partnership approach to problem resolution set out in the agreement has been followed. For example, at the moment there is a national shortage of experienced planning and property lawyers, which has meant HBPL has had difficulties recruiting suitably qualified staff in these disciplines. However HBPL have added market supplements to the posts and have ring fenced the existing team to existing clients, to ensure that Buckinghamshire County Council joining the shared service has not diluted the service available to Barnet.
- 2.5 HBPL has very competitive hourly rates in comparison with private sector firms (these are set out in Appendix 2 and are exempt information not available to the press and public as they are commercially sensitive). The rate went up in 2015/16 to reflect the actual cost of Harrow providing the service. Prior to the set up of HBPL the total net budget for legal services for 12/13 was £1.69m, which included £606,000 of income generated by the service.
- 2.6 The agreement states that the parties will review the agreement after four years and that after the review they may serve written notice six months before the expiry date of their intention to extend the agreement. However if the agreement were not to be extended Barnet would need more than six months to make alternative legal service delivery arrangements for Barnet. At the end of 2015/start of 2016 officers carried out a review of the inter authority agreement, which resulted in the Council purchasing fewer hours for the financial year 16/17 than in previous years. If the recommendation for the extension of the agreement is agreed, there will be an annual review of the service which will include consideration of future options for delivery of the service.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Setting up an in house legal department at Barnet. This is not recommended. There would be significant set up costs and there are benefits of being part of a larger shared service: management costs and the costs of overheads are shared; lawyers can specialise rather than be generalists; sharing learning from experience gained at other councils (subject to rules on client confidentiality); sufficient work for HBPL to recruit some specialists into the shared service; better operational flexibility to cover leave periods and peaks in workload; and HBPL has greater purchasing power than a smaller department.
- 3.2 Carrying out a tendering exercise either in accordance with the Council's Contract Procedure Rules on the open market or as a call off contract from an existing public sector legal framework. This is not recommended because HBPL is a shared legal service and the agreement is an inter authority agreement which comes within the TECKAL exemption to procurement rules. Its objective is a collaborative relationship to provide a high quality service, commitment to staff and clients and to deliver savings and benefits to both parties. It does not exist to make a profit and so its hourly rates are very

competitive. (see Appendix 2). Under the terms of the agreement with Harrow any budget surplus is either reinvested in the service or shared between Barnet and Harrow.

4. POST DECISION IMPLEMENTATION

- 4.1 If the recommendation is approved Barnet will formally notify Harrow Council that we have agreed an extension of the agreement.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Access to good legal advice is central to achieving all of the council's priorities. Continuing with a shared legal service is in line with the council's vision to be a commissioning council. It also accords with the council's duty to obtain best value.

5.2 Resources

- 5.2.1 The net budget for the Joint Legal Service is £2m and includes £780k of income generated by the service. Since 2013/14, savings totalling £300k have been made from the budget. In 2015/16 the service overspent by £320k mainly due to a shortfall in income.

- 5.2.2 The Joint Legal service provides a fixed number of hours of legal service, currently 36,960 for 2016/17. The number of hours used by delivery units has remained relatively stable over the past two years. Expenditure on externalised legal support has reduced year on year.

- 5.2.3 Expenditure on overheads for support services and office accommodation is charged annually as part of the hourly rates and is currently estimated at £262k.

- 5.2.4 The service receives approximately £350k in income annually mainly from property sales with a small amount from court costs awarded.

5.3 Legal and Constitutional References

- 5.3.1 Pursuant to a [decision](#) of the Cabinet Resources Committee dated 4 April 2012 and a [decision](#) taken by the Director of Corporate Governance in consultation with the Cabinet Member(s) (Executive Function) dated 17 August, 2012 the Council entered into an Inter Authority Agreement with the London Borough of Harrow for the establishment of a shared legal service.

- 5.3.2 The approved arrangement for the Joint Legal Service was that the London Borough of Harrow would discharge this Council's function in respect of the delivery of legal services in accordance with [Section 101 of the Local Government Act 1972](#) and of the [Local Government \(Arrangements for the Discharge of Functions\) \(England\) Regulations 2000](#).

- 5.3.3 On [11 September 2012](#) Barnet's Full Council agreed that the constitution be amended to reflect this and to authorised the London Borough of Harrow Head of Legal/Practise Director Joint Legal Service to institute, defend or participate in any legal proceedings on behalf of the Council, to authenticate

any document necessary to any legal proceedings on behalf of the Council, and to undertake land and property transactions and fulfil relevant Contract Procedure Rules responsibilities on behalf of the Council. If Committee agrees to extend the inter authority agreement with Harrow Council, the delegation of these legal functions for the extended period would also need to be confirmed.

- 5.3.4 [Annex A to the Responsibility for Functions](#) (Council Constitution) sets out the terms of reference of the Policy and Resources Committee and states that the committee is responsible for the strategic direction of the council including strategic partnerships.
- 5.3.5 The agreement is an inter-authority agreement which comes within the TECKAL exemption to the procurement rules.
- 5.3.6 Under Appendix 1 to the [Contract Procedure Rules](#) Policy and Resources Committee as the relevant theme committee can agree to the extension of the agreement.

5.4 **Risk Management**

- 5.4.1 Extending the existing agreement is low risk as there are established processes and procedures for obtaining legal advice and decision making. A tendering exercise leading to a change in the identity of the service provider would be higher risk as there would initially be a lack of knowledge of Barnet's policies, procedures and decision making, and in addition there would also be a financial risk as the cost of the legal services required would be likely to be significantly increased.

5.5 **Equalities and Diversity**

- 5.5.1 HBPL are committed to equalities and diversity in their employment practises and are experienced at giving legal advice on any equality and diversity implications of decisions.

5.6 **Consultation and Engagement**

- 5.6.1 Harrow have been consulted on the extension of the agreement and have confirmed their willingness for this to take place.

6. **BACKGROUND PAPERS**

- 6.1 Cabinet Resources Committee 4 April 2012
Report:

<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/201204042000/Agenda/Document%203.pdf>

Minutes:

<http://barnet.moderngov.co.uk/Data/Cabinet%20Resources%20Committee/201204042000/Agenda/Document%202.pdf>

Delegated Powers Report 17 August 2012

<http://barnet.moderngov.co.uk/documents/s5263/1777%20-%20Legal%20Shared%20Service%20with%20the%20London%20Borough%20of%20Harrow.pdf>

Appendix One – KPI (Key Performance Indicator) Year on Year Performance

KPI No	KPI description	Frequency	Polarity	Target	Outturn		
					2013/14	2014/15	2015/16
HBPL/C1	Acknowledge emails within 1 working day	Quarterly	Bigger is Better	95.0%	100.0%	100.0%	95.7%
HBPL/C2	Reply to emails within 5 working days	Quarterly	Bigger is Better	95.0%	100.0%	100.0%	97.9%
HBPL/C3	Reply to fax or letter within 10 working days	Quarterly	Bigger is Better	95.0%	100.0%	100.0%	100.0%
HBPL/C4	New Instructions Assessed and acknowledged within 3 working days	Quarterly	Bigger is Better	95.0%	100.0%	95.2%	95.2%
HBPL/C5	Respond to non-urgent requests within 10 working days	Quarterly	Bigger is Better	95.0%	100.0%	100.0%	100.0%
HBPL/C6	Respond to further instructions on existing matters within 5 working days	Quarterly	Bigger is Better	95.0%	100.0%	100.0%	97.3%
HBPL/C7	% of draft committee reports and delegated power reports cleared within 5 working days	Quarterly	Bigger is Better	95.0%	96.1%	97.7%	98.8%
HBPL/C8	Overall satisfaction	Quarterly	Bigger is Better	90.0%	98.2%	96.0%	90.0%
HBPL/C9	Satisfaction with performance	Quarterly	Bigger is Better	90.0%	100.0%	93.0%	90.0%
HBPL/C10	Satisfaction with quality of work	Quarterly	Bigger is Better	90.0%	98.2%	93.0%	100.0%
HBPL/C11	Satisfaction with time taken	Quarterly	Bigger is Better	90.0%	100.0%	100.0%	90.0%
HBPL/C12	Satisfaction with timeliness of response and completion	Quarterly	Bigger is Better	90.0%	100.0%	100.0%	80.0%
HBPL/C13	Appropriate accreditation of the service	Annually Q1	Bigger is Better	100%	100.0%	100%	100.0%
HBPL/C14	Ensure all staff are appropriately qualified	Annually Q3	Bigger is Better	100%	100.0%	100%	100.0%

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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	<p align="center">Policy and Resources Committee 1 September 2016</p>
<p align="right">Title</p>	<p>Policy and Resources Committee Work Programme</p>
<p align="right">Report of</p>	<p>Interim Chief Executive</p>
<p align="right">Wards</p>	<p>All</p>
<p align="right">Status</p>	<p>Public</p>
<p align="right">Enclosures</p>	<p>Committee Work Programme: September 2016</p>
<p align="right">Officer Contact Details</p>	<p>Sarah Koniarski: sarah.koniarski@barnet.gov.uk 020 8359 7574</p>

<h3>Summary</h3>	
<p>The Committee is requested to consider and comment on the items included in the 2016-17 work programme</p>	

<h3>Recommendations</h3>	
<p>1. That the Committee consider and comment on the items included in the 2016-17 work programme</p>	

1. WHY THIS REPORT IS NEEDED

- 1.1 The Policy and Resources Committee's Work Programme 2016-17 indicates forthcoming items of business.
- 1.2 The work programme of this Committee is intended to be a responsive tool, which will be updated on a rolling basis following each meeting, for the inclusion of areas which may arise through the course of the year.
- 1.3 The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

2. REASONS FOR RECOMMENDATIONS

- 2.1 There are no specific recommendations in the report. The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 N/A

4. POST DECISION IMPLEMENTATION

- 4.1 Any alterations made by the Committee to its Work Programme will be published on the Council's website.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Committee Work Programme is in accordance with the Council's strategic objectives and priorities as stated in the Corporate Plan 2015-20.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Terms of Reference of the Policy and Resources Committee is included in the Constitution, Responsibility for Functions, Annex A.

5.4 Risk Management

- 5.4.1 None in the context of this report.

5.5 Equalities and Diversity

- 5.5.1 None in the context of this report.

5.6 Consultation and Engagement

5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

6.1 None

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**London Borough of Barnet
Policy and Resources
Committee
Forward Work Programme
October 2016 - June 2017**

Contact: Sarah Koniarski, sarah.koniarski@barnet.gov.uk 0208 359 7574

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
5 October 2016			
Council Motion (4 April 2016) - Impact of the EU Referendum on Barnet	Following Council resolution of 4 April 2016, the committee will consider the impact of the result of the EU Referendum on Barnet.	Interim Chief Operating Officer	Non-key
Customer Access Strategy: - Business Case - Digital Inclusion Strategy	To approve the business case for the implementation of the Customer Access Strategy, and the accompanying Digital Inclusion Strategy	Director of Strategy	Key
Draft Green Infrastructure Supplementary Planning Document	To approve the draft Supplementary Planning Document for Green Infrastructure for consultation.	Commissioning Director, Growth and Development	Non-key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
Draft Sustainable Design and Construction and draft Residential Design Guidance Supplementary Planning Documents	The refocused SPD's capture changes on space standards as well as new standards that address accessibility, security, energy, noise, air pollution and water conservation. The Residential Design SPD cross references these changes and also clarifies the approach to conversions including small HMO conversions. It is recommended these documents are approved for consultation for 6 weeks and then reported back to Policy and Resources Committee for adoption.	Commissioning Director, Growth and Development	Non-Key
IT Strategy	To note the council's IT Strategy 2015-2020.	Head of Information Management	Non-key
Business Planning – Efficiency Plan Submission		Director of Resources (Deputy Section 151 Officer)	
Business Planning - Virements		Director of Resources (Deputy Section 151 Officer)	
1 December 2016			
Draft Affordable Housing Supplementary Planning Document	To approve the draft Supplementary Planning Document for Affordable Housing for consultation.	Commissioning Director, Growth and Development	Non-key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
Business Planning	To approve the Business Planning priorities for the period 2016/17 to 2019/20.	Interim Chief Operating Officer	Non-key
Annual Procurement Forward Plan [APFP] 2017/2018	Approve the Annual Procurement Forward Plan 2017-18.	Interim Chief Operating Officer	Non-key
North London Waste Plan (Reg 19 stage)	To approve the North London Waste Plan (NLWP) for public consultation.	Interim Chief Operating Officer Commercial and Customer Services Director	Non-key
Corporate Enforcement and Prosecution Policy	The proposed corporate policy will ensure there is a consistent approach to enforcement and prosecution by the council and any other organisation delivering regulatory/enforcement services on behalf of the council. Therefore ensuring Council compliance with the Cabinet Office Enforcement Concordat and the Statutory Code for Regulators introduced in 2014.	Commissioning Director Environment	Non-key
Disabled Persons Freedom Pass Review	To receive the outcomes from the consultation and a progress update on the introduction of the revised criteria.	Commissioning Director Environment	Key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
10 January 2017			
The Way we Work programme: Full Business Case for electronic document management, Office 365 and Unified Communication Solutions	Approval of the full business case to implement a new approach to EDM, Office 365 and UC using allocated capital budget.	Head of Information Management	Non-key
23 February 2017			
Business Planning 2015/16 to 2019/20	The report revises the Medium Term Financial Strategy (MTFS) in line with the publication, sets out the corporate plan indicators, savings proposals, capital programme for the period 2017-20 and council tax for 2017/18.	Interim Chief Operating Officer Director of Resources (Deputy Section 151 Officer)	Non-key
21 March 2017			
The Barnet Group (TBG) Business Plan	To approve the budget and business plan of the Barnet Group Ltd.	Interim Chief Operating Officer	Non-key
Green Infrastructure Supplementary Planning Document - Adoption	To adopt the Supplementary Planning Document for Green Infrastructure.	Commissioning Director, Growth and Development	Key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
16 May 2017			
Affordable Housing Supplementary Planning Document - Adoption	To adopt the Supplementary Planning Document for Affordable Housing.	Commissioning Director, Growth and Development	Key
27 June 2017			
The Local Plan	To approve the Barnet's Local Plan for consultation.	Commissioning Director, Growth and Development	Key