

MEETING

HOUSING AND GROWTH COMMITTEE

DATE AND TIME

TUESDAY 26TH NOVEMBER, 2019

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF HOUSING AND GROWTH COMMITTEE (Quorum 3)

Chairman: Richard Cornelius,
Vice Chairman: Sarah Wardle

Councillors

Sara Conway	Kath McGuirk	Daniel Thomas
Paul Edwards	Alex Prager	Peter Zinkin
Ross Houston	Thomas Smith	

Substitute Members

Anne Clarke	Nizza Fluss	Laithe Jajeh
Geof Cooke	Rohit Grover	Alison Moore

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is 21 November at 10AM. Requests must be submitted to Faith Mwende Faith.Mwende@Barnet.gov.uk 020 8359 4917

**You are requested to attend the above meeting for which an agenda is attached.
Andrew Charlwood – Head of Governance**

Governance Services contact: Faith Mwende Faith.Mwende@Barnet.gov.uk 020 8359 4917
Media Relations Contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

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Decisions of the Assets, Regeneration and Growth Committee

16 September 2019

Members Present:-

AGENDA ITEM 1

Councillor Richard Cornelius (Chairman)

Councillor Sarah Wardle (Vice-Chairman)

Councillor Gabriel Rozenberg

Councillor Sara Conway

Councillor Peter Zinkin

Councillor Kath McGuirk

Councillor Ross Houston

Councillor Alex Prager

Councillor Geof Cooke

Apologies for Absence

Councillor Daniel Thomas

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on June 13th 2019 be approved as a correct record.

2. ABSENCE OF MEMBERS

Councillor Daniel Thomas sent apologies and was substituted by Councillor Thomas Smith.

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

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION

Details of the public question and response were circulated in advance of the meeting. A supplementary question was provided by the resident, which officers agreed to respond to in writing.

6. MEMBERS' ITEMS (IF ANY)

None.

7. Q1 PERFORMANCE REPORT 2019-20

The Director of Growth introduced the Quarter 1 (Q1) Performance report which provided an overview of the performance for Q1, focusing on the budget forecasts and activities to

deliver both corporate and committee priorities in the ARG Committee annual delivery plan.

Members requested that further information was provided within the next report surrounding the type of help provided to residents to enable them to attend the apprenticeships and training opportunities, available to them through development partners.

Members noted that the KPI for unemployment rates was down, with figures showing a slightly higher unemployment rate when compared with figures from last year.

Following discussion of the item, the Chairman moved to vote on the recommendations as set out in the report. The Committee unanimously agreed the following recommendation:

RESOLVED **that:**
The Committee reviewed the budget, performance and risk information for Q1 2019/20 and make any referrals to Policy and Resources Committee of Financial Performance and Contracts Committee in accordance with the terms of reference of these Committees.

8. BRENT CROSS CRICKLEWOOD UPDATE

The Director of Growth introduced the report on Brent Cross Cricklewood, which provided an update on the comprehensive regeneration of the Brent Cross Cricklewood (BXC) programme since the last Committee meeting on the 13th June 2019.

Members discussed the requirement for more joined up communication between The Council, partners and residents. Councillor Conway raised concerns on behalf of the Residents Association at Brent Terrace regarding the negative impact the development is having on the local area and environment, she requested Members attend the area to see for themselves. Officers informed the Committee that they were aware of the concerns of the residents, which were inevitable during a scheme of this nature, but every attempt would be made to improve the situation where possible and enhance communication surrounding the development.

Councillor McGuirk suggested better engagement with residents could be achieved using the Area Committees and that these meetings should be held in community venues, rather than within the Town Hall.

Members commented that the updates regarding Brent Cross North were very brief and were concerned that plans had not moved on since the last update. The Chairman reiterated that the current retail market was challenging, but officers were working with Argent Related to deliver the programme. Officers notified the Committee that the planning application had now been activated and a revised plan had been proposed, which would be available to members in November. Members commented that they hoped the transport side of the plan would be revisited and considerably improved, as competitors currently had much better transport connections.

Members requested a report be brought back to the ARG Committee on the southern junctions works, as there was a risk around failure to deliver this. They also requested more detail regarding the reported anti-social behaviour and the steps being taken by the

Council to address these issues. Officers agreed to Councillor Conway's request for officers to meet with residents to address the issues they had raised.

Following consideration of the item, the Chairman moved to vote on the recommendations as set out in the report. The votes were recorded as follows:

For	6
Against	0
Abstain	4

RESOLVED that the Committee:

- 1) notes the progress update across the scheme since the last report to the committee on 13 June 2019.**
- 2) Notes that Argent Related have agreed terms to acquire the vacant Toys R Us site and delegates to the Assistant Director – Estates to provide the necessary approvals on behalf of the council as freeholder to assign the lease and complete this transaction (paragraph 1.35).**
- 3) Confirms the appointment of DP9 as planning advisors (paragraph 1.17); New Steer as CPO advisors (paragraph 1.36); the extension of Conway Aecom scope of works to include the temporary access road (paragraph 1.13) and to procure the A-Site document management system for use across the programme (paragraph 5.1.15) and delegates to the Deputy Chief Executive to agree the terms of those appointments and any other appointments as necessary within the agreed budget forecast to meet the current delivery programme for the Phase 1AN infrastructure.**
- 4) Notes that the West London Orbital Design Integration Study has now concluded and has identified two possible options for developing an interchange arrangement for the WLO within the Brent Cross West Station; and approves that a further £50k is allocated from existing project budgets to undertake the necessary additional design works to confirm feasibility and identify a single option which could be incorporated within the GRIP5 station detailed design stage once the contractor is on board (paragraphs 1.42-1.45).**

9. DAWS LANE COMMUNITY HUB UPDATE

The Director of Growth introduced the report on Daws Lane Community Hub Update, which updated the Committee on the proposal to extend the original agreed timescales and milestones for the combined community hub and partnership library, to ensure that the development maintains good momentum.

Members enquired as to how progress on the fundraising for the proposal would be reviewed by the Committee. Officers highlighted that section 4.1 of the report outlined the timeframe of the progress updates that would be required from NW7 Hub every 6 months, starting from March 2020.

Following discussion of the report the Chairman moved to vote on the recommendations as set out in the report. The Committee unanimously agreed the following recommendations:

RESOLVED

that:

1) The Committee approves the revised programme and milestones, as outlined in Appendix 1, to ensure that the development is completed by 1 March 2025.

2) The Committee shall require that any agreements and consents which the Council enters into for NW7 to develop the 80 Daws Lane site should include appropriate provisions to terminate the same in the event that NW7 Hub should be unable to meet any of the milestones detailed in Appendix 1.

10. HOUSING ACQUISITIONS PROGRAMME (PHASE 4)

The Director of Growth introduced the Housing Acquisitions report, which set out the business case for purchasing a further 500 residential properties in Greater London and other areas within a 50-mile radius for use as affordable accommodation, to be let on non-secure or assured shorthold tenancy agreements and managed by Barnet Homes.

Members supported the acquisition of further residential properties for use as affordable housing, but emphasised the preference for more in-borough and within London acquisitions where possible. Members were concerned about the negative effects on employment and family life for those re-located out of London and how the Council was supporting these residents with the transition. Officers agreed to request a written response from Barnet Homes outlining the support provided.

The Governance Officer notified Members that there was an error on page 63 of the report in that 5.4.3 should refer to 'section 25 of the Local Government Act 1988'.

Following discussion of the item, the Chairman moved to amend the first recommendation in the report to the following;

That the Committee approve the business case for the acquisition of up to 500 properties purchased from Q3 2019/20 onwards funded through the General Fund borrowing as outlined in Appendix A and that it should be reported back to the Committee following the acquisition of each tranche of 100 properties to confirm the continuation of the acquisition programme.

The amendment was unanimously agreed by the Committee.

The Chairman then moved to vote on all of the recommendations outlined in the report, including the amendment to recommendation 1 as approved above.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

RESOLVED that:

1) The Committee approved the business case for the acquisition of up to 500 properties purchased from Q3 2019/20 onwards funded through the General Fund borrowing as outlined

in Appendix A and that it should be reported back to the Committee following the acquisition of each tranche of 100 properties to confirm the continuation of the acquisition programme.

- 2) That the authorisation of purchases of individual properties for the Housing Acquisitions programme (Phase 4) be delegated to the Deputy Chief Executive.
- 3) Subject to receiving further tax advice, that acquisitions be carried out by the Council's subsidiary, TBG Open Door Ltd, funded by a loan agreement between the Council and TBG Open Door Ltd.
- 4) That the final decision to proceed with acquisitions delivered through TBG Open Door Ltd is delegated to the Deputy Chief Executive, including the authority to approve a loan agreement.

11. COMMITTEE FORWARD WORK PROGRAMME

The Committee noted the forward work programme.

12. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 19.47

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Housing and Growth Committee

26 November 2019

Title	<p>Member's Items</p> <p>Councillor Paul Edwards - Affects of poverty on Barnet Homes tenants</p> <p>Councillor Ross Houston - Conserving buildings and assets of architectural and historic merit during regeneration</p> <p>Councillor Sara Conway - Resolving the issues affecting residents in Marsh Drive, West Hendon</p>
Report of	Head of Governance
Wards	All Wards
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	Faith Mwende, 020 8359 4917, faith.mwende@barnet.gov.uk

Summary

Members Items have been received for the Housing and Growth Committee from Councillors Paul Edwards, Ross Houston and Sara Conway. The Committee is requested to consider the items and give instructions.

Officers Recommendation

That the Housing and Growth Committee instructions in relation to these Member's Items are requested.

1. WHY THIS REPORT IS NEEDED

- 1.1 Members of the Committee have requested that the items tabled below are submitted to the Housing and Growth Committee for considering and determination. The Housing and Growth Committee are requested to provide instructions to Officers of the Council as recommended.

Ross Houston	<p>Conserving buildings and assets of architectural and historic merit during regeneration</p> <p>Policy & Resources Committee was due to consider the results of a consultation on local heritage listing at its scheduled meeting on 10 December. That meeting has now been postponed until January</p> <p>There has been considerable community concern over the proposed demolition of some historical buildings under regeneration plans in Finchley.</p> <p>The campaign to save the Grand Arcade and Rex House - the original building it is part of - has highlighted that Barnet has many buildings and assets of architectural and historical merit that are not included on the Local List. This building is part of our inter-war heritage and there is a strong community case that it should be added to the Local List, and should not be demolished as part of the regeneration in Finchley.</p> <p>The public consultation for the Local List was conducted over the summer, for a short period of time and with very little publicity. Since the consultation closed residents have been citing examples of buildings not included and not yet nominated for inclusion on the list - particularly where there is a risk of demolition under regeneration.</p> <p>In order to conserve our heritage, I ask that the Committee refers this matter to the next Policy & Resources Committee postponed until January, with a recommendation to re-open the List for people to nominate buildings at risk, and especially for the Grand Arcade and its building to be included in the List.</p>
Paul Edwards	<p>Effects of poverty on Barnet Homes tenants</p> <p>The Council's Joint Strategic Needs Assessment cites data that the percentage of children in poverty after housing costs in Barnet ranges from 23% in High Barnet to 50% in Colindale.</p> <p>Other data from the Child Poverty Action Group suggests that the number of children in poverty in Barnet after housing costs was 24,308 or 28.99% (2017/2018).</p> <p>Responses to my Council questions recently state that:</p>

	<p>"The government's fuel poverty statistics, dated 13 June 2019, estimate that 1 in 8 households in Barnet, a total of 17,346 households in the borough, live in fuel poverty."</p> <p>And:</p> <p>"An analysis completed by the GLA found that Londoners most likely to report not being able to keep their home warm in winter include those in the lowest income quintile (31 per cent), single parents (27 per cent), those living in social rented accommodation (27 per cent) and disabled Londoners (25 percent). These are the same population subgroups at risk of food poverty, for which an extensive analysis was completed in Barnet in 2018."</p> <p>Almost 5000 people received 3 day emergency food supplies from three food banks based in Barnet alone.</p> <p>Yet, in 2016 LBB Council Tax service issued County Court Summons against 4386 CTS claimants all of whom were charged court costs.</p> <p>I believe it makes no sense to take those residents on the lowest incomes to the County Court which is only empowered to address whether the person charged does in fact owe a debt to the Council, and if so makes a judgement based on the facts. To add a further burden on tenants who are now required to make a 20% contribution to Council Tax, is simply unfair, unjust and punitive.</p> <p>I would like the Housing & Growth Committee to receive a report about the extent of income, fuel and food poverty amongst our tenants and what steps we are taking as a Committee, alongside the wider council, to ameliorate this situation. The report should also include data on the percentage of these low income tenant households that have at least one adult in paid employment, and have children.</p>
<p>Sara Conway</p>	<p>Resolving the issues affecting residents in Marsh Drive, West Hendon</p> <p>I request that the Housing & Growth Committee receives an urgent update on action to sort out the terrible living conditions for Barnet Homes tenants and residents still living in Marsh Drive, and regular updates as a standing item on the Committee agenda until the issues are resolved.</p> <p>The update should cover action to sort out the various repairs and problems in the block including the broken security system resulting in</p>

	<p>drug-taking in the hallways and burglary, the persistent problem of flooding, the damp and black mould in people's homes and the pest/vermin infestations.</p> <p>If these problems are not resolvable in the short-term, I would like the Committee to consider moving all the tenants to more suitable accommodation in the Borough, and granting them secure tenancies.</p>
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2. REASONS FOR RECOMMENDATIONS

- 2.1 No recommendations have been made. The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 N/A

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 A Member (including Members appointed as substitutes by Council) will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a committee or Sub-Committee on which s/he serves. The matter must be relevant to the terms of reference of the committee.

- 5.3.2 The referral of a motion from Full Council to a committee will not count as a Member's Item for the purposes of this rule.

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 Email received on 14 November 2019.

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Housing & Growth Committee

26th November 2019



Title	Annual Performance Review of Registered Providers (RPs)
Report of	Housing & Growth Committee Chairman Cllr Richard Cornelius
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix One- Barnet Annual Performance Review 2018/19
Officer Contact Details	Paul Shipway, paul.shipway@barnet.gov.uk, 020 8359 4924 Helen Phillips, helen.phillips@barnet.gov.uk 020 8359 4861 Nicola Bird, nicola.bird@barnet.gov.uk 020 8359 4862

Summary

Registered Providers (RPs) are key partners for the Council in delivering on the Housing Strategy goal of increasing the housing supply, including affordable housing. As the providers of accommodation for 8700 households in the borough, Registered Providers also have a key part to play in assisting tenants affected by welfare reforms, providing training and employment opportunities, improving health and wellbeing and providing effective neighbourhood management. The Council has completed an Annual Performance Review of the major RPs operating in the borough to obtain a view on how RPs are performing.

Officers Recommendations

- 1. Recommended that the report be noted**

1. WHY THIS REPORT IS NEEDED

- 1.1 At the meeting of 19th October 2015, the Housing Committee resolved that a performance review be completed on an annual basis and reported to the Committee.
- 1.2 There are 56 Registered Providers managing over 8700 homes in the borough, of which 19 have more than 100 units each, and 24 have less than 20 units each. The main Registered Providers currently developing in Barnet are Peabody, Notting Hill Genesis, Metropolitan Thames Valley, Network Homes, One Housing Group, L&Q and Clarion. In addition to this, Barnet Homes as an Arms-Length Management Organisation (ALMO) manages 13,500 tenanted and leasehold homes on behalf of the Council. Opendoor Homes, a subsidiary of Barnet Homes, was created in 2017 and aims to deliver 320 new homes by 2020 and have so far delivered 52 units.
- 1.3 The past year has seen further mergers between Registered Providers operating in Barnet. the first being Metropolitan Thames Valley, a merger between Metropolitan Housing Trust and Thames Valley Housing and secondly Anchor Trust merged with Hanover Housing Association to form Anchor Hanover, the largest provider of specialist housing and care for people in later life in England. An additional merger by Catalyst with Aldwyck Housing Group is underway. Aldwyck will be a subsidiary of Catalyst until the organisations merge fully, probably in early 2020.

Appendix 1 is an Annual Performance Report for 2018/19 for housing management and housing development activities. The review presents an analysis of the performance of seven large RPs that are building new affordable homes in Barnet and one smaller RPs for comparison reasons.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The attached review highlights that Registered Providers are providing satisfactory landlord services and that the Council continue to promote their services to encourage partnership working with RPs. Registered Providers are providing some excellent employment and training opportunities for their residents and the response to Grenfell Towers disaster has been positive with updated procedures. There was a concern with the lack of responses from L&Q largely due to a restructure, a closer working relationship has now been established.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None

4. POST DECISION IMPLEMENTATION

4.1 The Council will continue to carry out an Annual Performance Review and take up any issues where poor performance has been identified.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Barnet's Joint Strategic Needs Assessment that housing affordability is a major concern as both rents and house prices in Barnet are higher than the national average, in 2017-18 the rate of statutory homelessness in the borough was significantly higher than the national average. Registered Providers are providing more affordable homes to help meet this demand also assisting to address the themes in the Homelessness and Rough Sleeping strategy established to take into account the changes arising from the Homelessness Reduction Act 2017.

5.1.2 Barnet's Corporate Plan 2019 -24 prioritises ensuring decent quality housing that buyers and renters can afford, prioritising Barnet Residents. Registered Providers developed 211 new properties last year with 16 being shared ownership homes.

5.1.3 Barnet's Corporate Plan 2019 – 2024 highlights helping people into work and better paid employment and will see the Council continue to develop its multi-agency Welfare Reform Task Force, offering employment schemes and apprenticeships on the regeneration sites with the help of our regeneration partners

5.1.4 The Corporate plan aims to create safe and strong communities where people get along well and focusses on tackling anti-social behaviour and environmental crime by delivering targeted multi-agency interventions., Registered Providers are reported to attend the Councils MARAC which spearhead the work of the Safer Community partnership.

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

5.2.1 There are no direct resource implications arising out of this report.

5.2.2 Universal Credit Live Service had been available since 2015 in Barnet for single, new claimants and this service went live for all new claimants in May 2018. Housing Benefit continues to be paid in certain circumstances e.g. for occupants of supported accommodation or temporary accommodation. Some households living in Housing Associations, particularly affordable rented properties, will not be able to afford the rents charged. The Council will continue to work with Job Centre Plus and Barnet Homes through the Welfare Reform Taskforce to assist households affected by the cap, including those living in affordable rented properties, either by helping them to enter employment, or by securing more affordable accommodation elsewhere

5.3 Social Value

5.3.1 There are no specific social value considerations arising out of this report.

5.4 Legal and Constitutional References

5.4.1 Constitution, Article 7, Committees, Forums and Partnerships sets out the terms of reference of the Housing & Growth Committee which includes:

- Responsibility for housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing.
- Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.
- To receive reports on relevant performance information and risk on the services under the remit of the Committee.

5.4.2 Specifically the Housing & Growth Committee may submit budget proposals to the Policy and Resources Committee relating to the Committee's budget for the following year in accordance with the budget timetable.

5.4.3 Registered Providers are regulated by the Regulator of Social Housing (RSH), The RSH is an executive non-departmental public body sponsored by the ministry of housing, communities and local government (MCLG) The performance framework includes "Economic" standards such as governance and financial viability and value for money and "Consumer" standards such as tenant involvement and empowerment.

5.5 Risk Management

5.5.1 Registered Providers have a major role to play in accelerating housing development in Barnet and a reduced capacity for them to develop is a key risk that will impact on the Council's ability to provide the new homes to meet the demand from a growing population. The Welfare Reform and Work Act reduces rents by 1% every year until 2019/20. This has had an impact on the business plans of providers and their ability to build more affordable homes.

5.5.2 The Mayor of London's AHP 2016 – 2021 encourages RPs to provide 90,000 homes across London. Increased housing products including London Affordable Rent (benchmarked with target rent) London Living Rent (intermediate product for households wishing to buy in 10 years) and London Shared Ownership. There are grants available for Providers and Developers. A total of 1585 units were agreed in the allocation programme for Barnet.

5.5.3 RPs should continue to work with the Taskforce to ensure that they are correctly identifying the skillset required in Barnet, so that they can tailor training accordingly.

5.5.4 The introduction of GDPR in 2018 affects how information can be shared with Registered Providers. Information sharing agreements are being prepared for each Registered Provider and the Council website.

5.6 Equalities and Diversity

5.6.1 Pursuant to section 149 of the Equality Act 2010 ("the Act"), the council has a 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 persons with a protected characteristic and those without, and foster good

relations between persons with protected characteristics and those without.

5.6.2 The protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership but to a limited extent.

5.6.3 The Regulator of Social Housing requires Registered Providers to meet the tenant involvement and empowerment standard which provides expectations over equalities.

5.6.4 Registered Providers are key partners in the delivery of the Council’s Housing Strategy 2019 to 2024. A full Equalities Impact Assessment has been completed for the Councils Housing Strategy and concluded that the overall impact of the Strategy on the protected groups from the Equality Act 2010, as well as the Barnet Fairness Agenda, is positive. This report is for information only and therefore unlikely to result in any equalities implications.

5.7 Corporate Parenting

5.7.1 There are no specific Corporate Parenting considerations arising out of this report.

5.8 Consultation and Engagement

5.8.1 The following table shows how the Council and Re currently engage with and manage the performance of Registered Providers.

Current Engagement/Monitoring	Frequency	What’s Involved	Engagement/Performance
Annual Performance Review	Annually	Standard review issued to each larger/developing Registered Provider. Included in this review is a meeting with various staff to talk through issues in Barnet.	Engagement and performance
Barnet Housing Association Liaison Group meeting	Annually and adhoc if required.	All RPs in Barnet are invited, chaired by CEO of local RP. Agenda includes briefing from GLA, Welfare Reform and any other relevant items.	Engagement
Development Meetings	Minimum once per year	Individual meetings between larger developing RPs and Re to discuss current developments and future development plans in Barnet.	Engagement
General meetings/ Visits	Adhoc	Adhoc meetings and visits to RPs on partnership working over areas of mutual concern e.g. lettings	Engagement
Consultation on changes in Policy and Strategies	Adhoc	LBB consult with RPs on various policies and strategies. This can be done via liaison groups, forums and email consultation.	Engagement
Monitoring of lettings returns	Collected quarterly and recorded as an annual PI.	RPs provide details of lettings for each quarter to confirm that RPs have met nomination agreements. Results are verified.	Monitoring.
Development Data	Constantly	Re is in regular contact with each	Engagement and

		developing RP to discuss start on site dates, completion dates and monitoring the S106 affordable housing elements. Completion statistics are recorded as monthly KPI.	performance.
Taskforce	Regular	Taskforce consult with RPs on updates from the Taskforce or DWP via liaison groups and email consultation.	Engagement.
Community Safety MAPAC	Quarterly	Any Barnet anti-social behaviour cases that require a multi-agency approach.	Engagement

5.8 Insight

5.8.1 Insight data has not been used in this report.

6. BACKGROUND PAPERS

6.1 Relevant previous papers are listed in the table below.

Housing Committee 1 April 2019	Decision Item 8 - Housing Strategy	Agenda for Housing Committee on Monday 1st April, 2019, 7.00 pm
Housing Committee 10 October 2018	Decision Item 11 - Annual Performance review of Registered Providers	Agenda for Housing Committee on Wednesday 10th October, 2018, 7.00 pm
Housing Committee 23 October 2017	Decision Item 7 - Annual Performance Review of Registered Providers	Agenda for Housing Committee on Monday 23rd October, 2017, 7.00 pm
Housing Committee 20 October 2016	Decision Item 8 - Annual Performance review of Registered Providers	Agenda for Housing Committee on Thursday 20th October, 2016, 7.00 pm
Housing Committee 19 October 2015	Decision Item 7 - Strategic engagement with Registered Providers	Agenda for Housing Committee on Monday 19th October, 2015, 7.00 pm
Housing Committee, 27 October 2014	Decision Item 9 - Housing Strategy	http://barnet.moderngov.co.uk/eListDocuments.aspx?CId=699&MId=7936&Ver=4
Housing Committee. 27 April 2015	Decision item 10- Summary of Feedback Following Consultation on Draft Housing Strategy	http://barnet.moderngov.co.uk/eListDocuments.aspx?CId=699&MId=7938&Ver=4
Housing Committee 29 June 2015	Decision item 7- Housing Strategy.	http://barnet.moderngov.co.uk/documents/s24071/Housing%20Strategt.pdf

Barnet Annual Performance Review 2018/19

Barnet Annual Performance Review of Registered Providers.

Introduction

This review presents an analysis of the performance of Registered Providers (RPs). The report is divided into two sections. Section A looks at management performance and Section B considers development performance. The report focuses on seven larger RPs and one smaller RP in Barnet including the estate regeneration schemes in Barnet.

Background

In the year 1 April 2018 to 31 March 2019 there were seven RPs with significant stock levels either currently developing or planning to develop general needs homes in Barnet.

The seven RPs and their general needs stock levels in Barnet are shown below.

Registered Provided	Number of General Needs homes in Barnet
Notting Hill Genesis (NHG)	2360
Peabody	1049
Metropolitan Thames Valley (MTV)	675
One Housing Group (OHG)	80
Clarion	276
Network Homes	427
L&Q	134

The two smaller organisations and their stock levels in Barnet are shown below.

Registered Provided	Number of General Needs homes in Barnet
The Finchley Charities	0 (all supported)
Agudas Israel	13

The Finchley Charities have requested they be reviewed in 2019/20, this is due to completing a complex review of their organisation and have competing strategic and operational priorities that must be met and did not have the resources currently to commit to providing the information required.

There have been mergers between Registered Providers with stock in Barnet recently. November 2018 saw two mergers the first being Metropolitan Thames Valley, a merger between Metropolitan Housing Trust and Thames Valley Housing. Secondly, Anchor Trust merged with Hanover Housing Association to form Anchor Hanover, the largest provider of specialist housing and care for people in later life in England. Thames Valley Housing and Anchor Trust did not have any properties in Barnet before the mergers.

2019 has seen the merger of Catalyst with Aldwyck Housing Group, Aldwyck will be a subsidiary of Catalyst until the organisations merge fully, probably in early 2020.

A full breakdown of types of stock can be seen in **appendix 1**.

In addition, we have also monitored the following Estate Regeneration Schemes in Barnet.

The four regeneration schemes in Barnet and the number of General Needs homes completed on these estates to date are shown below: -

Scheme	Registered Providers	Number of new affordable homes
Grahame Park	NHG	424
Stonegrove	Peabody	341
West Hendon	MTV	154
Dollis Valley	L&Q	71
Total		995

Stonegrove completed on May 2018.

There are two other regeneration schemes in Barnet which are not at the development stage.

1. Granville Road (Registered Provider - One Housing Group). This scheme commenced in July 2019 and will complete by 2022 providing 46 shared ownership homes.
2. Brent Cross (Brent Cross North - Catalyst and Brent Cross South - L&Q), together will provide 1293 affordable homes to be completed by 2034.

The Performance Review

Each year the Council reviews the performance of partner RPs to assess whether they can demonstrate they meet standards in management and performance.

The expectations of our partners require regular liaison and submissions of annual performance returns specific to Barnet. In areas of poor performance, the Council will continue to work with the RPs to improve.

For this period, (April 2018 - March 2019) we will be focussing on the following areas of activity: -

Section A will focus on: -

1. Regulatory Judgements
2. Rent levels for assured and affordable tenancies in Barnet
3. Rent Arrears
4. Rent Increases
5. Nominations offered to LBB
6. Welfare Reform
7. Arrears
8. Repairs
9. Anti-Social Behaviour
10. Customer satisfaction

Where RPs performance indicators are directly comparable to Barnet Homes' data, we have also shown Barnet Homes' performance.

Open door Homes gained registered provider status in 2016 but currently do not have enough stock to use as a comparison.

Section B will focus on development.

Section A: Management Performance

1. Regulatory Judgements

The Housing and Regeneration Act 2008 states that the regulation function can only be exercised by the Ministry of Housing, Communities and Local government (MHCLG) acting through an independent Regulation Committee. The Regulator of Social Housing (RSH). The RSH is an executive non- departmental public body, sponsored by the MHCLG and is responsible for the regulation of social housing.

The Housing and Regeneration Act 2008 sets out the statutory framework within which the Regulator must operate. This framework enables the Regulator to register and regulate providers of social housing. Providers of social housing registered with the Regulator are known as "Registered Providers". Only registered providers will be regulated. The Regulatory Framework includes both the regulatory standards which providers must meet, and the way in which the Regulator carries out its functions.

The RSH has two objectives: an economic regulation objective and a consumer regulation objective.

There are three economic standards: -

- Governance and Financial Viability
- Value for Money
- Rent

The consumer Standards are: -

- Home
- Neighbourhood & Community
- Tenancy
- Tenant Involvement & Empowerment

The RSH review each provider and for those with more than 1000 units they also carry out periodic in-depth Assessments (IDA's).

Providers are assessed on a scale from G1/V1 to G4/V4, where G1/V1 means the provider meets the requirements and G4/V4 means the provider does not meet the requirements.

The following table shows the results summary for the regulatory judgements for the seven larger registered providers.

Registered Providers	Governance	Viability	Position of Travel since 2017/18
Notting Hill Genesis (NHG)	G1	V2	↓
Peabody	G1	V2	↔
Metropolitan Thames Valley (MTV)	G1	V2	↓
One Housing Group (OHG)	G2	V2	↔
Network Homes	G1	V2	↔
L&Q	G1	V1	↔
Clarion	G1	V1	n/a

Registered providers of less than 1000 units are not subject to these judgements. Therefore, Agudas Israel does not have a regulatory judgement.

2. Rent Levels

Social Rents

Social Rent is low cost rental accommodation that is typically made available at rent levels that are set in accordance with the rent component of the Tenancy Standard on the basis of the Rent Influencing Regime guidance.

Rent policy is subject to the tenancy standard and social rent levels should be calculated according to a formula based on relative property values and relative local earnings.

London affordable rent is a type of affordable rent based on social rent levels.

The following table shows the average weekly net assured (social rent/ London affordable rent) rents (i.e. exclusive of service charges) charged in 2018/19.

Registered Provider	Bedsit £	1 bed £	2 bed £	3 bed £	4 bed £	5 bed £
Barnet Homes	82.82	98.66	110.46	122.62	132.94	154.20
NHG	89.68	111.88	125.26	141.34	150.51	
Peabody		102.24	123.12	137.7	146.72	151.05
MTV	101.27	128.9	140.98	153.53	160.71	
L&Q			130.54	143.51		
OHG		134.07	131.49	144.37	156.12	
Clarion		124.77	128.26	150.90	160.03	

Network Stadium	99.31	123.96	136.56	156.75	287.93	131.05
Agudas Israel			298.00	332.00	461.00	

The Welfare Reform and Work Act 2016 required Registered Providers of social housing in England to reduce social housing rents by 1% a year for 4 years up to the end of the 2019/20 financial year. For social rent properties, the reduction applies to the rent element and not to service charges. For most Affordable Rent properties, the reduction applies to the total amount, inclusive of service charges. All Registered Providers in this review have confirmed that they have conformed to this regulation with the exception of any properties that are exempt.

The following table shows the average weekly net assured rents for flats and houses and service charges for flats charged for new regeneration developments in Barnet in 2018/19

Development	Bedsit £	1 bed £	2 bed £	3 bed £	4 bed £	5 bed £
NHG Graham Park rent		106.55	120.96	143.72	159.00	168.68
NHG Graham Park SC		10.55	23.27	22.76		
Peabody – Stonegrove rent		104.46	123.67	142.23	160.19	161.37
Peabody – Stonegrove SC		29.01	31.70	39.23		
MTV -West Hendon rent	90.31	107.11	126.92	142.43	153.81	
MTV -West Hendon SC		9.60	10.86	17.83	7.52	
L&Q – Dollis Valley rent		116.59	119.97	154.31	160.24	
L& Q – Dollis Valley SC		23.30	29.63		11.21	

Affordable Rents

Affordable Rent is a form of low cost rental social housing, as defined by s69 of the Housing and Regeneration Act 2008, The maximum rental level for Affordable Rent should be no more than 80% of gross market rent (inclusive of service charges).

In Barnet, the total weekly rent inclusive of service charges for new properties should be 65% of market rent and within local LHA levels. All apart from Agudas Israel are within this figure and adopt a flexible approach when assessing new residents at letting. Agudas Israel have one property over this level but within 80% of market rent.

The table below shows the weekly affordable rent levels in Barnet for new lets in 2018/19

Registered Provider	1 bed £	2 bed £	3 bed £	4 bed £
NHG	235.66	244.22	285.00	
Peabody	124.19	119.63		
MTV				
OHG	176.46	218.01	281.73	
Clarion	142.30	177.68	277.53	306.78
Network Homes	212.56			
L& Q	181.22			
Agudas Israel	253.00	259.00	223.00	

3. Rent Arrears

Rent Collection is a key element of Housing Management. House Mark report the performance of Housing Organisations rent collection, an efficient rent collection service is important to ensuring that as much of the rent due, and thus potential income due to the landlord, is collected and received.

The Council have set a target of 3.10% for arrears collection; however, House Mark statistics show the average rent arrears for London to be 4.1%. All providers except for Peabody and One Housing Group are below 4.1%. Peabody and One Housing Group were asked to comment on their performance: -

Peabody – *At the end of March 2019 we had 91 Universal Credit cases in Barnet (full roll out is in May 19) and the arrears on these cases alone stood at 14.85%, this has now increased to 115 cases and arrears are 17.95%, so the roll out of UC has had an undoubtedly adverse effect on the overall figures. We have recently rolled out a number of new compliance tools to the collections team and are already seeing positive effects with arrears on several patches reducing. The target for the Barnet patch has been reduced to 4.47% for 19.20.*

One Housing Group – *One Housing Group continued to be impacted by welfare benefits changes like Universal Credit (UC), underoccupancy and benefit cap. There are mitigating actions in place sufficient to deal with the changes, however the position continues to be monitored closely, especially as UC cases increase.*

4. Nominations offered to LBB

The Tenancy Standard requires that Registered Providers contribute to Local Authority strategic housing function and sustainable communities. In Barnet, the standard nominations agreement requires associations to offer 50% of non-family accommodation and 75% of family sized accommodation (2 bedroom and above) eligible properties to council nominees. Eligible properties are newly built properties or re-let vacancies that are the result of the death of the tenant, eviction, or the household moving out of the borough.

In addition, all schemes which are funded by the Council or are built on council land or have a S106 Agreement require 100% nominations in perpetuity.

London Borough of Barnet (Re) monitor and validate all lettings by Registered Providers in the borough. There was a total of 87 lettings for family sized accommodation in 2018/19, London Borough of Barnet would be entitled to 59 of these but in fact received 62 therefore exceeding the performance indicator for this area. All the registered providers reviewed in this review met their target except for One Housing Group. One Housing Group had a letting on a 100% nominations agreement which they did not offer to London Borough of Barnet as had not realised it was under a S106 agreement. Options for repaying this nomination are currently being explored.

5. Welfare Reform

Welfare Reform changes continued to have an impact in Barnet in 2018/19. At the end of the year there were 632 households affected by the overall benefit cap (749 March 2018).

The most significant change in 2018/19 was the Universal Credit Full Service roll out. Universal Credit Live Service had been available since 2015 in Barnet for single, new claimants and this service went live for all new claimants in May 2018. Housing Benefit continues to be paid in certain circumstances e.g. for occupants of supported accommodation or temporary accommodation.

In April 2019, there were 9,630 people claiming Universal Credit in Barnet. Of these 31% are working, 52% looking for work and 17% are not required to work.

The Work and Health Programme was launched in 2018. This programme is run by DWP and replaced the Work Programme as a means of more intensive support for long term unemployed. In Barnet, it is provided by Groundwork London on behalf of Shaw Trust in a contract arranged by West London Alliance. Clients can be referred with physical and mental health conditions and the West London Alliance contract also allows for those affected by the Benefit Cap or Homelessness to be referred. RPs can refer direct to this programme.

Upcoming issues in 2019/20:

- The new Council Tax Support provision which went live in April 2019 means that the minimum contribution has increased from 20% to 28%. However, a new banding system means that clients will not need to register changes in circumstances as often.
- Benefit Cap continues to affect claimants under UC but it is more difficult for Welfare Reform Task Force to support them as they will now need to be referred rather than coming directly through the team via Housing Benefit. Partners are asked to remind staff to refer any benefit capped clients to the Task Force using the contact details below.
- Changes to the delivery of support for Universal Credit claimants. Universal Support contract delivered by the Council through the Welfare Reform Task Force ended 31 March 2019. Help To Claim started in April 2019 and is run nationally by Citizens Advice. Provision is made to help clients up to first payment and includes digital help and help with discretionary payments. Barnet CAB are providing this in job centres in Barnet and will also work from BOOST offices.

RPs are updated on amendments and general information through the Barnet Housing Association Liaison Group.

Appendix 2 shows the current position for each larger Registered Provider and some examples of what skills and employment opportunities they have on offer.

6. Repairs Performance

The Regulatory Framework requires Registered Providers to *'provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of and offers choices to tenants and has the objective of completing repairs and improvements 'right first time'*. Each Registered Provider is required to meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

There is no generic standard for repairs reported by Registered Providers but the majority report on satisfaction levels. Housemark have reported the average percentage of tenants satisfied with the repairs and maintenance service as 75.2% within the London area. We would like to see all RPs having a higher level of satisfaction than this, those that haven't have provided commentary below.

Notting Hill Genesis do not have local authority level satisfaction for repairs and do not record repairs completed first time or time taken to complete a repair.

Peabody (66.27%) Repairs have been delayed due to integration issues post the merger of Family Mosaic and Peabody. A number of interface issues as a result of system upgrades meant an increased administrative burden with our suppliers which had an adverse impact on customer satisfaction, time taken to complete and %

completed first visit. We are still working closely with the key contractor in this area and hope to see improvements in the close future.

Metropolitan Thames Valley (56.7%) We have had poor performance from our heating contractors for the period in question (sub 80) whilst our responsive repairs contractors Metworks and Morgan Sindall have performed well however, due to the performance of the other contractors we had been working with, figures have come regrettably come down. As above, with the changes we have made, we expect to see much better figures in the coming year.

All the Registered Providers except Peabody confirm that they have no properties with category 1 Hazards in accordance with Housing Health Safety Rating Scheme. Peabody have 17 units with Category 1 Hazards, all are fire and are being actioned.

All Registered Providers confirmed that at least 99.8% of their eligible stock has a valid gas safety certificate.

7. Customer Satisfaction

As part of the regulatory framework, RPs have to meet the tenant involvement and empowerment standard with required outcomes over the following: -

- Customer service, choice and complaints
- Involvement and empowerment
- Understanding and responding to the diverse needs of tenants
- Customer service, choice and complaints
- Involvement and empowerment
- Understanding and responding to diverse needs

Customer satisfaction statistics provided from surveys can give an indication as to how well the RP is doing in this area.

Most organisations employ independent organisations to complete random customer satisfaction surveys and in addition survey after incidences of ASB, repairs and formal complaints.

The Table below shows the level of satisfaction for each Registered Provider that completes surveys.

	% of Respondents very or fairly satisfied their views are being listened to and acted upon	% of respondents very or fairly satisfied with the service provided
Peabody	49.63	62.96
One Housing Group		88.24
Network Homes		92
L&Q	80	90

Clarion – Do not measure down as far as borough, only at regional level. They overall customer satisfaction level for North London is 64.2%.

Peabody – Peabody use a target of 70% for satisfaction with services, they have advised that their lower levels for Barnet is largely due to high levels of home ownership. Homeowners in general have higher expectations than other tenures.

8. Anti-social Behaviour

The Neighbourhood and Community Standard require Registered Providers to keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They should work in partnership with their tenants and other providers and public bodies where it is effective to do so.

The Barnet Community Safety MARAC (multi-agency risk assessment case conference) is a multi-agency meeting where stakeholders across the community safety partnership come together to discuss and resolve complex, high risk anti-social behaviour cases and includes the following members: -

- Barnet Community Safety Team
- Police
- Children's Services - Youth Offending Service, Social Care, Youth Service, Family First and a representative from schools
- Housing (Council and other Social Landlords)
- Barnet Homes
- National Probation Service (NPS) and CRC
- Victim support
- Mental Health Services

Not all Registered Providers attend this meeting, some attend as and when they have cases to be discussed as deal with ASB inhouse with a high success rate. The case conference has been promoted further to encourage attendance.

Two registered Providers have identified the main area of concern with ASB being drug related and not necessarily their residents.

MTV have reported their main area of concern with ASB in Barnet is Mental Health, due to the limited resources and facilities available to Metropolitan Housing they are heavily reliant on the support and assistance of Barnet Social Services. Going forward they would like to encourage joint working with Social Services for residents to ensure they are safe and do not pose a risk to others.

9. Resident Involvement & Digital Services

The Tenant Involvement and Empowerment Standard requires Registered Providers to provide a range of opportunities to be involved in, all Registered Providers in this review do offer a range of opportunities for residents to be involved in such as estate inspections, consultation events and resident scrutiny groups. Registered Providers were asked to report any services that have changed, been implemented or withdrawn as a result of resident involvement. Clarion, Network Homes, L&Q and Agudas Israel have not reported any changes throughout 2018/19.

Here is a snap shot of some of the changes over the last year: -

NHG Residents have been testing new technologies.

Peabody Creation of two resident groups, the Resident Scrutiny Group, and the Resident Strategy and Policy Group, these two groups are reviewing

- complaints handling process,
- our plans for a new target operating model in Customer Services,
- our repairs procurement process,
- our strategy for the Peabody Community Foundation,
- our older people strategy and
- our approach to design and sustainability.

These reviews will be considered by the Board and we are looking forward to incorporating their recommendations into our plans for these areas

MTV Quarterly, programmes are assessed and reviewed in the last quarter four programmes have been removed from provision and replaced with four alternative programmes all advertised on the west Hendon community Hub.

One Housing Group In consultation with residents developed an action plan for resident engagement, with 7 clear objectives. This has provided a clearer resident involvement focus and increased opportunities for residents.

Welfare Reform has seen many Registered Providers helping their tenants to get online, both to improve their skills and access essential services. More Registered Providers are offering online services as well as more traditional methods for services such as paying rent and reporting repairs. All Registered Providers in this review offer on line services but Agudas Israel and L&Q are yet to facilitate this.

10. Fire Safety Policy and Procedures

As a response to the Grenfell Towers tragedy the Council contacted all Registered Providers asking them to identify all tall residential buildings in Barnet that they are responsible for, which have potentially similar cladding. There were only two Registered Providers with similar cladding which has now been removed and replaced. In addition, we have asked RP's to provide further information regarding improving fire safety policy and procedures. These are summarised below: -

NHG

- Extensive review of schemes and the materials used in their construction.
- Reviewed the fire risk assessments and created new teams to deal with their actions.
- Ran a large project named safe places to tackle items within the communal areas and enforce a zero tolerance to this within schemes.
- Reviewed estate inspection programme to increase the frequency of inspections at blocks over 18m.
- Increased communication with residents about fire safety and the roles of residents to maintain their homes and blocks

Peabody

- Undertook an immediate inspection of all blocks over 6 storey's and instigated a program for any immediate remedial action.
- Most of the Peabody Policies and Procedures have been reviewed and revised including Peabody's Fire Risk Management System.
- Dedicated Fire Risk Assessment Team constantly assesses properties working with partners to ensure compliance and best practice.
- Undertake periodic fire safety inspections of the communal areas of a property
- Assesses tenants who may not be able to make their own way out their property, or with difficulty, with alternative options such as different detection system or a low moment door closer to the flat door.

MHT

- Complete sporadic checks across all blocks including quarterly inspections.
- Work with external contractors to fire check all our estates and ensure they are compliant.
- Items in the communal areas are cleared as soon as possible, communal doors are regularly checked along with any fire safety systems that are installed in units.
- One HousingThe Fire safety policy is reviewed every 2 years. This was last undertaken in November 2018 and is next scheduled for review in 2020. This was not done because of the Grenfell fire but as part of normal business. There were no significant changes to this policy.
- Other changes that have been made are to bring in house the fire risk assessors as opposed to the use of external consultants. This has improved our consistency and knowledge of our housing portfolio.
- Additionally, we have improved the quality of the content of the fire risk assessments through detailed quality assurance processes. The assessors are working towards professional accreditation.

One Housing Group

- Adopt a zero-tolerance policy for the communal areas. This is monitored by locally based housing officers and through fire risk assessments.
- Undertake tenancy audits to individual properties and conduct regular estate inspections of buildings and estates
- Introduced a new service model with a dedicated property management team, focusing on the quality and safety of our properties, buildings and estates, and work with other critical teams to achieve this.
- Introduced a specialist resident management team, who are responsible for complex case management and tenancy enforcement, as well as increased resources in our Community Safety team to assist with our more vulnerable residents.
- On-going programme of assessing cladding on low rise stock along with our Fire Risk Assessment Programme.

Clarion

- Invested significant resources in improving fire safety in High Risk Residential Buildings (HRRB) as well as other properties.
- Contributor to the Judith Hackitt Working Groups working in partnership with key stakeholders to reduce risk to all residents in a number of ways.
- Established Policy & Procedures support the robust management of common areas by the appropriate Departments and contribute to mitigating fire risk.
- LFB Risk Based Inspection Programme (RBIP) that has been targeting HRRB as well as Converted Street Properties and Specialized Housing. Clarion maintains an excellent working relationship with the LFB and deal with recommendation using established processes.
- FRAS on all our buildings and have a programme to managing remedial actions.
- block specific fire safety leaflet for all residents living in blocks 6 stories or higher.
- Zero tolerance on items in communal areas with use of TORT notices.

Network Homes

- Zero tolerance on items in communal areas, all items are removed.
- FRA Inspections

L&Q

- Reviewed Fire Safety Policy and Estate Inspection Procedure to ensure great focus on fire safety.
- Zero tolerance on communal areas to create sterile communal areas.

Agudas Israel

- FRA Inspections

11. Overall Performance and Commentary

Overall the performance of each RP is good and has either remained the same or improved since last year. One Housing Group is the only Registered Provider to

decline in performance since last year, we are currently working with them to improve.

The table below provides a breakdown of performance.

Registered Provider	Rent Arrears		Nominations family sized		Repairs		No of areas performance has been met		Direction of Travel from 2017.18
	17.18	18.19	17.18	18.19	17.18	18.19	17.18	18.19	
NHG	y	y	n	y	y	n	2	2	↔
Peabody	n	n	n	y	n/a	n	0	1	↑
MTV	y	y	y	y	n/a	n	2	2	↔
OHG	n	n	y	n	y	y	2	1	↓
Clarion		y		y		y		3	↑
Network Homes	n	y	Y	y	y	y	2	3	↑
L&Q	n	y	y	y	n/a	y	1	2	↑
Agudas Israel		y		y		y		3	↔

As a result of the review we would continue to recommend the Registered Providers to developers on new Housing Developments.

SECTION B

Development

In 2018/19 there were 211 affordable housing completions in Barnet. The following table shows a breakdown of these completions.

Registered Provider	Scheme	Total Affordable Completions.
L&Q	Dollis Valley	16
MHT	West Hendon	54
Optivo	1201 High Road, Whetstone	19
Nottingham Genesis	Millbrook Park, Phase 4a	1
Barnet Homes/ Open Door	Various Schemes	90
Clarion	Sweets Way	15
The Finchley Charities	Thrackrah Close	16

It is important to maintain an effective partnership between the Council and each developing Registered Provider to ensure schemes are run smoothly and efficiently. Regular meetings on and off site are held with all developing Registered Providers to monitor progress of each scheme.

The following table shows the current developments which are currently on site. Expected completions for the year 2019.20 are 378 affordable homes, these are either predominately through the requirements of S106 schemes or a Regeneration Development Agreement.

Registered Provider	Scheme Name	Total Affordable Completions
L&Q	Dollis Valley	32
MTV	West Hendon	64
Origin	Millbrook Park Phase 4b	29
L&Q	Homebase, The Hyde NW9	257
L&Q	Medical Research Centre	183
Network Homes	112 – 132 Cricklewood Lane	21
Origin	Adastra House, Nether Street	7
Peabody	Colindale Gardens (Peel Centre)	305
Open Door	Various	153

Clarion	117-25 West Hendon Broadway	43
Notting Hill Genesis	Elmbank EN5	24
One Housing Group	Granville Road	46
Clarion	Sweets Way	59

L&Q

L&Q are the chosen provider for Dollis Valley, phase 2 is completed and phase 3 is expected to start on site later this year. The Hyde is progressing this will provide a total of 257 affordable housing. L&Q are also the chosen provider for the medical research centre aiming to provide 52 of the 54-affordable rent in 2019.20 and the remaining rented and 131 shared ownership units in a phased development over the next few years. They have now put a temporary hold on all future developments.

One Housing Group

One Housing Group is the chosen provider for Granville Road; this will provide 46 shared ownership units. They have also entered into a contract for Victoria Quarter providing 67 affordable units due to start in Q1 2020.21 and are hoping to increase the AH.

Notting Hill Genesis

Notting Hill Genesis have completed on Elmbank in EN5 providing 24 affordable homes and are currently working with Telford Homes on the TFL bid for the Colindale Station development. Notting Hill Genesis are the Registered Provider for Grahame Park and shortly applying for planning approval for Plot 10 block A.

Clarion

Started on site at Sweets Way delivering 53 affordable units by 2023 and also have 43 Affordable Housing units completing in West Hendon Broadway in September 19.

MTV

In addition to the regeneration scheme at West Hendon, MTV have planning for a Westhorpe Gardens which will provide 102 social rent, 43 outright sale, 34 affordable rent for over 55's and 57 low cost home ownership properties.

Peabody

Colindale Gardens Phase 1 is on site and progressing, providing 162 affordable units due to complete by March 2020. They are hoping to secure a further block at Colindale Gardens.

Network Homes

They are currently working on two schemes Premier Place which will provide 126 affordable homes by December 2021 and 112 – 132 Cricklewood Lane providing 21 affordable homes in 2019. They are interested in the Broadway, in Burnt Oak providing 100 affordable homes by 2022.

Agudas Israel – are planning a development in Golders Green Road to provide 15 dwellings.

Appendix 1

The table below shows a full breakdown of types of stock for the Registered Social Landlords.

	General Needs	Supported Housing	Wheelchair Units	Shared Ownership	leasehold	Other	Total	No of void units
Notting Hill Genesis	2360	117		642	445	169	3733	71
Notting Hill Genesis – Grahame Park	424	0		248	247	4	923	3
Peabody	1049	14		168	72		1303	6
Peabody-Stonegrove	341			126	21		488	3
Metropolitan Thames Valley	675	82		87	17	135	869	0
Metropolitan Thames Valley-West Hendon	190			20			210	7
One Housing Group	80	16	122	0		9	227	33
Clarion	276		2	10	25	58	371	2
Network Homes	427	48	2	157	111	72	817	11
L & Q	119	0	0	9	2	4	134	1
L&Q - Dollis Valley	71	0	0	0	0	0	71	0
Barnet Homes	9708	0	7	14	Inc in other	3730	13459	20
Agudas Israel	13	0	0	5	16		34	

Appendix 2

A summary showing the number of tenants affected by Universal Credit and number in arrears (larger RP's)

	NHG	Peabody	MTV	OHG	Clarion	Network Homes	L&Q
Number of tenants affected by Universal Credit	252	23	63	10	50	35	unknown

An example of some of the employment and skills opportunities being offered by each Registered Provider.

Notting Hill Genesis

- Enterprise Programme – Capacity building programme to support individuals who wish to start their own business which includes training and 121 supports.
- Volunteering provided through partners such as Colindale Community Trust and Groundwork as well as the loop.
- Repurpose – up cycling project providing training, volunteering and employment opportunities for residents.
- Over the last 12 months supported 28 people into employment through employment services. The Work Club has supported 31 individuals providing cv support, job search and interview skills support. The jobs secured have been in the care sector, retail, catering, cleaner and graphic design sectors.
- Accredited and non-accredited training has been provided to 455 people through Barnet and Southgate College, Voluntary and Community Sector, CCT and The Loop. Training has included creative writing, pre-employment support, confidence building, self-employment support, ESOL, First Aid, Mindfulness and BOOST employment courses.
- 17 residents have been registered on the Self Employment Programme. 65 volunteer placements provided on Grahame Park within CCT, The Loop and Notting Hill Genesis.

Peabody

- Peabody Community Foundation invests around £1m on employment related support activity each year and supports over 1000 people into work, better paid work and apprenticeships annually.
- Residents of Barnet can access employment support from Old Oak, Bruce House, Hugh Cubitt, Pembury and Saxon Close in neighboring boroughs. The service offers guidance on CV writing, completing application forms, job search techniques and interview preparation and practice.

- Offer training, qualifications and work-related skills to support personal development and progression.
- Biannual jobs and apprenticeship fairs which provides access to a range of employment opportunities

MTV

- Several Employment and Training Skills initiatives as well as health, wellbeing and recreational activities are currently being delivered and accessed by residents to improve their wellbeing, develop new skills, employment opportunities or further their career.
- To year end 2019 they actively engaged with over 528 residents within West Hendon and surrounding wards through door knocking exercise, face to face, questioners / survey and social media of these, 364 residents are either actively engaged in employment, training and wellbeing programmes or participated in activities provided by MTVH.

One Housing Group

- One Housing offer training and employment support to tenants and supported customers seeking employment, career progression and training opportunities services are advertised to all tenants via rent statements each quarter and on their website.
- Work with RSL's operating in LB Barnet and have signposted those seeking employment support to agencies providing similar support. For those who do take up of support offer (approximately 20) provide:
 - motivational one-to-one career coaching linked to a realistic action plan
 - guidance and support in creating and completing CVs, cover letters and application forms
 - Pre-employment intensive training, peer support & motivation workshops
 - work placements, work shadowing and mock interviews
 - access to free accredited and non-accredited training
 - apprenticeship opportunities and job brokerage
 - in work support (benefit guidance/training/funding)
 - an in-house wellbeing programme building resilience

Clarion

- Deliver the Love London Working Programme in the London Borough of Barnet. offering training support with Functional & Employability Skills.
- In the last 12 months 138 LB of Barnet Residents have engaged on the Love London Working Programme with 26 Residents securing Employment, a total of 226 Barnet residents have been involved or engaged in the last 3 years.

Network Homes

- Offer a Work Experience- Upskills resident and helps them gain practical work experience
- Currently 4 Apprentices working for the contractors on different sites.
- Offer one week construction course and a 2 weeks work placement.

L&Q

- Job Ready provides employability case work to residents to support them towards paid work.
- Offer bursaries of up to £500 is available to residents to access training and skills development to meet needs identified with their adviser
- Vocational / sector skills training which give industry-specific training and help people secure work.
- in-house jobs brokerage, through which we partner with major employers across London and the south-east to place our customers into their vacancies.

Housing and Growth Committee

AGENDA ITEM 8

26th November 2019



Title	Grahame Park: PDA Variation Update
Report of	Councillor Richard Cornelius
Wards	Colindale
Status	Public with an accompanying Exempt Appendix
Urgent	No
Key	Yes
Enclosures	Appendix 1 – Original Public ARG Report Exempt Appendix 2 – Exempt ARG Report
Officer Contact Details	Cath Shaw, Deputy Chief Executive 0208 359 4716 Martin Smith, Regeneration Manager 0208 359 7419

Summary

We are submitting this Committee Report to clarify and amend the decision made by Assets, Regeneration and Growth Committee on 25th March 2019. We wish to replace the decision at item 10 no 4 of the decision made on 25th March 2019 with the recommendation below.

Officers Recommendations

1. That the Committee agrees that should be it necessary to provide compensation costs for the demolition at 2.15 (on the original report) that this is referred to the Policy and Resources Committee at the appropriate time for information.

1. WHY THIS REPORT IS NEEDED

As per the original Assets, Regeneration and Growth Committee Report

2. REASONS FOR RECOMMENDATIONS

As per the original Assets, Regeneration and Growth Committee Report. The cost of demolition is now estimated at £1.4m which is considerably less than previously envisaged. The funds for this will be available from [Housing Revenue Account] and it is not necessary to obtain approval from Policy & Resources Committee.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

As per the original Assets, Regeneration and Growth Committee Report

4. POST DECISION IMPLEMENTATION

As per the original Assets, Regeneration and Growth Committee Report

5. IMPLICATIONS OF DECISION


As per the original Assets, Regeneration and Growth Committee Report, and

5.3 Legal and Constitutional References

Article 7 of the Council's Constitution, section 7.5 Responsibility for Functions states that the Housing and Growth Committee terms of reference includes; Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.

6. BACKGROUND PAPERS

6.3 Assets, Regeneration and Growth Committee Report 25th March 2019

	<p>Assets, Regeneration, and Growth</p> <p>25/03/2019</p>
Title	Grahame Park: PDA variation update
Report of	Cllr. Daniel Thomas
Wards	Colindale
Status	Public
Urgent	No
Key	Yes
Enclosures	<i>none</i>
Officer Contact Details	<p>Cath Shaw, Deputy Chief Executive 0208 359 4716</p> <p>Martin Smith, Regeneration Manager 0208 359 7419</p>
Summary	
<p>The Grahame Park Regeneration Programme is nearing the successful completion of stage A. Following the mayoral refusal in December 2017 of an earlier proposal, the Council and its partners, Choices for Grahame Park Ltd (CfGP) and Notting Hill Genesis Housing (NHG) are about to embark on stage B with a new planning application for the concourse (plots 10,11, and 12) being developed for submission in summer 2019. As part of this they have agreed a wide range of adaptations to the phasing, design, delivery, and funding of the programme, building on variations agreed by this committee at its meeting of April 24th, 2017.</p> <p>These amendments need to be included in the Principal Development Agreement (PDA), the agreed development contract between London Borough of Barnet (LBB), CFGP and NHG. There are three new important variations which the committee is requested to consider; a revised profit share agreement, an 'underwrite' of the demolition costs, and a 'carve-out' to permit early housing development within the existing red line by Barnet Homes.</p>	

Recommendations	
<p>1. That the Committee agrees in principle the proposed PDA variations at 2.14, 2.15 and 2.18 (with consequential and updating amendments) and authorises the Deputy</p>	

Chief Executive, in consultation with the Chairman of the Committee to agree the final deed of variation.

2. That the Committee agrees that should it be necessary to underwrite the demolition costs at 2.15, that this is referred to the Policy and Resources Committee for approval

1. WHY THIS REPORT IS NEEDED

- 1.1 Since its formal adoption in 2007 the Grahame Park PDA has been varied by the agreement of both parties. Previous years have seen considerable changes within stage A, such as the construction of the council's new office and Barnet and Southgate College. The first phase of stage B is still in the early planning stages but major changes from the original masterplan are under consideration. To minimise the risk to both parties' significant changes to the scheme both retrospective and going forward need to be recorded in the PDA. The purpose of this report is to seek approval for three new and significant variations to the PDA.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Grahame Park estate was built in the 1960s and 1970s by the Greater London Council, with 1777 units built around a central 'concourse'. In 2007 the Council signed a development agreement with CFGP and PCHA Limited for redevelopment of the estate to provide 3,400 units in two stages. Genesis Housing Association(GHA)later succeeded PCHA Limited and GHA have since merged with another housing association (Notting Hill) to form NHG, in keeping with common practice at the time, the development agreement sought to replace a mono-tenure estate with a mixed tenure development, enabling both a broader social mix and the use of profits from market sale housing to fund affordable housing and community facilities.
- 2.2 Stage A, comprising 685 new units, was partly delivered prior to the economic downturn and substantively completed in July 2018. A review of stage B in Autumn 2013 concluded that the original master plan was no longer fit for purpose, and should be updated to reflect the demand for family housing and more traditional street layouts. It noted that the critical first step was the demolition of the concourse, to challenge the 'estate feel', create a better environment for residents, and improve sales values. The Autumn 2013 report also concluded that there were significant viability and cash flow challenges in delivering the scheme.
- 2.3 Since then the Council has agreed a revised Supplementary Planning Document (SPD) to govern the development of Stage B. The SPD was formally adopted at full Council in July 2016. The SPD doesn't affect existing Council policy about re-housing council tenants i.e. secure council tenants housed before 2003 will be re-housed in a new home in Grahame Park provided by GHA. The existing section 106 agreement, agreed in 2007 and still valid requires the provision of social rented, shared ownership and low-

cost units. On completion of stage A, NHG will have provided a total of 685 new homes of which 299 (44%) will be private sale or rent. The remainder will be affordable with 236 (35%) social rent, 38 (5%) affordable rent and 112 (16%) shared ownership

- 2.4 In addition, Plot 8, which formed part of Stage A, has become the site for the Council's new office building and plot 7 the site for the re-located Barnet and Southgate College, Colindale library, and the Centre for Independent Living
- 2.5 Following formal agreement of the Principal Development Agreement (PDA) in 2007 both parties have periodically agreed amendments to the PDA to enable the scheme to continue in a changing financial and legislative climate.
- 2.6 GHA merged with Notting Hill Housing Trust in April 2018 to create a much larger and more financially stable entity (NHG). The newly merged organisation has Strategic Partner status for development with the GLA – which means that NHG has agreed to re-cycle surpluses and grant receipts across its development programme to fund the Grahame Park programme.
- 2.7 There are three significant new variations currently under consideration. The first two relate directly to the evolving plans for stage B; a proposed amendment to the profit share agreement between LBB and NHG and a commitment by LBB to underwrite the demolition costs of plot 10 in the event of a failure of the scheme to proceed. The third variation relates to proposed in-fill development, by Barnet Homes, in the retention and renewal area.
- 2.8 NHG is currently preparing a new planning application for the Concourse area (Stage B, which comprises 3 large plots), providing circa 2000 new homes (of which 50% are planned to be affordable) as well as new community facilities and the re-alignment of Lanacre Avenue to provide new transport links. They hope to make the formal planning submission in the summer of 2019
- 2.9 The proposed scheme will mean a commitment from NHG to invest in Stage B, including an investment subsidy allocated under NHG's Strategic Partnering agreement with the GLA and a further £56m of Government subsidy in the form of an infrastructure loan allocated by Homes England.
- 2.10 The financial arrangements in the PDA have not changed since 2007, despite there being a significant change in 2010 to the funding regime for affordable housing. Prior to 2010, Housing Associations received Government grant funding that covered approximately 75% of the cost of providing social rented affordable homes. In 2010 Government changes meant that housing associations were required to fund a much higher proportion of the cost of providing such homes - approximately 75% - through commercial borrowing and private investment. Therefore NHG, (like other Housing Associations) must satisfy its lenders that it is running the business responsibly, is taking full account of the development risks, and

must comply with a series of covenants from those lenders. As a result, the newly merged organisation, NHG, must set investment returns for new projects in order that the whole business can continue to operate within the lender's requirements.

- 2.11 NHG's lenders, in line with industry standard returns for development projects, therefore require new projects to achieve a minimum risk margin /profit (on the sale of private residential and commercial property only).
- 2.12 Under the PDA as currently structured, whereas LBB contributes the land element, NHG meets all the considerable upfront risk of buybacks and the rehousing costs of secure tenants. This is not now a sustainable position, especially given the significant changes in affordable housing funding since 2010 that now requires substantial internal subsidy by NHG to replace government grant for the social rented homes.
- 2.13 Estate regeneration projects rely on the cross-subsidy of profit from the sale of private homes to pay for the affordable homes, especially social rented homes which pay back far less than their cost of provision.

2.14 **The profit share proposal;**

NHG view the regeneration of Grahame Park as a corporate priority. They have continued to buyback leasehold properties and fund initial feasibility and design work. However, to continue with the regeneration of Grahame Park NHG is proposing that:

- Currently the PDA provides for any phase-by-phase profits to be rolled over, and any residual distributed at the end of the scheme. NHG are seeking instead to account for the project on a phase-by-phase basis.
- Each phase will be subject to a viability test with a hurdle rate of profit on the private residential and commercial unit development (only). Meeting the hurdle rate is a precondition to commencing the phase unless NHG waive the pre-condition. Surpluses more than the agreed rate would be shared between NHG and the Council.
- To facilitate viability, particularly given the significant proportion of affordable housing required of each phase, considering GLA grant, NHG will underwrite the cost of affordable tenures.

NHG believe this is the only way that it can take forward the regeneration of Grahame Park and meet its corporate commitments and commitments to lenders

NHG is much better resourced than GHA was (in terms of people, expertise and finance) to take on this challenging project and would hope to make rapid progress on Grahame Park in the next 12 months commencing with the demolition of plot 10.

NHG is now a major developer in London with a pipeline of almost 12,000 homes over the next 6 years. However, with increasing uncertainty in the housing market, NHG must take account of fluctuating sales market risk in terms of its longer- term business plans and commitments.

The impact of the proposed increase in NHG's profit on sales on LBB needs to be seen in the wider context of the scheme. NHG are bringing into the scheme significant additional capital funding (iro £20m) from within their own resources. Stage B of the Grahame Park scheme has always struggled with viability due to substantial up-front capital costs Without this additional funding from NHG the scheme will fail to meet viability requirements and as such will be unable to proceed. Therefore, by accepting a reduction in potential profits LBB is ensuring the progress of the scheme as a whole and the delivery of massive and long- lasting change in Grahame Park

2.15 The demolition 'underwrite' proposal

2.16 The second variation to the PDA relates to the demolition of plot 10. Under the terms of the revised phasing plan this will be the first major intervention in Stage B. It is proposed that seven residential blocks comprising around 200 residential units; Nisbet, Napier, Nimrod, Nicholson, Nighthawk and Noel and around 30 garages are demolished initially. NHG have commenced the procurement of a demolition contractor and will award the demolition contract at their board meeting of July 25. The area to be demolished retains only one remaining leaseholder and a few guardians. Vacant possession therefore should be achieved to meet the demolition plan. Taking forward the demolition at this stage ahead of viability testing presents a risk to NHG if for any reason, the scheme failed to progress this expenditure would prove to be abortive. For this reason, NHG have requested that the PDA is amended so that LBB underwrite the full demolition costs and, in the event of a failure to meet the PDA conditions precedents the Council would repay NHG for the cost of demolition.

2.17 It should be emphasised that under the above scenario, LBB would retain full ownership of the site and that if the Council is to pay demolition costs, it is conditional on the demolition being carried out properly – if the Council must carry out any further work because the work is faulty or incomplete, the cost should be withheld by the Council. Also, the Council should have the ability to approve the cost. The existing buildings would, in any event have to be demolished as the money required to bring back the buildings into active use would make any proposed retention entirely uneconomic.

Furthermore, if in any future scenario LBB was procuring a new development partner for the site, the fact that it was cleared for development would bring an enhanced value. LBB would procure a partner to develop the site to achieve maximum outputs. The Council will seek a warranty by the company procured by NHG to carry out the demolition, so they have a remedy against them for faulty work. Therefore, it is officers' view that, should the underwrite be exercised, the Council's exposure is mitigated.

2.18 The in-fill proposal;

2.19 The third significant amendment to the PDA relates to a proposed in-fill development in the Little Strand area of Grahame Park

2.20 The SPD categorised large areas of the existing Grahame Park estate as renewal and retention zones. This means that they are not immediately identified for demolition and re-development for a range of spatial and economic reasons, but they might lend themselves to smaller scale, less intrusive development. In general, the council and NHG have placed these areas towards the end of the development programme i.e. 15-20 years away. However, a proposal has emerged from Barnet Homes to deliver such a development in parallel with the wider development of the Grahame Park Concourse area. This proposal will require a 'carve - out' of land from the PDA with the council retaining ownership. Similar 'carve – outs' have taken place elsewhere across the development site for the construction of Barnet and Southgate college and the Council's new offices on Bristol avenue

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 There isn't a 'do nothing' option. For the scheme to proceed in an orderly fashion the PDA must be updated to reflect historic and anticipated changes. NHG proceeding with Stage B was always conditional under the terms of the PDA and the redevelopment of Stage B did not satisfy the Stage B viability test under the current PDA provisions. This triggered the detailed Stage B review mechanism in the PDA which provides for a fundamental review and reconfiguration of the regeneration scheme to ensure that a deliverable Stage is implemented. NHG does not have to proceed if the scheme fails to meet viability thresholds. If the profit share isn't agreed NHG will be unable to release internal subsidy of around £20m which will render the scheme unviable. LBB are agreeing to amend the profit share to enable the scheme to proceed. IF NHG are unable to take the scheme forward the council would seek a new delivery partner to achieve their regeneration

ambitions for GP. In the current economic climate that would be extremely challenging

4.0 POST DECISION IMPLEMENTATION

4.1 The Council and GHA will agree pre-contract Heads of Terms leading to formally signing and sealing the Deed of Variation containing the three key variations

5.0 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;

- The council, working with local, regional and national partners, will strive to ensure that Barnet is the place of opportunity, where people can further their quality of life
- where people are helped to help themselves
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

5.1.2 The plan proposes several achievements. Those particularly relevant to this initiative as follows;

- More involved and resilient communities, with residents taking on greater responsibility for their local areas
- There will be a broad offer of skills and employment programmes for all ages
- A clean and attractive environment, with well-maintained roads and pavements, flowing traffic, increased recycling
- A responsible approach to regeneration, with thousands of new homes built and job opportunities created
- Customer services will be intuitive and flexible

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

- 5.2.1 There is a current agreement within the PDA that the Council can reclaim up to £200,000 pa from CGFP for its PDA related regeneration costs and an unlimited sum for its CPO related costs. As part of the renegotiation of the PDA the Council and CGFP have agreed the removal of the PDA cap in favour of an annual budget which is agreed with Genesis at the start of each financial year and monitored regularly through the Project Board. The council's legal costs will be re-claimed under this arrangement.
- 5.2.2 The first variation is a proposed change to the profit share arrangements between LBB and GHA
- 5.2.3 The second proposed variation s that LBB underwrites the NHG's demolition costs in the event of a failure of condition precedents
- 5.2.4 The third variation, the infill development proposal, has no immediate financial impact as the carve out will not require a compensation payment from LBB to NHG. Further downstream there may be reduction in potential profits to NHG but given that this site wouldn't be developed ordinarily for around 20 years this is difficult to assess. Barnet Homes will bring forward a full business case for consideration to a future meeting of ARG if the proposed variation is agreed which will consider risks/issues

5.3 Legal and Constitutional References

Article 7 of the Council's Constitution, section 7.5 Responsibility for Functions states that the Assets, Regeneration and Growth Committee terms of reference includes; Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.

Clause 33 of the PDA sets out the detailed "Stage B Review" indicating that both the Council and CfGP were aware that changes would be required to ensure that the Grahame Park regeneration project was delivered in its entirety. The clause permits a comprehensive review of implementing Stage B. Any changes are by the agreement of all parties.

The Public Contracts Regulations 2015 permit modifications to be made to existing contracts on several grounds including where the modifications are in accordance with existing review clauses in the agreement (Regulation 72(1)(a)); where none of the grounds of substantiality in Regulation 72(8) apply (Regulation 72(1)(e)); and where the value of the modification is less than 15% of the overall works value and less than the works threshold (currently £4,551,413) (Regulation 72 (1)(f)).

To ensure the additional Developer return is State aid compliant the Council will satisfy itself that it is acting as a market operator would (meaning the terms it agrees are those which the private sector would agree in the same circumstances) either by seeking evidence from its commercial adviser as to

their opinion and/or by looking at comparable development schemes as to whether they have agreed comparable terms. The terms when settled will need to comply with this.

5.4 Risk Management

There is a range of risks/issues associated with the proposals.

Firstly, because the demolition will be completed ahead of the concourse regeneration proposals receiving full consent and proceeding a major scheme failure such as a second mayoral refusal or a sudden harsh recession may halt or completely de-rail the planning application effectively triggering a requirement that LBB repays the demolition costs. This is unlikely but the appropriate mitigation is to ensure there is an adequate capital allocation in the Council's capital housing account and to have checks on whether the cost incurred by NHG/CfGP is reasonable and whether the work is properly executed.

Secondly, there is a risk that even with the profit share for reasons outlined above and elsewhere the proposed concourse development cannot achieve viability and NHG seek further financial assistance from LBB, which LBB is not obliged to agree. The mitigation in this instance is for LBB to have developed a thorough understanding of all aspects of the scheme's viability from the earliest possible stage and that this understanding is enhanced through the engagement of an independent 3rd party analysis

Thirdly, there is a risk that the third- party infill development conflicts with the overall aims of the Grahame Park Masterplan/SPD and therefore obstructs at some future point the construction of a major arterial route. The mitigation of this risk is that Barnet Homes have a thorough understanding all the strategic interventions planned for Grahame Park and ensure through collaboration with NHG that their proposals are consistent with all the long- term plans. Furthermore, NHG have confirmed that the proposed development of the infill site is not in conflict with the proposed Masterplan at the current time.

5.5 Equalities and Diversity

5.6 The Equality Act 2010 places a duty on the Council as follows:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are—
age;
disability;
gender reassignment;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

This report has considered the Equality Act 2010 and how its proposals are designed to reduce the inequalities of outcome which result from socio-economic disadvantage. 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, in this instance Colindale and more specifically Grahame Park. This benefits all sections of society by directly addressing the shortage of housing in the Borough across all tenures

5.7 Corporate Parenting

There are no direct or indirect impacts on looked after children and care leavers arising from this report.

5.8 Consultation and Engagement

- 5.8.1 The Council and its partners GHA are engaged in a wide range of consultations which are required at every stage of the regeneration programme
- 5.8.2 The council and GHA and their appointed planning consultants HGH are currently engaged in the preparation of a planning consultation which is a central element in the preparation of the detailed planning application to be submitted in Summer 2019. This will include proposed public consultation events in March and June 2019
- 5.8.3 Further to the appointment of the new master planner architect, Patel Taylor the Council and GHA and their appointed planning consultants HGH are currently engaged in the preparation of a planning consultation which is a central element in the preparation of the detailed planning application to be submitted in Summer 2019. This will include proposed public consultation events in March and June 2019.
- 5.8.4 Whilst there is no requirement to consult widely on the proposed changes in profit share and underwriting the new infill proposals will require extensive local consultation. Barnet Homes will include this detail in their formal submission later this year.

5.9 Insight

5.9.1 There are no data sources available that are applicable to this proposal

6.0 **Social Value**

- The re-development of Grahame Pak brings with it a range of social value, including;
- Enhancement including new retail and leisure opportunities within an area already designated as a local hub
- Environmental and highways improvements
- The creation of large scale local employment and training opportunities in a disadvantaged neighbourhood with disproportionately high levels of unemployment
- Major new housing, education, health, childcare and other key infrastructure developments

7.0 **BACKGROUND PAPERS**

7.1 None

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Housing and Growth Committee

26 November 2019

Title	Quarter 2 (Q2) 2019/20 Delivery Plan Performance Report
Report of	Councillor Richard Cornelius – Chairman of Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	Jo Lesbirel, Senior Finance Business Partner jo.lesbirel@barnet.gov.uk Alaine Clarke, Head of Programmes, Performance and Risk alaine.clarke@barnet.gov.uk

Summary

This report provides a thematic overview of performance for Quarter 2 (Q2) 2019/20 focusing on the budget forecasts and activities to deliver both corporate and committee priorities in the ARG and Housing Committee Annual Delivery Plans.

Officer Recommendations

- The Committee is asked to review the budget, performance and risk information for Q2 2019/20 and make any referrals to Policy and Resources Committee or Financial Performance and Contracts Committee in accordance with the terms of reference of these Committees.**

1. INTRODUCTION

- 1.1 The new Housing and Growth (H&G) Committee has responsibility for housing matters, including housing strategy, homelessness, social housing and housing grants; commissioning of environmental health functions for private sector housing; regeneration strategy and major regeneration schemes; asset management; employment strategy; and business support and engagement. The H&G Committee is the successor to Assets Regeneration and Growth (ARG) Committee and Housing Committee.
- 1.2 This report provides a **thematic overview of performance** for **Q2 2019/20** focusing on the budget forecasts and activities to deliver the **priorities** in the **ARG Committee** and **Housing Committee Annual Delivery Plans**, which can be found online at:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9484&Ver=4>
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=699&MId=9488&Ver=4>

2. BUDGET FORECASTS

- 2.1 The **Revenue Forecast** (after reserve movements) for Re Guaranteed Income and Management Fee is set out in table 1. The Re Managed Budget is reported to Environment Committee.

Table 1: Revenue Forecast for Re (Q2 2019/20)

Service	Revised Budget	Q2 19/20 Forecast	Variance from Revised Budget Adv/(fav) ¹	Reserve Move-ments	Q2 19/20 Forecast after Reserve Move-ments	Variance after Reserve Move-ments Adv/(fav)
	£000	£000	£000	£000	£000	£000
Guaranteed Income	(16,814)	(16,688)	126	0	(16,688)	126
Management Fee	18,646	19,646	1,000	(1,000)	18,646	0

**Excludes Re managed Budget, which has been reported to Environment Committee*

- 2.2 Overall, Guaranteed Income is forecasting a shortfall of income of £0.126m due to an increase in projected legal costs.

- 2.3 The **Revenue Forecast** (after reserve movements) for **Housing Needs and Resources** and the **Housing Revenue Account (HRA)** are set out in table 2.

Table 2: Revenue Forecast for Housing Needs and Resources and HRA (Q2 2019/20)

Service	Revised Budget	Q2 19/20 Forecast	Variance from Revised Budget Adv/(fav)	Reserve Move-ments	Q2 19/20 Forecast after Reserve Move-ments	Variance after Reserve Move-ments Adv/(fav)
	£000	£000	£000	£000	£000	£000
Housing General Fund (Tackling Homelessness)	7,367	7,547	180	0	7,547	180

¹ Adv/fav refers to an adverse or favourable position. An adverse position would be a budget overspend. An adverse variance would mean the position has got worse since the last reported period.

Service	Revised Budget	Q2 19/20 Forecast	Variance from Revised Budget Adv/(fav)	Reserve Move-ments	Q2 19/20 Forecast after Reserve Move-ments	Variance after Reserve Move-ments Adv/(fav)
	£000	£000	£000	£000	£000	£000
HRA Other Income and Expenditure	9,970	2,009	0	0	2,009	(7,961)
HRA Regeneration	837	798	0	0	798	(39)
Interest on Balances	(95)	(95)	0	0	(95)	0
HRA Surplus/ Deficit for the year	10,712	2,712	0	0	2,712	(8,000)

2.4 The **Housing General Fund (Tackling Homelessness)** is forecasting an overspend of £0.180m. Within this the projected net overspend on Temporary Accommodation (TA) is £2.649m this position has improved since last quarter following additional use of lower cost accommodation and a central budget virement of £0.900m for Flexible Housing Support Grant being used to mitigate the TA pressure. There is an underspend on Other net costs of £2.469m which partially off sets the TA pressure.

2.5 The **HRA** is forecasting a deficit of £2.712m against a budgeted deficit of £10.712m resulting in a net favourable variance of £8.000m. The net variation on **HRA Other Income and Expenditure** relates to additional income from rents over achieving by £0.617m offset against an overspend of £1.456m in Housing management costs. This is driven primarily by anticipated additional insurance payments of £0.578m, additional warden costs of £0.186m, a head lease extension of £0.150m and £0.150m added to forecast for the proposed stock condition survey. The net improvement on **HRA Regeneration** is due to additional net income expected across a number of regeneration schemes.

2.6 The HRA revenue balances are now showing an improved forecast at an estimated £9.761m at 31st March 2020 (c/fwd. £12.3m at 31st March 2019). This will leave the HRA reserve above the required minimum level of £3m.

2.7 The **Capital Forecast** for Re (Regeneration) is **£158.532m** (see table 3).

Table 3: Capital Forecast for Re (Q2 2019/20)

Service	19/20 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 19/20 Forecast	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000
BXC - Funding for Land Acquisition	16,198	0	-9,820	6,378	
Colindale – Highways and Transport	6,062	0	-5,562	500	-5,562
Colindale – Parks, Open Spaces and Sports	4,500	159	0	4,659	159
Colindale and Rushgrove Parks	904	0	-824	80	-824

Service	19/20 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 19/20 Forecast	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000
Colindale Station Works	11,000	0	1,300	12,300	1,300
Grahame Park – Community Facilities	2,132	0	-1,973	159	-1,973
Town Centre	2,374	0	-2,248	126	-2,248
Thameslink Station	212,538	0	-124,228	88,310	-124,228
Brent Cross Critical Infrastructure	12,200	0	9,734	21,934	9,734
Development Pipeline	13	-13		0	-13
Strategic Infrastructure Fund	23,000	0	-2,151	20,849	-2,151
Disabled Facilities Grants Programme	1,899	643	0	2,542	643
Refurbish and regenerate Hendon Cemetery and Crematorium	1,435	0	-1,000	435	-1,000
Hendon Cemetery & Crematorium Enhancement	32	0	0	32	0
Decent Homes Programme	224	0	0	224	0
DECC - Fuel Poverty	4	0	0	4	0
Re (Regeneration)	294,514	789	-136,771	158,532	-135,982

2.8 The **Re (Regeneration)** Capital Programme is forecasting a slippage of £136.771m. The major slippage relates to:

- Colindale - Highways and Transport (£5.562m) due to major restructuring of the programme.
- Grahame Park Community Facilities (£1.973m) from a new programme having to be developed.
- Town Centre (£2.263m) due to re-profiling to tailor resources to support the project.
- A total of (£126.465m) against Brent Cross projects, (£124.228m) of which is against Thames Link, however the future year re-profiling is still to be finalised as forecasts continue to be refined and aligned to work packages.
- Hendon Cemetery and Crematorium (£1.000m), following the recent contract award.
- Colindale Station Works (£1.300m) has been accelerated with payments falling due in line with the funding agreement and award of contract.

2.9 The **Capital Forecast** for the **Housing General Fund** is £57.142m (see Table 4) and the **HRA** is £40.748m (see Table 5)

Table 4: Capital Forecast for Housing General Fund (Q2 2019/20)

Service	19/20 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 19/20 Forecast	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000
Empty Properties	3,000	0	0	3,000	0
Direct Acquisitions	9,770	0	0	9,770	0
Chilvins Court	60	0	(60)	0	0
Out of Borough acquisitions	0	0	0	0	0
Modular Homes	1,358	0	(118)	80	(1278)
St. George's Lodge	333	0	0	150	(183)
Hermitage Lane	590	0	0	590	0
New Build - Opendoor	30,000	0	(5,000)	25,000	(5,000)
Acquisitions – Opendoor	8,300	0	(8300)	0	(8,300)
Pinkham Way land release	200	0	0	200	0
Micro sites	3,531	0	(707)	2,824	(707)
Housing General Fund (Tackling Homelessness)	57,142	0	(15,528)	41,614	(15,528)

2.10 The **Housing General Fund (Tackling Homelessness)** capital programme is forecasting an underspend of £15.528m from current budget. The key reasons for the variance are related to the delay in acquisitions and new build via Open-Door homes where the phasing of these programmes is being reviewed and spend is forecast to slip into future years.

Table 5: Capital Forecast for HRA (Q2 2019/20)

Service	19/20 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 19/20 Forecast	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000
Major Works (excl. Granville Road)	3,914	0	0	3,914	0
Regeneration	2,304	0	0	2,304	0
Misc - Repairs	1,919	0	0	1,919	0
M&E/GAS	5,954	0	(1,000)	4,954	(1000)
Voids and Lettings	3,698	0	0	3,698	0
Advanced Acquisitions (Regen Estates)	300	0	0	300	0
Ansell Court (formerly Moreton Close)	0	0	0	0	0

Service	19/20 Revised Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	Q2 19/20 Forecast	Forecast variance from Approved Budget
	£000	£000	£000	£000	£000
Dollis Valley	0	0	0	0	0
Extra Care Pipeline	1,205	0	(490)	715	(490)
Burnt Oak Broadway Flats	368	0	(218)	150	(218)
Upper and Lower Fosters Community Led Design	400	0	1045	1,445	1,045
Development Pipeline Stag House	901	0	0	901	0
Barnet homes GLA programme	1000	0	(200)	800	(200)
HRA Fire Safety Programme	8785	0	0	8,785	0
HRA Acquisitions	10,000	0	11,000	21,000	11,000
HRA (Barnet Homes)	40,748	0	10,137	50,885	10,137

2.11 The capital expenditure on the **HRA** capital programme is projected to be £50.885m against a revised budget of £40.748m, resulting in a forecast variance of £10.137m. The variance is as a result of accelerated spend of £11.000m for acquisition of HRA units in 2019/20. This acceleration offsets some of the delays in General fund acquisitions.

3. SAVINGS

3.1 The total amount of **savings** identified in 2019/20 for **ARG Committee** was **£1.064m** and for **Housing Committee** was **£1.248m**, relating to the transfer of properties acquired by the council and additional acquisitions of properties by Opendoor Homes for use as affordable temporary accommodation. The savings to be achieved are £0.358m with alternative savings proposals being considered to address the shortfall. This is shown in table 6.

3.3 The saving relating to the increase in rents to the Local Housing Allowance levels has been implemented.

Table 6: Savings forecast delivery (Q2 2019/20)

Ref	Service area	Description of Savings	Savings for 19/20	Q2 19/20 Forecast	Comment
ARG1	Estates	Exiting NLBP2 lease at lease termination (part year benefit in 20/21 ramping up to full benefit in 21/22)			Not applicable for 19/20 but planning is underway to cleanly exit NLBP2 in mid-2020

Ref	Service area	Description of Savings	Savings for 19/20	Q2 19/20 Forecast	Comment
ARG2	Estates	Moving from rented accommodation to new offices in Colindale will generate savings. In addition, further savings could be generated by utilising other assets more efficiently	(250)	(100)	Savings from partially exiting NLBP and Barnet House (reduced utilities etc.) have been re-estimated, taking into account delays to moving Housing Options and Family Services to Colindale, which is now not expected to take place until early 2020
ARG3	Growth and Development	Regeneration and development schemes across the borough are projecting an increase in Council Tax over the MTFS. This increase is above current baseline projections and can therefore be used to reduce savings targets for other theme committees	(657)	(657)	Updated Council Tax property data is submitted to MHCLG in October, the comprehensive annual review will inform an understanding of progress against this saving. Forecasts were anticipating a shortfall compared with the MTFS and a clearer picture should emerge in November 2019
ARG4	Estates	Income to be generated through leasing out surplus buildings / space across the portfolio	(150)	(150)	Good progress has been made identifying new tenants for vacant space in assets. Actual additional income is low at this point, whilst leases are finalised, but the project is on-track to deliver all savings by the end of the financial year
ARG5	Estates	Income from renting out spare space within building on an ad-hoc basis i.e. room hire	(7)	(7)	Excellent progress has been made and the target figure has already been exceeded. Further income is expected as the year progresses
ARG6	Estates	Lease for modular build			Not applicable for 19/20 but opportunities are being investigated as part of the Development & Disposals workstream
ARG7	Estates	Increased ground rent from potential development (Bunn's Lane & Hendon Campus)			Not applicable for 19/20 but work is well underway to substantiate initial plans for the development of Hendon, Bunn's Lane and other sites
ARG8	Estates	Commercial property acquisitions for improved place shaping and to meet other strategic in-borough objectives, resulting in incidental income. (estimate based on £50m capital investment)			Not applicable in 19/20 but potential acquisitions have been identified and a property investment strategy drafted to support a programme of acquisitions over time
Total (ARG)			(1,064)	(914)	

Ref	Service area	Description of Savings	Savings for 19/20	Q2 19/20 Forecast	Comment
H1	Housing	500 additional acquisitions of properties for use as affordable temporary accommodation by Opendoor Homes supported by Loan from Council	(161)	(0)	ARG Committee approved the scheme in September 2019. This option will result in the savings being delivered from 20/21
H2	Housing	Transfer of 141 properties acquired by Council for use as affordable temporary accommodation to Opendoor Homes	(1025)	(0)	The properties are unlikely to transfer this financial year
H5	Housing	Increase some temporary accommodation rents to Local Housing Allowance	(62)	(62)	Saving achieved, rents increased
Total (Housing)			(1,248)	(62)	
Total savings			(2,312)	(976)	

4. PRIORITIES

4.1 This section provides an update on the Committee's priorities as follows:

- A summary of progress on Actions² to deliver the priority
- Performance of Key Performance Indicators (KPIs)³
- Risks to delivering the Actions and priority
- High (15 to 25) level risks from the Corporate Risk Register⁴

4.2 The Q2 status for each of the Committee's priorities is shown in table 4. This reflects the *overall performance on Actions, KPIs and Risks*⁵ for each priority.

Table 4: Priorities for H&G Committee

Section	Committee Priority	Q2 Status
5.	Responsible delivery of major regeneration schemes	Good
6.	Investing in community facilities	Good
7.	Helping people into work and better paid employment	Good

² A Summary of the Actions is provided for each priority. These are RAG rated as follows: Complete or Good progress = GREEN (where no Actions RAG rated RED); Satisfactory progress = AMBER (where no more than one Action RAG rated RED) or Limited progress = RED (where two or more Actions RAG rated RED).

³ KPI RAG rating reflects the percentage variance of the result against the target as follows: On target = GREEN (G); Up to 9.9% off target = AMBER (A); 10% or more off target = RED (R). The Direction of Travel (DOT) status shows the percentage variation in the result since last year e.g. Improving (↑ I), Worsening (↓ W) or Same (→ S). The percentage variation is calculated as follows: Q2 19/20 result minus Q2 18/19 result equals difference; then difference divided by Q2 18/19 result multiplied by 100 = percentage variation. KPIs are illustrated by (q) quarter; (c) cumulative up to end quarter; (s) snapshot in time; or (r) rolling 12 months.

⁴ The Corporate Risk Register includes strategic risks (strategic and business critical risks) and high (15 to 25) service/joint risks (service and contract delivery risks). All risks are managed in line with the council's risk management framework. The risk registers are live documents and the Q2 19/20 Corporate Risk Register provides a snapshot in time (as at end September 2019). The risk ratings are: Low = 1 to 3 (GREEN); Medium/Low = 4 to 6 (YELLOW); Medium/High = 8 to 12 (AMBER); and High = 15 to 25 (RED).

⁵ The Q2 Status reflects the *overall performance on Actions, KPIs and Risks* as follows: Complete or Good progress = GREEN (where no Actions or KPIs RAG rated RED and no more than one high level risk); Satisfactory progress = AMBER (where no more than one Action or KPIs RAG rated RED and/or no more than two high level risks) or Limited progress = RED (where two or more Actions or KPIs RAG rated RED and/or more than two high level risks).

Section	Committee Priority	Q2 Status
8.	Supporting local businesses to thrive	Good
9.	Efficient and cost-effective asset management	Satisfactory
10.	Ensuring decent quality housing	Good
11.	Raising Standards in the Private Rented Sector	Satisfactory
12.	Safe and secure homes	Good
13.	Developing housing fit for our future population	Satisfactory
14.	Tackling and preventing homelessness and rough sleeping	Satisfactory

5. Responsible delivery of major regeneration schemes		Q2 Status
		Good

5.1 Summary of Actions Good progress

- 5.1.1 Argent Related⁶ has progressed on the update to the Brent Cross South (BXS) Business Plan and sessions were held with service area leads to review the content ahead of submission to H&G Committee. The BXS team has also continued to prepare a revised Phase Proposal in line with the emerging Business Plan. The council has instructed its strategic property advisor CBRE to review the BXS financial model and advise on the future council's land contribution and best consideration in accordance with the Project Agreement.
- 5.1.2 The council and Argent Related have commenced site assembly and early infrastructure works for the BXS scheme. Utility disconnections are underway and parts of the site are now hoarded up. The demolition of the Rosa Freedman Centre has commenced.
- 5.1.3 Homes England have in principle approved to provide a Home Building Fund Loan Facility to BXS Joint Venture Limited Partnership to fund physical and social infrastructure to accelerate development. Heads of Terms are agreed and a Loan Facility Agreement (LFA) is being drafted for completion subject to MHCLG and HM Treasury approval.
- 5.1.4 For Brent Cross Thameslink (BXT), the Train Operating Company (TOC) Compound building has been installed and the team are fitting out and finishing the unit for occupation by Govia Thameslink Railway (GTR). There are a number of challenges arising in relation to the overarching delivery programme which may impact the budget. In particular, Network Rail has confirmed that some key track possessions may no longer be available, which could impact the sidings and station delivery programme. The potential implications of this are being reviewed by the team. The procurement of the contractor to deliver Brent Cross West station has continued, with a recommendation on the preferred bidder made to P&R Committee in October 2019. Following challenges in delivering the Waste Transfer Station, including delays to the sub-structure early works and the receipt of a revised programme and cost estimate from John Graham Construction Limited, P&R Committee authorised and delegated authority to the Chief Executive to revise the waste procurement strategy should it not be possible to refine the construction delivery and price in line with the programme requirements.
- 5.1.5 For the Estates regeneration programme, Dollis Valley Phase 3 is ready to be handed over to the development partner and Notting Hill Genesis has continued work to prepare a new planning application. West Hendon CPO3 was confirmed on 17 September 2019 and work

⁶ Development partner for Brent Cross South

on the development of Phase 4a has continued. In July 2019, the Conditions Precedent for the Granville Road scheme were met allowing the Development Agreement to become unconditional and works to start on site.

5.1.6 Consultation was undertaken on the new Growth Strategy, following approval of the draft strategy at ARG Committee in June 2019. The consultation closed on 15 September 2019 and work is underway to review the feedback and update the strategy, where required. Work on the delivery plan, which will accompany the strategy, has continued.

5.2 KPIs

5.2.1 There is one KPI for this priority, which monitors delivery of the regeneration programme. This has achieved target for Q2.

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Delivery of regeneration projects (q)	Bigger is Better	90%	90%	90%	92% (G)	↓ W -8.4%	100%	No benchmark available

5.3 Risks

5.3.1 There are two risks to delivery of the actions for this priority. Both have been assessed at a medium/high (8 to 12) level and have controls/mitigations in place to manage the risks.

- **G&C029 - Community facilities stakeholder relationship schemes (risk score 8 – reduced from 9).** Stakeholder engagement plans are in place to mitigate the risk of opposition to regeneration schemes which could result in delays. These are reviewed on a regular basis. A resident event was hosted by Barrett's for the West Hendon scheme in September 2019.
- **G&C030 - Market conditions (risk score 9 - reduced from 12).** Market conditions are being regularly monitored to mitigate the risk of impact on the viability of regeneration schemes and delays to housing delivery should market uncertainty grow.

5.3.2 In addition to the risks in the Annual Delivery Plan, there was a *strategic risk* linked to this priority that was scored at a high (15 to 25) level in Q2.

- **STR08 - Major regeneration schemes (risk score 15).** Failure to effectively manage the major regeneration schemes such as Brent Cross could lead to delays resulting in significant financial implications for the council (e.g. loss of revenue) and local economy. A contingency plan has been developed in the event of a failure to manage the development of the Thameslink Station, as part of the Brent Cross development. The other regeneration schemes are progressing.

6. Investing in community facilities	Q2 Status
	Good

6.1 Summary of Actions Good progress

6.1.1 Work on the Infrastructure Delivery Plan has continued. The plan will set the way forward for future infrastructure delivery, including community and leisure facilities. Progress has been made on plans for community facilities on existing regeneration schemes, particularly

at Brent Cross South and Grahame Park/Colindale (in partnership with the CCG) and West Hendon.

6.1.2 In terms of open space and leisure provision, the draft masterplan for Colindale and Rushgrove Parks was approved by Environment Committee on 11 September 2019. Consultation on the draft masterplan for West Hendon Playing Fields was undertaken during June and July 2019.

6.2 KPIs

6.2.1 There are no KPIs for this priority.

6.3 Risks

6.3.1 There are two risks to delivery of the actions for this priority. These have been assessed at a medium/low (4 to 6) and medium/high (8 to 12) level and have controls/mitigations in place to manage the risks.

- **G&C027 - Community facility sustainability (risk score 9).** This risk is about the long-term financial viability of newly constructed community facilities. All new schemes require robust business plans to ensure they are financially sustainable. In Q2, a business plan was being developed for a permanent community facility in West Hendon.
- **G&C028 – Community facilities stakeholder relationship (risk score 6).** This risk is also about the long-term financial viability of newly constructed community facilities. Engagement and consultation plans are agreed on a scheme-by-scheme basis to ensure that residents have chance to inform proposals. No issues were raised for specific schemes in Q2.

7.	Helping people into work and better paid employment	Q2 Status
		Good

7.1 Summary of Actions Good progress

7.1.1 Active employment schemes continued on the regeneration estates, including Dollis Valley, West Hendon and Grahame Park.

7.1.2 Work continued with development partners to secure apprenticeships and training opportunities through development, including further preparatory work for Brent Cross Cricklewood employment and skills delivery.

7.1.3 Funding of £117k was confirmed for the new project with Cambridge Education to offer 'Access for All' routes targeting residents who are Not in Employment, Education or Training (NEET).

7.1.4 The Business, Employment and Skills team transferred to the council from Re on 1 October 2019. Adoption of the new Growth Strategy in November 2019 should provide renewed focus and impetus.

7.1.5 Employment and training support was provided to council tenants by Barnet Homes through the Community Engagement and Floating Support services. At end Q2 (year-to-date), 12 people had been helped into work.

7.1.6 Barnet Homes leads on managing BOOST, which provides community-based help for Barnet residents from bases at Burnt Oak Library and 184 Cricklewood Lane or via

outreach at libraries. In Q2, BOOST services had 3,175 visitors and year-to-date had supported 112 people into work (36 of whom were under 25).

7.1.7 The Welfare Reform Task Force also led by Barnet Homes engages with residents and provides support to help them manage the Benefit Cap and transition onto Universal Credit. As end Q2 (year-to-date), 95 clients had moved off the Benefit Cap as a result of finding work; 58 households had moved to more suitable accommodation; 608 clients had been provided with benefit advice; and Discretionary Housing Payments had been awarded to 542 people.

7.2 KPIs

7.2.1 There is one KPI for this priority, which monitors the local unemployment rate. The latest figures show Barnet's unemployment rate at 4.6%, which is higher than last year (4.3%). Barnet's figure is lower than the London average (4.7%) but higher than the national average (4.1%).

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Unemployment (of people on out of work benefits) (r)	Smaller is Better	4.7% (Jan - Dec 18)	Monitor	Monitor	4.6% ⁷	↓ W +7%	4.3% ⁸	London 4.7%, National 4.1% (Jul 18 – Jun 19, NOMIS)

7.3 Risks

7.3.1 There are two risks to delivery of the actions for this priority. Both have been assessed at a medium/high (8 to 12) level and have controls/mitigations in place to manage the risks.

- **G&C031 - Team resource/capacity to deliver employment schemes (risk score 9).** To manage the risk to employment schemes from a lack of resources, residents' needs are being prioritised to ensure that those furthest from employment remain the focus of scarce resources. On 1 October 2019, the Business, Employment and Skills team was transferred back to the council and team resource/capacity is being reviewed. The delivery plan for the new Growth Strategy will identify groups in the community to support through employment and skills initiatives.
- **G&C032 - Economic uncertainty impact on training and apprenticeship (risk score 12).** Discussions continued to take place with Argent Related to bring forward delivery of employment and skills outcomes on the Brent Cross Cricklewood development; and other employment opportunities were supported through the BOOST project. A new NEETS project is in in development with Cambridge Education.

⁷ Rolling 12 months to June 2019.

⁸ Rolling 12 months to June 2019.

8.1 Summary of Actions Good progress

- 8.1.1 Local businesses continued to be supported through the construction contracts that form part of regeneration schemes. Specific activities will be targeted at Brent Cross Cricklewood upon commencement of delivery in 2020. The Federation of Small Businesses and relevant other stakeholders have been participating in planning.
- 8.1.2 To support the sustainability of town centres and improvements to the public realm, the council continued to offer support to the established Town Teams (Chipping Barnet, Edgware and Cricklewood), with planning underway for new Town Teams in Finchley Central and West Hendon. The council continued to support the Chipping Barnet pavement build-out to improve the public realm; and revitalisation of North Finchley through the development programme.
- 8.1.3 To facilitate the provision of appropriate and affordable workspace for small and micro businesses, the council continued to identify flexible workspace in new development; however, no space to date has been located. A Workspace Viability Assessment will be undertaken to review specific sites (including council-owned assets) next quarter.
- 8.1.4 Actions to deliver specialist support to entrepreneurs and business start-ups such as Pop Up Business School and Entrepreneurial Barnet are on track for November 2019.

8.2 KPIs

- 8.2.1 There are two KPIs for this priority, which monitor the health of the local economy through the business survival rate and vacant high street properties. These are both annual indicators and will be reported in Q4.

8.3 Risks

- 8.3.1 Two risks were closed in Q2: **G&C044 - Colindale business engagement**⁹ and **G&C034 – Co-ordinating business support activities**¹⁰. There remains one risk to delivery of the actions for this priority. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risks.
- **G&C033 – Flexible workspace delivery (risk score 12)**. There has been continued engagement with the Estates team to identify workplace sites and there has been soft marketing testing with workspace providers, with a workspace viability assessment now developed to ensure any site selected is appropriate. There has also been engagement with planners to bring forward workplace spaces through development such as the National Institute for Medical Research to inform local plan development.

⁹ G&C044- this risk did not materialise during move to Colindale.

¹⁰ G&C034 – this risk has been reflected in G&C031 and G&C032.

9.1 Summary of Actions Satisfactory progress

9.1.1 Meetings are held regularly with Property Services to discuss the voids and vacant properties to seek updates on their status and to ensure that all are valued and marketed. There are some properties on the list that are currently unable to be let due to concerns over the condition, or because of redevelopment plans, but all that are viable have instructions to be re-let as soon as possible. The team also works on portfolio rationalisation, which involves identifying properties that are underutilised to assess the possibility of sharing with other users or allowing other users to use the space whilst it is unused. Furthermore, assistance from external consultants who can potentially analyse the existing portfolio and recommend whether properties should be sold, managed or retained on purely commercial terms has been considered. Opportunities for new income have been identified within the portfolio, forming part of the income generating MTFS savings programme. Income to date has reached 40% of the savings target.

9.2 KPIs

9.2.1 There is one KPI for this priority, which monitors income for assets. This is a bi-annual KPI and did not achieve the target.

- **Income for specific assets (RAG rated RED) - £58k income against a target of £64.9k.** The target was not achieved due to unforeseen setbacks, including delays with the café lease at Colindale.

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Income for specific assets (bi-annual)	Bigger is Better	New for 19/20	£157k	£64.9k	£58k (R)	New for 19/20	New for 19/20	No benchmark available

9.3 Risks

9.3.1 There is one risk to delivery of the actions for this priority. This has been assessed at a medium (15 to 25) level and has controls/mitigations in place to manage the risks.

- **G&C035 Income from the Estate (risk score 16 - increased from 12).** Insufficient capacity in staffing, contract and / or insufficient demand for assets could lead to a shortfall in income resulting in unforeseen budget pressures. An MTFS programme to maximise income is in motion. Properties and external resources had been identified; however, CSG property services do not have capacity to undertake the work. The current income received is at circa 20% required by year end. Void and vacant properties continue to be marketed on the internal lettings website. Concerns about whether the income target will be met this year has been reflected in an increased likelihood score.

10. Ensuring decent quality housing	Q2 Status
	Good

10.1 Summary of Actions Satisfactory progress

10.1.1 Opendoor Homes (ODH) continued to make good progress on delivery of 320 homes across the borough. Planning consents and scheme approvals have been achieved for 20 of the 21 sites, representing 86% of the programme. Two sites were completed during Q2, with new homes handed over at Salcombe Gardens and West Close. Overall, seven of the 21 sites are completed; and four of the five largest schemes continued to progress.

10.1.2 A team has been appointed to take forward the delivery of the 87 GLA grant funded homes and key meeting were held with the MHCLG and GLA in October 2019 to discuss the trickle transfer proposal, which are critical to determining if the project will proceed.

10.2 KPIs

10.2.1 There are three KPIs for this priority, which monitor the delivery of new homes in the borough. 360 new homes were completed in Q2. This is significantly more than last year when 211 new homes were completed. 79 affordable homes were completed across the borough by all providers (not just ODH) in Q2.

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
New homes completed across the borough by all providers (q) ¹¹	Bigger is Better	830 ¹² (prov.)	Monitor	Monitor	360	↑ +71%	211	No benchmark available
Affordable housing completions across the borough by all providers (q)	Bigger is Better	211 ¹³ (prov.)	Monitor	Monitor	79	↑ +394%	16	No benchmark available
Affordable housing delivered on council owned land (c)	Bigger is Better	New for 19/20	35 ¹⁴	13	15 (G)	New for 19/20	New for 19/20	No benchmark available

10.3 Risks

10.3.1 There is one risk to delivery of the actions for this priority. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risk.

- **G&C038 - Economic uncertainty impacting on the delivery of new homes (risk score 6 – reduced from 12).** The Growth Strategy sets out the council's priorities for bringing housing developments forward. This will also act as a tool for inward investment, which could help stimulate development if the economy stagnates. The Growth Strategy has been out for public consultation and feedback will inform the final version, which will be presented to H&G Committee in November 2019, alongside a delivery plan.

¹¹ This KPI measures all new homes in the borough (including as part of regeneration schemes and private development schemes).

¹² This is a provisional result (830) as at March 2019. The result is sourced internally and relates to the number of new homes added to council tax records. The final result will be confirmed in 2019/20.

¹³ This is a provisional result (211) as at March 2019. The result is sourced from GLA data releases. The final result will be confirmed in 2019/20.

¹⁴ The target for the KPI has been amended from 77 to 35 following publication of the Housing Delivery Plan to Housing Committee.

11.1 Summary of Actions **Satisfactory progress**

11.1.1 Good progress has been made in increasing the number of HMOs licensed under the additional and mandatory schemes, with 1,072 now licensed in the borough. However, little progress has been made on the Selective Licensing Scheme project due to commercial matters, which are being explored through ongoing dialogue between the council and Re.

11.1.2 There was a successful prosecution for a landlord's failure to license their HMO, with fines and costs of nearly £20,000 awarded. One Financial Penalty Notice was issued for failure to licence; and 12 Temporary Exemption Notices were served on licensable HMOs who were either converting their premises to single occupancy or who were not yet in a position to licence. A meeting was held with the GLA to discuss current service provision and work being completed in relation to HMOs.

11.1.3 To ensure the quality of advice available to private tenants remains robust discussions were held with Barnet Homes and the Citizens Advice Bureau to review processes. A review of information on the website is also underway.

11.1.4 A Prohibition Order was made in relation to a poor unit of accommodation where the tenants were in imminent risk; and another family were re-housed when their electrical provision was removed. 425 private sector housing related service requests were completed.

11.1.5 Empty Property week was promoted to the public, including availability of grants to support owners of empty properties in exchange for nomination rights for three or five years.

11.2 KPIs

11.2.1 There are six KPIs for this priority, which monitor the private rented sector. Two KPIs are annual and will be reported in Q4. Four KPIs are Monitor only for Q2. Private tenanted properties with Category 1 hazards reduced to Category 2 hazard was 111. This was an increase from 88 in Q2 last year.

Indicator ¹⁵	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
HMOs licenced under the mandatory ¹⁶ (Annual)	Bigger is Better	962	1,150	Due Q4 19/20	Due Q4 19/20	N/A	Annual	No benchmark available
Fixed penalty notices issued to landlords (c)	Bigger is Better	New for 19/20	Monitor	Monitor	1	New for 19/20	New for 19/20	No benchmark available

¹⁵ Tenants supported via drop in surgery (Re KPI) is no longer relevant. Drop in surgeries are provided by Barnet Homes only.

¹⁶ Now includes additional licensing scheme

Indicator ¹⁵	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Private tenanted properties with Category 1 hazards reduced to Category 2 hazards (c)	Bigger is Better	250	220	Monitor ¹⁷	111	↑ ↓ +26%	88	No benchmark available
Private rented sector housing service requests completed (q)	Bigger is Better	New for 19/20	Monitor	Monitor	323	New for 19/20	New for 19/20	No benchmark available
Accredited landlords (Annual)	Bigger is Better	899	900	Due Q4 19/20	Due Q4 19/20	N/A	Annual	No benchmark available

11.3 Risks

11.3 One risk has been closed in Q2: **G&C039 - Landlord license compliance¹⁸**. There remains one risk to delivery of the actions for this priority. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risk.

- **G&C040 - Landlord Health and Safety Compliance (risk score 12)**. Poor quality accommodation and non-compliance with statutory H&S obligations by rogue landlords could lead poor quality housing. To manage this risk, targets are set for licensing HMOs and intelligence is gathered to identify HMOs for inspections. A Landlord Forum is used to inform landlords of their responsibilities. Additional staff are being recruited to the Private Sector Housing (PSH) team to support work to identify unlicensed landlords e.g. through tenant referrals and inspections. A data analysis is being undertaken by Re and Capita to identify landlords who might be renting their properties as HMOs, so they can be contacted about licensing. In addition, a data sharing agreement is being set up to enable access to the electoral register. Enforcement action continues to be taken against rogue landlords using Fixed Penalty Notices and prosecutions. The first Rent Repayment Order case taken by the council went to tribunal.

12. Safe and secure homes	Q2 Status
	Good

12.1 Summary of Actions Good progress

12.1.1 Implementation of the £52million fire safety investment programme continued throughout Q2. The fire safety budget was re-profiled to reflect a programme of works that includes the replacement of fire doors, which has started and will increase rapidly in December 2019. The installation of fire protection work in other high risk buildings e.g. sheltered schemes is being combined with other work to reduce disruption. An emerging issue is the Large Panel System buildings, which subject to survey, may require remedial works and consequently intrusive surveys have been commissioned.

12.1.2 Work on fire safety with tenants of commercial properties within the council's estate continued. Tenants have been reminded of their building compliance responsibilities and asked to provide details of the statutory compliance status of their tenancies. In addition, letters have been issued by CSG defining how council-supplied fire notices should be

¹⁷ This is an annual KPI that is Monitor only during the year.

¹⁸ G&C039 has been merged with G&C40.

displayed. Next steps will be to potentially step in and carry out outstanding compliance works where the risk is deemed high enough to merit the action.

12.2 KPIs

12.2.1 There are two KPIs for this priority, which monitor FRAs. One KPI did not meet the Q2 target.

- **Scheduled fire risk assessment completed (council housing) on time (RAG rated AMBER) – 98% against a target of 100%.** There were a large number of fire risk assessments (FRAs) to complete compared to previous quarters (367 in Q2 2019/20 vs 43 Q2 2018/19) with seven FRAs not completed on time.

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Scheduled fire risk assessment completed (council housing) on time (q)	Bigger is Better	100%	100%	100%	98% (A)	↓ W -2.2%	100%	No benchmark available
Priority 0 and 1 fire safety actions completed on time (q)	Bigger is Better	100%	90%	90%	No activity ¹⁹	N/A	100%	No benchmark available

12.3 Risks

12.3.1 There is one risk to delivery of the actions for this priority. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risk.

- **G&C042 – Health & Safety, incl. Fire (risk score 12 – increased from 8).** There is a £52million investment programme agreed with Housing Committee to improve fire safety measures in the council's own housing stock. In addition, the Government has made funding available for the re-cladding of private sector high rise blocks with ACM cladding, which is applicable to two blocks in Barnet. Health and safety policies and process for managing compliance in respect of the council's estate and homes are in place; health and safety audits and inspections are carried out in accordance with policy; and fire risk assessments (FRAs) are undertaken for all residential housing managed by Barnet Homes and main housing association partners. The investment programme has continued to proceed, with a tender process for sprinkler installation projects completed during Q2. Work will start on site in November 2019. Delivery of the wider fire safety programme works continued at various sites and surveys of large panel system buildings are due for completion in Q3. The Government has issued guidance on a new requirement for local authorities to collect and review information on external wall construction of all high buildings in the borough. Officers are in the process of developing the council's approach to this task, which has to be completed by March 2020. The risk score has increased as a result of this.

¹⁹ There were no fire actions scheduled for Q2.

13. Developing housing fit for our future population

Q2 Status

Satisfactory

13.1 Summary of Actions Satisfactory progress

13.1.1 28 care leavers moved into permanent accommodation and work is underway to change the use of a 'Get Real' shared house at West Hendon Broadway to support care leavers transitioning into independence through the provision of accommodation with support. The extra care scheme at Stag House, which will be for older people with care needs, is out to tender and the development team are on track to be on site by the end of the financial year.

13.2 KPIs

13.2.1 There are four KPIs for this priority, which monitor housing for vulnerable residents. One KPI, housing for care leavers, met the Q2 target. Three KPIs are Monitor only. Families with Children in Temporary Accommodation has improved this quarter (58.6%, compared with 62.9% in Q1) and is a slight improvement on the same time last year (60.5%).

Indicator	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Wheelchair accessible homes delivered on all developments across the borough (c)	Bigger is Better	New for 19/20	10%	Monitor	Due in Q3 19/20	New for 19/20	New for 19/20	No benchmark available
Wheelchair accessible homes delivered through the council's own schemes (c)	Bigger is Better	13% ²⁰	10%	Monitor	Due in Q3 19/20	→ S	0	No benchmark available
Families with Children in Temporary Accommodation (q)	Smaller is Better	60.5%	Monitor	Monitor	58.6%	↑ I -3.4%	60.5%	No benchmark available
Supply and range of housing available for care leavers, in particular for those ready to move into independent living (c)	Bigger is Better	New for 19/20	38	18	28 (G)	New for 19/20	New for 19/20	No benchmark available

13.3 Risks

13.3.1 There is one risk to delivery of the actions for this priority. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risk.

- **G&C041 - Extra Care housing (risk score 9).** This risk relates to delays in progressing new extra care housing schemes. The Extra Care Project Board met twice in Q2 to oversee the progress of delivery of the programme. Vacant possession has been achieved for Stag House from the remaining leaseholder and commercial tenant. In addition, squatters were evicted. Tender documents have been prepared for Stag House and

²⁰ 55 wheelchair or accessible units were delivered out of a total of 398 in 2018/19.

construction market engagement commenced. In relation to Cheshir House, the Outline Business Case was approved at ARG Committee in June 2019 for Fosters Estate, which includes this scheme. A planning application has been made for the whole scheme, including the extra care housing and was approved in October 2019.

14. Tackling and preventing homelessness and rough sleeping

Q2 Status

Satisfactory

14.1 Summary of Actions Good progress

14.1.1 658 homelessness preventions were achieved in Q2 against a target of 574. 26 of these were attributed to the positive prevention work of the Welfare Reform Taskforce.

14.1.2 The MHCLG has requested that a rough sleeping count is carried out every two months to establish the number of rough sleepers. This is the first year that the count has been carried out and numbers are dependent on rough sleepers found on a particular night. Reports of rough sleeping from the public and agencies is used to help inform where to look for rough sleepers. The council and partners are using this information to understand the extent of rough sleeping in Barnet to inform outreach work. The count in May 2019 identified 32 rough sleepers. Two further counts were undertaken in Q2. The count in July 2019 identified 21 rough sleepers and the most recent count in September 2019 identified 34 rough sleepers (the highest count of rough sleeping found on any single night).

14.1.3 The total number of people in Temporary Accommodation (TA) reduced in Q2 to 2,542 (from 2,579 in Q1). This remains higher than the same time last year (2,519) and higher than the Q2 target (2,475). High new admissions into TA continue to present challenges in further reducing TA numbers.

14.1.4 The Housing Options Service review of the impact of the Homelessness Reduction Act identified the need to focus more on single homeless applicants, as they are representing an increasing proportion of demand. The service is piloting the use of the customer online portal to enable self-scanning.

14.2 KPIs

14.2.1 There are six KPIs for this priority, which monitor homelessness and rough sleeping. Three KPIs met the Q2 target - on acquisition of additional properties for temporary accommodation; households placed into private sector accommodation; and homelessness preventions. One KPI is Monitor only and reported 34 rough sleepers in Q2. Two KPIs did not meet the Q2 target.

- **Households in Temporary Accommodation (TA) (RAG rated AMBER) – 2,542 against a target of 2,475.** There was a slight reduction in households in TA in Q2 compared with Q1 (2,579) despite sustained levels of new admissions which remained high (averaging 79 per month). However, the numbers remained slighter higher than last year (2,519). The main contributory factors to the reduction from Q1 were: effective mitigations from existing TA reduction and prevention activities, including 58 cancellations due to non-occupancy and abandonment; 60 private rented units were procured, preventing TA admissions; and a further 10 properties were acquired through Touchpoint Housing Limited.
- **Households in Emergency Temporary Accommodation (ETA) (RAG rated AMBER) - 239 against a target of 225.** There was a slight reduction in households in ETA in Q2 compared with Q1 (250) and last year (316) despite sustained levels of demand. Effective

mitigations were in place to prevent any increases in ETA. In Q2, 60 private rented units were procured, preventing TA admissions; and a further 10 properties were acquired through Touchpoint Housing Limited. 20 properties were established, which were not occupied, and have now been cancelled.

Indicator ²¹	Polarity	18/19 EOY	19/20 Target	Q2 19/20			Q2 18/19	Benchmarking
				Target	Result	DOT	Result	
Acquire additional properties for temporary accommodation (c)	Bigger is better	New for 19/20	100	37	48 (G)	New for 19/20	New for 19/20	No benchmark available
Households in Temporary Accommodation (q)	Smaller is Better	2545	2400	2475 ²²	2542 (A)	↓ W +0.9%	2519	Rank 29 (out of 32) (Q4 17/18, DCLG)
Households in Emergency Temporary Accommodation (q)	Smaller is Better	275	200	225 ²³	239 (A)	↑ I -24%	316	Rank 12 (out of 33 London Boroughs) (Q4 17/18, DCLG)
Households placed directly into the private sector by Barnet Homes (c)	Bigger is Better	682	625	312	369 (G)	↑ I +12%	329	No benchmark available
Homelessness preventions (c)	Bigger is Better	1162	1150	574	658 (G)	↑ I +57%	419	Rank 9 (out of 22 London Boroughs) (17/18, DCLG)
Rough sleeping in Barnet (s)	Smaller is Better	New for 19/20	Monitor	Monitor	34 ²⁴	New for 19/20	New for 19/20	No benchmark available

14.3 Risks

14.3.1 There is one risk to delivery of the actions for this priority²⁵. This has been assessed at a medium/high (8 to 12) level and has controls/mitigations in place to manage the risk.

- **TBG003 - Increase in demand for homelessness services (risk score 12 – reduced from 15).** Increasing costs and demand for homelessness services could lead to increased temporary accommodation costs and additional pressure on the Housing General Fund. Budget mitigations are in place for 19/20 despite non-delivery of significant PSR initiatives (Minimum Revenue Provision related) due largely to utilisation of the Flexible Homelessness Support Grant. PSR initiatives are being re-considered as part of the forward budget setting process during Q2. Due to the improved financial outlook, the risk score has been reduced to 12.

²¹ Transfer 141 properties acquired for Temporary Accommodation to Opendoor Homes has been changed from a KPI to an Action.

²² Annual target is 2400. Quarterly target reduces by 25 each quarter: Q1 2500, Q2 2475, Q3 2450 and Q4 2400.

²³ Annual target is 200. Quarterly target reduces by 25 each quarter: Q1 250, Q2 225, Q3 200 and Q4 200.

²⁴ Rough sleeper count in September 2019 identified 34 rough sleepers.

²⁵ G&C043 - Housing Revenue Account plan viability has been merged with the joint risk with TBG (TBG003 – Increase in demand for homelessness services).

15 REASONS FOR RECOMMENDATIONS

15.1 These recommendations are to provide the Committee with relevant budget, performance and risk information in relation to the corporate and committee priorities in the Corporate Plan (Barnet 2024) and ARG Committee and Housing Committee Annual Delivery Plans. This paper enables the council to meet the budget agreed by Council in March 2019.

16 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

16.1 None.

17 POST DECISION IMPLEMENTATION

17.1 None.

18 IMPLICATIONS OF DECISION

18.1 Corporate Priorities and Performance

18.1.1 The report provides an overview of performance for Q2 2019/20, including budget forecasts, savings, progress on actions, KPIs and risks to delivering the Annual Delivery Plan.

18.1.2 The Q2 2019/20 results for all Corporate Plan and Delivery Plan KPIs are published on the Open Barnet portal at <https://open.barnet.gov.uk/dataset>

18.1.3 Robust budget, performance and risk monitoring are essential to ensure that there are adequate and appropriately directed resources to support delivery and achievement of corporate and committee priorities as set out in the Corporate Plan (Barnet 2024) and Annual Delivery Plans.

18.1.4 Relevant council strategies and policies include the following:

- Medium Term Financial Strategy
- Corporate Plan (Barnet 2024)
- ARG Committee Annual Delivery Plan
- Housing Committee Annual Delivery Plan
- Performance and Risk Management Frameworks.

18.2 Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

18.2.1 The budget forecasts are included in the report. More detailed information on financial performance is provided to Financial Performance and Contracts Committee.

18.3 Social Value

18.3.1 The Public Services (Social Value) Act 2012 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. The council's contract management framework oversees that contracts deliver the expected services

to the expected quality for the agreed cost. Requirements for a contractor to deliver activities in line with Social Value will be monitored through this contract management process.

18.4 Legal and Constitutional References

18.4.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities to take actions which are calculated to facilitate, or are conducive or incidental to, the discharge of any of their functions.

18.4.2 Section 28 of the Local Government Act 2003 (the Act) imposes a statutory duty on a billing or major precepting authority to monitor, during the financial year, its income and expenditure against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the authority must take such action as it considers necessary to deal with the situation. The definition as to whether there is deterioration in an authority’s financial position is set out in section 28(4) of the Act.

18.4.3 The Council’s Constitution (Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. The responsibilities of the Housing and Growth Committee include:

- (1) Responsibility for:
 - Housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing
 - Regeneration strategy and oversee major regeneration schemes, asset management (including authorising land transactions and the exercise of statutory powers concerning land), employment strategy, business support and engagement.
- (2) To submit to the Policy and Resources Committee proposals relating to the Committee’s budget for the following year in accordance with the budget timetable.
- (3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
- (4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.
- (5) To recommend for approval fees and charges for those areas under the remit of the Committee.

18.4.4 The council’s Financial Regulations can be found at:

<http://barnet.moderngov.co.uk/documents/s46515/17FinancialRegulations.doc.pdf>

18.5 Risk Management

18.5.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks are reviewed quarterly (as a minimum) and any high level (scoring 15+) risks are reported to the relevant Theme Committee and Policy and Resources Committee. In addition, the Annual Delivery Plan risks associated with the

priorities for this Committee are outlined in the report.

18.6 Equalities and Diversity

18.6.1 Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty which requires a public authority (or those exercising public functions) 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 persons who share a relevant protected characteristic and persons who do not.
- Fostering of good relations between persons who share a relevant protected characteristic and persons who do not.

18.6.2 The broad purpose of this duty is to integrate considerations of equality into everyday business and keep them under review in decision making, the design of policies and the delivery of services. The protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

18.6.3 In order to assist in meeting the duty the council will:

- Try to understand the diversity of our customers to improve our services.
- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

18.6.4 This is set out in the council's Equalities Policy, which can be found on the website at: <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

18.7 Corporate Parenting

18.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in carrying out any functions that relate to children and young people. There are no implications for Corporate Parenting in relation to this report.

18.8 Consultation and Engagement

18.8.1 Consultation on the new Corporate Plan (Barnet 2024) was carried out in the summer 2018. The Corporate Plan was approved by Council in March 2019.

18.9 Insight

18.9.1 The report identifies key budget, performance and risk information in relation to the ARG Committee Annual Delivery Plan.

19 BACKGROUND PAPERS

- 19.1 Council, 5 March 2019 – approved Corporate Plan (Barnet 2024)
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=9456&Ver=4>
- 19.2 ARG Committee, 25 March 2019 – approved Annual Delivery Plan
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9484&Ver=4>
- 19.3 Housing Committee, 14 January 2019 – approved Annual Delivery Plan
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=699&MId=9488&Ver=4>

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Housing and Growth Committee

26 November 2019

Title	Brent Cross Cricklewood Update Report
Report of	Councillor Richard Cornelius
Wards	Childs Hill, Golders Green and West Hendon
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1: BXS Business Plan Executive Summary
Officer Contact Details	<p>Cath Shaw, Deputy Chief Executive, cath.shaw@barnet.gov.uk</p> <p>Stephen McDonald, Director of Growth Stephen.McDonald@Barnet.gov.uk</p> <p>Karen Mercer, Programme Director Re, Karen.Mercer@barnet.gov.uk, 0208 359 7563</p>

Summary

This report provides a progress update on the comprehensive regeneration of the Brent Cross Cricklewood (BXC) programme since the last Committee meeting on 16 September 2019. It seeks the approval on the update changes to the Brent Cross South (BXS) Business Plan and provides an update on the emerging revised Phase Proposal alongside the proposed Homes England Loan (HBF) Facility. The report seeks authority for the Chief Executive to determine best consideration and to re-confirm that the value be re-invested in BXS to secure a revenue stream. It also provides an update on the Brent Cross Thameslink (BXT) delivery progress, most notably the contract award to Volker Fitzpatrick in respect of the Station Platforms and Pedestrian/Station Access Bridge which was approved by the Policy and Resources Committee on 3 October 2019.

Officers Recommendations

That the Committee:

- 1) Notes the progress update across the scheme since the last report to the committee on 16 September 2019.
- 2) Notes that the Policy and Resources Committee on 3 October 2019
 - a) Approved the appointment of Volker Fitzpatrick as the preferred bidder to design, build and handback the Brent Cross West Station and Vinci Taylor Woodrow as reserve bidder; and
 - b) Authorised Deputy Chief Executive in consultation with the Chairman of this Committee to finalise and enter into the NEC contract to deliver the Brent Cross West Station with the preferred bidder (or with the reserve bidder should it prove not to be possible to complete contracts with the preferred bidder).
- 3) Approves the amendments to the Brent Cross South (BXS) Business Plan Executive Summary and delegates authority to the Chief Executive in consultation with the Chairman of this Committee to finalise and agree the BXS Business Plan main report in accordance with paragraphs 1.8-1.24 of this report.
- 4) Notes that a revised First Phase Proposal is being developed to reflect the update to the Business Plan as summarised in Appendix 1 and authorises the Chief Executive to determine that the Best Consideration requirement has been met following:
 - a) approval of the Business Plan by this Committee;
 - b) completion of the Phase Project Valuer (PPV) review and on receipt of a formal letter on Best Consideration from the PPV Valuer at a minimum of £10.5m; and
 - c) confirmation that the tests set out in paragraph 1.31 of this report will be met.
- 5) Re-confirm that the council Land Value be re-invested in BXS to secure a revenue stream and authorise Officers to explore options for securing this investment for consideration by this Committee in due course.
- 6) Authorise the Deputy Chief Executive in consultation with the Chairman of the Committee to update and make any consequential changes as may reasonably be required to the BXS legal documentation in light of the updated Business Plan and revised Phase Proposal and Homes England Loan Facility Agreement.

1. WHY THIS REPORT IS NEEDED

1.1 This report provides the quarterly update on progress since the last Committee meeting on 16 September 2019. At that meeting, the Committee:

- Approved and delegated to the Deputy Chief Executive to provide the necessary approvals on behalf of the council as freeholder to assign the lease and so Argent Related and FI Real Estate have agreed terms to complete the transaction to acquire the vacant Toys R Us site.
- Confirmed the appointment of DP9 as planning advisors; New Steer as CPO advisors; the extension of Conway Aecom scope of works to include the temporary access road (paragraph 1.13) and to procure the A-Site document management system for use across the programme and delegates to the Deputy Chief Executive to agree the terms of those appointments and any other appointments as necessary within the agreed budget forecast to meet the current delivery programme for the Phase 1AN infrastructure.
- Notes that the West London Orbital Design Integration Study has now concluded and has identified two possible options for developing an interchange arrangement for the WLO within the Brent Cross West Station; and approves that a further £50k is provided to undertake the necessary further design works to confirm feasibility and identify a single option to be incorporated within the GRIP5 station detailed design stage once the contractor is on board.

1.2 The link to the Committee report is here:

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9929&Ver=4>

BXC Programme Wide Progress Update

1.3 The Committee is asked to note the following programme wide progress update;

- There has been no further update on the proposals for Brent Cross North (BXN).
- Demolitions within BXS have now started. BXS are working to place the first significant infrastructure contract in January to commence infrastructure works by mid-2020 and enable plot development to commence on Plot 12 in early 2021.



Photo of demolition works – Former Rosa Freedman Centre

- BXS is now concluding the negotiations with Homes England to secure funding for use in delivering both physical and social infrastructure, land acquisition and section 106 costs to accelerate development as set out in the June report. The intention is that the Homes Building Fund Loan Facility (HBF) will be in place by the end of year in order to place the first significant infrastructure contract in January 2020. Homes England (HE) require that both the BXS Business Plan and the revised Phase Proposal are updated and approved by the council and HE to reflect the revised funding and delivery strategy as a result of BXN deferral prior to draw down. This includes confirmation by CBRE and approval by the council that the Best Consideration requirement has been met in order for the council to confirm disposal of its land required to facilitate the revised phase proposal in accordance with the BXS legal documentation. Homes England and MHCLG have now approved the loan subject to final approval by the HM Treasury, which is anticipated in December. The Loan Facility Agreement (LFA) and the Direct Agreement between the council and HE are being finalised in parallel.
- The BXS Business Plan is now updated and the proposed changes are reported to this Committee for approval and authorises the delegation to the Chief Executive in consultation with the Chairman of this Committee to finalise the BXS Business Plan main report in accordance with paragraphs 1.8 of this report. The Executive Summary with proposed changes is attached at Appendix 1.
- The revised Phase Proposal is now being finalised. CBRE have been instructed by the council as Phase Project Valuer (PPV) to advise the council in accordance with the Project Agreement. Following 1) completion of this review; 2) receipt of a formal letter on Best Consideration from the PPV Valuer and 3) confirmation that the tests set out in paragraph 1.31 of this report have been met, the Committee is asked to authorise the Chief Executive in consultation with the Chairman of this Committee to review and confirm that the best consideration requirement has been met.

- The council is continuing to progress the critical infrastructure workstreams to deliver the highway improvements to the junctions of Claremont Road / Cricklewood Lane and Cricklewood Lane / A5 Edgware Road (known as the Southern Junctions), as well as part 1 of the Whitefield Estate replacement homes which will be built on Plots 53 and 54 on Brent Terrace. The novation of the L&Q Funding Agreement from BXN to the council was completed on 12 November 2019.
- On 3 October 2019, the Policy and Resources Committee approved the appointment of Volker Fitzpatrick as the preferred bidder to design, build and handback the Brent Cross West Station and Vinci Taylor Woodrow as reserve bidder; and authorised the Deputy Chief Executive in consultation with the Chairman of this Committee to finalise and enter into the NEC contract to deliver the Brent Cross West Station with the preferred bidder (or with the reserve bidder should it prove not to be possible to complete contracts with the preferred bidder). The contract is due to be entered into shortly with Volker Fitzpatrick.
- Further additional design works are being undertaken to confirm feasibility and identify a single option to enable passive provision for an interchange arrangement for the WLO within the Brent Cross West Station for incorporation within the GRIP5 station detailed design stage.
- The Train Operating Company (TOC) Building is now complete. However, the TOC operator GTR has delayed relocating to the building until mid December once the new train timetable is in place. This, coupled with the recent notification from Network Rail that the required 72 hour possessions required in 2021 (to slew the mainline rail tracks to create the space for the new station platforms) are no longer available, has significant impacts on the BXT and BXS programme. The implications are currently being worked through with DfT, NR (and Amey), the TOC operators as well as BXS to develop a revised integrated programme that will have rail industry wide support. An update will be provided to the Committee in January 2020. This delay will have programme and cost implications for Thameslink and BXS projects, which need to be worked through with the public sector partners alongside Network Rail and Argent Related.
- In respect of the waste programme, North London Waste Authority (NLWA) and London Energy Limited (LEL) have now signed off the detailed design to commence with the main works contract. However, as reported to the Committee previously, BXT reviewing the procurement strategy. In accordance with existing delegations, this will be reported to the Chief Executive in December for approval in consultation with the Chairman of the Committee and an updated provided to the next Committee.

Updates to the Brent Cross South Business Plan and Phase Proposal approved in 2017

- 1.4 The south side legal documentation (which includes the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation) was completed on 11 July 2016, and the Brent Cross South (BXS) Joint Venture Limited Partnership (JVLP) formally created.
- 1.5 The Project Agreement and Shareholder Agreement dated 11 July 2016 provide the framework for bringing forward BXS. The report to the Committee dated 17 March 2016 summarises the joint venture structure and legal framework arrangements.

<https://barnet.moderngov.co.uk/documents/g8312/Public%20reports%20pack%2017th-Mar-2016%2019.00%20Housing%20and%20Growth%20Committee.pdf?T=10>

- 1.6 This framework includes a requirement for a Business Plan to be reviewed annually, describing the actions required to meet the BXS vision shared by the parties, and through this route guide the activity, roles, responsibilities and obligations of the parties. The Business Plan is a live document capable of being reviewed as required. The Committee approved the Business Plan in July 2017.

<https://barnet.moderngov.co.uk/documents/g9337/Public%20reports%20pack%2024th-Jul-2017%2019.00%20Assets%20Regeneration%20and%20Growth%20Committee.pdf?T=1>

- 1.7 The Committee was asked to note that any future changes to the Business Plan will need to be approved by the council acting as shareholder in the General Partner. The Business Plan was not updated in 2018 due to the need to work through the implications of the decision by Hammerson and Aberdeen Standard to defer the BXN scheme in July 2018 and formally agree the revised funding and delivery strategy.

- 1.8 The BXS Business Plan has now been updated to

- a) reflect the revised delivery strategy and resequencing of works;
 - consequential changes resulting from the deferral by BXN;
 - scheme development in relation to the station and evolution of the BXS masterplan;
 - proposed Homes Building Fund loan facility;
 - progress on securing reserved matters planning consent and land assembly reflecting changes in relation the confirmed CPO's and third party land;
 - current market conditions including the negotiations with L&Q in respect of Plot 12 and relocation of Part 2 Whitefield Estate;
- b) Provide greater emphasis on Health and Wellbeing
- c) Respond to re-evaluation of local transport infrastructure to meet needs of current and future residents.
- d) Confirm infrastructure utility partners
- e) Provide more detail on future development uses within the town centre.

- 1.9 The Executive Summary is attached at appendix 1. The key areas of change are as follows:

a) BXC Revised Funding and Delivery Strategy

- 1.10 The introduction to the Business Plan notes that the most significant impact to the project has arisen through the delays and deferral of the redevelopment of BXN. In particular, BXN are no longer delivering the c£350m of infrastructure improvements, some of which are critical to BXS; and BXS can no longer leverage the place making and regeneration impact that the investment in BXN would have made to the surrounding area.

- 1.11 As a direct consequence, the Business Plan has been updated to reflect the re-sequencing of infrastructure and plot development, the First Phase of BXS (not to be confused with the Planning Consent Phase 1) has been revised and will now be centred in Market Quarter around Neighbourhood Square and the High Street connection to Station Square to take advantage of the context created by the first tranche of Strategic Infrastructure. The First Phase will also respond to the following drivers:

- Temporary open space to be provided on Plot 11
- It is to be residential led;
- To maximise the number of markets that the development can provide for, Build to Rent is to be included alongside Market Sales;
- 110 Whitefield Estate replacement homes to be relocated to Plot 12;
- New affordable homes will be provided in Plots within s73 planning Phases 2 and beyond, in accordance with the requirements of the s106 Agreement;
- A commercial office building;
- Student Accommodation;

1.12 It also advises that the Phase Unconditional Date to follow as soon as practical after the Project Unconditional Date (if not simultaneous).

b) Greater emphasis on the Health and Well-being

1.13 The Business Plan also places greater emphasis on health and wellbeing. It confirms the comprehensive focus on health and wellbeing as being a key driver in the design and development of BXS. The aim is to create a place that encourages healthy lifestyles and enables people to thrive in their everyday lives. In addition to physical activity and opportunities for play, this initiative will also focus on mental health and the benefits of regular social interaction and community activities.

1.14 In particular, it confirms that an emphasis on health and wellness of the individual will be at heart of the town centre.

1.15 The Business Plan envisages that large scale sports and play facilities will encourage and facilitate active participation from residents and visitors alike, setting a tone for community participation across the development. Play, sport and other uses that support this priority will permeate the entire development, through public realm design, leisure facilities, retail strategy, partners selection, enlivenment etc. The purpose is to encourage participation and healthy lifestyles at all levels as part of the DNA of the place, making the most of community facilities as attractors and enablers of a healthy lifestyle.

c) Acknowledges the need to re-evaluate local transport infrastructure which does not meet the needs of current or future residents or occupiers

1.16 The BXS site is geographically well connected, but the Business Plan acknowledges that under the assumptions within the existing consent, the local transport infrastructure as currently exists, does not meet the needs of either current or future residents or occupiers. This is now being re-evaluated in partnership with LBB and TFL given that there have been substantial shifts since consent was last updated (such as the new station being delivered 10 years earlier than previously planned).

1.17 A key part of the vision for BXS is that the development will not need to be dominated by the car, and from the early stages of delivery there will be access to great public transport connections and choice of travel options.

1.18 The existing planning consent promotes the goal of providing sustainable modes of transport, with a focus on good quality cycle and pedestrian linkages. However, experience from other schemes indicates that market demand for residential parking has fallen since

consent was granted. Conversely, it is considered that there may be under-provision of parking in the early phases to meet the market demands of commercial office space, as BXS is establishing itself as a new office location.

d) Update on selection of Utility Infrastructure Partners

- 1.19 BXS has selected Metropolitan as its partner for the utility network ownership; Metropolitan's regulated businesses will own, operate and maintain all the electrical and gas networks and is currently pursuing the water supply and drainage networks also (subject to discussions with the regulator). BXS has also selected its energy partner Vattenfall, who will operate under a 40+ year concession to deliver low-carbon heat, with a target to deliver zero carbon heat within a generation.

e) Update on Development Uses

Student Housing

- 1.20 Because of its good connectivity, BXS will be an attractive location for student housing. With c.300,000 full time students across 61 university campuses in Greater London, the market is mature and robust, and student housing is a complementary use that sits well alongside the core residential offering, aimed primarily at a younger demographic and bringing day round animation. Dedicated student housing at BXS could also relieve pressure on the private rented sector in the borough more generally.

Later Living

- 1.21 The over 65 demographic accounts for 22% of the UK population and yet retirement properties in the UK equate to just 2% of the UK housing stock. This position is even more acute in Barnet, with predictions that the number of people aged 65+ will increase by 33% over the next 10 years – one of the largest increases in elderly residents in all London boroughs. This pent up demand has not gone unnoticed by the market, with several major entrants coming into the Later Living sector in recent years. Like student accommodation, Later Living will generate activity and help to establish critical mass alongside the core residential offering. It will also support a multi-generational resident profile for BXS that will add to its diversity and social inclusion.

Retail and Leisure

- 1.22 The Business Plan includes further objectives for the retail and leisure offer at BXS:
- Become a destination to a wider London audience beyond the immediate community;
 - Provide an offer which responds to gaps in the existing market, particularly around the Food & Beverage offer;
 - Support a forward thinking and innovative approach to an evolving retail market, pioneering future trends in retailing;
 - Drive value growth; and
 - Support and reinforce health and wellbeing initiatives wherever possible.
- 1.23 The area to the north of BXS already has a significant retail offer with the existing Brent Cross Shopping Centre. The retail and leisure offer at BXS will complement the Brent Cross Shopping Centre, in a way that adds to the overarching attractiveness of the area as a destination both for local people and for visitors from further afield. Whilst the re-development plans for the Shopping Centre have been delayed and are under review, the proposed retail offer in BXS will stand alone in its own right and will be a key component of the scheme for both the local community and visitors.

- 1.24 Within the initial phases of the development, a temporary enlivenment strategy will be required to encourage short term uses to provide local amenity and to generate interest and change perceptions of the area.

First Phase Proposal

- 1.25 A revised Phase Proposal is being developed in parallel by the BXS JVLP. CBRE is instructed as Phase Proposal Valuer (PPV) to review the BXS financial model and advise the council on the future council's land contribution and best consideration in accordance with Section 233 of the Town and Country Planning Act (TCPA) 1990 and the Project Agreement. A summary of this process is set out in the report to this Committee in March 2016.

<https://barnet.moderngov.co.uk/documents/g8312/Public%20reports%20pack%2017th-Mar-2016%2019.00%20Housing%20and%20Growth%20Committee.pdf?T=10>

- 1.26 In line with the updated Business Plan (subject to the approval of this Committee) and in accordance with the Project Agreement, BXS JVLP will shortly submit to the council the revised First Phase Proposal (FPP) setting out the details of the proposed development within the BXS revised first phase, establishing the floorspace, uses, infrastructure and public realm and timetable for development as well as the council's potential entitlement to land value. Again, this is a direct response to the updated funding and delivery strategy as result of BXN's deferral and resequencing of infrastructure works as set out in paragraph 1.10 above.
- 1.27 As indicated by the amendments to the BXS Business Plan, the revised First Phase of BXS will now centre upon Market Quarter around Neighbourhood Square and the High Street connection to Station Square to take advantage of the context created by the first tranche of Strategic Infrastructure. The existing First Phase Proposal approved in 2017 is no longer deliverable due to the revised funding and delivery strategy and re-sequencing of works including availability of plots. There are plots on the south side, north of the High Street, within the 2017 first phase that need to be safeguarded for a period of time to deliver the BXN scheme.
- 1.28 CBRE are currently undertaking a detailed review of the BXS financial model and assumptions to inform the best consideration sign off process to enable the council to dispose its land assets to BXS JVLP for development. This process will set the minimum council's land value to be achieved at the next viability appraisal date (the Phase Unconditional Date) as to which see below.
- 1.29 In addition to the arrangements for payment of the council's land value, the council will remain entitled to a share of the surplus in JVLP – a surplus will be generated within JVLP where the value of the land within the project exceeds the costs of acquiring and servicing (putting in infrastructure) that land. That increased land value is crystallised on the disposal of serviced plots to developers.
- 1.30 There are only limited grounds on which the council (as landowner) can withhold approval (as landowner) of the FPP.

- 1.31 As explained in the report to Committee dated 17 March 2016, the council's ability to withhold consent as landowner is limited to the following circumstances. Paragraphs 1.32 – 1.41 explain that none of these circumstances apply:
- a) The council has not received confirmation of best consideration from the Phase Proposal Valuer (see below);
 - b) Where the matter is one of housing management and the council reasonably believes that vacant possession could not be obtained within the proposed programme;
 - c) The Phase Proposal includes open space which the council will not be able to dispose of having considered relevant representations;
 - d) The council believes that the consent of the Secretary of State is unlikely to be obtainable (where required);
 - e) The Phase Proposal does not include a drawdown conditions longstop date. In this regard, the parties have agreed that there will need to be a rolling programme of the dates by which Plots should be drawn down in order for the project to progress in accordance with the programme. In particular, note that JVLP cannot draw down Plots where it is in default under the terms of the Project Agreement.
- 1.32 The report below briefly summarises work in progress.
- a) The council has not yet received confirmation of best consideration from the PPV valuer.**
- 1.33 Based on the Best Consideration mechanism and overage provisions as set within the Project Agreement that was agreed by Assets, Regeneration and Growth Committee on 17th March 2016, the council's duty to obtain best consideration in accordance with S233 of the Town and Country Planning Act 1990 must be achieved at approval of the revised First Phase Proposal.
- 1.34 The council's actual land value will be reviewed immediately prior to the Phase Unconditional Date, at which time the scheme design will have significantly progressed with greater certainty on costs and assumptions, and the achievement of conditions relating to land assembly, planning, highways, developer, warranties, funding and pre-let as appropriate (depending on the content of the phase). If the council land value is less than that agreed at the approval of the phase proposal, the viability test is not passed and the parties will work together to try and improve viability. Assuming the Phase Unconditional Date does occur, the land value is not crystallised (and therefore can go up and down) until satisfaction of a subsequent viability test prior to drawdown of the individual development plots within a phase.
- 1.35 Prior to the formal presentation of a Phase Proposal by JVLP to the council, the council and the PPV have been provided with the financial model and supporting professional reports to consider the inputs and assumptions made in the financial model which calculates (amongst other things) the potential viability of the proposed Phase and the council's potential entitlement to land value. Whilst the council has not secured independent advice from a quantity surveyor, the council is benefiting from a collateral warranty from Gardiner and Theobald as to the reasonableness of the assumptions used in relation to the estimated

cost of the development. CBRE have also been meeting with Argent Related as development manager on a regular basis to as part of the review which is expected to conclude in December 2019.

1.36 The value agreed in First Phase Proposal in 2017 for the Council's land interests was £10.5m. The emerging revised First Phase Proposal is larger than that approved in 2017, but includes greater third party land. It also takes into account that there is greater certainty on the costs and inputs given the advancement of the masterplan and that reserved matters approvals are now in place on several plots and infrastructure providers are now on board as well as shifts in the market place.

1.37 In order to ensure the programme is maintained, Committee approval is sought to delegate and authorises the Chief Executive in consultation with the Chairman of this Committee to determine that the Best Consideration requirement has been met subject to a) approval of the Business Plan by this Committee; b) completion of the Phase Project Valuer review and formal confirmation that the Best Consideration from the PPV Valuer at a minimum of council land value of £10.5m for formal approval of the revised FPP; and c) confirmation that all the tests set out in paragraphs 1.31 of this report will be met.

1.38 However, as explained above, at the Phase Unconditional Date should the council land value have fallen below the agreed valuation as at approval of the FPP, the council has the decision whether to proceed, or wait for the council land value to improve.

a) Where the matter is one of housing management and the council reasonably believes that vacant possession could not be obtained within the proposed programme.

1.39 The majority of land is within the draft revised First Phase proposal is within council ownership and is also included within the CPO1 and CPO2 Order lands. Only the Whitefields estate is land to which matters of housing management could apply. The council believes that vacant possession within the proposed programme can be achieved.

c) The Phase Proposal includes open space which the council does not anticipate it will be able to dispose of having considered relevant representations.

1.40 The draft revised Phase Proposal does not include open space which the council does not anticipate it will be able to dispose of having considered relevant representations.

d) The council believes that the consent of the Secretary of the State is unlikely to be obtainable (where required).

1.41 The council believes that the consent of the Secretary of the State is obtainable (where required).

e) The Phase Proposal does not include a drawdown conditions longstop date.

1.42 The council is advised that the Phase Proposal will include a drawdown conditions longstop date

Re-investment of council Land Value

- 1.43 The options for how the council takes its land value are set out in the Exempt report to the Committee on 17 March 2017. The council could take its land value as a capital sum at plot drawdown, which represents the most risk-free approach. However, in order to take advantage of the value that will be created through the regeneration and placemaking in the early phases, the Committee is asked to re-confirm that the council reinvest the council's land value in BXS and commission officers to explore options for consideration by the Committee in due course for the reasons set out in the 24 July 2017 report. The aim of such investment will be to secure a revenue stream for the council, and align the council's financial interests with those of its development partner.

BXS Legal Documentation

- 1.44 The BXS legal project documentation between the council and Argent Related is also being updated to reflect scheme development and the revised BXC finance and delivery. It is anticipated that the variation will be completed by the end of December in accordance with the delegations provided by this Committee on 27 November 2018.

Homes Building Fund

- 1.45 As highlighted in previous reports to the Committee, Argent Related on behalf of BXS JVLP has been in discussions with Homes England for some time to agree a loan facility from the Homes Building Fund (HBF) to be used to fund site wide infrastructure, phase incubation costs and site delivery to accelerate delivery of place and homes within BXS Mega Phase A. Mega Phase A comprises the land within LBB / BXS ownership and control following CPO 1,2 and 3, and is due to deliver circa 4,000 homes, office, retail and leisure, hotel rooms, student homes and community and educational facilities. This area is larger than the emerging revised First Phase Proposal.
- 1.46 The HBF funding will help accelerate the delivery of homes and will create a better place quicker by bringing forward the delivery of the High Street connecting into the new station, public parks and schools. It will enable BXS to make progress through unfavourable market conditions as well as responding quickly to more favourable market conditions when they arise, as well as improving viability. It will also help bring subsequent phases forward earlier by enabling paralleled delivery (polycentric development) in different areas of BXS.
- 1.47 Homes England and MHCLG have now approved the loan facility subject to final confirmation by HM Treasury. It is anticipated that the HBF facility will be in place by the end of the year and drawn down as soon as the BXS Business Plan and revised First Phase Proposal are approved to fund site wide infrastructure and to repay the Strategic Infrastructure Loan provided by the council.
- 1.48 The Loan Facility Agreement (LFA) will be directly between BXS JVLP and Homes England and is currently being finalised on the basis that council land (alongside land acquired by BXS JVLP and Argent Related) is provided as security to the LFA in line with the approvals provided by this Committee on 13 June 2019. In this regard, BXS JVLP have agreed to provide an indemnity to cover any council losses in the event of a default by BXS JVLP.
- 1.49 As explained in that report to this Committee on 13 June 2019, it is market norm for infrastructure loans to be secured against land. The provision of council land as security enables a beneficial finance interest rate to be agreed by Homes England with BXS JVLP. This in turn is projected to result in a higher residual land value payable to the council on

the drawdown of its land. However, this approach increases the risk to the council's ability to deliver BXC in line with the council's Procurement and Delivery Strategy approved July 2014 <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MIId=7960&Ver=4> and its investment in the project, should BXS JVLP default on the loan facility as Homes England could exercise its power of sale under the finance documents to force through disposal of the land.

- 1.50 In order to mitigate this risk and following the Committee approval "*in principle that the council enters into the Direct Agreement with Homes England to facilitate the Housing Building Fund Loan between BXS JVLP and Homes England to fund infrastructure and accelerate housing delivery*" on 13 June 2019, council officers have been working with HE to put in place the Direct Agreement on the basis of council land being used as security to ensure that, in the event of BXS JVLP default, both parties work together to agree a revised delivery strategy to deliver the project through a contractual agreement that will maintain housing delivery as opposed to allowing HE to simply sell the council's land to realise the value of its debt.
- 1.51 The parameters of the Direct Agreement are set out in the report to the Committee in June 2019 as follows:
- 1) the council will grant security to HE over an appropriate land interest
 - 2) the council will retain influence over the future delivery of the scheme
 - 3) The council will agree with HE:
 - a) the extent to which HE has influence over approving changes within the project (namely approval of business plan/and any phase proposal) as a term of the facility agreement or, the extent to which it would wish its interests to be represented by the Council as (a) landowner and (b) JV partner.
 - b) the extent to which HE will monitor project progress and achievement of milestones to be a term of the facility agreement. In this regard, there has been discussions between the council and HMG as to how this relates to the wider monitoring of the BXC grant agreement going forward.
- 1.52 Recognising that both HE and the council are public sector organisations, with a shared interest in delivering a timely, high quality scheme in the event that a default occurs, HE will not – for a period to be agreed - take enforcement action pursuant to its security documentation and recognises that the council requires an opportunity to work through the resolution processes set out in the BXS legal project documentation.
- 1.53 In the event the default cannot be remedied/resolved, HE agrees to work with the council to try to rescue the position and secure delivery of the project and agree a revised delivery strategy to ensure that the project proceeds and the development is built out having regard to the requirements of the project as set out in council's Procurement and Delivery Strategy approved July 2014 and the costs incurred by both parties at the time of default
- 1.54 In parallel to the LFA, the Direct Agreement (DA) itself is currently being finalised.
- 1.55 These legal documents will require consequential changes to the BXS Project and Partnership/Shareholder legal documentation. In this regard, it is noted that the Committee has delegated to the Chief Executive in consultation with the Chairman of the Committee authority to "*finalise the terms and enter into the Direct Agreement with Homes England including any associated or ancillary documentation required in connection with the same*".

For transparency, Committee approval is sought to update the previously approved recommendation as follows *“finalise the terms and enter into the Direct Agreement with Homes England including variations to any associated or ancillary documentation required in connection with the same including the BXS Project Agreement and Partnership/Shareholder Agreements.”*

2. REASONS FOR RECOMMENDATIONS

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

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 In respect of the HE loan; the alternative is for HE/BXS JVLP to explore other forms of security or to progress based on an unsecured loan. The current option accelerates delivery, creates greater financial resilience and increases the council's land value and the proposed framework enables both investors in the scheme to determine the strategy at the time that a default occurs, taking into account market factors. The Direct Agreement will need to address deadlock.

4. POST DECISION IMPLEMENTATION

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

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

Budget Monitoring

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

Land Acquisitions

- 5.1.2 The approved budget for land acquisition to facilitate the BXC programme is £63.13m, furthermore, there was expenditure on advanced acquisitions of £4.06m. This is in addition to the Thameslink budget. Actual spend to date is £51.08m. The current forecast for 2019/20 is £6.34m.

Thameslink Station

- 5.1.3 The current approved budget in the capital programme is £364.5m following confirmation of the HMG grant funding agreement. The GLA previously provided a grant of £2.9m to support the BXC Programme.
- 5.1.4 Actual spend to date is £76.2m. The total contractual commitments at the end of October 2019 is £239.3m. The council has submitted drawdown requests against the HMG grant totalling £197.5m, of which all has been paid to date. The current forecast for 2019/20 is £88.31m.

Critical Infrastructure

- 5.1.5 As part of the revised delivery strategy as set out in the report to the June Committee, the council is taking forward the delivery of parts of the newly created 1AN Infrastructure phase. The council has entered into contract with Conway Aecom to deliver these works and is engaging DP9 to discharge the pre-commencement planning conditions and New Steer on CPO matters as outlined above.
- 5.1.6 These works are funded from the £55m core critical infrastructure budget that is being provided as part of the MHCLG Revised Funding Agreement for Brent Cross Cricklewood. Actual spend to date is £0.07m. The current forecast for 2019/20 is £21.93m.

Brent Cross North/London

- 5.1.7 The Brent Cross Principal Development Agreement confirms that the BXN Partners are obliged to pay the council's (and their consultants) costs in connection with this project – this covers a range of costs, including land acquisitions, fees, highway works.

Brent Cross South

- 5.1.8 As previously reported, the council has agreed to provide funding of £23m to the council's Joint Venture Limited Partnership with Argent Related (the JVLP) to provide infrastructure to facilitate the development of the southern area. The facility has now been entered and £19.86m drawn down by BXS JVLP. The remainder of the facility will be drawn down, in accordance with the plan, within this financial year. As explained in paragraph 1.45-1.55 above, the HBF loan facility will also be used to repay the funding provided by the council through the Strategic Infrastructure Loan to fund early enabling and demolition works.

Social Value

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

5.2 Legal and Constitutional References

- 5.2.1 The council's Constitution, Article 7.5 responsibility for function, states the functions of the Housing and Growth Committee, includes responsibility for regeneration schemes and asset management.
- 5.2.2 Council, Constitution, Article 10 Table A states that the Housing and Growth Committee is responsible for authorising (1) all disposal and acquisition of land for over £500k and (2) any transaction which is a "less than best" transaction as the term is set out at s 123(2) of the

Local Government Act 1972.

5.2.3 The council has a range of powers to enter into the legal agreements referred to in this report. The general power of competence under paragraph 1 of Section 1 of Chapter 1 of the Localism Act 2011 enables it to do anything that individuals can do subject to any specific restrictions contained in legislation and the 'incidental power' in Section 111 of the Local Government Act 1972 provides that a local authority has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions. If Homes England's security is to be by way of a legal charge, then the power to grant this is not prevented by section 13 Local Government Act 2003 where the monies are borrowed by BXS JVLP (and not by the Council) and where it is the ultimate responsibility of a third party to make the repayments (and the Council is suitably indemnified for its exposure). The Council will rely on section 1 of the Localism Act 2011 to enter into the Direct Agreement, grant the legal charge and (if necessary) enter into the loan agreement with Homes England. There is no need for the Council to form a company under section 4 Localism Act 2011 where its purpose for entering into the arrangements with Homes England is to achieve the comprehensive regeneration of 'Mega Phase A' (and thereafter the wider scheme) as opposed to being a commercial one. It may nevertheless choose to form a company or to transfer the relevant property interests into an existing company for reasons of structuring the transaction.

5.3 Risk Management

5.3.1 Risk management has been applied across all levels of the programme. As reported to Committee in September, owners and mitigation plans are identified and risks are measured against impact and likelihood to give an overall rating. High rating risks are escalated and reported through the defined reporting procedure with top risks reported to BXC Governance Board. Currently the key risks and mitigations are summarised below:

5.3.2 Programme and funding – There is a risk that BXN does not progress or that planning dates are not achieved across the programme. This risk has been significantly mitigated through the Revised Funding Agreement with Government. The Grant Agreement requires that the BXC project is monitored to milestones. In this regard, the Agreement allows these to be updated through the monthly meeting of the Governance Assurance Board, chaired by the council's Deputy Chief Executive, to reflect scheme development and market conditions and other external factors. A cost review of the BXT budget is to begin shortly to take account of the contract awards and review the programme and cost implications as a result of the shift in possessions as set out in paragraph 1.3 of this report. This review will be reported to the Committee in January 2020.

5.3.3 Station Delivery Date – there is the risk that the May 2022 station opening date cannot be achieved. This would result in additional costs due to programme prolongation as the earliest viable opening date would be December 2022 due to restrictions on timetable changes. This could be later depending on other works on the railway. This risk has materialised with the loss of railway possessions for the track slews as explained in paragraph 5.3.2 above. The council is now working with DfT and Network Rail alongside the Train and Freight Operators to develop a revised industry integrated programme. This also has programme and cost risks for BXS that need to be worked through. An update will be provided to the next Committee meeting.

5.3.4 Network Change – it is necessary to resolve outstanding issues to confirm Network Change.

This is required by January 2020 so to enable the commissioning of the south sidings. As reported above, this risk is being actively managed and should be resolved shortly. Network Change has now been achieved. The council is reviewing the documentation provided by Network Rail and if all in place and agreed by legal advisers, this risk will be removed from the next report to this Committee.

- 5.3.5 Train Operating Timetable - The BXT team have, for some time been facilitating a regular meeting with Train Operators (EMT and GTR), the DfT, and NR. This Board (Rail Operation Assurance Board) deals with all rail industry issues and interfaces. One of the headline areas of interest is the new rail timetable to accommodate the planned stopping pattern at the new station. The industry has a complex and lengthy process for securing future timetables which takes into account competing bids for access. NR and the DfT have both confirmed that everything that can be done at this stage has been done to secure the desired stopping pattern, and NR have published a letter outlining the timetable of events leading up to the publication of the new timetable. There are risks associated with this process, notably around the uncertainty of the GTR franchise, and the publication later this year of the “Williams Review” which will make recommendations on the future structure of the industry. The Board will be monitoring developments closely.
- 5.3.6 Thameslink delivery costs – as with all major programmes there is the risk that costs will increase during programme delivery. The BXT budget is under review to take account of the contract awards on both the station and waste as well as progress on the TOC and Rail Systems and Sidings contracts. This risk is being actively managed. The contract between the council and NR is an Emerging Cost contract. As indicated in previous reports, all emerging cost contracts entered into will require strong contract management to ensure all costs incurred are reasonable. As part of the signed IA the council has open book access to all of Network Rail’s financial information relating to invoiced costs incurred on the programme. This extends to Network Rail contractors where an emerging cost contract is in place. As referred to in the report to ARG in November 2018, the council also has the right (subject to notice and personal safety) to access the site and attend meetings. In this regard, the regular senior level meetings between Network Rail and the council/Re delivery are continuing to review the costs each month. Similarly, there is an on-site presence by the council/Re delivery team to be monitoring programme and work achieved, particularly during track possessions.
- 5.3.7 The most important control mechanism for the council is to employ experienced staff who will provide diligent review and challenge of the NR cost base and reject any costs which are not reasonably and properly incurred. The council’s Client and Re Thameslink delivery team comprises professionals used to working on the railway within Network Rail and are experienced in delivering large railway projects. The challenge to NR will need to operate at several levels, including:
- a. A full-time site presence that stays abreast of issues that arise on site, and monitors the detail and impact of any events, or failure to meet programme milestones, quality standards etc. The site team/person will also systematically log these events/issues and share this information with NR.
 - b. Whilst it will always be difficult to isolate costs associated with NR/Contractor failure, from genuine cost, it is important that NR are discouraged from passing on contractor valuations without themselves challenging whether a deduction should be made to take account of notified failures.

- c. Attendance at key NR meetings. This is in addition to the role set out in (a), targeting any issues which may not have been picked up by the site-based teams, but for the same purpose as (1).
- d. A strong commercial challenge that scrutinises and interrogates any unexpected costs which emerge during the pre-invoice (valuation) process and repeats this when the main invoices are submitted.

5.3.8 Critical Infrastructure (Grant Funded Works) - The council is now responsible for delivering the Southern Junctions and as the Funder, delivery of Plots 53 & 54 providing new homes to rehousing residents from the Whitefield Estate.

5.3.9 Homes Building Fund - It is market norm for infrastructure loans to be secured against land. However, this approach increases the risk to the council's delivery control and its investment in BXC should BXS JVLP default on the loan facility. In order to mitigate this risk, Senior Officers are working with Homes England to put in place a framework that, in the event of default, enables both parties to work together to agree a revised delivery strategy that will continue to achieve housing delivery as well as recovering investment to date. This framework will be documented through a contractual Direct Agreement between the council and Homes England. In addition, BXS JVLP has agreed to provide an indemnity to cover council losses.

5.3.10 Resourcing – the project is now in the delivery stage. In addition, the council has taken on additional delivery items through the revised delivery strategy and needs to deploy sufficient resources. There is a need to ensure resilience within the programme in the event that key persons depart the project as well as to update the succession planning strategy.

5.3.11 Residential – There is a risk that further delays to the BXN development will lead to uncertainty for residents and business owners who are being affected by the development either through relocation or disruption from construction activities. This is being mitigated by the council taking on delivery responsibility for Part 1 Whitefield Estate relocation and the novation of the existing contracts. In addition, the council regularly communicates with resident steering groups as well as residents to keep affected parties up to date with the latest programme dates.

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

5.3.13 Planning – There is a risk that the BXN Partners do not meet the timescales established in the s73 Permission. This risk has been mitigated through the planning applications submitted as part of the revised delivery strategy.

5.4 Equalities and Diversity

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

5.4.2 The development proposals for the Brent Cross Cricklewood scheme will make a significant contribution to the provision of additional, high quality affordable housing units in the Borough as well as providing employment through the creation of a new town centre with leisure, health and educational facilities. The delivery of the Thameslink Station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.

5.5 Corporate Parenting

5.5.1 None in the context of this report.

5.6 Consultation and Engagement

BXC Programme wide

5.6.1 Now in post, the Strategic Communications Lead continues to work closely with development partners and their contractors to co-ordinate the overarching Brent Cross Cricklewood communications delivery.

5.6.2 Communications leads from across the three projects meet monthly to share updates and communications action plans to achieve a collective voice across the wider development.

BXC Channel Strategy

5.6.3 The development of a dedicated microsite is underway. A tender process is now complete and the successful bidder, following a Chief Officer Decision, has been appointed. The website, which is expected to be live by the second week of January, will provide programme-wide updates and information to minimise the impact of construction on residents. The website will also tell the story of Brent Cross Cricklewood and promote the overall vision for the area.

5.6.4 In January, to coincide with the launch of the website, a quarterly BXC resident newsletter will also be launched. The newsletter will include an update on each project and outline the forthcoming communications residents can expect to receive from our partners regarding construction works in the area. The newsletter will promote key consultations, news, information and community opportunities.

5.6.5 A dedicated email BXCRenovation@Barnet.gov.uk has been created for resident comments and questions.

5.6.6 These channels will be supported by direct stakeholder and communications engagement activity developed alongside individual construction management plans.

5.6.7 Construction programmes and key information can be found at barnet.gov.uk/brentcrossthameslink and brentcrosssouth.co.uk

6 BACKGROUND PAPERS

- 6.1 Assets, Regeneration and Growth Committee, 27th November 2018, Brent Cross Cricklewood Update Report
<http://committeepapers.barnet.gov.uk/documents/s49849/Brent%20Cross%20Cricklewood%20Update%20Report.pdf>
- 6.2 Policy and Resources Committee 11 December 2018 Brent Cross Funding
<https://barnet.moderngov.co.uk/documents/g9460/Public%20reports%20pack%2011th-Dec-2018%2019.00%20Policy%20and%20Resources%20Committee.pdf?T=10>
- 6.3 Full Council 18 December 2018 Brent Cross Cricklewood Update Report
<https://barnet.moderngov.co.uk/documents/g9454/Public%20reports%20pack%2018th-Dec-2018%2019.00%20Council.pdf?T=10>
- 6.4 Policy and Resources Committee 20 February 2019 Brent Cross Funding
<http://barnet.moderngov.co.uk/documents/s51244/Brent%20Cross%20Cricklewood%20Funding%20and%20Delivery%20Strategy%20Report.pdf>
- 6.5 Chief Officer Decision, Brent Cross Cricklewood Funding and Delivery Strategy, 6 March 2019
<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7163>
- 6.6 Assets, Regeneration and Growth Committee, 25 March 2019, Brent Cross Cricklewood Update Report
<http://barnet.moderngov.co.uk/documents/s51730/Brent%20Cross%20Cricklewood%20Update%20Report.pdf>
- 6.7 Assets, Regeneration and Growth Committee, 13 June 2019, Brent Cross Cricklewood Update Report
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9928&Ver=4>
- 6.8 Assets, Regeneration and Growth Committee, 16 September 2019, Brent Cross Cricklewood Update Report
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9929&Ver=4>

THE BRENT CROSS SOUTH BUSINESS PLAN

~~JULY~~ NOVEMBER 2017~~19~~

EXECUTIVE SUMMARY

1. Foreword

Since the last revision to the Business Plan the Brent Cross South project has achieved some significant milestones, through challenging circumstances, for the project and the UK as a whole. These include:

- Reserved Matters Approvals achieved for 3 Plots and associated public realm in planning Phase 1;
- Detailed planning approval granted for revised proposals for improvements to Claremont Park;
- Appointments have been agreed with an energy partner and utilities network partner for the development;
- BXS LP has taken possession of land within the Claremont Industrial Estate and commenced demolition works on site; and
- A revised delivery strategy for the project has been developed.

The most significant impact to the project has arisen through the delays and deferral of the redevelopment of Brent Cross North (BXN) by Hammerson Aberdeen Standard Investments (HASI). This has had three major impacts: the increased business rates from the shopping centre development are no longer available to underwrite the TIF to fund the new Thameslink Station; HASI is no longer delivering the c£350m of infrastructure improvements, some of which are critical to BXS; and BXS can no longer leverage the place making and regeneration impact that the investment in BXN would have made to the surrounding area.

The first two impacts have been substantially resolved through negotiations involving the council, Argent Related, HASI, Homes England and HM Treasury (HMT), including funding which allows the council to deliver the new Thameslink Station without reliance on BXN. Enabling Works have now begun on this key project for BXS. Variations to the s73 Permission have also been secured that allow BXS to proceed without reliance on BXN; the revised planning and delivery strategy which has been put in place means that the council will now take forward delivery of critical infrastructure which was previously to have been delivered by HASI.

HASI is reconsidering its designs for a different mix and scale of development at BXN; the indefinite deferral of the project however has left a hole in the place making and wider regeneration story that is required to attract residents, commercial occupiers, visitors and investment into the scheme. Accordingly, this Business Plan places increased emphasis on the need to build critical mass and deliver the points of difference required to make BXS a credible and thriving destination as early as possible in the development programme.

On-going political and economic uncertainty has also loomed large over the past two years. BXS LP will need to remain flexible as decisions are made which respond to emerging events and changes in the assumptions of this Business Plan. In particular it will need to mitigate risks and address any potential impacts on the economics of the scheme.

1.2. Introduction

- a. This Business Plan sets out the strategy for delivering Brent Cross South (BXS), a comprehensive, mixed-use redevelopment totalling c. 12.5 million square feet of gross floor area including some 6,700 homes and workspace for over 25,000 new jobs.
- b. In 2016 ~~the~~ Barnet Council (the [Council](#)) and Argent Related (A/R) formed the BXS Limited Partnership (BXS LP), the Master Developer vehicle to bring forward BXS. This partnership will create, over the next 15 to 20 years, a new well-connected town centre for North West London, ~~which will complement the expanded Brent Cross London Shopping Centre (BXL).~~
- c. The principal joint aim of BXS LP is to secure the delivery of a great place through commercially viable phased development in accordance with this Business Plan. The intention of BXS LP is to generate a sound financial return on the capital deployed, consistent with the risks of carrying out the scheme in a reasonable time frame. Optimal returns are likely to be achieved by taking a long-term view of the development. BXS LP envisages delivering great public benefit for the residents of Barnet and adjacent Boroughs.

2.3. Background to the Partnership

- a. BXS LP as the Master Developer will assemble the land in conjunction with the [Council](#) and implement the necessary infrastructure to create serviced plots for development.
- b. Barnet is the largest and one of the fastest growing London Boroughs. The [Council](#) has identified Brent Cross Cricklewood as a key opportunity area, which is why it set out to form a Joint Venture (BXS LP) to bring forward BXS. The [Council](#)'s objectives for the Joint Venture include:
 - Ensuring placemaking is at the heart of the re-development;
 - Investing its land in anticipation of being able to share in the financial success of the regeneration scheme; and
 - Ensuring a lasting legacy through stewardship of the place.
- c. Argent, one of the UK's most well-respected developers and Related, one of the United States' leading property companies, have formed the Argent Related Partnership.
- d. A/R brings together an extraordinary blend of complementary skills, access to global capital, and unrivalled technical and delivery experience. In addition to its role as a Shareholder, A/R will act as the [Development Manager \(DM\)](#) under contract to BXS LP.

3.4. The Opportunity and the Vision

- a. The development of Brent Cross Cricklewood (BXC), which comprises the Shopping Centre re-development at Brent Cross [London North](#) (BXN~~L~~), the new Thameslink Station (BXT), and Brent Cross South (BXS), provides an unrivalled opportunity to create an exemplar new town centre for London. [Following the deferral of BXN, Hammerson Aberdeen Standard Investments is reconsidering its designs for a different mix and scale of development.](#)
- b. The BXS development area is 180 acres (73 hectares), stretching from the North Circular Road (A406) to Cricklewood Lane, between Hendon Way (A41) and the Edgware Road (A5).
- c. BXS has the benefit of an existing Outline Planning Permission for the comprehensive regeneration of the Brent Cross Cricklewood site which was granted on 28 October 2010, and revised through the s73 Permission in July 2014. The s73 Permission provides for the scheme to be delivered in phases.
- d. The s73 Permission provides for BXS, when complete, to contain:
 - c.6,700 new homes over a mix of tenures;
 - 4.2 million square feet (gross) of new office space, boosting the local economy and creating thousands of construction and permanent jobs;
 - A distinctive new high street at the heart of the community, with local shops and restaurants;
 - Improved transport connections from the new Thameslink Station and better walking and cycle routes into the local area and to existing stations;
 - 8 attractive new public squares;
 - 7 new or improved parks totalling c.65 acres, including improvements to Clitterhouse Playing Fields and Claremont Open Space;
 - Enhanced community facilities including improvements to 3 existing schools and construction of one new school, a new health centre, childcare, children's play space, and a neighbourhood police unit; and
 - New and improved leisure space, with a brand new Hendon Leisure Centre.
- e. Our vision is to deliver a significant, new town centre for [Barnet and for London](#). Our town centre will offer the best of London's long established neighbourhoods with all the attraction, complexity, character and chance of delight and surprise that they can bring. This will be combined with the benefits of new, high quality curated, public realm, infrastructure and buildings. Our town centre will create positive outcomes for people, through opportunities for participation, a sense of ownership, choice and community integration. Through this undertaking, BXS LP aims to set a new benchmark for how outer London can contribute to London's growth.

e.f. At the heart of our town centre will be an emphasis on health and wellness of the individual. Large scale sports and play facilities will encourage and facilitate active participation from residents and visitors alike, setting a tone for community participation across the development.

4.5. Regeneration and Community Engagement

- a. By working in partnership, BXS LP will strive to achieve the following Regeneration Objectives:
- i. Maintaining the right environment for a strong and diverse local economy;
 - ii. Delivering community facilities which support the integration of existing and new communities and provide excellent public services for local people;
 - iii. Creating a high quality urban environment, including well-designed public open space, which is managed and sustained over the long-term;
 - iv. Providing employment and learning opportunities for the communities of North and West London, including those in deprived areas and those currently excluded from labour markets;
 - v. Creating better life chances for children and young people;
 - vi. Promoting healthy, active, independent lifestyles for people of all ages so that families and individuals can maintain and improve their physical and mental health;
 - vii. Promoting family and community well-being and encourage engaged, cohesive and safe communities.
- b. Building on years of consultation and engagement around the BXC regeneration, BXS LP will seek to talk with and listen to a range of different organisations and a diverse set of communities. Community engagement is not just about discussion but is about active participation in community and regeneration programmes where people can share ideas, expertise and support to help build the community.
- c. BXS LP will pay particular attention to consultation with the existing Whitefield Estate residents, particularly secure tenants and resident leaseholders for whom new replacement homes will be provided. Relocation of the Whitefield Estate will respect the rights and needs of current residents and help set a positive tone for years of development to come.

- d. Alongside community engagement, BXS LP will pursue actions to build momentum for placemaking in partnership with local stakeholders. The purpose of ~~these 'early wins'~~ active community development is to promote ~~accessibility and connections and begin to change perceptions~~ community participation, enhance accessibility, create community networks and encourage a distinct identity for Brent Cross South. Through physical interventions, programmes and events, BXS LP will make meaningful improvements to the site area and ~~create~~ generate positive dialogue with the community around the short and long-term benefits of the scheme.

5.6. Phasing Strategy

- a. The Project Agreement and s73 Permission provide for the Brent Cross Cricklewood regeneration to come forward in a series of meaningful phases. BXS LP aspires to make early, visible progress on the ground a priority, with a significant start on site, followed by continued and sustained delivery. The phasing strategy is driven by the need to achieve an optimal pace of delivery with appropriate risk management alongside securing returns that achieve the financial objectives of the project.
- b. The intention is that early phases will play a foundational role in setting standards for quality and the ongoing creation of value, establishing BXS LP's placemaking approach and beginning to change perceptions. This initial phasing strategy will focus on creation of significant critical mass in a timely fashion. To achieve this, the strategy must maintain broad conformity with the s73 Permission and only propose changes that would not materially delay the delivery programme.
- c. At the start of the development, the timing is contractually driven by ~~the achieving~~ Project Unconditional Date for BXL and including the ~~C~~ council placing the construction contract for BXT. The Phasing Strategy in the early Phases seeks to build on the infrastructure ~~and connectivity and wider environment~~ that ~~these two~~ anchor projects will create.
- d. The First Phase of BXS (not to be confused with the s73 Permission Phase 1) will be centred ~~around in~~ Market Quarter around Neighbourhood Square and the High Street connection to Station Square, to take advantage of the context created by the first tranche of Strategic Infrastructure. The First Phase will also respond to the following drivers:
 - i. Temporary open space to be provided on Plot 11;
 - ii. It is to be residential led ~~but with no more than 1,349 residential units consistent with delivering the replacement primary school and other substantial s106 Agreement requirements in Phase 2 (BXS LP will seek to retain flexibility to bring these forward earlier than required)~~;
 - iii. To maximise the number of markets that the development can provide for, Build to Rent is to be included alongside Market Sales;

- iv. 110 Whitefield Estate replacement homes to be relocated to Plot 12;
- v. ~~Plot 18 including 145 market sale with a portion of n~~New affordable homes will be provided in Plots within s73 planning Phases 2 and beyond, in accordance with the requirements of the s106 Agreement;
- vi. ~~Plot 93 with a 70,000 sq ft hotel;~~
- vii.vi. ~~Plot 204 with c. 72,000 sq ft of A~~ commercial office for SME building;
- viii.vii. ~~Plot 206 with Student Accommodation (approximately 395 student beds, equivalent to c.130 residential units);~~
- ix.viii. ~~Phase Unconditional Date to follow as soon as practical after the Project Unconditional Date (if not simultaneous).~~

6.7. Town Planning Strategy

- a. The comprehensive redevelopment of the wider Brent Cross Cricklewood (BXC) regeneration area was initially granted planning permission in outline in 2010 under planning permission reference C/17559/08. This permission was subsequently amended on 23 July 2014 (reference F/04687/13, the 's73 Permission'). The BXC land is also bound by the terms of a related s106 Agreement dated 22 July 2014.
- b. The s73 Permission provides for c.12.5m sq ft of development including up to 6,700 homes and 4m sq ft of commercial offices. Broadly, the s73 Permission includes enough flexibility to deliver a commercially viable scheme within the approved parameters.
- c. The BXS GP Board will adopt individual strategies for each element of planning from time to time, in accordance with the following principles, such strategies to be appended to this Business Plan as they are adopted.
 - i. Meet longstop dates for applications for Reserved Matters Approvals by submitting applications which reflect what BXS LP wants to build, to the greatest extent practicable;
 - ii. Match investment in design for Reserved Matters with the procurement and delivery process to maintain commercial flexibility;
 - iii. Design phases and sub-phases to be as small and self-contained as possible to be achievable and not over commit ahead of implementation;
 - iv. Consider updating the s73 Permission when appropriate to facilitate smoother implementation;

7.8. Masterplanning

- a. The following principles inform the approach to masterplanning generally, and refining the Build Out Plan specifically:
 - i. **Human scale** – Prioritise the experience for people within an overall scale and massing framework to enable informality, granularity and variety.
 - ii. **Health and well-being** – ~~Deliver infrastructure to enable physical activity~~ Ensure that play, sport and other uses that support this priority permeate the entire development, through public realm design, and leisure facilities, retail strategy, partners selection, enlivenment etc. to encourage participation and healthy lifestyles at all levels as part of the DNA of the place. Make the most of community facilities as attractors and enablers of a healthy lifestyle.
 - iii. **Medium rise, high density** - Learn from desirable, quality places that do not necessarily comply with current guidelines.
 - iv. **Connectivity** - Enable and encourage modal shift towards walking, cycling and public transport.
 - v. **Permeability** – Open routes through the public realm and development zones for all to enjoy. Emphasise gateways and invite people in with accessible design throughout.
 - vi. **Variety** – A range of architectural styles and typologies create interest balanced with common themes to develop a cohesive sense of place. Mix the offering of larger public spaces with the amenity of smaller and more intimate ones.
 - vii. **Character** – The public realm – spaces between buildings – will establish personality and character. Concentrate streets and public spaces to create intensity and energy, rather than feeling grand, diluted and empty, but also not overly cramped.
 - viii. **Flexibility** - Focus on nodes of development with a mix of uses, providing options to fill in later where necessary or appropriate.
 - ix. **Phase-able** – Consider the grain of phasing when setting out fixed infrastructure, including levels, utilities, interim access arrangements, constructability, security and management.
 - x. **Respond to geography** - Connect to fixed points and optimise cut and fill balance with basements where they are naturally suited.
 - xi. **Manageable** – Design for management and keep servicing away from pedestrian dominated areas.

~~xi-xii.~~ **Lively** – Plan for meanwhile uses and make the most of existing assets. Test and refine along the way, allowing early successes to influence later decisions.

~~xii.i.~~ **Health and well-being** – Deliver infrastructure to enable physical activity through public realm design and leisure facilities to encourage participation and healthy lifestyles.

xiii. **Inclusivity and Diversity** – In planning for uses and public realm across the masterplan, ensure BXS is a place that promotes inclusivity in terms of cultures, ages, tenures, disabilities and income levels.

~~xiii-xiv.~~ **Cost vs Value** – Ensure that the right balance is provided between cost of delivery vs the value this creates to the overall development.

8-9. Transport

- a. As a part of the delivery of BXS, BXS LP will provide major improvements to the transport infrastructure within the development area, along with improved connectivity to the surrounding area, and wider North West London. The BXS site is geographically well connected, but under the assumptions within the s73, the local transport infrastructure as currently exists, does not meet the needs of either current or future residents ~~or~~ occupiers ~~or visitors to the site~~. This is now being re-evaluated in conjunction with LBB and TFL given that there have been substantial shifts since the s73 (such as the new station being delivered 10 years earlier than previously assumed).
- b. A key part of the vision for BXS is that the development will not need to be dominated by the car, and from the early stages of delivery there will be access to great public transport connections and choice of travel options. The s73 Permission promotes the goal of providing sustainable modes of transport; therefore there has been a lot of focus on good quality cycle and pedestrian linkages. However the application of the transport strategy in the s73 Indicative Layout Plan is dominated by private vehicle and parking for residential uses and the associated infrastructure to support this. Residential parking quantities are targeted to be reduced (based on experience of market demand). Conversely, it is considered that there may be under-provision of parking in the early phases to meet the market demands of commercial office space, as BXS is establishing itself as a new office location. ~~for the quantum of commercial office development~~.

9-10. Ground Works and Enabling Works

- a. BXS LP will take responsibility for site-wide enabling works in order to deliver serviced plots, simplifying and de-risking residual site preparation to be undertaken by individual Plot Developers.

- b. The scope of works will primarily comprise demolitions, site-clearance, earthworks, environmental remediation of the ground (where necessary) and works to provide or alter subterranean utilities and drainage, both permanent and temporary. Locally it will also include the construction of structures and /or temporary or permanent earth-retaining features (structures, embankments or cuttings), the diversion and construction of utilities and the establishment and later demobilisation of site logistics compounds. Existing utilities that become redundant will be terminated / capped off.

10.11. Delivering Utilities Infrastructure

- a. BXS LP is responsible for the design, procurement, installation and (where appropriate) adoption of all infrastructure, utilities and public realm to deliver serviced plots at BXS. The scope of works for utilities covers all the necessary works to provide electrical power, gas, district heating, potable water, telecommunication networks and both surface and foul water sewers to new occupiers.
- b. In designing, procuring, and selecting partners to install and adopt the required infrastructure to meet the utility demands of the scheme, BXS LP will consider the following drivers:
 - i. Ensure that all residents and occupiers at BXS have flexibility and choice in relation to their suppliers of electricity, gas and broadband connections.
 - ii. Deliver the sitewide networks on a phase by phase basis aligned with serviced plot delivery and ensure that disruptions to utility supplies are minimal and continuity of supply is maintained to all existing and new users. [BXS has selected Metropolitan as its partner for the utility network ownership; Metropolitan’s regulated businesses will own, operate and maintain all the electrical and gas networks and is currently pursuing the water supply and drainage networks also \(subject to discussions with the regulator\).](#)
 - iii. Deliver a sitewide district ~~heating and combined heat and power (CHP)~~[energy scheme](#) as required by the s106 Agreement to meet the carbon reduction targets. ~~BXS LP will also consider alternatives to the district heating framework and explore options for a decarbonized grid.~~[BXS has now selected its energy partner Vattenfall, who will operate under a 40+ year concession to deliver low-carbon heat, with a target to deliver zero carbon heat within a generation.](#)
 - iv. In building infrastructure, consider the long term operation, maintenance and adoption of all utility networks.

11.12. Health, Wellbeing and Sustainability

- a. BXS LP is committed to promoting health, wellbeing and sustainability in its widest sense as a core principle at BXS throughout the design, construction and management phases of the development. This section focuses ~~mainly both~~ on health and wellbeing and environmental sustainability, ~~and therefore not only covers although sustainability means not only~~ building energy efficient infrastructure and buildings, but also includes measures which will encourage ~~socio-economic~~ wellbeing and healthy lifestyles at BXS for all residents, occupiers and visitors. This approach dovetails with LBB's Corporate Plan (2019-2024) which states that one of the main outcomes which the council will deliver is for "Our residents to live happy, healthy, independent lives with the most vulnerable protected".
- b. In addition to planning obligations from local, regional and national policies, BXS LP in its capacity as Master Developer is committed to investing in environmental sustainability measures when they contribute to the long-term value and resilience of BXS. Central to this will be the provision of the necessary infrastructure that will allow for efficient site-wide energy generation and distribution as well as enhancing the environmental performance of all buildings on site. BXS LP will also promote a healthy lifestyle through promoting public transport accessibility and reducing dependency on cars and designing a public realm that makes sport and leisure a part of the development's DNA.
- ~~b.c.~~ A comprehensive focus on health and wellbeing will be a key driver in the design and development of BXS. Our aim is to create a place that encourages healthy lifestyles and enables people to thrive in their everyday lives. In addition to physical activity and opportunities for play, this initiative will also focus on mental health and the benefits of regular social interaction and community activities.

12.13. Digital Strategy (Smart Cities)

- a. The term 'Smart Cities' can be viewed as the potential contribution from, and value-added of, services enabled through digital technologies in the built environment. Smart Cities is an emerging field and the extent of applications are as of yet unknown, but from the outset BXS LP will be smart about how it develops, owns and operates BXS to enable and exploit the inter-connectedness of things.
- b. BXS LP will focus on enabling infrastructure to facilitate digital and data driven design in whatever future applications are right for BXS. This includes setting the necessary physical duct work and conduits in the ground, building connectivity through fibre, broadband and mobile service throughout the site and integrating with building design so that BXS LP and its occupiers can decide later how best to make use of these disruptive technologies as they prove their worth. In this area BXS LP will seek to be an industry leader. This will also require at a minimum the fastest broadband connection available anywhere.

13.14. Thameslink Station Integration

- a. The timely implementation of the new Thameslink Station (BXT) is a key ingredient in the success of BXS. Whether people are looking to live, work or visit, ease of access will be a primary consideration. The additional train services that are to be provided by the new station, along with details of its design and the timing of delivery consistent with commencing train services in [May 2022](#) are of critical importance and directly or indirectly will influence nearly all aspects of the wider opportunity at BXS.
- b. Progress on delivery of BXT is a fundamental driver of the delivery of BXS. The s73 Permission includes a condition (24.5) that restricts commencement of plot development in the Station Quarter until there is an unconditional contract for the new station and restricts occupation of any plots within Station Quarter until a contract has been placed for delivery of the interim interchange (and restricts occupation beyond 100,000 sq m until the station is completed and available for use). The Station contract is also a condition to achieve the Project Unconditional Date. As a result, the ongoing progress of the Station project is a trigger for further investment in BXS.

14.15. Residential

- a. With the potential to deliver up to 6,700 new homes, BXS is one of the largest residential development opportunities to come forward in London in recent years. The scale of the opportunity is particularly unique for north London and for LB Barnet.
- b. The BXS LP residential strategy seeks to achieve the following objectives:
 - Deliver the quantum of new homes of a mix of tenures (including the Whitefield Replacement homes and new affordable) to achieve the vision for BXS;
 - Drive receipts from residential plots to support the delivery of infrastructure;
 - Deliver significant critical mass in early phases in order to support the creation of a place; with no place there is no value; and
 - Drive value growth.

Market Sale

- c. It is expected that a substantial proportion of the market facing residential units will be delivered as market sale, varying slightly by phase and zone. The majority of residential units will be delivered as apartments in order to optimise density. It is expected that plots will be able to achieve a good mix of apartment types, including [half a good proportion of](#) dual aspect flats, as well as townhouses / maisonettes and penthouses. [The Strategic Housing Market Assessment completed to assess housing need in Barnet to support LBB's housing strategy identifies a need for family housing in the borough;](#) BXS LP will also continue to explore the possibility of providing some family houses, which may be feasible on some portions of the site, [such as the Eastern Lands](#), in later phases.

Build to [Rent](#) (BtR)

- d. BXS LP will seek to deliver purpose built rental housing, BtR, with high quality flats, professional management and good communal amenities. Rental products are likely to appeal to a broad market for reasons of affordability constraints and/or positive lifestyle choice. This in turn supports local shops and restaurants and reinvigorates schools / leisure facilities and other mixed uses. The BtR offer will aim to be best in class. This means that it will be designed for professional management, incorporating block sizes of substantial scale for efficiency and shared services, unified ownership, longer tenancies and generally designed for a customer oriented approach.

Student Housing

- e. Because of its good connectivity, BXS will be an attractive location for student housing. With c.300,000 full time students across 61 university campuses in Greater London, the market is mature and robust, and student housing is a complementary use that sits well alongside the core residential offering, aimed primarily at a younger demographic and bringing day round animation. It is anticipated that there will be a strong demand for purpose built and professionally managed housing at BXS for students from both from Middlesex University and the larger Central London universities such as UCL (which is on Thameslink). Whilst Brexit may have some impact on European student numbers there is still substantial existing demand from British and non-EU students. Current thinking suggests that Brexit is unlikely to have much of an impact on this market given that the bulk of student housing demand in London comes from international rather than EU students, and particularly from China.

Later Living

- f. The over 65 demographic accounts for 22% of the UK population and yet retirement properties in the UK equate to just 2% of the UK housing stock. This position is even more acute in Barnet, with predictions that the number of people aged 65+ will increase by 33% over the next 10 years – one of the largest increases in elderly residents in all London boroughs. This pent up demand has not gone unnoticed by the market, with several major entrants coming into the Later Living sector in recent years. Like student accommodation, Later Living will generate activity and help to establish critical mass alongside the core residential offering. It will also support a multi-generational resident profile for BXS that will add to its diversity and social inclusion.

Affordable

- f.g. Affordable housing is a vital component of BXS LP achieving a mixed and balanced community and a successful place, where residents are proud to live. Affordable housing will be delivered tenure blind and allocated across the scheme, such that there will be no discernible difference in external appearance between the quality of market and affordable homes.

~~g.h.~~ Affordable housing at BXS involves two components: the Whitefield Estate replacement units and new affordable housing. In accordance with the Project Agreement, BXS LP will provide the Whitefield replacement units within the First Phase of development.

~~h.i.~~ [In relation to new affordable housing, the s106 Agreement seeks viability testing phase-by-phase.](#) It is recognised that in the First Phase, providing additional affordable homes ~~of accommodation~~ beyond the Whitefield Estate relocation will be challenging given the cost burden of the First Phase infrastructure and Whitefield relocation units. BXS LP [has recently submitted the Financial Viability Assessment for planning Phase 2, and](#) will work with the Council as the LPA on [this and](#) future phases to achieve an appropriate quantum and mix of new affordable housing taking into account local housing needs in accordance with the s106 Agreement.

~~15-16.~~ Commercial Office

- a. Achieving the vision for BXS as a successful town centre rests in part on delivering a significant commercial office development as part of the overall mix of uses. The presence of a successful office cluster will bring economic activity and a strong weekday economy, supporting the restaurants, shops and leisure facilities that are also essential to a successful town centre.
- b. The s73 Permission includes 384,327 gross sq m (c. 4m sq ft) of B1 office space. The long term ambition is to take maximum advantage of the s73 Permission and to deliver a significant, well connected and thriving new business community for London at BXS.
- c. The BXS LP commercial office strategy will seek to achieve the following objectives:
 - Provide the platform needed to deliver a wide range of workspace opportunities that meet the varied and changing needs of different types of businesses [aimed at different price-points, users and tenures \(eg. Grade A office space, SME, temporary workspace etc\)](#);
 - Maximise the opportunity created by the excellent transport connections (both existing and committed) that serve BXS to attract new businesses to the area;
 - Deliver significant critical mass and footfall to support other uses; and
 - To deliver land receipts of a scale and value sufficient to support the needs of the wider project.

~~16-17.~~ Retail, Leisure and Hotel

- a. Retail is an essential component of changing perceptions and delivering on the vision at BXS.- The ground floor experience – whether unique and lively or sparse and predictable – will come to characterise BXS as a place for better or worse. The s73 Permission allows for c. 43,500 sqm of retail and leisure space combined, or c. 4% of the total BXS GEA. The objective of the retail strategy at BXS will be to create value for other uses through “place creation” and build a sustainable and valuable offer in its own right.

- b. Further objectives for the retail and leisure offer at BXS are to:
- Provide basic amenity for residents, workers and neighbours;
 - Serve as a meeting place to establish and build community;
 - Complement the offer at BXLN;
 - Generate activity and energy to attract people to the site and retain them in the daytime and evening;
 - Support local and independent businesses, entrepreneurs and workers; and
 - Become a destination to a wider London audience beyond the immediate community;
 - Provide an offer which responds to gaps in the existing market, particularly around the Food & Beverage offer;
 - Support a forward thinking and innovative approach to an evolving retail market, pioneering future trends in retailing;
 - Drive value growth; and
 - Support and reinforce health and wellbeing initiatives wherever possible.-
- c. The area to the north of BXS already has a significant retail offer already with the existing Brent Cross Shopping Centre, which will undergo a major improvement and expansion by 2022. The retail and leisure offer at BXS will complement the Brent Cross Shopping Centre, in a way that adds to the overarching attractiveness of the area as a destination both for local people and for visitors from further afield. Whilst the re-development plans for the Shopping Centre have been delayed and are under review, the proposed retail offer in BXS will stand alone in its own right and will be a key component of the scheme for both the local community and visitors.
- d. Within the initial phases of the development, a temporary enlivenment strategy will be required to encourage short term uses to provide local amenity and to generate interest and change perceptions of the area.
- e. A mix of leisure uses will be a fundamental part of the offer for residents, workers and visitors, and will support the drive for health and wellbeing throughout BXS.

17.18. Sport and Culture

- a. In addition to the primary development uses envisaged in the s73 Permission, BXS LP will seek to attract sport and culture based activities which will help shape the identity of BXS as a wider destination, support the health and wellbeing initiatives, drive footfall to support other uses, increase opportunity for the local community and create long term value for the estate.

- b. The BXS masterplan presents a ~~strong underlying mix of prospective resources to promote sport through sports pitches,~~ huge opportunity with the inclusion of the 44 acres of green space on Clitterhouse Playing Fields which will contain a broad range of sport and play facilities, in addition to neighbourhood parks, civic squares, ~~significant indoor facilities (including the~~ replacement leisure centre), cycle and pedestrian friendly infrastructure and an aspiration for the highest quality urban design, ~~all of which will facilitate and encourage healthy, active lifestyles.~~
- c. An educational use such as a university or private school would bring significant placemaking benefits from a diverse range of students who will work, play, study and relax at BXS. Religious and ~~arts-cultural~~ institutions are also proven examples as catalysts for engendering a sense of place and community. So long as the use is consistent with the BXS theme of inclusiveness and openness, and acknowledges any sensitivities within and between religious groups, it could be an attractive and complementary part of the wider offering.

18-19. Community Facilities and Schools

- a. Community facilities will play a vital role in achieving the Regeneration Objectives and in reinforcing the wider vision for BXS of creating positive outcomes for people through opportunities for participation, a sense of ownership, choice and community integration.
- b. In total, the s73 Permission includes just under 80,000 sq ft GEA of D1 community facilities. These include provisions for health centre, police, child care, library and flexible community space.
- c. BXS LP will view community facilities and schools as benefits and opportunities rather than simply as obligations. The objective will be to support the creation of value across the scheme and for the wider community.
- d. The s73 Permission and s106 Agreement also set out parameters for redeveloping three existing schools on the site: Claremont Primary School, Whitefield Secondary School and Mapledown Special Needs School, and for providing an additional Primary School. Specifically in regards to providing for the schools on site, BXS LP will adopt the following principles, to:
- Ensure the best possible educational outcomes;
 - Engage with students, parents and existing schools throughout the process;
 - Minimise disruption to education of existing students during the re-development stage;
 - Maximise the placemaking potential where possible and make the buildings 'work hard' with efficient layouts and co-location of uses;
 - Ensure generous play space and make the most of adjacent uses including other schools, parks, community facilities and commercial / residential; and
 - Provide ~~for an~~ exemplar in school design.


19-20. Estate Management

- a. Maintaining the public realm of the BXS Estate as a location that is clean, safe and welcoming is of enormous importance in attracting high quality occupiers and new residents, thus creating value for BXS. It will be important to set the right style of operations from day one: professional, helpful, but relaxed and never corporate. [Right from the outset, BXS LP will seek to achieve the highest levels of cleanliness and security.](#)
- b. The 'One Estate' principle is important to the manner in which services will be delivered at BXS. Occupiers will have rights and obligations to a single regime, the 'BXS EstateCo', being inhabitants of a single, integrated place (albeit with permeable boundaries). The "Estate" is defined as all public realm and roads which have not been adopted by the Council.

20-21. Marketing and Public Relations

- a. In the early phases of BXS the marketing and communications strategy at BXS will encourage interest in the development, provide temporary amenities along the way and achieve serious interest in the serviceable plots. BXS LP will invest in sitewide marketing and PR to set the tone and brand for the whole place and its offer, which will be complemented by marketing of individual buildings with their own independent marketing budgets.
- b. The ~~marketing of PR and Comms for~~ BXS will be joined up with the wider Brent Cross Cricklewood regeneration. [Initially the focus will be on coordinating BXS with the new Thameslink Station \(Brent Cross West\), and when the revised proposals for the Shopping Centre project come forward, this will also be integrated.](#) Each of the ~~three component~~ projects will share key messages ~~and in order to~~ contribute to development the reputation and brand of the [whole](#) area in a unified and complementary way.

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	<p>Housing and Growth Committee</p> <p>26 November 2019</p>
Title	Brent Cross central team
Report of	Councillor Richard Cornelius
Wards	All
Status	Public with an accompanying exempt appendix.
Urgent	No
Key	Yes
Enclosures	<p>Appendix A – Financial Analysis (contains exempt information which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information))</p> <p>Appendix B – Equality Impact Assessment</p>
Officer Contact Details	<p>Cath Shaw, Deputy Chief Executive cath.shaw@barnet.gov.uk 020 8359 4716</p>

<p>Summary</p>
<p>This report enacts recommendations of Policy and Resources Committee on 17 June 2019 to review the future contractual arrangements with Capita for those staff involved in the management and governance of the Brent Cross Cricklewood (Brent Cross) development scheme, and to report the outcome to the Assets, Regeneration and Growth Committee.</p> <p>This report assesses three options for future contractual arrangements using the Treasury’s ‘Five Case Business Model Approach’: 1) Extend Special Project (SPIR) with RE to include current resources; 2) Cease SPIR with RE and staff transfer to the council; and 3) Develop a new SPIR with RE with reduced staffing and some staff transfer to the council. It proposes that option 3 is progressed, as this will enable the council to strengthen strategic control while maintaining the integrity of statutory functions (planning and</p>

highways) by keeping them with Re as part of a wider family of specialists. It further proposes that the Deputy Chief Executive carries out all necessary actions to implement option 3.

Officer Recommendations

That the Committee:

- 1. Notes and endorses the outcome of the review of contractual arrangements for the Brent Cross development scheme, namely that integrated programme management and land delivery functions should move to the council and that regulatory planning and highways related to Brent Cross should remain with RE, subject to the outcome of staff consultation and financial due diligence.**
- 2. Notes that the preferred option will not create an increased financial pressure above continuation of the contractual arrangements currently in place, and six staff would be directly impacted.**
- 3. Acknowledges that the Deputy Chief Executive, acting in the best interests of the council, will carry out all necessary actions and negotiations to implement option 3.**

1. WHY THIS REPORT IS NEEDED

Background

- 1.1. At its meeting on 17 June 2019, Policy and Resources Committee considered a report on the 'Review of Capita Contracts' which included an initial review of services RE provides in relation to Brent Cross as part of the RE contract through Special Projects and authorised the Deputy Chief Executive to:
 - 1.1.1. review the future contractual arrangements with Capita for those staff involved in the management and governance of the Brent Cross Cricklewood (Brent Cross) development scheme; and to
 - 1.1.2. commence staff consultation on any proposed changes arising out of that review and to report the outcome of the review and consultation to the Assets, Regeneration and Growth Committee, for noting, in due course, with any decisions to be referred to Policy and Resources.
- 1.2. The paper to Policy and Resources Committee noted that there are two key services: a central team that provides integrated project management, planning support and a clienting function across the Brent Cross programme; and a Brent Cross Thameslink delivery team managing procurement and delivery of a train

station and associated infrastructure, waste transfer station and Train Operating Company accommodation. The Special Project related to the central Brent Cross team was agreed until September 2019, with the option of the Special Project then being further extended to December 2019 in the first instance and then being further extended, or being subject to an alternative arrangement. The council is under no obligation to extend the Special Project arrangement with RE. The other Brent Cross Thameslink Special Project is at a crucial stage in its delivery and utilising expertise from within the wider Capita Group to deliver the services. It was recommended that the Special Project in relation to the central team should be reviewed to ensure that delivery and governance arrangements are appropriate as the wider Brent Cross programme moves into the delivery phase. No changes to the arrangements for the Thameslink Special Project were proposed.

2. REASONS FOR RECOMMENDATIONS

2.1. The council's project management toolkit requires that a Full Business Case sets out, for each option, the advantages, disadvantages and risks of that option; and that for the preferred option a detailed financial appraisal is undertaken. For more significant projects, best practice is to adopt the Treasury's 'Five Case Business Model Approach', which involves:

- A **strategic case** – a robust and evidence-based case for change, including the rationale for intervention, and a clear definition of the outcomes to be achieved.
- An **economic case** – identifying and appraising a 'long list' of realistic and achievable options, to assess how well they meet the objectives and critical success factors agreed for the scheme; and subjecting a shortlist of options to cost-benefit analysis to identify a "preferred option".
- A **commercial case** – typically this focuses on ensuring that the preferred option will result in a viable procurement and well-structured deal. In this case, the emphasis is on commercial deliverability, given the starting point of the existing contractual relationships.
- A **financial case** – to demonstrate that the preferred option will result in a fundable and affordable deal.
- A **management case** – to demonstrate that the preferred option can be delivered successfully.

2.2. Public consultation conducted as part of the Strategic Contract Review, and reported to Policy and Resources Committee on 17 June 2019, endorsed the three strategic aims of i) delivering high quality services; ii) securing best value for money for Barnet's residents; and iii) strengthening the council's strategic control of services. Residents expressed a preference for in-house provision. This has been considered in developing the strategic case.

- 2.3. The SPIR in place for staff involved in the management and governance of the Brent Cross Cricklewood (Brent Cross) development scheme has been assessed against three key options:
1. Extend SPIR with RE to include current resources
 2. Cease SPIR with RE and staff transfer to the council
 3. Develop a new SPIR with RE with reduced staffing and some staff transfer to the council

Strategic case

- 2.4. The Brent Cross Cricklewood Regeneration programme is the long-standing objective and vision of Barnet Council to regenerate the borough of Barnet by creating new homes, expanding the Brent Cross shopping centre and improving transport links by the development of a new mainline station and the improvement of highways, roads and traffic junctions. To date, integration across the three projects (Brent Cross North, Brent Cross South, and Brent Cross Thameslink) has been provided through a Special Project (SPIR) with RE.
- 2.5. There are four main elements to the Brent Cross Regeneration team SPIR; all of these report into the Brent Cross Director, a joint employment post:
- a) An integrated programme management function and financial and communications resource, to support cohesion across Brent Cross North, Brent Cross South, and Brent Cross Thameslink regeneration projects;
 - b) Residential relocations and land delivery to enable regeneration;
 - c) Regulatory planning and transport planning; and
 - d) Infrastructure and highways.
- 2.6. The Brent Cross Programme is of critical importance to the council and is moving into delivery phase, which will require a more intensive focus. It is, therefore, considered that there is a strong case for change, to introduce more strategic control to the service and a shift of management resources from RE to the council. It is more challenging to effect change with a SPIR than with directly employed staff, due to the administrative process required, and so directly employed staff provide more flexibility to respond to changing priorities. Option 1 (extend the SPIR to include current resources) is therefore not considered the most appropriate option.
- 2.7. Option 2 (cease SPIR with RE and staff transfer to the council) would enable maximum control and flexibility for the council. However, moving all posts to the council would not be straightforward as there are interdependencies between the core contract and the SPIR, in particular as they relate to the statutory planning and highways functions. Keeping statutory services in their entirety with RE would help maintain the integrity of statutory functions as part of a wider family of specialists. It is therefore considered that option 2, which would separate statutory functions, would not be in the council's best interests.

2.8. Option 3, would involve the council taking on elements a) and b) of the Brent Cross SPIR which are considered to have the most strategic impact. In particular the integrated programme management function would have a key role in providing a strong clienting function for the services remaining with RE (including the separate Brent Cross Thameslink SPIR) as well as arrangements with development partners. Elements c) and d) (planning and highways) are primarily regulatory in nature and there is less need for flexibility in these elements to respond to emerging priorities, reducing the benefit of option 2.

Economic case

- 2.9. Work to develop the economic case has focused on the financial costs of each option. For option 1, the extended SPIR costs have been based primarily on the current SPIR, for option 2, costs have been modelled using some actuals provided by Re and applying council on-costs and contractor rates as applicable, and for option 3, costs have been based on a combination of options 1 and 2.
- 2.10. Actual costs and information that would enable Capita's profit to be calculated are commercially sensitive. Costs are therefore set out in Appendix A, which is exempt from publication.
- 2.11. A number of assumptions have been made in assessing the economic case. Under options 2 and 3 the council would cease paying some or all SPIR costs, which include an element of profit. The reduction in cost is more significant in option 2 than in option 3 due to the larger number of posts.
- 2.12. Pension costs for staff who acquire the right to join the Local Government Pension Scheme, when they enter council employment, are the primary source of additional costs for the council associated with insourcing these services. The additional ongoing running costs associated with option 2 are comparatively higher than those for option 3, primarily due to the larger number of staff involved and therefore greater impact of increased pension costs.
- 2.13. In terms of cost to implement, option 1 would involve reviewing and revising the existing SPIR to ensure it is fit for purpose going forward, this work would be contained within existing retained client, finance and commercial resources. Developing a new SPIR under option 3 would likewise be contained within existing resources. Work to transfer staff from RE to the council and map interfaces with remaining Re services would primarily be undertaken by existing retained client, HR, finance and commercial resource, with some existing project resource.
- 2.14. Cost estimates indicate that:
- Option 1 – this would be a continuation of current costs.

- Option 2 – running costs would be lower than options 1 and 3. There would be a one-off implementation resource implication as noted above.
- Option 3 – running costs would be lower than option 1. There would be a one-off implementation resource implication as noted above.

2.15. With all options there is the potential for additional or reduced cost if further or fewer resources are needed to deliver in line with the Brent Cross objectives. This would be as a result of demands of the programme rather than a direct implication of the option chosen.

2.16. In terms of non-financial benefits, the primary benefit of options 2 and 3 would be increased strategic control; option 3 would deliver the majority of the benefits around strategic control. There would also be increased flexibility, as an in-house team arguably has more flexibility to respond to changing priorities than one operating within the constraints of a contractual relationship.

Commercial case

2.17. The aim of the commercial case is to demonstrate that the preferred solution can be delivered commercially. Option 1 is most straightforward. Options 2 and 3 would involve a price reduction based on posts deleted from the SPIR, and option 3 would also require negotiation of a new SPIR. Discussions around interaction with the core services would likely be required under option 2; this could take significant time and an outcome favourable to the council is not assured. Option 3 would enable the council to move more quickly to implementation as no commercial discussions would need to take place around statutory functions. While option 3 involves both moving posts to the council and negotiating a new SPIR, it is considered commercially possible to achieve this by January 2020.

Financial case

2.18. The economic case assesses which option offers the best balance of costs and benefits, whereas the role of the financial case is to test that the preferred option is affordable. Option 1 is considered to be deliverable at no additional cost to the council, subject to any additions that may be needed to the SPIR to deliver additional services. Options 2 and 3 would be deliverable at lower cost.

Management case

2.19. Option 2 impacts on 22 employees all of whom are based in Barnet. Option 3 impacts on six employees all of whom are based in Barnet and function as a cohesive team. All options are considered to be achievable from a management point of view. Option 2 is more complex, due to the larger number of staff and would not maintain the integrity of planning and highways statutory functions as they would be split between the council and RE.

Conclusion

- 2.20. Whilst both options 2 and 3 would meet the strategic aim of improving strategic control, option 2 would involve greater commercial complexity which may slow timeframes. It is considered that the key benefit of strategic control would be gained from moving the integrated programme management and land functions to the council, rather than the planning and highways aspects of the Brent Cross SPIR. Keeping statutory services in their entirety with RE (as proposed under options 1 and 3) would help maintain the integrity of statutory functions as part of a wider family of specialists. Additional financial benefits that would be accrued by moving the whole SPIR functions to the council are not considered to be justified by the additional complexity involved and the potential loss of specialism by separating statutory functions.
- 2.21. It is, therefore, proposed that the Committee note that option 3 will be progressed, subject to the outcome of further financial due diligence and negotiation with Capita.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1. As per the reasons for recommendations section of this report, options to extend the Brent Cross SPIR with RE to include current resources (option 1) and to cease the SPIR with RE and staff transfer to the council (option 2) have been considered and are not recommended as the preferred option for the reasons set out above.

4. POST DECISION IMPLEMENTATION

- 4.1. Following the report coming to Committee, work will continue on concluding the necessary commercial negotiations and financial due diligence. Alongside this, work will commence on implementing the transition of staff to the council. This will include carrying out informal briefing of staff, with formal TUPE consultation commencing upon conclusion of the commercial negotiations. Work will also take place with RE to agree a new SPIR for resources that would remain with RE to support delivery of the Brent Cross programme.

5. IMPLICATIONS OF DECISION

5.1. Corporate Priorities and Performance

- 5.1.1. The aims of this review are consistent with those set out in the December report to Policy and Resources Committee, confirmed through the consultation process, which were designed to ensure high quality, good value services as envisaged in the council's Corporate Plan.
- 5.1.2. The comprehensive regeneration of Brent Cross Cricklewood is a long-standing

objective of the Council and a key regeneration priority of the Mayor of London. The regeneration of Brent Cross Cricklewood supports the Council's Corporate Plan 2024 which states our three outcomes for the borough focus on place, people and communities:

- A pleasant, well maintained borough that we protect and invest in
- Our residents live happy, healthy, independent lives with the most vulnerable protected
- Safe and strong communities where people get along well.

5.1.3. Under a pleasant, well maintained borough that we protect and invest in, the priorities are:

- ensuring decent quality housing that buyers and renters can afford, prioritising Barnet residents
- investing in community facilities to support a growing population, such as schools and leisure centres
- responsible delivery of our major regeneration schemes to create better places to live and work, whilst protecting and enhancing the borough.

5.1.4. The scheme to transform Brent Cross Cricklewood will play a major role in delivering future prosperity, doubling the size of the shopping centre and linking seamlessly to a new town centre for Barnet and North London across the North Circular Road. Brent Cross Cricklewood is one of Barnet's priority regeneration areas and will provide approximately 7,500 new homes over the next 20 years. It is a key part of the wider revitalisation of the A5 corridor, linking Brent Cross Cricklewood with developments at West Hendon, Colindale and Edgware and improvements to Cricklewood Town Centre, to create a series of high quality modern suburbs.

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

5.2.1. The implementation costs are modest and can be contained within monies already allocated to the Strategic Contract Review. The costs are being funded from reserves, which were enhanced by the £4.12m commercial settlement agreed by the Urgency Committee on 30 November 2018.

5.2.2. In terms of the preferred option, option 3 will not result in an additional cost to the council above that already budgeted.

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. 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.

- 5.3.2. The Brent Cross Programme provides significant opportunities to build social value. Tracking benefits, such as social value benefits, is actively carried out by the Brent Cross integrated Project Management team, which will continue.

5.4. **Legal and Constitutional References**

- 5.4.1. Council Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships) provides that the Housing and Grown Committee, is responsible for regeneration schemes and asset management. This report is coming to this committee as a referral from Policy and Resources Committee as per paragraph 1.1 of this report.

- 5.4.2. Legal advice will be taken as required on the revised SPIR.

- 5.4.3. The Council and Capita must comply with their legal obligations under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014) (TUPE) in connection with the transfer of the staff under these proposals.

5.5. **Risk Management**

- 5.5.1. A key consideration is ensuring that experienced staff who will provide diligent review and challenge are working on the programme. The current team provided through the Brent Cross SPIR have amassed significant knowledge and ensuring a smooth transition to the council needs to be managed carefully to ensure staff are retained. The council is working with RE to ensure that there is regular, joined-up, communication in respect of the proposal to transfer some staff to the council.
- 5.5.2. There is a risk that decisions may be based on incomplete or flawed data, leading to the council taking on services that it does not understand and/or cannot afford to operate. This is being managed through close working with RE.
- 5.5.3. There is a risk to delivery of the Brent Cross Cricklewood programme if those working on the programme focus their time and attention on the process of moving resources to the council. This will be kept under review throughout the process, including through contract management mechanisms.
- 5.5.4. Programme governance arrangements are in place. As part of these arrangements, a risk register has been prepared and this is reviewed and updated on a regular basis.

5.6. Equalities and Diversity

5.6.1. Equality and diversity issues are a mandatory consideration in the council's decision-making process. Decision makers should have due regard to the public-sector equality duty in making their decisions. The equalities duties are continuing duties; they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that the Housing and Growth Committee, or the officer decision maker if the decision is delegated to them, has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public-sector equality duty are found at section 149 of the Equality Act 2010.

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) tackle prejudice, and
- (b) promote understanding.

5.6.2. An initial Equalities Impact Assessment for the decision proposed in this report is attached at Appendix B.

5.7. Consultation and Engagement

Public consultation and Best Value consultation

5.8. Public consultation conducted as part of the Strategic Contract Review, and reported to Policy and Resources Committee on 17 June 2019, has been considered in developing the strategic business case, as referred to in 2.2 of this report.

Staff consultation

5.8.1. Any proposals that involve the transfer of services from one provider to another (including transfer in-house or to alternative providers) will entail a statutory requirement to provide information and consult with staff representatives under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). These requirements will be triggered once a decision to transfer services has taken place and prior to any transfer being effected.

5.8.2. However, it should be noted that it is good practice to engage with all staff from the point at which any potential for transfer of services becomes generally known, throughout the decision-making and transition periods and for a period post-transfer (if a transfer takes place). Early engagement with staff assists in managing the risks of staff becoming unsettled or distracted as outlined above. It also assists in preventing loss of key staff during the decision-making and transition periods, as well as ensuring the council continues to attract high calibre individuals by maintaining its reputation as an employer of choice.

5.8.3. Likewise, early engagement and ongoing dialogue with staff representatives is also good practice, with the aim of early identification and resolution of issues, reaching agreement on processes and approach to managing the workforce aspects of transfer and addressing any issues that may arise at the earliest opportunity so that statutory consultation and the transition itself can run smoothly for affected staff.

5.9. Insight

5.9.1. The analysis undertaken to date has been based on the current contractual model, information provided by Capita, and legal review of the contract.

6. BACKGROUND PAPERS

- 6.1. Approval of preferred bidder for DRS services:
<https://barnet.moderngov.co.uk/documents/s9226/DRS%20Cabinet%20Report.pdf>
- 6.2. Cabinet Resources Committee delegated authority to the Strategic Director for Growth and Environment [now the Deputy Chief Executive] to put in place contractual arrangements relating to Brent Cross -
<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=12505&ISATT=1#search=%22Brent%20Cross%20%22>
- 6.3. Year four review of RE contract:
<http://barnet.moderngov.co.uk/documents/s43591/PCM%20RE%20Contract%20Review%20Report%20Nov%202017.pdf>
- 6.4. Report to Policy and Resources Committee, Review of Capita Contracts – Strategic Outline Case:
<http://barnet.moderngov.co.uk/documents/s47263/Capita%20Realignment.pdf>
- 6.5. Report to Policy and Resources Committee, Review of Capita Contracts
<http://barnet.moderngov.co.uk/documents/s50134/Review%20of%20Capita%20Contracts.pdf>
- 6.6. Report to Policy and Resources Committee, Review of Capita Contracts
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CIId=692&MIId=9850&Ver=4>

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Equalities Impact Assessment (EIA)

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then create an action plan to get the best outcomes for service users and staff¹. They analyse how all our work as a council might impact differently on different groups protected from discrimination by the Equality Act 2010². They help us make good decisions and evidence how we have reached them.³

An EIA needs to be started as a project starts to identify and consider possible differential impacts on people and their lives, inform project planning and, where appropriate, identify mitigating actions. A full EIA must be completed before any decisions are made or policy agreed so that the EIA informs that decision or policy. It is also a live document; you should review and update it along with your project plan throughout.

You should first consider whether you need to complete this full EIA⁴.

Other key points to note:

- Full guidance notes to help you are embedded in this form – see the End Notes or hover the mouse over the numbered notes.
- Please share your EIA with your Equalities Champion and the final/updated version at the end of the project.
- Major EIAs should be reviewed by the relevant Head of Service.
- Examples of completed EIAs can be found on the Equalities Hub

1. Responsibility for the EIA

Title of proposal ⁵	Asset, Regeneration and Growth (ARG) Report on transfer to the council of Brent Cross central functions (under options 2 – full transfer and 3 – full transfer).
Name and job title of completing officer	Mairead Mooney, Project Officer
Head of service area responsible	Susan Curran, Commissioning Lead, Regeneration
Equalities Champion supporting the EIA	Rob Champion, Programmes & Resources Advisor, Growth & Corporate Services
Performance Management rep	
HR rep (for employment related issues)	Sharni Kent, HR Business Partner
Representative (s) from external stakeholders	Re

2. Description of proposal

Is this a: (Please tick all that apply)	
New policy /strategy / function / procedure / service <input type="checkbox"/>	Review of Policy /strategy / function / procedure / service <input type="checkbox"/>
Budget Saving <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
If budget saving please specify value below:	If other please specify below: Proposed transfer to the council of Brent Cross central functions
At its meeting on 17 June 2019, Policy and Resources Committee considered a report on the 'Review of Capita Contracts' which included an initial review of services RE provides in relation to Brent Cross as part of the RE contract through Special Projects and authorised the Deputy Chief Executive to:	

- review the future contractual arrangements with Capita for those staff involved in the management and governance of the Brent Cross Cricklewood (Brent Cross) development scheme; and to
- commence staff consultation on any proposed changes arising out of that review and to report the outcome of the review and consultation to the Assets, Regeneration and Growth Committee, for noting, in due course, with any decisions to be referred to Policy and Resources.

This EIA accompanies the Assets, Regeneration and Growth report of 26 November 2019 which reviews three options for future delivery and recommends option 3.

- Option 1 is extend SPIR with RE to include current resources - as the status quo this would have a neutral equalities impact.
- Option 2 is cease SPIR with RE and staff transfer to the council – this would impact 22 individuals
- Option 3 is develop a new SPIR with RE with reduced staffing and some staff transfer to the council – this would impact 6 individuals

In broad terms it has been concluded by officers, taking into account previous consultation undertaken as part of the strategic contract review and reviewing current contractual arrangements, that transferring the integrated project management and land function from RE to the Council will provide greater strategic control and enable flexibility to respond to changing priorities. It is therefore proposed that this service be transferred in-house (option 3), subject to the conclusion of the necessary negotiations and financial due diligence.

Under options 2 or 3, there will be data about RE staff in scope to be TUPE transferred in to LBB across the range of protected characteristics. The duty for leading the transfer of staff, and for therefore leading the TUPE process, including staff consultation, lies with the transferring organisation, in this case RE. However, due consideration will need to be given to any adjustments that may be required post transfer.

It will not be possible to undertake a detailed assessment of equality impacts until the TUPE process is triggered as this will be the mechanism by which LBB will be provided with individual staff details and information on any protected characteristics for which any reasonable adjustments or mitigations will be required. In the event that a TUPE process is triggered this EQIA will be reviewed and updated accordingly. LBB (the receiving organisation) will be working very closely with RE (the transferring organisation) to try and ensure that disruption to staff being TUPE'd over is minimised and the process is as transparent and strain free as possible.

It is not yet possible to be certain the impact on staff that will TUPE from RE to LBB. However, certain staff Terms and Conditions are arguably better with LBB and others arguably better with RE. These include the differences in the RE versus the Local Authority Pension Scheme, certain staff benefits (including maternity leave, etc.). In addition, there is a possible impact on terms and conditions for contractors currently working for Re who would move to the Authority as contractors, which is yet to be quantified. Against this background, we estimate that the impact on staff and contractors transferring to LBB from RE will be considered neutral, or even minimum/positive. However, this will have to be clarified as part of a formal review of the EQIA as part of the TUPE process.

There are no immediate plans to change any aspect of how the functions are delivered. The proposed in-sourcing will have no direct impact on members of the public. In the event that changes to service provision are proposed in the future, this will require further consideration of any potential equality impacts for members of the public.

3. Supporting evidence

What existing data informs your assessment of the impact of the proposal on protected groups of service users and/or staff?
Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis

Protected group	What does the data tell you⁶? <i>Provide a summary of any relevant demographic data about the borough's population from the <u>Joint Strategic Needs Assessment</u>, or data about the council's workforce</i>	What do people tell you⁷? <i>Provide a summary of relevant consultation and engagement including surveys and other research with stakeholders, newspaper articles correspondence etc.</i>
Age ⁸	This information will not be confirmed until at least 28 days prior to the point of transfer as part of the ELI data	<p>Public consultation conducted as part of the Strategic Contract Review, and reported to Policy and Resources Committee on 17 June 2019, endorsed the three strategic aims of i) deliver high quality services; ii) secure best value for money for Barnet's residents; and iii) strengthen the council's strategic control of services. Residents expressed a preference for in-house provision. This has been considered in developing the strategic case. There is nothing in the consultation responses that indicates a that those with a particular protected characteristic felt that the insourcing of functions would have an impact on them.</p> <p>As noted above, consultation with individuals will be led by Re as the transferring organisation. In the event that a TUPE process is triggered this EQIA will be reviewed and updated accordingly.</p>
Disability ⁹		
Gender reassignment ¹⁰		
Marriage and Civil Partnership ¹¹		
Pregnancy and Maternity ¹²		
Race/ Ethnicity ¹³		
Religion or belief ¹⁴		
Sex ¹⁵		
Sexual Orientation ¹⁶		
Other relevant groups ¹⁷		

4. Assessing impact

What does the evidence tell you about the impact your proposal may have on groups with protected characteristics ¹⁸?

Protected characteristic	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Is there an impact on service deliver? Is there an impact on customer satisfaction? Click the appropriate box on the right to indicate the outcome of your analysis.	Positive impact	Negative impact		No impact
			Minor	Major	
Age	This information will not be confirmed until at least 28 days prior to the point of transfer as part of the ELI data.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race/ Ethnicity		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sex		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Other key groups Are there any other vulnerable groups that might be affected by the proposal? <i>These could include carers, people in receipt of care, lone parents, people with low incomes or unemployed</i>		Positive impact	Negative impact		No impact
			Minor	Major	
Key groups	It is not anticipated that any vulnerable groups will be impacted by this proposal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Cumulative impact¹⁹
 Considering what else is happening within the council and Barnet could your proposal contribute to a cumulative impact on groups with protected characteristics?

Yes No

If you clicked the Yes box, which groups with protected characteristics could be affected and what is the potential impact? Include details in the space below

7. Actions to mitigate or remove negative impact

Only complete this section if your proposals may have a negative impact on groups with protected characteristics. These need to be included in the relevant service plan for mainstreaming and performance management purposes.

Group affected	Potential negative impact	Mitigation measures ²⁰ <i>If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation.</i>	Monitoring ²¹ <i>How will you assess whether these measures are successfully mitigating the impact?</i>	Deadline date	Lead Officer
In the event that a TUPE process is triggered this EQIA will be reviewed and updated accordingly.					

8. Outcome of the Equalities Impact Assessment (EIA) ²²

Please select one of the following four outcomes

Proceed with no changes

The EIA has not identified any potential for a disproportionate impact and all opportunities to advance equality of opportunity are being addressed

Proceed with adjustments

Adjustments are required to remove/mitigate negative impacts identified by the assessment

Negative impact but proceed anyway

This EIA has identified negative impacts that are not possible to mitigate. However, it is still reasonable to continue with the activity. Outline the reasons for this and the information used to reach this decision in the space below

Do not proceed

This EIA has identified negative impacts that cannot be mitigated and it is not possible to continue. Outline the reasons for this and the information used to reach this decision in the space below

Reasons for decision

The overall assessment and outcome is based on there being no immediate changes to how services are provided, change to any work location or to any part time working arrangements that staff may have to enable them to carry on with any caring responsibilities.

In terms of wider consultation on transferring functions from the Capita contracts to the council, conducted as part of the Strategic Contract Review and reported to Policy and Resources Committee on 17 June 2019, a total of 343 responses to the public and best value consultation were received. Of these, 198 had noted their age range. Of these, just 93 were aged 43 or under, with 105 therefore being aged 44 or over. This demonstrates that the consultation

questionnaire had relatively few responses from younger residents, whereas nearly 3 in 4 respondents (73%) were aged between 45 and 74. Full details can be found in the Capita Contracts Consultation report, available on request

This equality impact assessment will be updated as more information is made available.

Sign-off

9. Sign off and approval by Head of Service / Strategic lead ²³	
Susan Curran	Commissioning Lead, Regeneration
<input checked="" type="checkbox"/> Tick this box to indicate that you have approved this EIA	Date of approval: 25 th October 2019
<input checked="" type="checkbox"/> Tick this box to indicate if EIA is to be published	Date of next review:

Footnotes: guidance for completing the EIA template

¹ The following principles explain what we must do to fulfil our duties under the Equality Act when considering any new policy or change to services. They must all be met or the EIA (and any decision based on it) may be open to challenge:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately
- **Timeliness:** the duty applies at the time of considering proposals and before a final decision is taken
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and must influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that anyone who provides services on our behalf complies with the equality duty.
- **Review:** the equality duty is a continuing duty – it continues after proposals are implemented/reviewed.
- **Proper Record Keeping:** we must keep records of the process and the impacts identified.

² Our duties under the Equality Act 2010

The council has a legal duty under this Act to show that we have identified and considered the impact and potential impact of our activities on all people with ‘protected characteristics’ (see end notes 9-19 for details of the nine protected characteristics). This applies to policies, services (including commissioned services), and our employees.

We use this template to do this and evidence our consideration. You must give ‘due regard’ (pay conscious attention) to the need to:

- **Avoid, reduce or minimise negative impact:** if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately.
- **Promote equality of opportunity:** by
 - Removing or minimising disadvantages suffered by people with a protected characteristic
 - Taking steps to meet the needs of these groups
 - Encouraging people with protected characteristics to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who don’t:** e.g. by promoting understanding.

³ EIAs should always be proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The size of the likely impact – e.g. the numbers of people affected and their vulnerability

The greater the potential adverse impact of the proposal on a protected group (e.g. disabled people) and the more vulnerable the group is, the more thorough and demanding the process required by the Act will be. Unless they contain sensitive data – EIAs are public documents. They are published with Cabinet papers, Panel papers and public consultations. They are available on request.

⁴ When to complete an EIA:

- When developing a new policy, strategy, or service
- When reviewing an existing service, policy or strategy

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- When making changes that will affect front-line services
 - When amending budgets which may affect front-line services
 - When changing the way services are funded and this may impact the quality of the service and who can access it
 - When making a decision that could have a different impact on different groups of people
 - When making staff redundant or changing their roles

Wherever possible, build the EIA into your usual planning and review processes.

Also consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people who will be affected?

If there are potential impacts on people but you decide not to complete an EIA you should document your reasons why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing.

⁶ **Data & Information:** Your EIA needs to be informed by data. You should consider the following:

- What data is relevant to the impact on protected groups is available? (is there an existing EIA?, local service data, national data, community data, similar proposal in another local authority).
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you know from service/local data about needs, access and outcomes? Focus on each characteristic in turn.
- What might any local demographic changes or trends mean for the service or function? Also consider national data if appropriate.
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any group(s)?
- Is the service having a positive or negative effect on particular people or groups in the community?

⁷ **What have people told you about the service, function, area?**

- Use service user feedback, complaints, audits
- Conduct specific consultation or engagement and use the results
- Are there patterns or differences in what people from different groups tell you?
- Remember, you must consult appropriately and in an inclusive way with those likely to be affected to fulfil the equality duty.
- You can read LBB [Consultation and Engagement toolkit](#) for full advice or contact the Consultation and Research Manager, rosie.evangelou@barnet.gov.uk for further advice

⁸ **Age:** People of all ages, but consider in particular children and young people, older people and carers, looked after children and young people leaving care. Also consider working age people.

⁹ **Disability:** When looking at disability, consideration should be given to people with different types of impairments: physical (including mobility), learning, aural or sensory (including hearing and vision impairment), visible and non-visible impairment. Consideration should also be given to: people with HIV, people with mental health needs and people with drug and alcohol problems. People with conditions such as diabetes and cancer and some other health conditions also have protection under the Equality Act 2010.

¹⁰ **Gender Reassignment:** In the Act, a transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected. Consider transgender people, transsexual people and transvestites.

¹¹ **Marriage and Civil Partnership:** consider married people and civil partners.

¹² **Pregnancy and Maternity:** When looking at pregnancy and maternity, give consideration to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes, women on maternity leave and 'keeping in touch' days.

¹³ **Race/Ethnicity:** Apart from the common ethnic groups, consideration should also be given to Traveller communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers and speakers of other languages.

¹⁴ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. As a minimum you should consider the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical beliefs.

¹⁵ **Sex/Gender:** Consider girls and women, boys and men, married people, civil partners, part-time workers, carers (both of children with disabilities and older cares), parents (mothers and fathers), in particular lone parents and parents on low incomes.

¹⁶ **Sexual Orientation:** The Act protects bisexual, heterosexual, gay and lesbian people.

¹⁷ **Other relevant groups:** You should consider the impact on our service users in other related areas.

¹⁸ **Impact:** Your EIA must consider fully and properly actual and potential impacts against each protected characteristic:

- The equality duty does not stop changes, but means we must fully consider and address the anticipated impacts on people.
- Be accurate and transparent, but also realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific where you can so decision-makers have a concrete sense of potential effects.
- Questions to ask when assessing whether and how the proposals impact on service users, staff and the wider community:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake of a service among different groups? Which, and to what extent?
 - Does the project relate to an area with known inequalities (where national evidence or previous research is available)?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims?
- Do the effects amount to unlawful discrimination? If so the plan **must** be modified.
- Does it relate to an area where equality objectives have been set by LBB in our [Barnet 2024 Plan](#) and our [Strategic Equality Objective](#)?

¹⁹ **Cumulative Impact**

You will need to look at whether a single decision or series of decisions might have a greater negative impact on a specific group and at ways in which negative impacts across the council might be minimised or avoided.

²⁰ **Mitigating actions**

-
- Consider mitigating actions that specifically address the impacts you've identified and show how they will remove, reduce or avoid any negative impacts
 - Explain clearly what any mitigating measures are, and the extent to which you think they will reduce or remove the adverse effect
 - Will you need to communicate or provide services in different ways for different groups in order to create a 'level playing field'?
 - State how you can maximise any positive impacts or advance equality of opportunity.
 - If you do not have sufficient equality information, state how you can fill the gaps.

²¹ **Monitoring:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further monitoring, equality assessment, and consultation are needed.

²² **Outcome:**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Also explain what positive impacts will result from the actions and how you can make the most of these.
- Make it clear if a change is needed to the proposal itself. Is further engagement, research or monitoring needed?
- Make it clear if, as a result of the analysis, the policy/proposal should be stopped.

²³ **Sign off:** You will need to ensure the EIA is signed off by your Head of Service, agree whether the EIA will be published, and agree when the next review date for the EIA will be.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 14

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