

Decisions of the Housing and Growth Committee

27 January 2020

Members Present:-

Councillor Richard Cornelius (Chairman)

Councillor Sarah Wardle (Vice-Chairman)

Councillor Sara Conway

Councillor Alex Prager

Councillor Paul Edwards

Councillor Thomas Smith

Councillor Ross Houston

Councillor Daniel Thomas

Councillor Kath McGuirk

Councillor Peter Zinkin

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Housing and Growth Committee held on 26 November 2019 be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

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

Councillor Wardle declared a Pecuniary interest in relation to item 8: West Hendon Phases 5 &6 Variation to the Principal Development Agreement, by virtue of being a resident of the estate and also that her employer acts on behalf of Barratt.

Councillor Wardle declared a non-pecuniary interest in relation to item 12: Disposal of Land adjacent to Broadfields School, at Hartland Drive, Edgware HA8 8JP, by virtue of her employer acting on behalf of Fairview Homes.

Councillor Houston declared a non-pecuniary interest by virtue of being a Council appointed member of the Barnet Group.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Details of the public questions and responses were circulated in advance of the meeting. A supplementary quDetails of the public questions and responses were circulated in advance of the meeting.

A supplementary question was asked by Ms Groapa.

A supplementary question was asked by Mr Henderson.

A supplementary question was asked by Ms Baratt

A supplementary question was asked by Ms Padori

A supplementary question was asked by Mr Hussein

A supplementary question was asked by Mr Cox on behalf of Mr Levy.

6. MEMBERS' ITEMS (IF ANY)

The Members item in the name of Councillors Paul Edwards:
The Committee requested a report be brought back to the 11th May meeting and for this item to be added to the forward work programme.

The Members item in the name of Councillors Sara Conway:
The Committee agreed that the points raised in the members item would be addressed during the discussion on the related reports on the agenda.

7. WEST HENDON ESTATE REGENERATION AND NON-SECURE TENANTS ON REGENERATION ESTATES (AGENDA ITEM 7)

The Chairman introduced the West Hendon estate regeneration and non-secure tenants on regeneration estates report.

Following consideration of the item, Councillor Houston moved the following motion, seconded by Councillor Edwards:

To add to Recommendation 7 the following:

That the Committee agrees to use the Council's discretion under the current Housing Allocations Scheme (paragraph 3.18) to recognise the exceptional circumstances faced by the Marsh Drive non-secure tenants and resolve their exceptional housing need – that they are living in unsafe accommodation that is not fit for human habitation and need to be moved urgently.

(i). The Committee therefore, resolves to grant all Marsh Drive non-secure tenants priority status in Band 1 or Band 2.

(ii) That the Committee recognises that the shortage of available permanent Council housing may mean that non-secure tenants need to move twice before being re-housed in a secure tenancy council property.

The votes on the motion were recorded as follows:

For	4
Against	6
Abstain	0

Therefore, the motion was lost.

Following further discussion, the Committee agreed that Councillor Conway's members item had now been addressed. The Chairman moved to vote on the recommendations as set out in the report and addendum.

The votes were recorded as follows:

For	6
Against	4
Abstain	0

RESOLVED:

That the Committee:

- 1. Notes progress with the regeneration of West Hendon (paragraphs 1.1 – 1.3).**
- 2. Notes the measures that Barnet Homes have put in place to improve living conditions for residents of Marsh Drive (paragraphs 2.9) and that they continue to meet with residents to identify further improvements (paragraph 2.11).**

3. Notes the results of the Large Panel System tests received on 20 December 2019, and that work is well underway to empty the blocks by 31 October 2020 (paragraphs 3).
4. Approves the early decant of Marsh Drive and the additional expenditure required to facilitate this (paragraph 4.3 & appendix).
5. Considers the arguments for and against amending the current housing allocations policy in respect of long-standing non-secure tenants on regeneration estates, including West Hendon (paragraphs 5).
6. Recommends that the existing Housing Allocations Policy remains unchanged.

8. WEST HENDON PHASES 5 & 6 VARIATION TO THE PRINCIPAL DEVELOPMENT AGREEMENT (AGENDA ITEM 8)

Councillor Wardle left the room and did not participate in the discussion or voting on this item.

The Chairman introduced the report.

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	8
Against	0
Abstain	0

*Councillor Conway was absent from the table when the votes were taken.

RESOLVED:

That the Committee:

1. confirm 'in-principle' support for an increase in the maximum residential unit cap in the West Hendon Principal Development Agreement to 2350 units;
2. confirm 'in principle' support for the incorporation of sites at 213-215 West Hendon Broadway within the West Hendon Regeneration Scheme;
3. delegates authority to the appropriate Chief Officer to take any further necessary actions or decisions with regard to formally varying the Principal Development Agreement to accommodate the Additional Unit Scheme acting in the best interests of the Council and to authorise the negotiation and completion of any required documents.

9. DISPOSAL OF LAND ADJACENT TO BROADFIELDS SCHOOL, AT HARTLAND DRIVE, EDGWARE HA8 8JP ("THE SITE") (AGENDA ITEM 12)

Councillor Wardle left the room and did not participate in the discussion or voting on this item.

The Chairman introduced the report.

Councillor Gordon spoke for 3 minutes in relation to the item and requested the report be deferred to allow clarification of queries received from the bidder to be responded to.

Following discussion Councillor Houston moved the following motion, seconded by Councillor Thomas to exclude the press and public,

The Committee resolved – that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (as amended).

The Committee RESOLVED - that the information contained in the exempt appendix be noted.

The committee moved back into public session and Cllr Zinkin proposed the following motion, duly seconded:

That the Committee resolves in principle to accept and proceed with the Fairview bid, subject to clarification of any queries from the bidders and any other valuation or bids which may be received, such decision will be delegated to the Deputy Chief Executive in consultation with the Chairman and the Leader.

The motion was unanimously agreed.

RESOLVED that:

The Committee resolves in principle to accept and proceed with the Fairview bid, subject to clarification of any queries from the bidders and any other valuation or bids which may be received, such decision will be delegated to the Deputy Chief Executive in consultation with the Chairman and the Leader.

10. PRIVATE SECTOR HOUSING FEE INCREASES ABOVE INFLATION FOR 2020/21 - HMO LICENSING (AGENDA ITEM 9)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote. The recommendations in the report were unanimously agreed.

RESOLVED that:

The Housing and Growth Committee notes the report, and approves the proposed fee increases for 2020/21 as set out in Appendix 1 and refer to Policy and Resources Committee for noting.

11. PRIVATE SECTOR HOUSING FEE INCREASES ABOVE INFLATION FOR 2020/21 - PROPOSED NEW FEES FOR DISABLED FACILITIES GRANT ADMINISTRATION (AGENDA ITEM 10)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote. The recommendations in the report were unanimously agreed.

RESOLVED that:

The Housing & Growth Committee review this report, and approves the proposed fee increases for 2020/21 as set out in Appendix 1 and refer to Policy and Resources Committee for noting.

12. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN (AGENDA ITEM 11)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	4
Abstain	0

RESOLVED that:

- 1. That the Committee approve the draft Housing Revenue Account Business Plan as attached in Appendix 1.**
- 2. That the Committee agrees that the Deputy Chief Executive may proceed with an application for the Secretary of State for Housing, Communities and Local Government for consent to proceed with transferring empty properties from the Housing Revenue account to Opendoor Homes, provided full Council give approval to this.**
- 3. That the Committee authorises the Deputy Chief Executive to enter into an agreement with the Greater London Authority to charge London Affordable Rents for the transferred properties.**
- 4. That the Committee authorises the Deputy Chief Executive to approve the transfer of up to 950 individual properties from the HRA to Opendoor Homes as they become vacant, subject to obtaining consent from the Secretary of State.**

13. ANNUAL REVIEW OF COUNCIL DWELLING RENTS AND SERVICE CHARGES AND TEMPORARY ACCOMMODATION RENTS FOR 2020/21 (AGENDA ITEM 13)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote.

The recommendations in the report were unanimously agreed.

RESOLVED that:

- That the Committee consider and approve the proposed rent increase in line with Government policy for existing Council tenants as set out in paragraph 1.8 to take effect from 1 April 2020.**
- 2. That the Committee approves the proposed rent increases for temporary accommodation to the relevant outer London Local Housing Allowance rates as set out in paragraph 1.11 to take effect from 1 April 2020.**
 - 3. That the Committee approves the proposed service charges and garage rents as set out in paragraph 1.16 to take effect from 1 April 2020.**

14. STRATEGY FOR DEVELOPMENT OF HOUSING ON COUNCIL LAND AND ACQUIRING NEW HOMES (AGENDA ITEM 14)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	4
Abstain	0

RESOLVED that the Committee:

Approves the Strategy for development of housing on council land (Appendix 1).

15. PURCHASE OF A LONG TERM EMPTY PROPERTY (AGENDA ITEM 15)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote. **The recommendations in the report were unanimously agreed.**

RESOLVED that:

That the Housing and Growth Committee do not authorise the purchase of property A identified in the linked exempt report due to a reduced budget approved for 2020/21 for compulsory purchase of long term empty properties. This budget needs to be prioritised for empty properties causing a more significant detrimental impact on the local community where the property owner is not locatable or able to bring the property back into residential use.

16. GROWTH STRATEGY (AGENDA ITEM 16)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	4
Abstain	0

RESOLVED that:

- 1. That the Housing and Growth Committee approves the revised Growth Strategy attached at Appendix 1.**
- 2. That Committee note the consultation report, attached as Appendix 2, which summarises feedback from residents and stakeholders in relation to the Draft Growth Strategy.**
- 3. That Committee approves the Delivery Plan and requests it is reviewed annually by this committee.**
- 4. That Authority is delegated to the Director for Growth to make any subsequent non-material changes to the Growth Strategy and its supporting documents.**

17. BRENT CROSS CRICKLEWOOD UPDATE REPORT (AGENDA ITEM 17)

Ms Thomas was invited to the table to ask her supplementary question as she was not given the opportunity at the start of the meeting.

Officers agreed to work with Ms Thomas and residents to improve engagement and communication surrounding the Brent Cross regeneration scheme.

The Chairman introduced the report and also noted the update report, published as a supplement to the agenda containing minor changes.

A Member asked that a dedicated committee be set up to deal with the Brent Cross Cricklewood programme. The Chairman reminded the Committee that a Councillor engagement programme had previously been running and asked that officers revive this.

Following discussion of the item, the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	4
Abstain	0

RESOLVED that the Committee:

1) Notes the progress update across the scheme since the last report to the committee on 26 November 2019.

2) Delegates to the Deputy Chief Executive in consultation with the Chairman of this Committee to finalise and enter into a Deed of Variation to the Funding Development Agreement between L&Q to reflect the current programme and to be consistent with the Part 2 Whitefield Estate Shared Equity Offer and council policy as set out in paragraph 1.4.

3) authorise the extension of the scope of Conway Aecom (who have been commissioned to construct the Southern Junctions) to include detailed design and installation of the temporary access road for plots 53 & 54 as set out in paragraph 1.6

4) Notes that an introductory report will be submitted to the Financial Performance and Contracts Committee on 29 January 2020 providing an overview of the individual works delivery construction contracts that the council has placed (and needs to place) to meet its delivery obligations in respect of the BXC project alongside the project's funding arrangements as set out in paragraph 1.15 of this report. The link to that report will be circulated to this Committee on publication.

5) Notes that the council entered into contract with Volker Fitzpatrick on 23 December 2019 to design, build and handback the Brent Cross West Station and completed the Asset Protection Agreement with Network Rail on 9 January 2020.

18. COMPULSORY PURCHASE OF PROPERTIES AT COLINDALE AVENUE, NW9 (AGENDA ITEM 18)

The Chairman introduced the report.

Members asked that in future residents were informed about this item being on the agenda and notified them of their right to submit a question to the Committee. Officers assured members that residents had been fully engaged on the Compulsory purchase order process and that they would be notified about any future committee meetings.

Following discussion of the item, the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	4

Abstain	0
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RESOLVED that the Committee agrees to:

1. authorise the Deputy Chief Executive (DCE) or other Chief Officer as delegated by the DCE to negotiate complete and sign a Compulsory Purchase Order (CPO) Indemnity and Development Agreement to ensure Transport for London (TfL) indemnify the Council for the full financial costs of the preparation, making, confirmation, and implementation of a CPO in respect of the properties, including Counsel's and back - dated professional fees.
2. authorise the making of and (if unopposed) the CPO for the Properties;
3. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to issue and sign all orders, notices and certificates in connection with the making, confirmation and implementation of the CPO; including the signing, issuing and serving of referencing and requisition for information notices;
4. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to make General Vesting Declarations (GVDs) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve Notices to Treat and Notices of Entry (if required) following confirmation of the CPO;
5. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a GVD or service of a Notice of Entry relating to the CPO if it is considered appropriate to do so;
6. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to transfer all properties and proprietary interests acquired pursuant to the CPO to the relevant Development Partners in accordance with the terms of the CPO Indemnity and Development Agreement signed pursuant to 1 above.
7. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to take any further necessary actions to secure the making, confirmation and implementation of the CPO;
8. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to appropriate to planning purposes any parcel of land within the red line planning application boundary plan for the scheme and/or the proposed CPO Plan (attached – Appendix 1) which is held by the Council for another purpose subject to obtaining any necessary statutory consents and/or compliance with any statutory procedures for such appropriation.
9. that the Deputy Chief Executive or other appropriate officer be authorised to agree any compensation with those affected parties and to enter into any settlement/compromise Deed as may be needed to secure the withdrawal of objections to the CPO.

19. GOLDERS GREEN TOWN CENTRE STRATEGY AND UPDATE ON FINCHLEY CENTRAL HOUSING INFRASTRUCTURE FUND - TO FOLLOW (AGENDA ITEM 19)

The Chairman introduced the report.

Members expressed concerns that when looking at town centre strategy's a one size fits all approach was not appropriate.

Following discussion of the item, the Chairman moved to the vote.

The votes were recorded as follows:

For	6
Against	0

Abstain	4
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RESOLVED that:

- 1. Note and approve the Town Centre Strategy for Golders Green (included as an Appendix to this report) which sets out a range of ways that the council can work with community members, businesses and other partners to improve this important part of the borough.**
- 2. Note progress with the Housing Infrastructure Fund aimed at supporting delivery of new housing at Finchley Central Station.**
- 3. Delegate authority to the Deputy Chief Executive, in consultation with the Chairman, to enter into a grant agreement with Transport for London. This agreement will enable the funds to be transferred to TfL from the council as set out in the GLA HIF/MVF funding agreement dated 13th December 2019, which sets out the terms for expenditure of the Housing Infrastructure Fund.**

20. UPPER AND LOWER FOSTERS - DEVELOPMENT FUNDING - TO FOLLOW (AGENDA ITEM 20)

The Chairman introduced the report.

Following discussion of the item the Chairman moved to the vote.

The recommendations in the report were unanimously agreed.

RESOLVED that:

- 1. That the committee notes receipt of draft Heads of Terms from Sage Housing Ltd and that officers are working on proposals to take the matter forward.**
- 2. That the committee delegate authority to the Deputy Chief Executive in consultation with the Chairman of the Housing and Growth Committee to agree the terms of and authorise that the council enters into a grant agreement with the GLA to provide grant funding to facilitate the delivery of affordable housing if appropriate.**
- 3. That the Committee notes that an additional £65,400 is required to enable a start on site by end March 2020 subject to Housing and Growth Committee and Policy and Resources Committee approving the HRA business plan.**
- 4. That committee delegates authority to the Deputy Chief Executive to apply for any statutory consents that may be necessary to progress and deliver the scheme.**

21. FORWARD WORK PROGRAMME - HOUSING AND GROWTH COMMITTEE (AGENDA ITEM 21)

- Add the Poverty strategy to the Forward work programme for May meeting.**

22. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

23. ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The Meeting finished at 9.50pm