

Summary Delegated Powers Report

TITLE	Brent Cross Cricklewood Regeneration Scheme
DATE OF DECISION	21 June 2016
DECISION TAKER	Interim Deputy Chief Executive and Commissioning Director, Growth and Development
SUMMARY OF DECISION	<p>Recommendation</p> <p>This report is seeking approval to enter into agreements with third parties (as identified in Appendix 1) who have submitted objections to the secretary of state in relation to Brent Cross CPO1 and CPO2 (“the Objectors”) in the hope that objections to the compulsory purchase orders may be withdrawn. The types of agreements which are likely to be required include:</p> <ol style="list-style-type: none"> 1. <i>Compromise Agreements</i> 2. <i>Asset Protection Agreements</i> 3. <i>Deeds of Indemnity (in respect of Asset Protection Agreements)</i> <p>The Development Partners Hammerson and Standard Life are currently in negotiations with parties in CPO1. Similarly, Argent Related are negotiating on behalf of the Joint Venture with parties in CPO2. It is hoped that some (if not all) may agree to withdraw their objections to the CPOs. Where an agreement is reached in principle it is likely that the Council will need to enter into compromise agreements with each objector, to secure the withdrawal of the objection.</p> <p>The Council will also enter into Deeds of Indemnity with the Development Partners who will indemnify the Council in respect of the obligations contained in any asset protection agreement entered into.</p> <p>Background</p> <p>On 20th April 2015, the Council made the two Compulsory Purchase Orders (CPO1 & CPO2) in respect of the land required to facilitate the first phase of the Brent Cross Cricklewood Regeneration Scheme (the Orders). The formal statutory Notices were served on those affected by the CPOs on 30 April 2015. Notices were also placed in local press as required and the statutory objection / consultation period to enable those</p>

affected by the CPOs to register their objections and make representations to the Secretary of State has now closed.

The Objectors have submitted objections to the Secretary of State in respect of the CPO1 and CPO2.

CPO1 is related to Brent Cross Cricklewood North and it will contribute to the economic, environmental and social well-being of its area by delivering important and wide ranging public benefits including investment in the shopping centre, new jobs, new residential accommodation, community facilities, major infrastructure and environmental improvements. The infrastructure works will also enable and facilitate future phases of regeneration in the Brent Cross Cricklewood Scheme.

CPO2 is related to Brent Cross Cricklewood South and it will also contribute to the economic, environmental and social well-being of its area by delivering important and wide ranging public benefits including new commercial development which will provide opportunities for jobs, new residential accommodation (including affordable housing) and environmental improvements. CPO2 will also start the long-awaited process of regeneration to the south of the North Circular.

Under the terms of the Principal Development Agreement (PDA) signed by the Council and the Development Partners (Hammerson and Standard Life), the costs incurred by the Council on Brent Cross Cricklewood North are recoverable from the Development Partners. At present, the Council recovers its costs on Brent Cross Cricklewood North on a quarterly basis.

The costs incurred by the Council in pursuing CPO1 are covered by a CPO Indemnity Agreement which was entered into between the Development Partners and the Council in March 2015. The Development Partners will reimburse the Council in respect of all costs related to CPO1 in accordance with that agreement.

With regards to CPO2, the Council has entered into a Joint Venture with Argent Related, its preferred development partner to take forward this scheme. Within this arrangement, there is provision for the Council to recover all costs incurred in pursuing CPO2 from Argent Related under a CPO Indemnity Agreement. The Council can start to recover its costs from April 2016.

Previous Decision

Full Council meeting of 3 March 2015 approved the making of two compulsory purchase orders (CPO) pursuant to the powers in section 226(1)(a) of the Town and Country Planning Act 1990, on the Brent Cross Cricklewood Regeneration Scheme. Full Council also authorised the appropriate Chief Officer to take all action needed to pursue the

	<p>CPO and secure its confirmation.</p> <p>In accordance with Government guidance the Council is committed to acquiring third party proprietary interest through private treaty negotiations and to that end has been negotiating with objectors with a view to reaching an agreement. All parties are working to reach a compromise in respect of highways, rights of way and other land related matters.</p> <p>In summary for CP01 and CP02, the costs of all of the proposed agreements will be met by the respective development partners - including compromise agreements and asset protection agreements and all highways and other land related matters.</p> <p>The Decision is as follows;</p> <hr/> <p>Approval to enter into agreements (where necessary) with Objectors shown in Appendix 1 to secure the withdrawal of their objections to CPO1 and CPO2. Such agreements to include:</p> <ol style="list-style-type: none"> 1. <i>Compromise Agreements</i> 2. <i>Asset Protection Agreements</i> 3. <i>Deeds of Indemnity (in respect of Asset Protection Agreements)</i>
<p>AUDIT TRAIL OF DECISION – RETAINED AND WHERE?</p>	<p>http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10</p> <p>http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10</p>

DECISION TAKER'S STATEMENT

I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.

I authorise the above decision

Signed



Designation **Cath Shaw**
Commissioning Director, Growth & Development

Date **21/06/2016**
