

	<h2>Assets Regeneration and Growth Committee</h2> <h3>12 December 2016</h3>
<p>Title</p>	<p>Exploring Options to re-locate Donoghue - Update</p>
<p>Report of</p>	<p>Commissioning Director, Growth and Development</p>
<p>Wards</p>	<p>Childs Hill, Golders Green and West Hendon</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix 1: PB Donoghue Title Plan NGL612586 Appendix 2: Map Search NGL612586</p>
<p>Officer Contact Details</p>	<p>Karen Mercer, Programme Director Re, Karen.Mercer@barnet.gov.uk, 0208 359 7563</p>

Summary

This report provides an update on the feasibility work to explore options to relocate Donoghue as instructed by the Committee on 11 July 2016 and 5 September 2016.

Recommendations

The Committee is requested to note the content of this report and that the Council is has not been able to identify a potential relocation site at this time. The Council will continue to explore options and that a progress update will be provided in early Summer 2018.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report confirms that the Council has commenced work to explore the potential options to re-locate the existing Donoghue skip hire and waste

management from its present site on Claremont Road, Cricklewood, and provides a summary of progress to date.

- 1.2 The Committee will recall that at the July Assets, Regeneration and Growth Committee meeting, the Chairman of the Committee introduced the forward work plan and noted that Finchley and Golders Green Area Committee had referred an item to be added to a future ARG agenda. Cllr Zinkin introduced the item and briefly outlined concerns relating to HGV movements in The Vale, Cricklewood from Donoghue Skip Hire and Waste Management.
- 1.3 The request was *“that officers investigate the feasibility of relocating Donoghue due to concerns about health and safety particularly for the children who attend the three schools on the Donoghue’s main route.”*
- 1.4 As the Committee is aware, Donoghue currently operates from its existing premises on the Vale as shown on the plan attached at appendix 1 and appendix 2. The site, which extends to circa 0.95 ha, is located within the Brent Cross Cricklewood regeneration area, and forms part of the Brent Cross South masterplan proposals that are being brought forward jointly by the Council and its development partner Argent Related.
- 1.5 The section 73 planning permission as approved in July 2014 identifies the site as a development plot to be brought forward in phase 4 as part of the regeneration of the Brent Cross Cricklewood area. The Council does not have compulsory purchase powers in respect of the Donoghue site and does not own it. If the Council were to acquire the site it would need to be either through private treaty negotiation or a CPO would need to be sought.
- 1.6 Since the Committee meetings in July and September work has commenced to investigate and explore options to relocate the skip hire and waste management operations. In term of work undertaken to date, the Brent Cross South JVLP met with Donaghue on 7 October 2016 and the Council’s Estates team has sought to identify whether an alternative relocation site could be identified within the locality.
- 1.7 Work under way but not yet completed includes:
 - Reviewing the traffic movements within the area and understand the safety concerns and consider the various measures taken by the Council to mitigate the effect of HGV traffic in the area in the last five years, the consequences of those measures and the associated committee and other reports.
 - Exploring options to relocate Donoghue, including undertaking a site search to identify whether an alternative site can be identified within the London Borough of Barnet and surrounding areas. This will include a risk assessment of all identified options as well as financial and funding implications.

- Working with the Council's joint venture development partner Argent Related to understand and review the implications of any proposed relocation on the comprehensive regeneration of Brent Cross South given that the Donoghue site is a key development plot within the Brent Cross South regeneration area.

1.8 Donoghue confirmed that the business has no plans to relocate but would be willing to consider a move to a similarly well located site within the local area if such a site was identified. To date, the Estates team have been unable to identify a suitable and available site locally, and it will be necessary to widen the search in terms of location as well as requirements.

1.9 The Council and JVLP will continue the search to identify alternative sites and to provide a progress update within the next 18 months.

2. REASONS FOR RECOMMENDATIONS

2.1 To note progress on the feasibility work to explore options to relocate Donoghue in accordance with the request by the Assets, Regeneration and Growth Committee on 11 July 2016.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 This report explains that the Council is continuing to explore options to potentially relocate the Donoghue as requested by the Committee.

4. POST DECISION IMPLEMENTATION

4.1 The Council and its advisors will continue to explore potential options as outlined in this report and provide a progress update back to the Committee in 18 months' time.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

The regeneration of Brent Cross Cricklewood supports the Council's Corporate Plan 2015-20 which states that the Council will work with local, regional and national partners to strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that prevention is better than cure
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer.

5.1.1 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.

5.1.2 The first phase of the Brent Cross Cricklewood project includes the redevelopment of the shopping centre, creation of major new infrastructure, improved links to the existing tube station, and delivery of around 2,461 new homes over the next 8-10 years. This will create an estimated 3,000 construction jobs, and 4,000 permanent jobs. The Thameslink Station is important to the success of the regeneration scheme in both place-making as well as viability terms. However, at present the scheme does not benefit from the delivery of the station until the later phases. Bringing the station forward in the delivery programme will increase the attractiveness of Brent Cross Cricklewood area as a place to live, shop and work and thereby improve the viability of Brent Cross Cricklewood South and will also increase the pace of delivery of new homes.

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

5.2.1 The feasibility work will consider and explore the financial and commercial issues associated any potential option, and these findings will be summarised in the report to Committee in early Summer 2018. The feasibility work is being funded initially from the land assembly budget for Brent Cross Cricklewood up to a £10k. The work is within budget. Any further funding requirement will be set out in the next report to be considered by the Committee.

5.3 **Social Value**

5.3.1 As the Committee is aware, the Brent Cross Cricklewood programme will secure wider social, economic and environmental benefits. The proposed relocation of Donoghue Skip Hire and Waste Management outside of the regeneration area is in accordance with the section 73 planning permission.

5.4 **Legal and Constitutional References**

5.4.1 Section 1 of the Localism Act 2011 provides local authorities with a broad power to do anything that individuals can do subject to any specific restrictions contained in legislation.

5.4.2 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.

5.4.3 Council Constitution, Responsibility for Functions states inter alia that only the full Council will exercise the following functions (among others) – All policy matters and new proposals relating to significant partnerships with external

agencies and local authority companies.

5.4.4 The public sector equality duty referred to in Section 5.6 below also required consultation to ensure the Council complies with its duties under the Equality Act 2010.

5.5 Risk Management

5.5.1 The feasibility work needs to identify and review the risks associated with Donoghue continuing to operate from the Vale alongside the risks associated with the potential relocations options for consideration by the Committee.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act which outlines the provisions of the Public Sector Equality Duty (PSED), requires all Local Authorities to pay due regard to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (as defined in this Act) and those who do not have it;
- Foster good relations between people who share a relevant protected characteristic (as defined in this Act) and those who do not have it.

5.6.2 This places a legal obligation on the Council to pay due regard to equalities in an appropriate and proportionate manner and to take account of how the Council's decisions might impact on different groups across the borough including those identified in equality legislation as protected characteristics, namely: Age, disability, gender, gender reassignment, marriage, civil partnership, pregnancy and maternity, race, sexual orientation and religion or belief and this will be taken into account as and when a decision is to be taken regarding the Donoghue site.

5.6.3 Equality and diversity issues are a mandatory consideration in the decision-making of the Council. This requires elected Members to satisfy themselves that equality considerations are integrated into day to day business and that all proposals put to committees have properly taken into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in train.

5.7 Consultation and Engagement

5.7.1 The Council/BXS JVLP has met with the Donaghue to help explore the potential relocation options.

BACKGROUND PAPERS

<http://barnet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=120&MeetingId=265&DF=29%2f03%2f2005&Ver=2>

<http://barnet.moderngov.co.uk/documents/s17302/Brent%20Cross%20Cricklewood%20-%20Report.pdf>

<https://barnetintranet.moderngov.co.uk/documents/s21721/Annex%201%20Report%20to%20Urgency%20Committee%2026%20February%202015.pdf>

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

<http://barnet.moderngov.co.uk/documents/g7819/Public%20reports%20pack%2003rd-Mar-2015%2019.30%20Council.pdf?T=10>

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MID=7819#A11444>

<http://barnet.moderngov.co.uk/documents/s27725/Brent%20Cross%20Cricklewood%20Project%20update.pdf>

<https://barnet.moderngov.co.uk/documents/s34207/EXPLORING%20OPTIONS%20TO%20RE-LOCATE%20DONOGHUE%20SKIP%20HIRE%20AND%20WASTE%20MANAGEMENT%20COMPANY%20-%20Assets%20Regeneration.pdf>