	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
<p style="text-align: center;">Title</p>	<p>Delegated Powers Report for Council to Enter into a PPA for on-going work on the regeneration of the Douglas Bader Park Estate.</p>
<p style="text-align: center;">Report of</p>	<p>Cath Shaw - Interim Deputy Chief Executive and Commissioning Director - Growth & Development</p>
<p style="text-align: center;">Wards</p>	<p>Colindale</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A – Signed PPA</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Andrew Dillon – Principal Planning Officer 0208 359 4729 andrew.dillon@barnet.gov.uk</p>

<h3>Summary</h3>
<p>This report seeks approval for the Council to enter into a Planning Performance Agreement (PPA) with Home Group in respect of the proposed redevelopment of the Douglas Bader Park Estate, Clayton Field Road, Colindale, London, NW9 5GJ</p>

<h3>Decisions</h3>
<p>1. This report provides approval for the Council to enter into a Planning Performance Agreement (PPA) with Home Group.</p>

1. WHY THIS REPORT IS NEEDED

- 1.0 The Local Planning Authority (LPA) has two pre-application meetings with the applicant, Home Group, and their planning consultants GVA in respect of their redevelopment proposals for the site in question. The scheme would comprise of the demolition of the existing buildings on site and the redevelopment of the site to provide an increased number of residential units the appropriate quantity of which will be identified and agreed through discussions including Community engagement.
- 1.1 Recognising the need for pre-application discussions and a framework for the processing of the planning application for such site, the council has sought a planning performance agreement to agree a joined up approach and to cover its costs. This report is necessary to endorse the council entering into this Planning Performance Agreement.

2. REASONS FOR DECISIONS

- 2.1 The Council is seeking to take a pro-active approach and facilitate development in accordance with the National Planning Policy Framework (NPPF) whilst providing an opportunity for the public and stakeholders to engage in development of this site.
- 2.2 A draft PPA has been agreed and is ready for signing. The London Borough of Barnet requires that all agreements, including PPAs, are sealed by the Council. This report is therefore needed to give the necessary authority for the Council to enter into the PPA and for the agreement to be sealed.
- 2.3 If the Council does not enter into the PPA there is a risk that it would not be able to provide sufficient dedicated resources to engage with the developer and deal with the range of issues associated with the redevelopment of the site. In such a situation, it is likely that the applicant would progress without pre-application discussions with the LPA in which case the planning application would be less likely to be cognisant of Barnet policies, local needs and would be less likely to be looked upon favourably.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 In accordance with paragraphs 186 and 187 of the NPPF, the Council is required to take a positive and proactive approach to development proposals, focused on solutions.
- 3.2 The alternative option is not to enter into a PPA, in which case the applications would be submitted without the benefit of pre-discussion with the LPA which would increase the risk of unacceptable submissions. If the PPA were not signed there would also be an increased risk that the LPA would not be able to properly resource the project in which case the delivery of the development would be delayed.

4. POST DECISION IMPLEMENTATION

- 4.1 Subject to approval of the officer's recommendation, the PPA is ready to be signed by the Council and Home Group. The PPA will be reviewed within 2 months of the annual anniversary of the commencement date with any extension to be agreed between the parties.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Approval of the proposed PPA is aligned with the Council's Corporate Plan (2015-2020 incorporating the 2017/2018 Addendum and targets) priorities (page 4) to:

- Manage demand for services' by delivering services differently and more efficiently ("Fairness" principle);
- Get the basics right to ensure that clients who need to transact with regulatory services such as Planning and Building Control are able to do so with greater speed and certainty ("Responsibility" principle); and
- Manage the budget reductions in place to 2020 by delivering (services) more efficiently (differently and better) by the Council and the wider public sector. ("Opportunity" principle)

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

- 5.2.1 The PPA would allow £6,200 + VAT per month to be charged to Home Group by the LPA with any charges exceeding this to be agreed by both parties.
- 5.2.2 There are no Information Communications Technology (ICT) or property implications arising from this matter.

5.3 Legal and Constitutional References

- 5.2.1 The Government paper 'Planning for a Sustainable Future' (DCLG, May 2007)

introduced the concept of the planning performance agreement as an effective collaborative mechanism for handling complex planning applications. Although a PPA has no statutory legal status it allows a developer and LPA to agree and project plan a delivery programme including the appropriate resources necessary to process a planning application in a timely manner. A PPA provides a developer with greater certainty with respect to timescales, costs and advice from relevant professionals.

5.2.2 Section 93 of the Local Government Act 2003 empowers the Council to charge for negotiating a PPA on an actual cost of service provision basis.

5.2.3 Section 1 of the Localism Act 2011 empowers the Council to enter into a PPA under its general power of competence.

5.2.4 The Commissioning Director – Growth and Development post holder is authorised to discharge the statutory functions detailed in Responsibility for Functions, Annex B (Scheme of Delegated Authority to Officers) (Article 9.08, July 2017, page 4) including taking and implementing any decision required for operational effectiveness of planning & development management and strategic planning (Article 15, Annex B ‘Responsibility for Functions - Scheme of Delegated Authority to Officers’, July 2017, page 20)

5.4 **Constitution**

5.4.1 Powers of the Council

5.4.2 The Council will exercise all its powers and duties in accordance with the law and this Constitution.

5.4.3 The Constitution

5.4.4 This Constitution, and all its appendices, is the Constitution of the Barnet Council.

5.4.5 Purpose of the Constitution

5.4.6 The purpose of the Constitution is to:

- 1) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- 2) provide a means of improving the delivery of services to the community;
- 3) enable the Council itself, or in partnership with others, to provide high quality services through making arrangements to secure continuous improvement in the way its functions are exercised; having regard to a combination of economy, efficiency and effectiveness, as well as to statutory requirements.
- 4) address inequality;
- 5) support the active involvement of citizens in the process of local authority decision-making;
- 6) help councillors represent their constituents more effectively;

- 7) enable decisions to be taken efficiently and effectively;
- 8) create a powerful and effective means of holding decision-makers to public account;
- 9) ensure that no-one will review or scrutinise a decision in which they were directly involved in making;
- 10) ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions.

5.4.7 Interpretation and Review of the Constitution

5.4.8 Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above. The Council will monitor and evaluate the operation of the Constitution as set out in Article 12.

5.5 Risk Management

5.3.1 In the absence of a PPA there is risk of unacceptable submissions. If the PPA were not signed there would also be an increased risk that the LPA would not be able to properly resource the project in which case the delivery of the development would be delayed.

5.5 Equalities and Diversity

5.5.1 Local people and community groups will be consulted on planning applications where appropriate.

5.6 Consultation and Engagement

5.6.1 Officers have had discussions with the applicant in the preparation of the PPA (already defined).

6 BACKGROUND PAPERS

6.1 PPA

7. DECISION TAKER'S STATEMENT

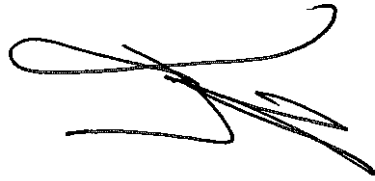
7.1 I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes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

8. OFFICER'S DECISION

I authorise the following action

8.1 The Council to enter into a Planning Performance Agreement with Home Group in respect of the matters set out in this report.

Signed



Neil Taylor
Director of Development and Regeneration

Date

10/08/2017
