

Monthly Table List of Actions Taken Under Summary DPRs – OCTOBER 2017

This notice gives detail of decisions taken within the organisation in accordance with the London Borough of Barnet's Scheme of Delegation.

The decisions documented below are taken within the powers that the Council has delegated to Senior Officers. These decision makers are responsible for ensuring decisions are compliant with the decision making framework of the organisation which includes the Council's Constitution, the Officer Scheme of Delegation, and budget and policy framework, as well as compliance with all relevant Legal considerations.

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Disposal Land at Westbrook Crescent garages, East Barnet, En4 9AP by the London Borough of Barnet to TBG Open door limited	16 th October 2017	Cath Shaw	<p>Background</p> <p>On 20th October 2015 full Council approved the decision to create a new legal entity; TBG Open Door (hereinafter referred to as "ODH") as a subsidiary of Barnet Homes within the Barnet Group.</p> <p>On 1st March 2016 the Council resolved to provide a loan to ODH, subject to gaining registered provider status, to build an initial 320 new homes for affordable rent (Tranche 3 of the development pipeline).</p> <p>On the 12th December 2016 ARG approved the full business case for the Tranche 3 Development Pipeline programme. As Westbrook Crescent garages was not in the original list of sites, in the report, to be dispose of to ODH; subsequently ARG approved the transfer of this site, in accordance with the parameters of the full business case, on 24th July 2017. The disposals are to be pursuant to the Development</p>

			<p>Agreement. Registered Provider status was confirmed to ODH on 7th March 2017.</p> <p>It was further resolved that all the Sites were surplus to requirements and available for disposal and appropriation (if necessary). It was confirmed that any of the Sites which may constitute Open Space, were surplus to requirements and approved by the Committee for disposal and/or appropriation, would be subject to statutory advertising and consultation process.</p> <p>Delegation of Authority</p> <p>Authority was delegated to Commissioning Director of Growth and Development ;</p> <p>i) To procure any statutory consent required of the Sites or to use any general consents available to effect disposal of the sites.</p> <p>ii) To implement the statutory advertising/consultation procedure in respect of any site comprising open space and in consultation with the Chairman of Assets Regeneration and Growth to consider any objections received and if appropriate or suitable to appropriate such land to enable its disposal.</p> <p>iii) In some cases it may be recommended that sites are appropriated (to extinguish third party rights), to enable disposal and also facilitate the building of new homes, as identified in the full business case.</p> <p>iv) To dispose of each parcel of land comprising the sites pursuant to the Development Agreement and subject to ODH becoming a Registered Provider through registration by the Homes and Communities Agency. To take all necessary steps that may be required, to dispose of the Sites to ODH, in accordance with the decision of the Committee.</p>
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			<p>Registration of ODH as a Registered Provider with the HCA, on 7th March 2017, and the Development Agreement was completed on 24th May 2017; the Council is in a position to dispose of this Site.</p> <p>The Site The land at Westbrook Crescent garages, shown edged red on the plan attached, is one of the sites within Tranche3. It comprises 5 vacant garages and has a site area of approximately 0.0424hectares (0.105 acres). The garages are not within an Estate Plan, so general estate rights cannot be claimed by leaseholders. The garages have been let on tenancies, preventing rights being established by third parties. Tenancies have been terminated and the Council has vacant possession of the site. The planning consent 16/3385/FUL, for the development of three houses was granted on 14th July 2016.</p> <p>Consents required for disposal Westbrook Crescent is held in the Housing Revenue Account (HRA) and whilst disposal of land out of the HRA account requires consent of the Secretary of State, this site falls under Part A of the General Housing Consent 2013. Paragraph 3.2 permits local authorities to dispose of vacant land and assets that are not dwellings (e.g. garages, drying areas etc.), at any price determined by the local authority. Barnet Homes have verified that the council has vacant possession of the garages and as a result, this Site falls under this general consent.</p> <p>Appropriation Legal advice has recommended appropriation for planning purposes to ameliorate any risk of third party rights. An assessment of risk has been carried out by Property Services, and it is considered that the risk of challenge in this case is low. The garages have been let on weekly tenancies and no implied rights have therefore been created. As there is no Estate Plan (the surrounding properties are houses, but do not include the garages), no rights over the site have been conveyed and no loss could be substantiated.</p>
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			<p>Valuation</p> <p>A desktop appraisal has been undertaken which shows a residual land value of £163,000, based on the planning consent.</p> <p>Notwithstanding the aforementioned residual land value, the ARG committee on 24th July 2017 authorised the disposal of the site on the terms of the Development Agreement and the parameters of the full business case which provides for the disposal of this site at a nominal value of £1 to ODH. This is based on the development of 100% affordable homes, for which the Council will be provided with 100% nomination rights, on all initial lettings and subsequent voids pursuant to the Development</p>
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			<p>Rights reserved and service charge There will be no rights reserved following the disposal of this site.</p> <p>Decision Authorise the disposal of the Site known as Westbrook garages to ODH for £1, in accordance with terms of the Development Agreement The nomination rights granted to the Council under the Development Agreement are to be included in the transfer/lease of the Site. These are to be protected by a Form N restriction in the transfer and the site is to be disposed of on the terms detailed in this report.</p> <p>Costs Each Party will bear their own costs</p>
13 Bell Lane NW4 2BP	3/3/16	Chris Smith	To authorise grant of a license to assign the lease.
Contract Extension for the Removal, Storage and disposal of Nuisance Vehicles for a one year period from 30 November 2017- 29 October	05 th September 2017	Jamie Blake	<p>This report is seeking approval to exercise a 1 Year extension on the contract with Redcorn Limited for the provision of Abandoned and Nuisance vehicle removal, storage and disposal services to three London Boroughs namely: Barnet, Enfield, and Waltham Forest as members of the North London Partnership Group (NLPG).</p> <p>If approved, Barnet Council will continue with Redcorn Limited as the lead authority, and the London Boroughs of Enfield and Waltham Forest will each enter into a Service agreement with Redcorn Limited on the basis of the terms and conditions of the contract between the London</p>

			<p>Borough of Barnet and Redcorn Limited. The extension will be for a term of one year commencing 30 November 2017 until 29 October 2018 The extension will be based upon a schedule of rates and as such has no fixed and/or quantified value. This will also include income derived from the removal of untaxed vehicles under devolved powers from the Driver and Vehicle Licensing Authority.</p> <p>The contract value for this extension is £13740 The performance of the extension will be monitored as per the conditions of contract and specification. To include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monthly reconciliation between expenditure and income <input type="checkbox"/> Monthly performance reporting <input type="checkbox"/> Minimum quarterly 'random spot checks <p>Additional Information</p> <ul style="list-style-type: none"> <input type="checkbox"/> The storage pound, facilities for the treatment and disposal of vehicles and payment centre will be provided by the contractor. Relevant leases are in place to cover the duration of the contract. <input type="checkbox"/> Redcorn Limited has stated an 85% recycling rate which is compliant with the European End of Life Vehicle Directive, implemented in the UK through ELV Regulations issued in 2003 and 2005 through the Environmental Permitting (EP) Regulations 2007. <input type="checkbox"/> Redcorn holds the necessary Environmental <p>Permits and Licences.</p>
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			<p><input type="checkbox"/> There are no TUPE implications associated with this extension</p> <p><input type="checkbox"/> Redcorn Limited is the current contractor and there have been no concerns with their performance in recent years.</p> <p>In accordance with this requirement the Strategic Director has been briefed of the outcome of this extension and justification to proceed and approve the extension to Redcorn Limited for the provision of Abandoned and Nuisance vehicle removal, storage and disposal services to the London Boroughs of Barnet, Enfield and Waltham Forest for a period of one year from 30 November 2017 – 29 October 2018</p>
Variation to an Eruv Licence at Woodside Park	28/06/17	Strategic Director for Environment	<p>This report seeks authorisation to enter into a Variation of Licence with Woodside Park Eruv Committee. It intends to vary the terms of the Eruv Licence between The London Borough of Barnet (1) and Woodside Park Eruv Committee (2) dated 14 July 2014.</p> <p>The alternative option of not having a licence in place would have created unacceptable risks for residents, road users and the Council. The option of having a Licence in place provides for appropriate insurance to be procured by the licensee and contains provisions designed to regulate the maintenance of the Eruv equipment.</p> <p><u>Reasons for a decision-</u></p> <p>To amend the 2014 Licence to include two additional sites at Partridge Lane, NW7 in accordance with the Planning Permission and Drawings. The Licence authorised the erection and retention of various apparatus and poles on or at various positions on the public highway, to facilitate</p>

			the construction and retention of an Eruv, on the terms contained in the Licence pursuant to the enabling planning permissions referred to in the Licence.
Stopping Up of highway at Moreton Close NW7 and Salcombe Gardens NW7 under Section 247 of the Town and Country Planning Act 1990.	24/10/17	Strategic Director for Environment	<p>That the Council make an order for the stopping up of highway land at/adjacent Moreton Close and Salcombe Gardens, NW7 as per attached drawing No. 11620_CIV_750_A and schedule (or any subsequent revision approved by the Traffic and Development Section, Development and Regulatory Services) pursuant to Section 247 of the Town and Country Planning Act 1990</p> <p>Subject to the grant of planning permission and in the event that there is no opposition to the Notice of the making of the Order, to confirm the order.</p> <p>In the event that the proposal for the making of the Order is opposed, to notify the Mayor of London of the objection and to hold a public enquiry, if appropriate.</p> <p>To seek recovery of legal and other fees including advertising costs from the developer/developers agent.</p>
Action under Section 16 of London Local Authorities and Transport for London Act 2003 ('The Act') concerning unauthorised vehicle crossings over footway and verges at 1-3 Station Road, London, NW4 4QA	09/10/17	Strategic Director for Environment	<p>Permit the Council under Section 16 of the Act to serve a notice on the occupier of the premises to cease taking or permitting mechanically propelled vehicles to be taken across the kerbed footway or verge.</p> <p>Once the notice takes effect, to allow the Council to carry out such works as maybe necessary to prevent mechanically propelled vehicles from being taken across the kerbed footway or verge and recover the expenses reasonably incurred in doing so from the owner or occupier of the premises in questions.</p>

<p>University College School Ranulf Road NW2 - Proposed structure above the Hocroft Road NW2 to Fortune Green Road NW2 footpath – Projection Licence under Section 177 of the Highways Act 1980.</p>	<p>06/10/17</p>	<p>Strategic Director for Environment</p>	<p>Planning application reference number F/00002/14 was granted permission on 06th January 2016 following an appeal against the original decision of refusal, appeal reference 15/00054/REF, for the provision of a new sport pavilion, maintenance facilities and associated works. The proposals include a structure over an existing public footpath.</p> <p>The proposed structure will project over the existing footway that links Hocroft Road to Fortune Green Road. The developer, Savills, through their agents Jubb Consultancy, have submitted to the Council relevant drawings showing the location and extent of the proposed structure. The submitted drawings were checked against the Councils criteria for the projection licence and found to be satisfactory. Consequently a projection licence under Section 177(Over-sailing) of the Highways Act 1980 needs to be processed in order to allow the construction of the structure.</p> <p>The licence may cover the terms and conditions relating to the construction, maintenance of the structure, lighting and use of the structure as the council sees fit.</p> <p>The licence will not authorise any interference with the convenience of persons using the highway.</p> <p>All costs associated with the works, including legal fees for processing and drafting the projection licence, will be borne by the applicant/owners of the development.</p> <p>The fee for processing the technical approval for the structure has already been received.</p>
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Development at Sweets Way Whetstone London N20 OLS – Highway Works Agreement under Sections 38/278 of the Highways Act 1980	7 September 2017	Strategic Director Environment	That the Council enters into an agreement under Sections 38 and 278 of the Highways Act 1980 together with Taylor Wimpey (the Developer) And The necessary Traffic Management Order(s) are processed as shown on drawing number C6686/CE50
Creation of Care Quality Support Officer Role	25 September 2017	James Mass – Assistant Director, Adult Social Care	As a result of the requirement to add capacity to the Business Support Function within Integrated Care Quality, it has been determined to create an additional role of Care Quality Support Officer, on a 12 month basis, and this has been offered as a secondment to an internal member of staff.
Creation of 3 x Care Quality Advisor Role	25 October 2017	Jess Baines- Holmes - Head of Care Quality	As a result of the requirement to add capacity to the Acre Quality Advisor Function within Integrated Care Quality, it has been determined to create 3 x additional role of Care Quality Advisor, on a 12 month fixed term basis. The posts are advertised both internally and externally.
West Hendon Regeneration, Phase 3b & 3c Nomination Rights Deed	July 2017	Commissioning Director, Growth and Development	To approve the entering into and execution of the Nominations Rights Deed between the Council, Metropolitan Housing Trust and/or Barratt Metropolitan Limited Liability Partnership for Phase 3b and 3c of the West Hendon Regeneration Scheme, which gives the Council 100% nominations rights on the affordable units. AUDIT

All records relevant to support the decision are retained by Delivery Units.