



Housing and Growth Committee

14 September 2020

Title	Brent Cross Update Report
Report of	Chairman of Housing and Growth Committee
Wards	Childs Hill, Golders Green and West Hendon
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1: Letter TfL to LBB dated 25 August 2020
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Summary

This report includes a progress update on the comprehensive regeneration of the Brent Cross (BX) programme since the Committee meeting on 6 July 2020.

Officers Recommendations

That the Committee:

- 1) Notes the progress update across the scheme since the last report to the committee on 6 July 2020;

- 2) **Delegates authority to the Finance Director to finalise the heads of terms and legal agreements with BXS JVLP in relation to plot 25 as set out in paragraph 1.18 of this report acting in the best interests of the council.**
- 3) **Authorises the Deputy Chief Executive to procure the necessary resources to co-ordinate construction logistics and security arrangements across the regeneration area as explained in paragraphs 1.43 of this report.**
- 4) **Note the council has progressed the WLO design integration study to Network Rail GRIP 3 design stage and that further funding is required to continue the design and physical works at this time as explained in paragraph 1.33 to 1.39 of this report.**

1. WHY THIS REPORT IS NEEDED

- 1.1 This report provides the quarterly update on progress since the last Committee meeting on 6 July 2020. The links to the last Committee report and subsequent Addendum report are found here:

<https://barnet.moderngov.co.uk/documents/s59211/Brent%20Cross%20Cricklewood%20Report.pdf>

<https://barnet.moderngov.co.uk/documents/s59331/BXC%20update%20Report%20-Addendum.pdf>

BXC Programme Wide Progress Update

- 1.2 Good progress is being made across the programme. Key milestones include:
- The council acquired the Network Rail land on 14 August 2020. In addition to the land transfer contract, the legal documentation includes the key principles for the future operation and management of the station and established Network Rail's future rights of access to the railway to provide greater certainty for the BX programme.
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7518>
 - The Brent Cross Thameslink delivery team transitioned to Mace on 10 August 2020. The contract between Mace and the council is now in place and the required legal documentation with Re completed. This team will now focus on the delivery of required works to the rail systems and the station construction and, as such, will be referenced as the Brent Cross West (BXW) Station delivery team going forward.
 - On the BXW programme the demolition of the Jerich Shed and the removal of the north sidings which makes way for the Brent Cross West Station have been completed, with new reception rails being installed and successfully commissioned on 31 August 2020. VolkerFitzpatrick (VFL) have now started site set up to commence the station construction works.
 - The first phase of the highway improvements to Cricklewood Lane / Claremont Road / Cricklewood Broadway completed on 9 July 2020.

- The Brent Cross South Exploratory Park opened on 12 August 2020. The new open space has received very positive feedback from residents.
- The council and BXS have completed an early infrastructure licence to enable site remediation and infrastructure works to now commence. This licence will last until 2022.
- The Variation to the Funding Agreement between L&Q and Barnet council completed on 18 August 2020.
<https://barnet.moderngov.co.uk/documents/s59709/DPR%20BXC%20DoV%20to%20Funding%20Development%20Agreement%20Plots%2053-54%20LQ%20-PUBLISHED.pdf>

1.3 The report below provides a detailed update on each project and seeks the required approvals for the project to continue to progress as well as setting out the risks associated with each project, particularly on those that are directly managed by the council.

Brent Cross West Station

- 1.4 As reported to the last committee, the reserved matters application for the detailed design of the [Brent Cross West](#) Station was unanimously approved by the council’s Planning Committee on Wednesday 13 May 2020. Since this approval, the BXW team has worked to secure the discharge of the remaining pre-commencement planning conditions so that physical works can commence on construction of the new station from September. VolkerFitzpatrick have now commenced site set up.
- 1.5 As reported to the last committee, the new south sidings are operational. Focus is now on commissioning the new reception lines that feed the sidings from the North end of the site. These new lines have been installed along with associated railway infrastructure and were successfully commissioned on 31 August over the bank holiday weekend. This is another key milestone achieved on the Sidings and Railway Systems package by the BXW team and Network Rail.
- 1.6 To make way for the new Station, a significant amount of existing infrastructure is being removed from the site. This includes the dismantling of a large train shed. This has been successfully removed ahead of programme, along with the old railway sidings that have been relocated to the new south sidings.





- 1.7 The detailed design of the station continues to progress to programme. The framework and key principles for the Station and its future operation have now been finalised by the council, DfT, Network Rail, GTR and BXS. The property structure is based upon NR retaining ownership of the station and bridge structures with the necessary property easements to be put in place over the council's and NR's freehold areas so that the public can access the Station and travel east-west across the bridge even when the Station is closed. The workstreams to document this framework are now being progressed.
- 1.8 BXS have completed their design for the Station Eastern Entrance Building and has submitted the reserved matters application to the Local Planning Authority. The below image is an illustration taken from the design statement submitted on 20 August 2020 in support of the application. This application will now be subject to the required statutory and public consultation process before determination by the Local Planning Authority.



- 1.9 The council and BXS are working to put in place the framework to enable a single team to deliver all aspects of the station build as set out in paragraphs 1.19- 1.26 in the last Committee report (Item 9) by this November. An update will be provided to the next Committee.
- 1.10 The 72-hour major rail possession access planned for the major track slews in April/May/June 2021 (weeks 1, 5 and 9) to create the site for the new station platforms are now booked in the Network Rail access booking system (PPS) and are progressing through

the formal rail industry process. The council already has in principle support from Network Rail and the Train Operating Companies. Parties are now finalising the planned train services, driver movements, replacement bus services and the passenger routing that is required in order to formally confirm the possession bookings.

- 1.11 The BXW delivery team and VolkerFitzpatrick (VFL) are working with Network Rail and BXS to update the overall station programme to take account of the latest rail possessions availability in line with the December 2022 opening date, which remains on target. The revised programme is taking account of works across the railway, which has come under pressure as a result of delays associated with COVID 19. This work is due to conclude in October 2020. This programme will be used as the baseline going forward and will provide greater programme and cost certainty for the council and public sector partners.
- 1.12 The council is continuing to maintain the COVID 19 Register to record any programme and budget changes as a result of the lockdown. A detailed assessment is underway with the BXW delivery team and within Network Rail of both direct and indirect costs.
- 1.13 An update on both the programme and anticipated final cost will be provided to the next Committee.

Brent Cross South

- 1.14 The Exploratory park opened on 12 August 2020.



- 1.15 Works are continuing on site. The early infrastructure licence has been completed between the council and BXS which enables remediation and infrastructure works to progress. First plot development is expected to start in Autumn 2021.
- 1.16 The Planning Application (20/2332/FUL) for the temporary visitor centre was submitted to the Local Planning Authority for consideration on 22 May 2020. This visitor centre was consulted on during events held in June and July 2019, and the designs incorporate an exhibition space and flexible ground floor commercial space. The final designs are available as part of the full application on the Planning Portal <https://publicaccess.barnet.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QAXVSAJI0DC00>.
- 1.17 The Plot 25 (student) programme has been re-baselined as opening for academic year 2024 in response to COVID 19. The Heads of Terms between the council and BXS JVLP and also between BXS and Vita the student accommodation provider are close to being finalised.

These are being updated to reflect the risks associated with COVID 19. This may result in changes to the Heads of Terms reported to the Committee on 16 March 2020, which authorised the Deputy Chief Executive in consultation with the Chairman to finalise and agree heads of terms with BXS as set out in the recommendation in paragraph 1.42 of the public report.

<https://barnet.moderngov.co.uk/documents/s58340/BXC%20Housing%20and%20Growth%20update%20Report.pdf>.

- 1.18 The Committee is asked to revise the recommendation approved by this Committee on 16 March 2020 to now authorise the Director of Resources in consultation with the Chairman to update and finalise the heads of terms acting in the best interests of the council to avoid any perceived conflict of interest (recommendation 2 of this report). It is proposed that going forward council decisions are delegated to the Barnet council Finance Director as required to manage any perceived conflict of interest with the council's representation on the BXS JV Board. The detailed legal drafting to document the Heads of Terms will commence shortly with a view to exchanging contracts in late Autumn. An update will be provided to the next Committee.
- 1.19 The council and BXS are progressing the land assembly strategy for the BXS development and acquisitions have continued, which include 1 Claremont Way and the Network Rail land. The Homes England legal charge has been extended to include 1 Claremont Way and Edenway Brent Terrace.

Brent Cross North

- 1.20 During the main lockdown period, the shopping centre was closed save for essential stores such as Boots and Waitrose which remained open. The shopping centre re-opened on 15 June 2020. John Lewis reopened on 30 July 2020.
- 1.21 Hammerson and Aberdeen Standard are continuing to review refurbishment and development options, timing of these will be influenced by COVID 19 and the impacts on retail. A verbal update will be provided at the Committee.

Waste

- 1.22 In respect of the procurement process to select the main works contractor for the Waste Transfer Station (WTS) off Geron Way, a second OJEU notice was issued on 28 August 2020. This was required to provide greater flexibility on timing to deliver the replacement waste transfer station given current discussions with NLWA on a road to road operational model. Negotiations on the variation to the Settlement Agreement and the road to road option are concluding and an update will be provided to the Committee.

1.23 Critical Infrastructure Works

a) Southern Junctions

- 1.24 Works to Cricklewood Lane / Claremont Road junction were successfully completed on 9 July 2020. The junction is fully operational following the upgrading works. Before and after pictures are shown below.

Before



After



- 1.25 The council is continuing with the improvements at the second junction of Cricklewood Broadway (Units 2a Cricklewood Lane, 168 Cricklewood Broadway and 164-166 Cricklewood Broadway). Detailed design work is now complete, and the Traffic management phasing and details agreed with TfL and LB Barnet, LB Brent, LB Camden Highway Authorities and London Buses. The required demolitions on the corner of Cricklewood Broadway will commence in mid-September. To meet this timeframe the council has secured vacant possession of properties at the junction. The Section 8 Agreement with LB Brent to allow the council to undertake works to the public highway within Brent is now being completed. The council will be communicating with local residents and businesses shortly to confirm programme.

b) Relocation of Whitefield Estate Part 1 to Brent Terrace

- 1.26 The Funding Development Agreement (FDA) between the council and L&Q has been varied to align with the emerging programme through a Deed of Variation (DoV). The proposed changes were reported to the Housing and Growth Committee on 27 January 2020. The DoV was approved by Chief Officer in consultation with Chairman of Housing and Growth Committee Delegated Powers Report on 13 August 2020. The Deed was signed by both parties on 18 August 2020.
<https://barnet.moderngov.co.uk/documents/s59709/DPR%20BXC%20DoV%20to%20Funding%20Development%20Agreement%20Plots%2053-54%20LQ%20-PUBLISHED.pdf>
- 1.27 The council continues to meet L&Q and their agent Currie Brown on a monthly basis to progress the programme of works on Plots 53 and 54. L&Q are updating the housing needs assessment on households being rehoused from Whitefield Estate Part 1 to Plots 53 and 54 and are currently analysing the housing requirement data with Barnet Homes.
- 1.28 Conway Aecom is undertaking improvements (including lighting) to the existing cycle and pedestrian route linking Brent Terrace to Clitterhouse Crescent to provide the alternative to the path across Plot 53 and measures to stop parking on soft verges along Brent Terrace.
- 1.29 The council has approved an application for Temporary Traffic Regulation Order to Barnet Highways extending the existing “No waiting at any time” restriction along the north-east kerb line of Brent Terrace (south) to the end of the road opposite 105 Brent Terrace. Residents along Brent Terrace are being updated.
- 1.30 L&Q has produced a draft Construction Traffic Management Plan (CTMP) alongside a Construction Traffic Management factsheet that has been distributed to residents. This initial factsheet sets out how the site will be managed throughout the construction programme, confirming the appointment of a construction logistics manager as part of the team as well as explaining the construction phasing programme, vehicle movements, type of vehicles, number of vehicles and access arrangements. Following the virtual meeting with

the Brent Terrace residents, L&Q have taken on board the comments, and the CTMP is being updated. The latest draft document has been re-circulated to residents.

- 1.31 L&Q are presently finalising the CTMP and associated documents for submission to the Local Planning Authority, which is a requirement of the planning permission, as well as setting up regular sessions with Brent Terrace residents going forward.
- 1.32 However, confirmation of start on site is delayed due to the stopping up objections in place as set out in paragraph 1.46 of this report below.

West London Orbital

- 1.33 As the Committee is aware, the West London Orbital railway (WLO) is being promoted by TfL with the support of the London Boroughs, including Barnet. It is in the very early stages of feasibility, and to date remains unfunded. The scheme proposes an interchange with the new Brent Cross West Station, and the council has been progressing design integration work to ensure that passive provision is provided within the new station as far as possible within existing resources.
- 1.34 The BXW team commissioned a technical report from Capita/Re to identify the options for locating a WLO platform adjacent to the new station. As the Committee is aware, it concluded that it was possible to locate an island platform to the west of the new station which could connect into the new high-level concourse via an interchange bridge. The report was included within the documents supporting the reserved matters application for the Station planning consent.
- 1.35 The BXW team commissioned a further study from VFL to consider whether there were any passive provisions that could be incorporated within the structure of the new high-level concourse to facilitate the location of a new interchange bridge. The VFL study considered two options locating a bridge to the north or south of the lift shaft serving the fast line platforms. The southern option was considered optimal as it provided greater flexibility with the location of a WLO platform and better passenger flow characteristics. The study was shared with NR who are supportive of the initiative. The design work undertaken for the study should be sufficient to establish NR GRIP 3 status.
- 1.36 The study identified that passive provision could be provided through an enhanced foundation design, inclusion of a new transfer beam to support the bridge and creating demountable structural members to accommodate a new entrance. VFL estimated the cost of these works at £1.4m including contingency. While it is difficult to put a firm estimate on the cost of the integration should it happen at a later date, the BXW team has suggested the cost could range from £5-10m. Much of the additional cost would come from additional railway possessions which are difficult to accurately estimate without a detailed design and approved methodology.
- 1.37 Notwithstanding that council officers consider this price to be inflated (representing the contractor's risk averse view towards a late design change) and that undertaking these works now would avoid cost and disruption as and when the WLO comes forward, the MHCLG grant for the BXW scheme does not include funding for the WLO and is therefore not a funding option.

- 1.38 Council officers have approached TfL, as promotor of the scheme, to ascertain whether further funding could be provided. TfL has advised that following the publication of TfL's revised budget in July, development work on WLO is continuing and that the WLO remains an important scheme for TfL. This builds on TfL's objectives to promote a shift away from private car use and promote local development. However, given the current financial climate, and while TfL await longer term certainty on funding, TfL has concluded that unfortunately there is no funds available to support the initiative at this time and have written to the council to confirm this position. A copy of the letter is attached at Appendix 1.
- 1.39 It is important to note that the work that has been undertaken to date by the council will be of significant value to the WLO scheme in due course. All details have been, or will be, passed to TfL in support of their scheme development. The council is also continuing to explore other funding options although there is a limited period to secure these funds given than the Station GRIP 5 design is underway. Consequently, until a funding source is identified, the council and the BXW team cannot progress any further design development beyond that already undertaken and have put any further design works by VFL on hold.

Brent Cross Tube Station

- 1.40 As the Committee is aware, the council made a request to TfL to update the name of the Brent Cross tube station to reflect the geographical positioning of the tube station to the regeneration area, improve wayfinding and to reinforce the identity of the Brent Cross area, anchored by the Brent Cross West Station (currently under construction) to the west and the Northern Line tube station to the east. This has not progressed due to COVID 19. The council has contacted TfL for an update.

Land Issues

- 1.41 The land assembly strategy is being implemented across the Brent Cross area and continues to be acquired either under private treaty or under CPO if required to meet the delivery programme. This includes residential and hardship acquisitions within the Whitefield Estate. General Vesting Declarations (GVD) made and served on properties listed were attached to the last report to Committee. One further GVD has been served since last report for Plots 13, 16. Copies of the GVDs can be viewed on the council website: <https://www.barnet.gov.uk/regeneration/brent-cross-cricklewood/compulsory-purchase-order-schedule-properties>. These parcels of land are due to transfer across to the council on 1 October 2020.
- 1.42 The Chief Executive approved the appropriation of land in the first phases of the Brent Cross scheme from its existing use to planning purposes in accordance with S.122 Local Government Act 1972 in accordance with the approval of the Housing and Growth (formerly Assets, Regeneration and Growth Committee) on 12 December 2016. A further parcel of land adjacent to Brent Terrace was appropriated for planning purposes on 19 August 2020. The council is now seeking the approval of the Secretary of State to confirm the appropriation of land held within the Housing and Revenue Account (HRA). Eversheds have circulated a draft application to the council for review and sign off and once finalised it will be submitted to the Secretary of State.
- 1.43 Now that land assembly is well advanced and construction underway, the council is putting in place a construction management plan and framework to secure and manage landholdings and to co-ordinate the transfer of land to contractors to meet the Brent Cross

programme. This may require support from external resources. As such, the Committee is asked to authorise the Deputy Chief Executive to procure the necessary resources to co-ordinate construction logistics and security arrangements across the regeneration area. Any procurement implications that may arise will be appropriately managed having regard to and in compliance with statutory requirements and current procurement regulations.

Ground 10A (G10A)

- 1.44 Following the council's virtual Ground 10A Planning Session with partners in June, to map out a timescale on the legal process to gain possession of the council tenanted properties on Whitefield Estate Part 1 and 2. Barnet Homes arranged a virtual meeting with HB Public Law to agree a proposed timescale for Whitefield Estate Part 1 which incorporates any potential delays to obtaining orders for possession through the courts due to the current backlog in hearings caused by pandemic. The proposed timeline for commencing the legal process is Spring next year. This timescale is being reviewed in light of the position with the courts and may be brought forward.

Stopping Up

- 1.45 As reported to the last Committee, for Plots 53 and 54 the application to the Secretary of State has been on hold due to COVID 19 restrictions. However, a site visit is currently arranged for the inspector for 12 January 2021 and then to make a decision on the Order. Temporary path improvements are being made for alternative routes. Due to delays in the decision the proposed temporary access road may not be able to be used as the land is only available for a certain time. Access for construction that will be used for later construction stages to the sites will be from Claremont Road and Brent Terrace south.
- 1.46 As reported to the last Committee a Stopping Up Order was advertised for paths within Claremont Park that received four objections that have also not been resolved. The revised park as part of an approved application will provide alternative connections but the existing paths will be removed to allow for changes. There are alternative routes during construction for residents. An application has been made to the Secretary of State through the Planning Inspectorate seeking the Secretary of State's consent to resolve the outstanding issues by way of written representation.
- 1.47 Further Stopping Up Orders have been made as follows:
- 1) Claremont Way East was stopped up on 6 February 2020 after no objections.
 - 2) Clarefield Park stopping up was Confirmed by the council on 16 July and judicial period ends on 27 August 2020.
 - 3) Claremont Way West Notice of Intention advertised on 16 July for 4 weeks and no objections have been received. The order will now be made and 6 week judicial notice period.
- 1.48 Further Highways Stopping Up Orders will be made as the scheme progresses.

PB Donoghue

- 1.49 Following meeting with local residents earlier this year, the council has met with BXS and PB Donoghue and discussions continuing regarding their potential relocation.

2. REASONS FOR RECOMMENDATIONS

2.1 The comprehensive regeneration of Brent Cross is a long-standing objective of the council and a key regeneration priority of the Mayor of London. The details of the scheme are set out in previous update reports to this Committee.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None in the context of this report.

4. POST DECISION IMPLEMENTATION

4.1 The council and its advisors will continue to progress all work streams to ensure delivery of the Brent Cross regeneration proposals as outlined in this report and approved by the Housing and Growth Committee.

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

Budget Monitoring

5.1.1 The council has put in place procedures to ensure the effective monitoring of the financial performance of the BX Programme. The BX Governance Board comprising senior officers of the council, including the Chief Executive and the Director of Finance, receives a detailed report each month setting out the financial performance of the BX Programme. This report includes a breakdown of the performance against the approved budgets and details of the individual Officers responsible for managing the budgets included within the BX Programme.

Land Acquisitions

5.1.2 The approved budget for land acquisition to facilitate the BXC programme is £63.132m, furthermore, there was expenditure on advanced acquisitions of £4.067m. This is in addition to the Thameslink budget. Actual cumulative spend to date is £54.927m. The current forecast for 2020/21 is £14.043m.

5.1.3 Actual spend to date is inclusive of £1.5m related to the CPO2 acquisition of 1 Claremont Way which was funded by BXS JVLP. A separate capital scheme, to monitor all externally funded BXS Land Acquisitions, has been approved by BX Governance Board for submission to the September Policy & Resources Committee.

Brent Cross West Station

5.1.4 The current approved budget in the capital programme is £364.47m following confirmation of the HMG grant funding agreement.

5.1.5 Actual cumulative spend to date is £136.634m. The total contractual commitments at the end of May 2020 is £328.324m. The council has submitted drawdown requests against the

HMG grant totalling £306.943m, of which all has been paid to. The current forecast for 2020/21 is £119.135m.

Critical Infrastructure

- 5.1.6 As part of the revised delivery strategy as set out in the report to the July Committee, the council is taking forward the delivery of parts of the newly created 1AN Infrastructure phase. The council has entered into contract with Conway Aecom to deliver the Southern Junction works and has engaged DP9 to discharge the pre-commencement planning conditions and New Steer on CPO matters as outlined above.
- 5.1.7 These works are funded from part of the £59.9m core critical infrastructure budget which includes £55m being provided as part of the MHCLG Revised Funding Agreement for Brent Cross. Actual spend to date is £20.764m. The current forecast for 2020/21 is £24.272m.

Social Value

- 5.1.8 As indicated in sections within this report, the Brent Cross programme will secure wider social, economic and environmental benefits.

5.2 Legal and Constitutional References

- 5.2.1 The council's Constitution, Article 7.5 responsibility for function, states the functions of the Housing and Growth Committee, includes responsibility for regeneration schemes and asset management.
- 5.2.1 The council's Constitution, Article 10 Table A states that the Housing and Growth Committee is responsible for authorising (1) all disposal and acquisition of land for over £500k and (2) any transaction which is a "less than best" transaction as the term is interpreted out at s 123(2) of the Local Government Act 1972.
- 5.2.2 The council has a range of powers to enter into the legal agreements referred to in this report. The general power of competence under paragraph 1 of Section 1 of Chapter 1 of the Localism Act 2011 enables it to do anything that individuals can do subject to any specific restrictions contained in legislation and the 'incidental power' in 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.

5.3 Risk Management

- 5.3.1 Risk management has been applied across all levels of the programme. As reported to Committee in September, owners and mitigation plans are identified and risks are measured against impact and likelihood to give an overall rating. High rating risks are escalated and reported through the defined reporting procedure with top risks reported to BXC Governance Board. Currently the key risks and mitigations are summarised below:
- 5.3.2 Programme and funding – There is a risk that BXN does not progress in the form currently proposed. Whilst the funding risk to the Station delivery has been significantly mitigated through the Revised Funding Agreement with Government, the delivery of the BXN

proposals is an important part of the regeneration proposals. The council is meeting regularly with the Shopping Centre Partners to understand next steps.

- 5.3.3 Station Delivery Date – there is the risk that the 2022 station opening date cannot be achieved. The current programme maintains a 2022 opening date albeit December rather than May. There is a risk that this could be later depending on other works on the railway. The council has worked with DfT and Network Rail alongside the Train and Freight Operators to develop a revised industry integrated programme, underpinned by the signed Memorandum of Understanding. This programme has been agreed and a workable possession programme is in place subject to final testing by Network Rail. A QRSA has also been undertaken. While the possession risk has been mitigated, railway possessions can, whilst unlikely, be cancelled as a result of unforeseen circumstances. There is also the additional programme risks as a result of COVID 19. The project team and Network Rail have therefore developed a contingency strategy in the event of a further loss of possessions.
- 5.3.4 Network Change – Network Change has been achieved. There remain some conditions which need to be met which are being managed by Network Rail and reported through the Rail Operations Assurance Board.
- 5.3.5 Train Operating Timetable - The BXW team have, for some time been facilitating a regular meeting with Train Operators (EMT and GTR), the DfT, and NR. This Board (Rail Operation Assurance Board) deals with all rail industry issues and interfaces. One of the headline areas of interest is the new rail timetable to accommodate the planned stopping pattern at the new station. The industry has a complex and lengthy process for securing future timetables which takes into account competing bids for access. NR and the DfT have both confirmed that everything that can be done at this stage has been done to secure the desired stopping pattern, and NR have published a letter outlining the timetable of events leading up to the publication of the new timetable. There are risks associated with this process, notably around the uncertainty of the GTR franchise, and the publication later this year of the “Williams Review” which will make recommendations on the future structure of the industry. There are additional risks arising from the delay on the refranchising and the Williams report brought about by COVID 19 and the Government’s actions in underwriting the impact on the TOCs of train service commitments. The council will be monitoring developments closely.
- 5.3.6 BXW delivery costs – as with all major programmes there is the risk that costs will increase during programme delivery. The BXW budget is under pressure and this risk is being actively managed with public sector partners and contractors. The contract between the council and NR is an Emerging Cost contract. As indicated in previous reports, all emerging cost contracts entered into will require strong contract management to ensure all costs incurred are reasonable. As part of the signed Implementation Agreement the council has open book access to all of Network Rail’s financial information relating to invoiced costs incurred on the programme. This extends to Network Rail contractors where an emerging cost contract is in place. As referred to in the report to ARG in November 2018, the council also has the right (subject to notice and personal safety) to access the site and attend meetings. In this regard, the regular senior level meetings between Network Rail and the council/Re delivery are continuing to review the costs each month. Similarly, there is an on-site presence by the

council/Re delivery team to be monitoring programme and work achieved, particularly during track possessions.

5.3.7 Waste Transfer Station – Delays to the delivery of the Waste Transfer Station may result in programmatic and logistical interfaces with the Station and BXS development due to the requirement to keep the existing facility in operation until the new one is complete. To mitigate this a working group has been established through the Integrated Programme Management Office to develop a joint logistics and land management plan of the station development area. Further to this a strategy to amend the operation of the existing facility to a 'road to road' facility (in line with how the new facility will operate) is being investigated. The council have also brought the waste delivery team in house to align skills and expertise with delivery, as discussed in the waste section of this report.

5.3.8 The most important control mechanism for the council is to employ experienced staff who will provide diligent review and challenge of the NR cost base and reject any costs which are not reasonably and properly incurred. The council's Client and BXW delivery team comprises professionals used to working on the railway within Network Rail and are experienced in delivering large railway projects. The challenge to NR will need to operate at several levels, including:

- a. A full-time site presence that stays abreast of issues that arise on site, and monitors the detail and impact of any events, or failure to meet programme milestones, quality standards etc. The site team/person will also systematically log these events/issues and share this information with NR.
- b. Whilst it will always be difficult to isolate costs associated with NR/Contractor failure, from genuine cost, it is important that NR are discouraged from passing on contractor valuations without themselves challenging whether a deduction should be made to take account of notified failures.
- c. Attendance at key NR meetings. This is in addition to the role set out in (a), targeting any issues which may not have been picked up by the site-based teams, but for the same purpose as (1).
- d. A strong commercial challenge that scrutinises and interrogates any unexpected costs which emerge during the pre-invoice (valuation) process and repeats this when the main invoices are submitted.

5.3.9 Critical Infrastructure (Grant Funded Works) - The council is now responsible for delivering the Southern Junctions and as the Funder, delivery of Plots 53 & 54 providing new homes to rehousing residents from the Whitefield Estate.

5.3.10 Stopping Up Objections – Footpaths which are required to be 'Stopped Up' to make way for the building of Plots 53 & 54 and Claremont Park have received objections from local residents. Objections have not been removed, the Order must be confirmed by the Secretary of State through the Planning Inspectorate by way of written representation (which is the council's preference) or at an informal hearing. This could delay the start on site of main works by approximately 9 months (for written representations) and 11 months (informal hearing). There have been further 4 months delays due to COVID 19. This delay may reduce the time available to use the temporary access road for Plot 53 and 54 leading to more construction vehicles using Brent Terrace South, as well as a potential risk of delay to some

BXS works. The project team are working with objectors to resolve the issues around stopping up.

5.3.11 Resourcing – the project is now in the delivery stage. In addition, the council has taken on additional delivery items through the revised delivery strategy and needs to deploy sufficient resources. There is a need to ensure resilience within the programme in the event that key persons depart the project as well as to update the succession planning strategy.

5.3.12 Economic – There is a risk that the prevailing economic position for the traditional retail sector will continue alongside residential and commercial given current market conditions. This could result in reduced demand for retail space and administration to existing retailers. To mitigate this both BXN and BXS development partners are exploring/reviewing diversification of offer within BX. Wider macro-economic shocks may also impact the residential and office markets in London.

5.3.13 Planning – There is a risk that the BXN Partners do not meet the timescales established in the s73 Permission. This risk has been mitigated through the planning applications submitted as part of the revised delivery strategy and development of a combined integrated Programme Management Office (iPMO) forum specifically focused on planning programme across development partners. With the commencement of Phase 1BN Infrastructure 1, and Phase 1BS this risk has significantly reduced.

5.3.14 COVID 19 – This represents a significant new risk to the programme and the team has been working closely with sub-contractors to review the likely impacts. Currently programme has been maintained however the team do expect some additional challenges as impacts on the supply chain are understood. Cost impact to date is estimated at £2.4m, with a further £3m of additional risk up to the end of October. It should be noted that further risks are expected and will be assessed as the impacts of lockdown are understood and government guidance changes. The project team is maintaining a COVID 19 impact tracker to show when and where these impacts are materialising. A more detailed update will be provided to the next Committee.

5.4 Equalities and Diversity

5.4.1 As previously reported, the Development Proposals support achievement of the council's Strategic Equalities Objective.

5.4.2 The development proposals for the Brent Cross scheme will make a significant contribution to the provision of additional, high quality affordable housing units in the Borough as well as providing employment through the creation of a new town centre with leisure, health and educational facilities. The delivery of the Brent Cross West Station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.

5.5 Corporate Parenting

5.5.1 None in the context of this report.

5.6 Consultation and Engagement

BXC Programme wide

- 5.6.1 The communications and stakeholder engagement strategy agreed at Housing and Growth Committee in March continues to be delivered. Monthly communications meetings bring communications leads together across the different developments to ensure communications are joined up wherever possible across the programme. We continue to adapt to challenges presented by the COVID-19 outbreak including holding virtual briefings and consultations in place of site visits and exhibitions.

BXC Digital Channels

- 5.6.2 The TransformingBX.co.uk website continues to provide updates and news stories from across the programme. 500 new users have visited the website since 1 July 2020.
- 5.6.3 The second digital newsletter was issued on Thursday 18 August 2020.
- 5.6.4 We continue to provide news and updates via the @TransformingBX Twitter account as well as via Barnet council's social media channels (Twitter, Facebook, Instagram).

We continue to respond to ad hoc resident questions and queries via the programme email address TransformingBX@Barnet.gov.uk

Community Engagement

Plots 53 and 54

- 5.6.5 In partnership with L&Q, we continue to carry out street-wide engagement with residents on Brent Terrace and homes adjacent to the site on Clitterhouse Crescent and Clitterhouse Road.
- 5.6.6 A virtual briefing was hosted by L&Q on Thursday 2 July to discuss construction traffic management plans. An invitation, alongside a fact sheet providing a summary of construction traffic and mitigation around the development was hand delivered to residents. This provided an opportunity to meet both the L&Q team and construction partners Buglers and discuss the draft Construction Management Traffic Plan.
- 5.6.7 This briefing followed an event, hosted in December, where residents were invited to meet with representatives from L&Q, our IPMO and highways team at Claremont Free Church. Representatives from BXS and the BXW Station team were also on hand to speak about forthcoming activities from their respective programmes, providing a holistic view of upcoming works in their area.
- 5.6.8 We continue to discuss the Construction Traffic Management Plans with representatives from the Brent Terrace Residents Association to address their concerns and construction traffic in the area ahead of its submission for consideration by the Local Planning Authority. Once L&Q start on site a community liaison officer will also be on site to provide support and information to residents alongside a construction logistics officer. We have also committed to carrying out further engagement with residents directly opposite the site entrance to provide mitigation measures where necessary.

Brent Cross West Station Programme

5.6.9 A virtual briefing was hosted on Wednesday 29 July to provide residents with details proposals to amend a S73 planning permission regarding the size and position of the Sidings acoustic barrier. The invitation, and information about the proposals was delivered to 300 homes along the railway. The planning submission was made on the 1 September.

Brent Cross South

5.6.10 BXS issued a newsletter to residents on the 16 August outlining details of their forthcoming consultations, and a wider programme update from activities across the development.

5.6.11 The virtual consultation on the redevelopment proposals within the existing site for Claremont Primary School closed on Friday 17 July.

<https://brentcrosssouth.co.uk/wp-content/uploads/2020/07/BXS-school-boards-website.pdf#:~:text=Claremont%20Primary%20School%20is%20a%20happy%20and%20thriving,Cross%20South%20development%2C%20and%20therefore%20a%20larger%20threer->

The virtual consultation on the interim station interchange and plots 15 went live on 20 August and closed on 6 September

<https://brentcrosssouth.us19.list-manage.com/track/click?u=fbeaac7786e12751caea5d2dc&id=7fe497f2d4&e=b5b633c398>

Programme Works Updates

5.6.12 A letter was issued on 31 July to residents within 500 yards of the sidings (approx., 3500 homes) with an updated public programme via Network Rail. This provides an update on day, night and weekend working for residents aligned to current Section 61 permissions for all contractors on BXT until 17th October. An update was sent to residents on the 7 July detailing an amendment to working hours

5.6.13 A letter was sent on 7 July updating residents on Brent Terrace about highways improvements on their road, and upgrades to the pedestrian footpath to Clitterhouse Crescent

5.6.14 At the end of the month, ahead of works beginning on the Cricklewood Lane / A5 Edgware Road / Chichele Road junctions in September, a letter will go to residents and businesses outlining the works programme. Engagement activity will take place with local community groups and via the business association, and we will be working with TfL to ensure road users are aware of the forthcoming works.

Positive news stories

5.6.15 Positive news stories from across the programme have been shared via the new website over the past few months. This has included the completion of works on Cricklewood Lane, the opening of Brent Cross South's Exploratory Park, the announcement of the latest beneficiaries of the Brent Cross South Community Fund.

5.6.16 Press releases have been issued on the appointment of Mace to project manage the station completion, the opening of the Exploratory Park, and the appointment of Bevan Bitten to

support Vattenfall on the sustainable energy contract

6 **BACKGROUND PAPERS**

6.1 Housing and Growth Committee, 6 July 2020, Brent Cross Cricklewood Update Report

<https://barnet.moderngov.co.uk/documents/s59211/Brent%20Cross%20Cricklewood%20Report.pdf>

<https://barnet.moderngov.co.uk/documents/s59331/BXC%20update%20Report%20-Addendum.pdf>