

	<p align="center">THE DEPUTY CHIEF EXECUTIVE IN CONSULTATION WITH THE CHAIRMAN OF THE HOUSING AND GROWTH COMMITTEE.DELEGATED POWERS REPORT</p>
<p align="center">Title</p>	<p>Authority to withdraw the Colindale Station Compulsory Purchase Order(CPO) and stop the CPO process</p>
<p align="center">Report of</p>	<p>The Deputy Chief Executive in consultation with the Chairman of the Housing and Growth Committee</p>
<p align="center">Wards</p>	<p>Colindale</p>
<p align="center">Status</p>	<p>Public</p>
<p align="center">Enclosures</p>	<p>None</p>
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Summary

This DPR updates the 27th January 2020 Housing & Growth Committee decision which gave the Deputy Chief Executive, in consultation with the Chair of the Committee, the authority to agree the final CPO for properties in Colindale avenue to facilitate the development of a new underground station and associated residential development.

Decisions

1. To authorise the cessation of the Council's Compulsory Purchase Order process for properties in Colindale avenue listed in paragraph 1.1 below
2. To authorise the formal withdrawal of the compulsory purchase order known as the "London Borough of Barnet (Colindale Station Redevelopment) Compulsory Purchase Order 2020" dated 12th March 2020.

- 3. To authorise the notification of the Secretary of State and PINS that the CPO has been withdrawn and that a public inquiry is not required;**
- 4. To authorise the notification of all other interested and affected parties that the CPO has been withdrawn and the CPO process has been terminated.**

1. WHY THIS REPORT IS NEEDED

- 1.1 At its meeting of January 27 2020 the Council's Housing & Growth committee agreed to make a CPO for the acquisition of third party interests in Colindale avenue to facilitate the development by Transport for London (TfL) of a new station and 313 new homes. The committee agreed to make a Compulsory Purchase Order (CPO) in respect of non-Council owned residential properties at 167 -173 and 1- 6 Agar House Colindale Avenue, together with the car park and electricity substation to the rear using statutory powers under the Town and Country Planning Act 1990.
- 1.2 The CPO had been progressing despite COVID19 restrictions and the Council was about to issue its statement of case as part of the formal CPO inquiry process. The Government Planning Inspectorate (PINS) had indicated they would be holding a public inquiry but has yet to set a date.
- 1.3 TfL notified the Council on October 1 that, whilst they wish to continue with the station re-development on their own land, they are unable to proceed at present with the associated residential development on third party owned land because of the withdrawal of their commercial partner for COVID19 related reasons. The Council therefore must take the necessary urgent steps to cease the current CPO

2. REASONS FOR RECOMMENDATIONS

- 2.1 The CPO process is well advanced but having received little notice from TfL the Council must act quickly to agree the cessation, notify all interested parties, and avoid creating further stress for residents and homeowners.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Council could continue with the existing CPO in the hope that TfL could identify a replacement development partner at short notice. However, given the economic climate this is a significant risk and the Council risks entering a public enquiry with an unfunded and therefore non-viable scheme. This would place the Council at significant risk of the CPO not being confirmed by an inspector and a risk of costs against the Council at any subsequent public inquiry from third parties who engage in the public inquiry process.

4. POST DECISION IMPLEMENTATION

- 4.1 The priority is to inform the 3rd party interests, PINS and the Secretary of State as soon as possible of the decision. The statement of case due to be circulated this week will not now be circulated and following the Council's formal notification TfL will work closely with the affected residents to identify their options moving forward.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The vision for 2020 expressed within the Council's corporate plan 2015-2020 expresses the principles of fairness, responsibility and opportunity and the following strategic objectives:-

The Council, working with local, regional and national partners, will strive to ensure that Barnet is the place of opportunity, where people can further their quality of life

Where people are helped to help themselves

Where responsibility is shared, fairly

Where services are delivered efficiently to get value for money for the taxpayer.

- 5.1.2 The plan proposes several achievements. Those particularly relevant to this initiative as follows:-

More involved and resilient communities, with residents taking on greater responsibility for their local areas.

There will be a broad offer to skills and employment programmes for all ages.

A clean and attractive environment, with well-maintained roads and pavements, flowing traffic, increased recycling.

A responsible approach to regeneration, with thousands of new homes built and job opportunities created.

Customer services will be intuitive and flexible.

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

- 5.2.1 The Council has signed an indemnity agreement with TfL which ensures that all its costs will be met in full

5.3 **Social Value**

- The development of Colindale station brings with it with it a range of social value, including;
- Enhancement including new retail and transport opportunities within an area already designated as a local hub
- The creation of large-scale local employment and training opportunities in a disadvantaged neighbourhood with disproportionately high levels of unemployment
- Major new housing, highways and other key infrastructure developments

5.4 **Legal and Constitutional References**

5.4.1 Article 7 of the Council's Constitution, section 7.5 Responsibility for Functions states that the Housing and Growth Committee terms of reference includes; Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.

5.4.2 **Risk Management**

5.4.2 The principal risk associated with this decision is the reputational damage that may attach to the Council whilst the circumstances are beyond its control

5.5 **Equalities and Diversity**

5.6.1 The Equality Act 2010 places a duty on the Council as follows:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are-

Age;
Disability;
Gender reassignment;
Pregnancy and maternity;
Race;
Religion or belief;
Sex;
Sexual orientation

This report has considered the Equality Act 2010 and how its proposals are designed to reduce the inequalities of outcome which result from socio-economic disadvantage. The

Council is committed to improving the quality of life and wider participation for all the economic, educational, cultural, and social and community life within the borough. This is achieved by pursuing successful regeneration of the borough's regeneration areas, in this instance Colindale and more specifically Grahame Park. This benefits all sections of society by directly addressing the shortage of housing in the borough across all tenure.

5.6 Corporate Parenting

5.6.1 There are no direct or indirect impacts on looked after children and care leavers arising from this report.

5.7 Consultation and Engagement

5.8 In February 2019 TfL submitted a hybrid planning application which was subsequently approved by the Council in August 2019. A total of 2385 local residents were consulted on the planning application by letter on 12.03.2019. The application was advertised in the local press on 21 March 2019 and site notices were put up on site on 21 March 2019. As a result of the consultation, a total of 45 responses have been received with 41 objections and 4 letters neither supporting or opposing the application. The consultation process carried out for this application was appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

Consultation has and continues to be undertaken with the owners and occupiers of the properties affected by the CPO as well as the wider community, to ensure that the station regeneration proposals reflect local need. TfL has commenced negotiations to acquire with all affected parties via their representatives, and this has continued throughout the CPO process. In addition, surveyors representing TfL are regularly in contact with those affected, giving them the opportunity to discuss their particular issues or concerns relating to the CPO process.

5.9 Insight

5.9.1 There are no data sources available that are applicable to this proposal

6. BACKGROUND PAPERS

6.1 27th January 2020 Housing and Growth Committee:

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CIId=696&MIId=9931&Ver=4>

Chairman:

Has been consulted

Signed Chairman of the Housing & Growth Committee

6th October 2020

Date

Chief Officer:
Decision maker having taken into account the views of the Chairman

Signed: Deputy Chief Executive

Date 6/10/20
