

Decisions of the Housing and Growth Committee

24 November 2020

Members Present:-

Councillor Richard Cornelius (Chairman)

Councillor Sarah Wardle (Vice-Chairman)

Councillor Daniel Thomas

Councillor Peter Zinkin

Councillor Thomas Smith

Councillor Alex Prager

Councillor Ross Houston

Councillor Paul Edwards

Councillor Sara Conway

Councillor Kath McGuirk

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Housing and Growth Committee held on 14 September be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Councillor Wardle declared a non-pecuniary interest in relation to item 15, by virtue of her employer acting for all of the registered providers listed except for Origin and Network Homes in some capacity

Councillor Houston declared a non-pecuniary interest in relation to Item 7, 8 and 14 by virtue of being a Council appointed member of the Barnet Group Board and item 15 by virtue of having a £1 non-recoverable share in Notting Hill Genesis.

Councillor McGuirk declared a non-pecuniary interest in relation to item13, by virtue of being an employee at John Lewis and item 15 by virtue of being a tenant of Notting Hill Genesis.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Ms Thomas asked a supplementary question in relation to item 13.

6. MEMBERS' ITEMS

Members agreed to take the following Members items during the discussion on the relevant report on the agenda:

Cllr Sara Conway – Forum of RSL's in Barnet

Cllr Ross Houston – Town centres and enterprise

Cllr Kath McGuirk – North Finchley Regeneration
Cllr Paul Edwards – Evictions and housing support

7. COVID-19: RECOVERY PLAN - THRIVING

The Chairman introduced the Covid-19 Recovery Plan report for the Thriving workstream. The report provided an update on progress across a number of core themes under the workstream: Town Centres, Employment and Skills, Digital Connectivity and Homelessness,

Councillor Houston introduced his Members item on Town centres and regeneration and asked for an update on the Build back better and greener in Town Centres and an update on what the Council is doing over and above the national initiatives, to help hard hit businesses on the high streets, to be incorporated into the next Covid-19 Recovery Plan report.

Councillor Edwards introduced his Members item on evictions and housing support and asked that an update be provided on how the pandemic and changes to the benefit system had affected residents in receipt of council house benefits, across the borough and not just Barnet Homes residents.

Members unanimously agreed with the Members items from Councillor Houston and Councillor Edwards and requested officers include updates on the items raised within the next Covid-19 recovery report to committee.

Members asked whether the rent-relief period for commercial council tenants was due to be extended as a result of the second lockdown, officers advised that this was currently being reviewed and once a decision had been made Members would be notified.

Members noted and thanked officers for the excellent work that had been done in regard to securing funding from the GLA, for properties via open-door, for rough sleepers in the Borough. They also thanked officers for the work on digital divide and inclusion that had been picked up.

Following consideration of the item, the Chairman moved to vote on the Officer's recommendations as outlined in the report.

The Committee unanimously agreed to note the report and the Members items from Councillor Houston and Councillor Edwards.

The votes were recorded as follows:

For	10
Against	0
Abstain	0

The Committee unanimously RESOLVED:

- **To note the report. To incorporate the following updates within the next Covid-19 recovery plan: Build back better and greener in Town centres,**
 - **The council's initiatives to help hard hit businesses on Barnet high streets,**
 - **How the pandemic and changes to the benefit system has affected residents across the borough.**

8. BUSINESS PLANNING 2020-25

The Chairman introduced the report which outlined the revenue saving proposals brought forward and service pressures that had been identified, as well as noting the change to Fees and Charges. The outcome of the discussions would be recommended to Policy and Resources in December 2020.

Governance noted the request from members to increase the font size of the attached appendices.

Following discussions, the Chairman moved to vote on the Officer's recommendations as outlined in the report.

Votes on recommendation 1 of the report were recorded as follows:

For	6
Against	0
Abstain	4

Votes on recommendation 2 of the report were recorded as follows:

For	10
Against	0
Abstain	0

The Committee RESOLVED that:

- **1) The MTFs proposals that relate to the Committee as set out in Appendix A, have been considered and these recommendations be referred to the Policy and Resources Committee for decision.**
- **2) The Committee noted the changes to fees and charges 2021/22 set out in Appendix B that will be included in the budget proposals submitted to the Policy and Resources Committee for recommendation to and for final approval by Full Council.**

9. HERMITAGE LANE DEVELOPMENT PROJECT FULL BUSINESS CASE

The Chairman introduced the report which sought approval for the Hermitage Lane Full Business Case to deliver 53 new homes, approving the sale of the site from the Council to ODH and a simultaneous development lease agreement between ODH and the developer.

Councillor Zinkin notified the committee and officers that members had received a number of representations from tenants in surrounding properties about the equalities impact of the development on them, given the range of disabilities they have. Councillor Zinkin asked that reassurances be given by officers that active steps had been taken to consider the specific implications of the scheme on individual tenants who have disabilities and explain what had been done to resolve the issues. Officers confirmed that consultations had taken place and that proactive feedback had been taken as a result, individuals affected had been visited in order to understand their concerns and this would continue to be done. Officers assured the committee that no agreement would be

entered into, until the Council was satisfied that all those concerns raised had been responded to as effectively and appropriately as possible.

Following discussion on the report, the Chairman moved to vote on the officer's recommendations outlined in the report.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

The Committee RESOLVED:

- 1. To note and approve the Full Business Case at Appendix 2.**
- 2. To delegate authority to the Director of Growth to appoint an external independent valuer to carry out an independent valuation of the land shown edged in red on the site plan at Appendix 1 ("Property")**
- 3. To delegate authority to the Director of Growth (in consultation with the Chairman of Housing & Growth Committee) to negotiate and agree, acting in the best interests of the Council, heads of terms with TBG Open Door Limited ('ODH') for the sale of the Property from the Council to ODH, upon the best commercial terms that can be obtained and delegate authority to use such of the general consents available for the disposal of the Property and, where required, to apply for consent to dispose from the Secretary of State.**
- 4. Subject to the valuation referred to above supporting the proposed sale price, delegate authority to the Director of Growth (in consultation with the Chairman of Housing & Growth Committee) to enter into and conclude all required documentation and do all acts and things necessary, acting in the best interests of the Council, to effect the sale of the Property from the Council to ODH upon the agreed terms.**
- 5. That authority is delegated to the Council's Section 151 Officer, in consultation with HB Public Law and other professional advisors as appropriate, to agree the legal documentation to support the loan to ODH, including the Loan Agreement.**

10. FOSTERS ESTATE DEVELOPMENT PROJECT FULL BUSINESS CASE - TO FOLLOW

The Chairman introduced the report which sought approval of the full business case for the Fosters Estate Development to deliver 217 new homes, using capital funding from Sage and the budget allocated in the HRA for the extra care dwellings.

Following discussion of the item the Chairman moved to the vote on the officer's recommendations.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

The Committee RESOLVED that:

- 1. The Committee noted and approved the Full Business Case.**
- 2. The Committee noted the updated Heads of Terms (HOTs) attached to the Exempt Report as negotiated with Sage.**
- 3. The Committee delegated authority to the Deputy Chief Executive acting in the best interests of the Council in consultation with the Chairman of the Housing and Growth Committee to:**

- I. agree the updated HOTs attached to the Exempt Report or such other terms as may be approved by the Deputy Chief Executive in consultation with the Chairman of the Housing and Growth Committee;**
- II. negotiate finalise and complete the terms of the required documentation to be entered into with Sage Housing Limited (Sage) to give effect to the HOTs as referred to above;**
- III. to negotiate, approve, finalise and complete such other documents as may be required to effect and implement or deliver the scheme by Barnet Homes Ltd;**
- IV. approve and conclude the grant of the lease(s) to Sage pursuant to the contractual arrangements entered into with Sage subject to such disposals being compliant with the Council's statutory obligation to obtain the best price reasonably obtainable as evidenced by an independent valuation;**
- V. to apply for any statutory consents that may be necessary to progress and deliver the scheme.**

4. Delegated authority to the Deputy Chief Executive to:

- I. Consider whether to appropriate to planning purposes the land forming part or the whole of the Site as indicated on the Plan attached which is held by the Council for other purposes and, if it is considered appropriate to do so, to effect the appropriation of such land to planning purposes subject to complying with the statutory procedures for such appropriation and obtaining any necessary consents; and**
- VI. to authorise the negotiation and settlement of any lawful claims or compensation payments consequential upon the implementation of the development scheme**

5. Noted that the detailed funding arrangements will be proposed to the Policy & Resources Committee for approval.

11. UPDATE ON THE REVITALISATION OF NORTH FINCHLEY TOWN CENTRE

The Chairman introduced the report which provided an update on proposals for redevelopment for North Finchley Town Centre, the decision by Joseph Partners to partner with Regal London in taking development forward and seeking permission to extend relevant deadlines to enable development whilst accounting for ongoing uncertainty in the construction sector and wider economy. The report also provided an update on local community, including convening of the proposed North Finchley Partnership Board.

Councillor McGuirk introduced her Members item on North Finchley Regeneration and asked for an update on when the agreed partnership board would be established. Councillor McGuirk also asked that Ward Councillors were engaged and involved in the progress of the scheme. Officers and the Leader assured the committee that all Ward Councillors would be consulted at the appropriate time. Officers explained that this was a

challenging scheme, but the partnership board would be established with all key stakeholders soon.

The Chairman then moved to vote on the officer's recommendations as outlined in the report.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

The Committee RESOLVED to:

- **1) Note the progress that has been made with proposals for the redevelopment of North Finchley Town Centre.**
- **2) Delegated authority to the Deputy Chief Executive in consultation with the Chairman of Committee, after having taken appropriate legal and financial advice, to complete a deed of variation and/or supplemental agreement with Future High Street (North Finchley) Limited or another legal vehicle or structure between Regal London/a group company of theirs and Joseph Partners, to a) substitute Regal London/a group company of theirs for U and I (Projects) Limited as funder in the Site Assembly Agreement and Land Agreement and b) extend key developer deadlines to 31 December 2021, including that for submission of an outline planning application.**
- **3) Delegated authority to the Deputy Chief Executive in consultation with the Chair of Committee, to renew the exclusivity arrangement with Joseph Partners in the Site Assembly Agreement and Land Agreement, setting a termination deadline of 31 December 2021 after having taken legal advice.**
- **4) Note proposals for community consultation and engagement, including the establishment of the North Finchley Partnership Board.**

12. COUNCIL HOUSING UPDATE

The Chairman introduced the report which provided an update on the status of decanting properties in Marsh Drive on the West Hendon Estate and the subsequent rehousing of residents in accordance with the Council's Housing Allocations Policy. The report also provided an update on the status of other council tenants on Grahame Park and Dollis Valley regeneration estates and provides information regarding the approach Barnet Homes takes to resident engagement and involvement more broadly across Council housing estates.

Councillor Prager asked for clarification on when the last two remaining tenants, within Marsh Drive, would be made on offer on accommodation. Officers confirmed that remaining offers would be made imminently and most tenants would be moved before Christmas.

Councillor Houston requested that at the appropriate time an update and explanation of the implications of the social housing green paper be brought to the committee, the Chairman agreed to this request.

The Chairman then moved to vote on the recommendations as outlined in the report.

The votes were recorded as follows:

For	10
Against	0
Abstain	0

The Committee unanimously RESOLVED to:

- 1. Note the progress made with the decanting of the properties in Marsh Drive on the West Hendon Estate and the subsequent rehousing of residents as appropriate in accordance with the Council's Housing Allocations Policy.**
- 2. Note the longstop date of February 2021 agreed with Cadent to have Marsh Drive fully decanted**
- 3. Note the status of tenants on the Grahame Park and Dollis Valley Estates**
- 4. Note the significant investment being delivered to improve the condition and safety of the homes on the Grahame Park estate**
- 5. Note the approach taken by Barnet Homes to community engagement and involvement across Council housing estates.**
- 6. That an update on the Social housing green paper would be brought back to the committee at the appropriate time.**

13. BRENT CROSS CRICKLEWOOD UPDATE - TO FOLLOW

The Chairman introduced the Brent Cross update report which provided an updated on the progress since the last Committee meeting on the 14th September 2020.

The addendum report provided an update on matters referred to in the main report, in particular the decision to submit a bid to acquire the Brent Cross Retail Park on the basis set out on the report.

Councillor Conway asked again for improved engagement with residents, to make sure that their voices are heard. Officers explained that all the concerns that had been raised previously had been responded to in detail and that those efforts were still ongoing and every effort was being made to reach out to residents.

Councillor Prager asked whether the Brent Cross Retail Park would be used for commercial or residential use. Officers advised that currently the plan was for this to be commercial use, however this would be reviewed over the coming months, with the developer, to ensure this was still appropriate.

Councillor Houston asked about the temporary relocation of the waste transfer site to Seneca and whether Donoghues could also be re-located to this site. Councillor Zinkin advised that North London waste was due to complete the lease on the Seneca site imminently, but until the lease was completed, consideration of other potential uses had been paused, but once completion was confirmed, discussions would be had and Donoghues would be one of the possible considerations.

Following discussion of the item the Chairman moved to the vote on the officer's recommendations.

The votes were recorded as follows:

For	6
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Against	0
Abstain	4

The Committee RESOLVED to:

- 1) Note the progress across the scheme since September 2020;
- 2) Note that the council is continuing the design work to provide passive provision within the Station for the West London Orbital whilst it works with its partners to identify alternative funding opportunities;
- 3) Note that Aberdeen Standard Investments and Hammerson Plc have placed the Brent Cross South Retail Park on the market for sale. Bids are due to be called for shortly. The council is reviewing the opportunity and whether it wishes to submit a bid, subject to the formal due diligence process and approval by this Committee. A report as regards any bid proposal intended to be made by the Council will be circulated and published ahead of the meeting;
- 4) Delegate authority to the Deputy Chief Executive to procure consultants to carry out the survey and design stage for the implementation a of controlled parking zone in accordance with the conditions attached to the 2014 Section 73 planning permission.
- 5) Endorsed the bid made by the Council for the acquisition of the Brent Cross South Retail Park set out within this report and the Exempt report subject to approval of funding by the Policy and Resources Committee on 8 December 2020 and approval of any Best and Final Offer and agreed terms by this Committee (or Urgency Committee if required).

14. FIRE SAFETY - PROGRESS UPDATE

The Chairman introduced the Fire Safety progress update, which provided an update on the progress of fire safety works within the borough since the last report to the Housing and Growth Committee, submitted to the 14th September 2020 meeting. The reports noted the progress of private sector blocks towards securing the funding to enable remedial works to take place.

Following discussion of the item the Chairman moved to the vote on the officer's recommendations.

The votes were recorded as follows:

For	10
Against	0
Abstain	0

The Committee unanimously RESOLVED to:

- Note the updates since the previous report.

15. ANNUAL PERFORMANCE REVIEW OF REGISTERED PROVIDERS (RPS)

The Chairman introduced the report on Registered Providers (RPs) for the Council in delivering the Housing strategy goal of increasing the housing supply, including

affordable housing. The report provided a complete Annual Performance Review of the top nine developing RPs operating in the borough to obtain a view on how RPs are performing and how they have adapted their working practices as a result of COVID-19

Councillor Conway introduced her Members item on forums of RSL's in Barnet. Councillor Conway asked that housing providers be invited to attend the committee once a year for greater accountability and scrutiny, to discuss the key issues coming up locally and to improve communication between the Council and providers. Members agreed that registered providers could be invited to the March 2021 meeting.

Members noted that one housing group had not submitted information for parts of the report, which was concerning. Officers advised that a response was being chased and that this would be circulated to Members. The Chairman asked that Governance add that an update be provided at the next meeting, if circulation had not taking place before then.

The Chairman noted an error in the report on page 107, paragraph 5.1.2 which should read 463 properties completed with 207 of those being shared ownership properties.

Following discussion of the item the Chairman moved to the vote on the officer's recommendations.

The votes were recorded as follows:

For	10
Against	0
Abstain	0

The Committee unanimously RESOLVED:

- **To note the Barnet Annual Performance Review of Registered Providers 2019/20 as attached in Appendix 1 to the report.**
- **To invite registered providers to attend the March 2021 committee meeting.**

16. POST SCRUTINY DECISIONS (IF ANY)

None.

17. COMMITTEE FORWARD WORK PROGRAMME

The Committee noted the Forward Work Programme.

Councillor Edwards requested an update on the relationship between poverty and housing costs be included in the next Covid-19 recovery paper report.

18. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

19. HERMITAGE LANE DEVELOPMENT PROJECT FULL BUSINESS CASE - EXEMPT REPORT

The recommendations in the exempt report were noted and agreed.

20. FOSTERS ESTATE DEVELOPMENT PROJECT FULL BUSINESS CASE - EXEMPT REPORT TO FOLLOW

The recommendations in the exempt report were noted and agreed.

21. BRENT CROSS UPDATE - EXEMPT REPORT - TO FOLLOW

The recommendations in the exempt report were noted and agreed.

22. ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 8.35pm.