

Decisions of the Housing and Growth Committee

14 June 2021

Members Present:-

Councillor Richard Cornelius (Chairman)

Councillor Sarah Wardle (Vice-Chairman)

Councillor Peter Zinkin

Councillor Thomas Smith

Councillor Ross Houston

Councillor Laith Jajeh

Councillor Paul Edwards

Councillor Sara Conway

Councillor Kath McGuirk

Councillor Rohit Grover

Apologies for Absence

Councillor Daniel Thomas

Councillor Alex Prager

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Housing and Growth Committee held on 25th January 2021 be approved as a correct record

2. ABSENCE OF MEMBERS

Councillor Thomas gave apologies for absence and was substituted by Councillor Grover. Councillor Prager gave apologies and was substituted by Councillor Jajeh.

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

Councillor Zinkin declared an interest in relation to item 17 – Brent Cross Cricklewood report by virtue of being a Director of London Energy.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

The Chairman asked the Committee and Officers to join him in holding a minute's silence in memory of those who lost their lives in the Grenfell fire.

6. MEMBERS' ITEMS (IF ANY)

Members item in the name of Councillor Conway – Fourth anniversary of the Grenfell tragedy.

Councillor Conway thanked the Chairman for holding a minute's silence in memory of the Grenfell tragedy and for the Town Hall being lit up in green lights as a sign of respect. She notified the committee that the Arts Depot would also be lit up.

Councillor Conway asked officers to provide an update on the cladding issues within Barnet. The Deputy Chief Executive provided a brief update on the situation as follows:

- That all Council stock with ACM cladding had been removed and replaced in 2018.
- The fire safety programme on Barnet Homes stock was extensive and was outlined in the various papers within the agenda for the meeting.
- The position in relation to dangerous cladding, on blocks over 18m, was being closely monitored and the Council was ensuring it complied with all its responsibilities within the Buildings Safety Act.
- Most of the private landlords with cladding on buildings under 18m's, had now acted.
- The outstanding question on the payment of the works was continuing to be raised with the government.

Members item in the name of Councillor Houston – Lift of eviction ban

Councillor Houston requested that an update be brought back to committee on the situation following the end of the ban on evictions. There was concern that this could lead to a wave of homelessness, due to debts being built up during the pandemic that may be impossible for residents to pay back.

The Deputy Chief Executive advised that a briefing could be sent round to committee members, until more information on the effects of homelessness became apparent.

The Chairman agreed this was a sensible approach and that an update would be brought to the committee at an appropriate time.

Members item in the name of Councillor Edwards – Homelessness

Councillor Edwards asked for an update on the likely impact on homelessness in Barnet and on the services provided by the Council, following the end of the eviction ban. He expressed concern that there could be an increase in homelessness during the winter, with people on the streets being more vulnerable to Coronavirus.

The Chairman agreed that an update on the situation should be brought back to a future meeting. Councillor Houston asked that this update include information on different types of provision that could be provided, following the measures that had been put in place during the pandemic.

7. COVID-19: RECOVERY PLAN - THRIVING

The Assistant Director Development and Economy introduced the paper, which provided an update on the progress across a number of Recovery workstreams including skills, employment, homelessness, town centres, housing supply and digital access and inclusion. The report also provided updated progress on the delivery of the Growth Strategy and a detailed plan on the council's approach to skills and employment.

The committee asked that a report was brought back at the end of the year or beginning of 2022.

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

The votes were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED THAT THE COMMITTEE:

- 1) Noted the report.
- 2) Noted the annual report on the growth strategy as set out in appendix 1 of the report.
- 3) Approved the Barnet work, skills and productivity action plan set out in appendix 2 of the report.

8. CHIPPING BARNET COMMUNITY PLAN

The Chairman introduced the report, which outlined the Chipping Barnet Community Plan and the 5 key priority projects identified within it.

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

The votes were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

- 1) Noted and approved the Chipping Barnet Community Plan, which sets out a range of ways that the Council can work with community members, businesses and other partners to improve Chipping Barnet Town Centre.
- 2) Agreed that the five recommended priority projects listed under paragraph 2.6 of the report can proceed to further feasibility and business case development.

9. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

The Chairman introduced the report which provided an update on the 30-year HRA Business Plan, since it was report to the Housing and Growth Committee in January 2020.

Following consideration of the item, the Chairman 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

RESOLVED that the Committee:

Approved the draft Housing Revenue Account Business Plan as attached in Appendix 1 of the report.

10. BARNET HOMES DELIVERY PLAN 2021/22

The Chairman introduced the report which provided an update on the Barnet Homes 2021/22 delivery plan and the outcomes achieved against each of the Housing and Growth Committee's priorities at quarter 4 2019/20. The delivery plan also outlined the outcomes, performance measures and high-level risks for the 2020/21 year.

Following consideration of the item, the Chairman 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

RESOLVED that the Committee:

Noted and approved the Barnet Homes 2021/22 delivery Plan as outlined in Appendix 1 of the report.

11. REVIEW OF COUNCIL TEMPORARY ACCOMMODATION RENTS FOR 2021/22

The Chairman introduced the report which proposed a smaller increase in Temporary Accommodation rents than was previously approved in order to minimize the effect on TA clients.

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

The votes were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

Noted and approved the proposed adjustment to increase temporary accommodation rents by 1.5% to take effect from 30 August 2021 subject to further approval of the Policy and Resources Committee.

12. PRIVATE SECTOR HOUSING LICENSING SCHEMES

The Chairman introduced the report which sought approval to commence a public consultation for the renewal of the borough-wide additional licensing scheme for certain houses in multiple occupation due to expire on 4th July 2021 and to implement three selective licensing schemes for other types of private rented properties in certain wards, noting that as a result of the new ward boundaries taking effect from May 200, these will change slightly but the schemes will, in any event, specify the affected roads.

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

The votes were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED that the committee:

- 1) Noted the findings of the review of the existing additional licensing scheme in Appendix 1.**
- 2) Approved the commencement of a minimum 12-week public consultation on**

the proposal to renew the existing borough-wide additional licensing scheme, applicable to the types of properties as set out in paragraph 2.8 of the report, for a further 5 years.

- 3) **Approved the commencement of a minimum 12-week public consultation on the proposal to introduce three selective licensing schemes as described in paragraphs 2.84-2.88 of this report.**
- 4) **Noted that subject to the above consultations taking place, a future report will be brought to the committee setting out the results of the statutory consultations and potentially seeking further approvals with a view to implementation of the licensing schemes.**

13. FOSTERS ESTATE DEVELOPMENT PROJECT UPDATE

The Chairman introduced the report which provided an update on delivery of the project to date.

The Assistant Director of Development and Economy explained that over the last year, it had become increasingly difficult to sell leasehold houses and this would continue following the emerging legislation through the leaseholder's bill. Therefore, the committee was being asked to approve the transfer of the freehold interest in 17 shared ownership houses to Sage Housing Limited. This would mean that once shared owners had staircased to owning 100% of their property they would be freeholders of their homes.

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

The committee unanimously noted the progress made on delivering the project to date.

Votes on the second recommendation, were recorded as follows:

For	6
Against	0
Abstain	4

RESOLVED that the committee:

- 1) **Noted the progress made on delivering the project to date.**
- 2) **Agreed to the transfer of the freehold interest in the 17 shared ownership houses to Sage Housing Limited and delegates authority to the Director of Growth to agree finalise and enter into (1) a deed of variation to the existing Development Agreement with Sage Housing Limited dated 12 March 2021 and (2) any ancillary documents that may be required, in order to give effect to this**

14. STRATEGIC OUTLINE CASE FOR THE REGENERATION OF PART OF GRAHAME PARK ESTATE BY BARNET COUNCIL

The Chairman introduced the report which outlined the Strategic outlined case and noted that the detailed funding arrangements would be taken to the Policy and Resources Committee for approval.

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

The votes were recorded as follows:

For	10
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Against	0
Abstain	0

RESOLVED that the Committee:

- 1) **Noted and approved the Strategic Outline Case.**
- 2) **Noted that the detailed funding arrangements will be proposed to the Policy & Resources Committee for approval.**
- 3) **That Barnet Homes are appointed as development agent, acting in the best interests of the council, to progress the next phase of work as set out in this report.**

15. NORTHWAY/FAIRWAY PROPOSED APPROACH TO SITE DISPOSAL

The Chairman introduced the report which outlined the proposals for developing the Northway/Fairway site.

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

The votes were recorded as follows:

For	6
Against	0
Abstain	4

RESOLVED that the Committee:

1. **Noted progress to date in respect of the proposals for the development of the Northway/Fairway ("the Site") delineated at Figure 1 paragraph 1.4 below.**
2. **Approved the proposed sale and leaseback approach to the development of the site.**
3. **Approved the Kuropatwa Group as the preferred developer for the delivery and sale and leaseback approach on this Northway/Fairway site.**
4. **Delegated authority to the Deputy Chief Executive acting in the best interests of the Council and in consultation with the Chairman of the Housing and Growth Committee to:**
 - **agree the final terms for the proposed transaction,**
 - **negotiate finalise and complete the terms of the required documentation to be entered into with Kuropatwa Group (including companies within that group) to give effect to the agreed final terms as referred to above,**
 - **to negotiate, approve, finalise, and complete such other documents as may be required to effect implement fund deliver and/or manage the scheme.**
 - **approve and conclude the exchange of an agreement for lease and Leaseback to be entered into with an appropriate company within Kuropatwa Group subject to such agreement being compliant with the Council's statutory obligation to obtain the best price reasonably obtainable as evidenced by an independent valuation;**
5. **That subject to approval from the Policy and Resources Committee the Committee approved the creation of a management company (ManCo) by**

the Council for the ongoing management of the completed units at the Site and to enter into the proposed sub-underlease with the Council as outlined at paragraph 3.8.

6. Approved that, if planning permission is received for the development, the Deputy Chief Executive (acting in the best interests of the Council and in consultation with the Chairman of the Housing and Growth Committee) be authorised to approve the final red book valuation for the site.
7. (i) Approved the advertising as required to appropriate to the required use or to appropriate to planning purposes any part of the Site deemed or designated as Public Open Space in accordance with S122(2A) of the Local Government Act 1972 and (ii) delegated to the Deputy Chief Executive the consideration of any objections received following the conclusion of the above advertising process.
8. Delegated to the Deputy Chief Executive if appropriate following the conclusion of the consideration of any objections to advertise pursuant to s 123(2A) of the LGA 1972 or s 233 of the Town and Country Planning Act 1990 the disposal of any land referred to at 7 above which is to be comprised as part of the Site.
9. That subject to paragraph 7 the Committee delegated authority to the Deputy Chief Executive to authorise that the whole or any part of the Site as may be required be appropriated for planning purposes pursuant to s 122 of the LGA 1972 and to commence negotiations and settle any lawful claims asserted by third parties pursuant to ss 203 and ss 204 of the Housing and Planning Act 2016.
10. Authorised that the Deputy Chief Executive may instruct as required the appropriate Council officers to make any applications to the Secretary of State for consent to enable the lawful disposal of the Site.
11. Delegated authority to the Deputy Chief Executive in consultation with the Chairman of this Committee to make any alterations to the extent of the Site with the above recommendations to apply to the Site as altered.

16. WATLING CAR PARK PROPOSED APPROACH TO SITE DISPOSAL

The Chairman introduced the report which set out the proposal for the Council to enter into a commercial agreement with a developer/annuity funder that delivers the social and environmental regeneration to meet the future housing demand and to support the economic prosperity of the borough.

Officers explained that during the planning process engagement with the relevant secure by design officer would take place, to ensure all schemes were compliant and to aim to design out crime. The Library and community space were being re-provided, which was viewed as integral to the future development. The developer hoped to be able to provide a nursery, to meet the demand in the area, however this would all need to be demonstrated and planned out through the planning and stakeholder engagement process.

Following discussion on the item, the Chairman moved to vote on the officers' recommendations.

The votes were recorded as follows:

For	6
Against	0

Abstain	4
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RESOLVED that the committee:

- 1. Noted progress to date in respect of the proposals for the development of the Watling Car Park (“the Site”) delineated at Figure 1 paragraph 1. below.**
- 2. Approved the proposed sale and leaseback approach to the development of the Site.**
- 3. Approved BY Development Limited (trading as Linkcity) as the preferred developer for the delivery and sale and leaseback approach on this Watling Car Park site.**
- 4. Delegated authority to the Deputy Chief Executive acting in the best interests of the Council and in consultation with the Chairman of the Housing and Growth Committee to:**
 - agree the final terms for the proposed transaction**
 - negotiate finalise and complete the terms of the required documentation to be entered into with BY Development Limited and the annuity funder to give effect to the agreed final terms as referred to above**
 - to negotiate, approve, finalise, and complete such other documents as may be required to effect implement fund deliver and/or manage the scheme**
 - approve and conclude the exchange of an agreement for lease and Leaseback to be entered into with BY Development Limited subject to such agreement being compliant with the Council’s statutory obligation to obtain the best price reasonably obtainable as evidenced by an independent valuation.**
- 5. That subject to approval from the Policy and Resources Committee the Committee approved the creation of a management company (ManCo) by the Council for the ongoing management of the completed units at the Site and to enter into the proposed sub-underlease with the Council as outlined at paragraph 7.3.10.**
- 6. Approved that, if planning permission is received for the development, the Deputy Chief Executive (acting in the best interests of the Council and in consultation with the Chairman of the Housing and Growth Committee) be authorised to approve the final red book valuation for the Site.**
- 7. (i) Approved the advertising as required to appropriate to the required use or to appropriate to planning purposes any part of the Site deemed or designated as Public Open Space in accordance with S122(2A) of the Local Government Act 1972 and (ii) delegated to the Deputy Chief Executive the consideration of any objections received following the conclusion of the above advertising process;**
- 8. Delegated to the Deputy Chief Executive if appropriate following the conclusion of the consideration of any objections to advertise pursuant to s 123(2A) of the LGA 1972 or s 233 of the Town and Country Planning Act 1990 the disposal of any land referred to at 7 above which is to be comprised as part of the Site**
- 9. That subject to paragraph 7 the Committee delegated authority to the Deputy Chief Executive to authorise that the whole or any part of the Site as may be required be appropriated for planning purposes pursuant to s 122 of the LGA 1972 and to commence negotiations and settle any lawful claims asserted by third parties pursuant to ss 203 and ss 204 of the Housing and Planning Act 2016**
- 10. Authorised that the Deputy Chief Executive may instruct as required the appropriate Council officers to make any applications to the Secretary of State for consent to enable the lawful disposal of the Site. 509**

11. Delegated authority to the Deputy Chief Executive in consultation with the Chairman of this Committee to make any alterations to the extent of the Site with the above recommendations to apply to the Site as altered.

17. BRENT CROSS UPDATE REPORT

The Chairman introduced the report which updated the committee on the progress since the last committee meeting on 25th January 2021. The report provided particular updates on the key railway possession works and the land assembly programme.

Following discussion of the item, the Chairman moved to vote on the officers' recommendations.

The votes were recorded as follows:

For	6
Against	0
Abstain	4

RESOLVED that the Committee:

- 1) Noted and endorsed the appointment of Croftstone to advise the council on future claims in accordance with the Implementation Agreement between the council and Network Rail as set out in paragraph 1.16.
- 2) Noted and endorsed the Brent Cross West Integrated programme set out at paragraph 1.10.
- 3) Noted that on the Brent Cross Town (BXT) student accommodation Plot 25, the council and BXT are moving forward with alternative Purpose Built Student Accommodation provider and delegated to the Chief Executive in consultation with the Chairman of the Committee to agree and complete the required legal documentation in accordance with the Heads of Terms as set out in paragraph 1.22 and 1.23 and attached to the Exempt report.
- 4) Noted that the Brent Cross Cricklewood Regeneration Phase 1A North (Plot 53 & Plot 5 Brent Terrace South) Stopping Up Order 2019 and Brent Cross Cricklewood Regeneration Phase 1A North (Claremont Park) Stopping Order 2019 were confirmed on 2 June 2021. The Council will now give Notice of the Confirmation.
- 5) Delegated to the Executive Director for Environment in consultation with the Chairman of the Committee to agree and finalise and enter into the required agreements in respect of the maintenance arrangements for the improvements to Claremont Park prior to opening as set out in paragraph 1.24.
- 6) Delegated to the Deputy Chief Executive to commence engagement and agree terms with external consultants as and when required to ensure delivery of the council's obligations related to the Brent Cross Programme, as set out in paragraph 1.49, having regard to the Council's best value duty.
- 7) Approved that Gowling WLG are retained to provide legal advice on the BX project and to delegate to the Deputy Chief Executive in consultation with the Chairman and HB Law to agree a revised service agreement in accordance with paragraphs 1.51 of this report. 538 3
- 8) Authorised that an application be made to apply to the Secretary of State to extend the Final Demolition Notice period on the Whitefield Estate Part 1, details outlined in paragraph 1.40.
- 9) Authorised that the Council ceases to let properties acquired by buy-back or other to council tenants and non-secure tenants and approve the use of property

guardians for these properties on Whitefield Estate Part 1 outlined in paragraph 1.39.

10) Delegated to the Deputy Chief Executive in consultation with the Chairman of this Committee to make the contract award and authorised entering into the contract to deliver the replacement Waste Transfer Station as set out in paragraph 1.46.

18. COMMITTEE FORWARD WORK PROGRAMME

The Committee noted the forward work programme.

19. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

20. MOTION TO EXCLUDE THE PRESS AND PUBLIC

The Committee resolved – that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (as amended).

21. EXEMPT - FOSTERS ESTATE DEVELOPMENT PROJECT UPDATE

The Committee RESOLVED - that the information contained in the exempt report be noted.

22. EXEMPT: STRATEGIC OUTLINE CASE FOR THE REGENERATION OF PART OF GRAHAME PARK ESTATE BY BARNET COUNCIL

The Committee RESOLVED - that the information contained in the exempt report be noted.

23. EXEMPT - NORTHWAY/FAIRWAY PROPOSED APPROACH TO SITE DISPOSAL

The Committee RESOLVED - that the information contained in the exempt report be noted

24. EXEMPT - WATLING CAR PARK PROPOSED APPROACH TO SITE DISPOSAL

The Committee RESOLVED - that the information contained in the exempt report be noted

25. EXEMPT - BRENT CROSS UPDATE REPORT

The Committee RESOLVED - that the information contained in the exempt report be noted

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

None.

The meeting finished at 20.44