

Decisions of the Housing and Growth Committee

16 November 2021

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 13 September 2021 be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Councillor Smith declared an interest in Item 6 Members item Artsdept by virtue of being a Council appointed Trustee of the Artsdepot Board.

Councillor McGuirk declared an other interest in Item 12 Annual Performance Review of Registered Providers by virtue of being a Housing Association tenant.

Councillor Wardle declared an interest in Item 12 Annual Performance of Registered Providers by virtue of their employer acting on behalf of the registered providers.

Councillor Wardle and Councillor Edwards declared an interest in relation to item 12 Annual performance of Registered Providers, item 14 Modular Microsites proposal and item 16: 100 home review report by virtue of being representatives on the Barnet Group Board.

Councillor Houston declared an interest in item 12 Annual Performance of Registered Providers by virtue of having a £1 non-recoverable share in Notting Hill Genesis.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. MEMBERS' ITEMS (IF ANY)

Councillor Conway - #EndOurCladdingScandal

Councillor Conway introduced her Member's item which related to cladding issues affecting residents in the Borough.

Councillor Conway noted that Councillors had attended regular meetings with residents in relation to cladding issues, and concerns that had been consistently raised at these meetings included uncertainty around when issues would be resolved and increasing service charges. Councillor Conway stressed that the Council had a role in holding developers to account.

The Leader confirmed the Council was doing everything it could to assist residents, in-line with policy changes from central government.

Following discussion of the item, the Committee requested answers to the questions raised by Councillor Conway in her Member's item be included within the next Fire Safety update report brought to Housing and Growth Committee.

Councillor McGuirk – North Finchley regeneration

Councillor McGuirk introduced her Members item which related to plans for the North Finchley regeneration and requested Barnet Homes lead on building the new affordable homes, required under Council land in Phase 1.

Officers advised that this was not an appropriate time to make a decision on which provider would lead on building the affordable homes.

The Chairman moved to vote on Councillor McGuirk's Member item to agree that Barnet Homes lead on building the new affordable homes, required under the London Plan, on Council land in Phase 1 of the North Finchley Regeneration.

The votes were recorded as follows:

For	4
Against	6
Abstain	0

RESOLVED that Councillor McGuirk's Members item not be agreed.

Ross Houston – Artdepot

Councillor Houston introduced his Members item which related the Artsdepot, requesting for the Council to urgently negotiate a new lease with the Artsdepot. Councillor Houston flagged that the Artsdepot was an asset that the Council would not want to lose, enhancing the cultural offer in north Finchley.

The Chairman and officers advised that the Artsdepot had a protected lease, however negotiations on the new lease needed to take place, to evaluate the contribution to the community that had been demonstrated and to understand the Artsdepot future plans.

Following discussion of the item the Committee agreed that negotiations on a new lease would take place.

7. THRIVING UPDATE

The Chairman introduced the Thriving update report, which provided an update on progress across the thriving workstreams.

Members' queried whether collaboration with colleges in Barnet was taking place to encourage young people to enter into adult social care roles, to help assist with the recruitment crisis. The Assistant Director for Economy and Development advised that health and care had been identified as one of the top priorities in terms of recruitment and that a programme of work had been initiated with the Royal Free, to assist those using the BOOST service to find meaningful employment. He also explained that funding was available for entry level workers through collaboration with Barnet and Southgate College.

Members' asked for more information on the BOOST expansion plans. The Assistant Director for Economy and Development explained that an increased level of needs and complexity of individuals had been coming through the BOOST and the expansion was in place to support this cohort. He explained that BOOST was on track to support 300 people this year.

A Member raised concerns about the impact on neighbouring residents to Stag House and the need for residents to be cared for whilst developments took place. Officers from Barnet Homes advised that the concerns had been noted and strong action had been taken with the contractor to prevent any further issues.

Members' also asked for further information on substance misuse support available for homeless individuals in the borough. Officers advised that they would provide Members' with further information on this.

Members' commented on the successes outlined in the report and thanked officers for their hard work. However, some concerns were noted, including the percentage of the working population still seeking job seekers allowance and the level of private rental sector arrears.

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

RESOLVED that the Committee unanimously:

- 1) Noted the report.**
- 2) Noted the progress made in delivering the work, skills and productivity action plan as set out in the update report in Appendix 1, as requested by Committee when the Action plan was approved in June 2021.**

8. FIRE SAFETY UPDATE

The Chairman introduced the Fire Safety Update which outlined the progress of fire safety works within the Borough since the last update to Committee in June 2021.

Councillor Conway raised concerns that the report did not mention the impact on residents, which if included, might lead to further actions. Councillor Conway also queried how many doors had been found to be faulty. Officers advised that in total 5,000 doors were faulty. Councillor Conway also noted complaints from a resident regarding the effect the remedial works had on the ability to keep flats warm. Officers explained that removal of the cladding from the Whitefield Estate did influence heat, but that residents would not be left out of pocket for any increased heating bills during the period in which works were taking place.

Members' noted that the enforcement action route was necessary, where building concerns regarding private sector contractors were involved.

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

RESOLVED that the Committee unanimously noted the report.

9. ANNUAL BUSINESS PLANNING REPORT

The Chairman introduced the report which requested the committee consider the revenue savings, pressure proposals and future challenges faced by the Council.

Following discussion of the report, the Chairman moved to vote on the recommendations as outlined in the officer's report. Councillor Houston requested that the recommendations be voted on separately.

The votes were recorded as follows:

Votes on recommendation 1:

For	6
Against	0
Abstain	4

Votes on recommendation 2:

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

1) Considered and approved the savings and pressure proposals relating to the Housing and Growth Committee, as set out in Appendix A after having considered the initial equalities impacts and that these recommendations be referred on to Policy and Resources Committee.

2) Approved the proposed fees and charges for 2022/23 set out on Appendix B that will be included in the budget proposals submitted to Policy and Resources Committee for consideration and recommendation to Full Council.

10. BRENT CROSS CRICKLEWOOD UPDATE

The Chairman introduced the report which provided an update on progress across the programme since the last committee meeting on the 13th September 2021. The report provided particular updates on the Brent Cross Town (BXT) programme and authority to update the First Phase Proposal and Land Transfer arrangements, taking into account economic conditions and the delivery programme.

A Member queried how the walk from Brent Cross underground station to Brent Cross shopping centre was going to be made safe. Officers assured members' that plans were being developed to ensure a safe route for pedestrians.

Members' were assured by officers that residents would be engaged and listened to in relation to plans for Clitterhouse playing fields.

Councillor Houston raised concerns on behalf of residents in relation to a large fence around the southern junction and asked if this could be looked at. He further raised concerns that the area around Brent Terrace and Clitterhouse were being left in an unacceptable state during the undertaking of works. The issues surrounding the volume of traffic surrounding Brent Terrace, with lorries mounting pavements and engines being left running was also noted. Members advised that a pathway stopping order had due to be in place to avoid this type of disruption, however residents had objected this proposal to help mitigate issues.

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

RESOLVED that the Committee:

- 1. Noted the progress across the Brent Cross programme as detailed in the report.**
- 2. Noted progress across the Brent Cross Town (BXT) programme and delegated authority to the Chief Executive in consultation with the Chairman of the Housing and Growth Committee to:**
 - a) approve the inclusion of Plot 19 within the BXT First Phase Proposal to bring forward a speculative office building subject to receipt of a satisfactory varied First Phase Proposal from Brent Cross South Joint Venture Limited Partnership in accordance with the terms of the Project Agreement and to CBRE confirming that there is no negative impact to the Council's First Phase financial returns from the BXT development;**
 - b) review the land transfer arrangements at the Phase Unconditional Date in respect of the first plots and make any necessary revisions ahead of the Phase Unconditional Date;**

- c) amend the Phase Unconditional Longstop Date in accordance with the Project Agreement and the JV documents;
- d) enter into documentation to make any consequential changes to the BXS Business Plan, Project Agreement and other legal documentation as required resulting from the above.

3. Delegated authority to the Chief Executive in consultation with the Chairman of the Housing and Growth Committee and the Director of Resources to confirm to Brent Cross South Joint Venture Limited Partnership how the Council wishes to receive its CLC (Council Land Contribution) from Plot 25 in line with the Project Agreement.
4. Delegated authority to the Chief Executive in consultation with the Chairman of the Housing and Growth Committee and the Director of Resources to agree the detailed Heads of Terms for inclusion of the Retail Park within the Project Agreement and make any consequential changes to the BXS Business Plan, Project Agreement and enter into other legal documentation as required.
5. Noted that following completion of the OJEU compliant procurement process that has been undertaken (OJEU Notice 2020/S 170-412510) the council will imminently enter into a two stage NEC3 ECC Design & Build contract with McLaughlin & Harvey to design, build, commission and handover into operational use the new replacement Waste Transfer Station.
6. Noted that the Brent Cross West (BXW) and associated critical infrastructure final cost review is now concluding and will be reported to the Finance Performance and Contracts Committee on 23 November 2021.
7. Approved that the improvements to the public realm around the western station entrance and required infrastructure modelling and design work to unlock further development in the area is funded from the surplus within the Brent Cross land budget.
8. Noted that the Council has received confirmation from the Secretary of State following submission of its application pursuant to s 19(2) of the Housing Act 1985 to appropriate the required housing land to planning purposes to facilitate the Brent Cross Town Development.

11. TOWN CENTRES CAPITAL PROGRAMME: WEST HENDON BROADWAY

The Chairman introduced the report which outlined proposals for taking forward a programme of public realm investment in West Hendon Broadway.

A member queried the amount of funding that would be invested in the programme, officers confirmed this to be £2 million in line with the approval at Policy and Resources Committee.

Following discussion of the item, the Chairman moved to vote on the officer's recommendation:

The votes were recorded as follows

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

Delegated approval to the Deputy Chief Executive in consultation with the Chairman of Housing and Growth to:

- **Approve the Outline and Full Business Cases as required to progress the projects.**
- **Procure a suitably qualified consultant team (s) to undertake survey, feasibility and design work to further develop proposals in consultation with the community, businesses and key stakeholders.**
- **Authorise expenditure of approved Town Centre Capital monies to fund project delivery, in line with the budget referenced in paragraph 1.15 and noting that this will be subject to further refinement.**
- **Commence procurement and approve the contract award for a suitably qualified contractor, or contractors, to deliver the public realm interventions, following a procurement exercise, and to authorize any change requests during the lifetime of the contract (s) as required.**
- **Negotiate, finalise, and complete such other documents as may be required to effectively implement, fund, deliver and/or manage the projects and, if required, to vary the same.**

12. ANNUAL PERFORMANCE REVIEW OF REGISTERED PROVIDERS (RPS)

The Chairman introduced the report which provided an annual performance review of the top six developing Registered Providers in the borough, providing an overview of how they are performing and adapting to the changing regulations and requirements regarding safety and sustainability.

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Members' raised concerns about lightening issues, including areas such as car parks and front doors and flagged the importance of this for women's safety, particularly those who are victims of violence.

Members' also commented that some of the responses provided in relation to dealing with anti-social behaviour and mental health issues were very limited in places. Members' felt some providers needed to demonstrate more proactive action was in place to resolve these issues.

The Chairman noted the importance of the report and the fact that this needed to be brought to the committee annually to enable proper scrutiny and review to take place.

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

Votes were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED that the Committee noted the Barnet Annual Performance Review of Registered Providers 2020/21 as attached in Appendix 1 to the report.

13. ANNUAL REVIEW OF COUNCIL DWELLING RENTS AND SERVICE CHARGES AND TEMPORARY ACCOMMODATION RENTS FOR 2022/23

The Chairman introduced the report which sought approval of the proposed changes to Council dwelling rents and services charges including temporary accommodation rents, to take effect from 1 April 2022.

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

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

- 1. Noted and recommends to Policy and Resources Committee for approval by Full Council, the proposed rent increase in line with Government Policy for existing council tenants as set out in paragraph 1.5 for social rent dwellings and 1.7 for affordable rent dwellings to take effect from 1st April 2022.**
- 2. Noted and recommends to Policy and Resources Committee for approval by Full Council, the proposed rent increases for temporary accommodation as set out in paragraph 1.12 to take effect from 1st April 2022.**
- 3. Noted recommends to Policy and Resources Committee for approval by Full Council, the proposed service charges and garage rents as set out in paragraphs 1.16 to take effect from 1st April 2022.**

14. MODULAR MICROSITES PROPOSAL DEVELOPMENT SITES FOR DISPOSAL

The Chairman introduced the report which set out the proposal for twenty-two modular homes to be developed across four sites.

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

Votes on the recommendations were recorded as follows:

For	10
Against	0
Abstain	0

RESOLVED that the Committee:

1. Approved the list of Sites for development as outlined in the report.
2. Endorsed in principle the development including the grant or disposal of any land interests, financing and income generating approach detailed for the Sites.
3. Approved EDAROTH as the party for the delivery of the Sites.
4. Noted the Council costs outlined in the report.
5. Authorised the Deputy Chief Executive to take such actions and make such decisions to enable and facilitate the proposals set out in this report:
 - (i) to include to appropriate the whole or part of the Sites including to planning purposes and to authorise any steps lawfully required in connection with the same; and
 - (ii) to consider any objections in connection with any intended appropriation
 - (iii) to dispose of any public open space land or any land appropriated pursuant to (i) above and to authorise any steps lawfully required in connection with the same
 - (iv) to negotiate and settle any claims resultant on engaging s 203 of the Housing and Planning Act 2016; and;
 - (v) to dispose of the Sites as outlined in this report; and
 - (vi) to apply for all required statutory consents; and
 - (vii) as otherwise may be required in accordance with all lawful requirements and as detailed at section 5.3
6. Authorised the Deputy Chief Executive In consultation with the Chairman of this Committee to :
 - (i) approve and confirm that the Council may proceed with the development with EDAROTH in accordance with section 5.6.1 of this report.
 - (ii) to enter into and conclude such documents as required to give effect to the proposals outlined in this Report or agree alternative terms in consultation with the Chairman of the Housing and Growth Committee based on the broad principles outlined at 2 above and enter into and conclude such documents or to agree variations to any documents as may be required from time to time.
7. Noted that the necessary adjustments will be made in the event of any appropriation of any HRA land as between the Council's HRA and General Fund Accounts as required.
8. Noted that the budget allocation approval will not be confirmed until P&R in December 2021.

15. HRA ACQUISITIONS PROGRAMME

The Chairman introduced the report which proposed a third phase of the Housing Revenue Account (HRA) Acquisitions Programme, to build upon the successes of earlier phases and provide the Council with an opportunity to both capitalise on available grant funding and help meet housing demand for larger homes.

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

RESOLVED that the Committee:

1) Approved the acquisition of up to 120 properties purchased from Q3 2021/23 onwards funded through HRA borrowing and grant funding as outlined in Appendix A (Subject to further approval of funding by Policy and Resources Committee).

2) Delegated authority to the Deputy Chief Executive to approve the purchase of individual properties as part of the acquisition programme.

16. 100 HOME REVIEW REPORT

The Chairman introduced the report which provided a progress update on the 100 purchases as part of the Opendoor Homes programme and to seek approval for the continuation of the programme for a further 100 properties.

Members' queried why the portfolio of homes was heavily based in Enfield. Officers advised that this was due to both availability and affordability of homes in this area.

Following discussion on the item, the Chairman moved to vote on the recommendations outlined in the report:

For	6
Against	0
Abstain	4

RESOLVED that the Committee:

1. Approved the continuation of the Opendoor Homes purchasing programme for a further 100 units, as per the terms of the loan facility.

2. Noted the update on delivery of placements for care leavers mentioned at paragraph 1.3 of the report.

17. COMMITTEE FORWARD WORK PROGRAMME

RESOLVED that the Committee noted the work programme.

18. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

19. EXEMPT MODULAR MICROSITES PROPOSAL DEVELOPMENT SITES FOR DISPOSAL

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

20. EXEMPT BRENT CROSS CRICKLEWOOD UPDATE

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

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

None.

The meeting finished at 20.21