



Housing and Growth Committee

13 June 2022

Title	Brent Cross Update Report
Report of	Chair of Housing and Growth Committee
Wards	Cricklewood
Status	Public with Exempt report (Not for publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 as amended as this relates to information of a financial nature and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).
Urgent	No
Key	Yes
Enclosures	Appendix 1, BXW Site Progress Photographs Appendix 2, GAB Meeting Presentation 04 May 2022 Appendix 3, Exclusivity land plan "7091518-2 Option"
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Summary

This report updates on progress across the Brent Cross programme since the last Committee meeting on the 17th February 2022, in particular on the progress on station programme.

It also provides an update on Brent Cross Town, and the associated legal agreements that enable commencement of the first phase of the programme, including Plot 12 (replacement new homes for the Whitefield Estate) and Plot 25 (student accommodation).

The report also includes recommendations seeking authority to enable decisions to be taken and for amendments to be made to various documents to allow the ongoing progression of the Brent Cross regeneration scheme as set out in the recommendations below.

Officers Recommendations

That the Committee:

- 1) Notes the progress across the Brent Cross programme as detailed in the report; notably on the station works programme and cost challenges identified at previous committees, and also progress on Brent Cross Town achieving Phase unconditional and drawdown of the first plots.
- 2) Notes the change of approach regarding the timing of the proposed drawdown of the Lot 2 plots in the context of the February 2022 decision. The Committee is also asked to: (a) approve the revised extent of the plots as referred to above; and (b) delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to negotiate and agree the heads of terms for Lot 2 and to authorise the Chief Executive to subsequently approve and enter into the transaction documents arising out of the same in accordance with the decision of this Committee in February 2022 and in accordance with this updated decision, as outlined in [paragraphs 1.30-1.32](#) of this report.
- 3) Authorises the Chief Executive in consultation with the Chair of the Committee to agree and enter into a letter with BXS LP (which Homes England may or may not be a party to) to approve the template forms of documents that are referred to in [paragraph 1.33-1.35](#) of this report.
- 4) Authorises the grant of a lease of the Claremont park Pavilion building and surrounding grounds to BXS Estate Manco Limited (together with any ancillary documents); and authorises the grant of a lease of Claremont Park to BXS Estate Manco Limited (together with any ancillary documents); and delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to: finalise the heads of terms for the Claremont Park lease; approve the final form of both leases (and any ancillary documents); and to authorise the Chief Executive to complete the same, on the terms as outlined in [paragraph 1.39 to 1.45](#) of this report.
- 5) Authorises the entry into of an agreement with Hammerson (Brent Cross) Limited and Standard Life Investments Brent Cross LP (BXN) and BXS Limited Partnership (BXT) in relation to electricity distribution network arrangements including the construction of a new electricity sub-station (and any ancillary documents with either party); if required, authorise the negotiation of and entry into of a side letter or variation to the Project Agreement to make consequential amendments; and delegate authority to the Chief Executive in consultation with the Chair of the Committee to approve the final form of the agreement and any side letter or deed of variation to the Project Agreement and to enter into the same, as outlined in [paragraphs 1.46-1.49](#) of this report.

- 6) Notes the proposed entry into of a deed of variation of the Development Management and Infrastructure Development Agreement (DMIDA); to authorise the entry into of a deed of variation of the related Collateral Warranty and related Delegation Warranty (together with any ancillary documents); If required, authorise the entry into of a deed of variation of the SEEB Side Agreement (and any ancillary documents); and delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to finalise and approve the final form of the deeds of variation (and any ancillary documents) and to authorise the Chief Executive to complete the same, as outlined in [paragraphs 1.50-1.53](#) of this report.
- 7) Delegates authority to the Chief Executive in consultation with the Chair of the Committee to enter into the required agreements and documents in relation to leasehold units on the Whitefield Estate which are to be acquired by the Council as set out in [paragraphs 1.54-1.58](#) of this report. These agreements are required to safeguard the interests of the secure tenants and leaseholders who remain in occupation by limiting the form of Homes England's security over the Council's freehold interest in the Whitefield Estate.
- 8) Authorises that the Council approves the approach to cease 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 2 outlined in [paragraphs 1.59-1.64](#) of this report.
- 9) Authorises and delegates authority to the Brent Cross Programme Director in consultation with the Chair of the Committee or the Chief Executive as specified in paragraphs 1.96-1.102 of this report to negotiate, approve and enter into the required agreements as set out in [paragraphs 1.96-1.102](#) of this report relating to a) the NRIL Exclusivity Agreement, b) the NRIL Sale Agreement and c) the NRIL CPO1 and CPO2 Deed of Undertaking. These agreements are required in order to implement the land holding arrangements agreed with NRIL to deliver the land needed for the new Thameslink station.
- 10) Authorises the transfer of the land forming Plot 67 to Transport for London for nil consideration; and delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to approve the form of transfer deed and to authorise the Chief Executive to enter into the same as outlined in [paragraphs 1.103-1.107](#) 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 17 February 2022.

<https://barnet.moderngov.co.uk/documents/b38406/Supplementary%20Agenda%20-%20Brent%20Cross%20Update%2017th-Feb-2022%2019.00%20Housing%20and%20Growth%20Committee.pdf?T=9>

1.2 Since the last report progress has continued across the programme with the early phases of the development taking shape, as can be seen from the latest Brent Cross Town Drone Footage [April-2022-drone-footage](#). The key updates for the committee to note are as follows:

- Works on the Brent Cross West Station have continued, with some major works during key railway possessions being completed on programme. Notably this included lifting in some of the final main steel sections of the station concourse, as well as the high-level canopies. This work sees the last of the major 'all line block' possessions of the railway (see figure one below).
- Brent Cross Town First Phase went unconditional on 27th April with all conditions being met to allow the phase to come forward. Plots 12 and 25 agreements have been entered into allowing main works to commence.
- The council has received the first Council Land Contribution (CLC) payment from Brent Cross Town as part of plot 25 early works.
- Ongoing fit out of the new retail units at Claremont Way including Happy Face Pizza which is now open, with a bakery and coffee shop to open in June.
- Final finishes are being undertaken on Claremont Park which is due to open on the 9th June (before the committee meets). This will supplement the exploratory park which was opened in August 2020 and has been a huge success.
- Construction work for the replacement homes for the Whitefield Estate residents on Plots 53 and 54 on Brent Terrace continues to progress to programme, with sub structure blockwork complete and drainage works underway.
- McLaughlin & Harvey have undertaken a thorough analysis of the existing Geron Way Waste Transfer Station design and have identified options to provide the most effective and cost-efficient design.
- A planning application has been submitted for the Station Western public realm following a successful consultation.
- We continue to work with our delivery partners to ensure residents impacted by the development are given clear and timely construction updates, and that they are aware of opportunities to engage with the programme and the benefits it will bring to the local area.



Figure 1: Brent Cross West Station week 4 possession works (April 2022)

Brent Cross West Station

- 1.3 Progress on the new Brent Cross West Station continues at pace with construction on track to complete by December this year. Since the last report to this committee significant progress has been made as can be seen from the site progress photos in appendix A.
- 1.4 As part of the works a significant all line possession was required in week 4 (23rd and 24th April) to lift in some of the final concourse steels and high-level canopies (see image above). These works were programme critical due to the previously cancelled week 35 possession which was reported on at the last committee. Despite challenging windy conditions which impacted the operation of the cranes, all of the critical major lifts were completed. Much of this success is down to the detailed planning of the Mace delivery team and the station contractor VolkerFitzpatrick.
- 1.5 Other notable progress on site includes completion of the cladding on both footbridges, progress on installing the roof on the bridge, completion of the “glulam” wooden structure on the Eastern Entrance Building, installation of lifts and escalators, paving installation well underway on the platforms. Brickwork construction is now also underway on the Western Entrance Building.
- 1.6 48hr and 54hr possessions (on different lines) are planned for each of weeks 13 and 14 (26th June and 3rd July) whilst other works to be undertaken on or near the operational railway will be delivered using normal night-time ‘Rules of the Route’ possessions
- 1.7 Despite this good progress, the impacts of the cancelled week 35 possession are still being realised. As reported to the last committee there is an ongoing workstream to review the impacts of this and other cancelled possessions, and to recover the costs to the programme associated with these lost possessions from Network Rail.

Level Access Platform Humps

- 1.8 It is a long-term ambition for the teams at Brent Cross West to create the most accessible station possible for all passengers. Together with our rail partners, and in collaboration with the Consultative Access Forum (CAF), we have ensured step free access from street level to the platforms at Brent Cross West, as well as 24-hour pedestrian and cycle access across the Midland Mainline for local people on either side of the tracks. The team has also investigated the possibility of providing level access from platform to train. Following considerable effort with our partners including Network Rail, Govia Thameslink Rail (GTR), DfT, the CAF, and the Rail Safety and Standards Board (The standards authority) it has been assessed that this cannot be provided safely at this time. Together with our rail partners, we remain committed to realising the ambition to provide a best-in-class experience for all our passengers and provision has still been made in the station design so that, as train designs change, or new technology becomes available, level access can be achieved in the future.

Anticipated Final Cost and Cashflow

- 1.9 As reported to the last committee, risks identified earlier in the programme are increasingly likely to materialise towards the end of the project, particularly relating to material cost inflation and supply chain issues as a result of Covid and the current economic climate, in addition to cost increases from cancelled railway possessions leading to prolongation on the construction programme.
- 1.10 Availability and cost of materials continues to be an issue with concerns being actively monitored and discussed at project board level. To date, the known extension to delivery periods e.g. of steel or bricks, has not impacted on the critical path for station opening.
- 1.11 As reported to the last Housing & Growth committee on 17th February 2022, a full review into the Brent Cross West Station and associated critical infrastructure Anticipated Final Cost (AFC) has been undertaken with the review indicating that should identified risks materialise there could be a cost overrun to the project. This was also reported to Financial Performance & Contracts Committee (FPCC) on the 14th of March 2022.
- 1.12 The reports to the last H&G Committee and FPC Committee noted that a number of options for mitigating costs are being pursued by the council, and that it may be preferable to make temporary use of funding elsewhere within the Brent Cross programme to cover short term overspends on the station project whilst these mitigations are being put into place.
- 1.13 Since this report, the BX Regeneration team have undertaken a wider review of the cashflow forecast and funding options to ensure the station remains on track for construction completion by December 2022 and developed a draft funding strategy. This strategy has confirmed that the approach to utilise existing budgets elsewhere in the BX Programme in the short term is feasible.
- 1.14 The principles of the draft strategy were presented to the BX Governance Board on the 13th of May 2022. The team will now develop a more detailed programme of governance approvals required to enact the steps outlined within the strategy.
- 1.15 In parallel the council continues to pursue recovery of costs that have arisen as a result of action by third parties, including from Network Rail, for the impacts of cancelled possessions. Progress on this will be reported to a future committee

Rail Industrial Action

- 1.16 Network Rail has advised of the potential for national industrial action that could have an effect on the works planned for weeks 12 through to 14. Should this materialise, it would have a significant impact on both cost and programme. NR are working with Barnet Council to prioritise securing additional possessions should the planned works be deferred as a result of strike action or other external factors e.g. inclement weather.

Timetable

- 1.17 As reported to the last committee, through the Rail Operations Assurance Board (part of the established governance structure for the programme) the DfT and GTR had indicated that the stopping pattern of trains at the new station is being reviewed. The business case was based on 8 trains per hour (TPH) (peak) and 4 trains per hour (off peak) stopping in both directions at the new station. The train stopping pattern is an important input into calculating station operating costs and revenues.
- 1.18 The council continue to seek assurances from the DfT that the business case scenario will be implemented once passenger demand has increased and that spare capacity is not lost elsewhere on the network.

Station Western Public Realm

- 1.19 The planning application for the public realm on the western side of the station was submitted on 7th April 2022 (ref # 22/1895/FUL) following a successful consultation exercise that resulted in 73 responses. Instructions to commence detailed design works have been issued as per the recommendation at the last committee for the procurement strategy to split these works between the station contractor (VolkerFitzpatrick) and highways works (TarmacKier).

Station Handback and Lease Arrangements

- 1.20 Discussions with Network Rail Infrastructure Limited (NRIL) and Govia Thameslink Rail (GTR) are ongoing regarding the operational matters and delivery of the station. Lease agreements as well as easements to allow parties to access/maintain/repair respective assets in the station are being developed. Draft Terms allow for the council to retain its freehold and grant leases/easements of the station entrance boxes to NRIL/GTR. The bridge link and station area will be an asset owned by NRIL with appropriate rights of access to the council/GTR.
- 1.21 Work related to management and running costs of the station is being progressed along with an assessment on the revenue from the station which is likely to increase over time as development comes forward.
- 1.22 Further work has been undertaken to implement the handback and bringing into use strategy for the station. This included a 'day in the life' session on the 5th May which included the main station stakeholders including GTR, Network Rail and Brent Cross Town, with the intention to run through a number of scenarios for how the station will work practically on a day-to-day basis e.g. relating to fire safety, suspicious packages, and passenger assistance. The session was a success with a number of agreements reached, and actions identified where there was previously ambiguity on responsibility.
- 1.23 These discussions will inform final terms for agreements and will be incorporated into the drafting of the above property agreements. This is a relatively complex set of multi-party

negotiations and will need various sign offs from all parties including DfT. Current target for completing legal agreements is Q4 2022, but these will need to be timed closely to the completion date for the station and subject to various stakeholders approvals. Updates to this important strand of work will be incorporated into future reports to the committee.

Brent Cross Town

- 1.24 Encouraging progress is being made on Brent Cross Town as can be seen from the latest drone video of the site. [April-2022-drone-footage](#)

BXT Phase 1 Unconditional and Plot Drawdown

- 1.25 As reported to the last committee the council and BXT have been working together to ensure that all the drawdown conditions are satisfied to meet the Phase Unconditional Long Stop Date to enable drawdown of plots for development. These conditions are set out in the report to this Committee in March 2016, but in summary these provide the necessary reassurance to the council and BXT that there is a viable scheme ready to be delivered in order for BXT to formally commit to delivering the phase and the council formally committing the land.
- 1.26 All the conditions have now been satisfied which means that the first phase of the regeneration has gone unconditional. Following this, legal agreements have been reached for the commencement of the first two plots.
- 1.27 Work on these plots is now underway. Plot 12 will provide new homes for residents from the existing Whitefield estate high rise units and, along with plots 53/54 (being delivered by the council) provides the first social housing units in the scheme and will also be the first new homes built as part of the Brent Cross regeneration. Plot 12 will include 120 affordable units along with 172 new market sale units. Plots 53 and 54 contain 47 new homes for Whitefield Estate residents.
- 1.28 Plot 25 is a student accommodation building. It will provide 662 private rooms for students with a communal study and recreation areas at ground floor level. Plot 25 will also feature employment space on the ground floor, with the flexibility for this space to be occupied as either an office or retail unit. Alongside the other plots being delivered by Related/Argent, the development will assist with creating critical mass at Brent Cross Town from September 2024.
- 1.29 The agreement for plot 25 has also resulted in the first Capital Receipt payment being made to the council by BXT for the Councils Land Contribution (CLC) to the scheme. A further Capital Receipt is expected to be received for plot 25 later this year in addition to Capital Receipts for Lot 2 plots.

Lot 2

- 1.30 As reported to the last committee on 17th February 2022, “Lot 2” is made up of the remaining Phase 1 plots and is intended to be drawn down as a single lot later this year (see paragraphs 1.44 – 1.46 of that report). The outline of Plots 13, 14, 202 and 203, which make up Lot 2 was shown on the plan at paragraph 1.45 of the that report. The outline is shown at ground level only, and it has been confirmed subsequently to the Council that the extent of each plot may be different on different levels e.g. where there are balconies, and also to ensure that all of the shared basement is leased as part of the relevant development plot leases. The Committee is therefore asked to approve the revised extent of the plots to take into account the changes noted above.

- 1.31 The drawdown of the Lot 2 Plots will include more than one Plot Development Agreement and more than one lease, as well as other required documents in a form which may be a variation to that currently anticipated in the Project Agreement which may be achieved by the Council waiving requirements of the Project Agreement. It is noted that paragraph 1.45 of the 17th February 2022 report refers to the Lot 2 Investment Plots following the drawdown of Plot 25 and Plot 12. Due to reasons linked to the current economic climate the full drawdown of Plot 25 has been postponed to Autumn 2022, but with the proposed tenant starting ground works under licence in the meantime. The Committee is asked to note the change of approach regarding the timing of the proposed drawdown in the context of the February 2022 decision.
- 1.32 The Committee is also asked to delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to negotiate and agree the heads of terms for Lot 2 and to authorise the Chief Executive to subsequently approve and enter into the documents arising out of the same in accordance with the decision of the Committee in February 2022 and in accordance with this updating decision.

Approval of the Service Charge Lease / Infrastructure Lease

- 1.33 As part of delivering the Brent Cross Programme, the Project Agreement requires the Council and BXS LP to agree various template forms of documents. These documents will be used for drawdowns of Development Plots and Infrastructure Plots as appropriate and when required in accordance with the Project Agreement.
- 1.34 The template documents include the Service Charge Lease, Infrastructure Lease, a template form of letter with BXS LP and Homes England regarding drawdowns and consents, and any other forms of template documents that are anticipated by the Project Agreement. In order to formally agree these template documents, BXS LP may require the Council to enter into a letter with it (and Homes England if required).
- 1.35 Committee approval is sought to delegate authority to the Chief Executive in consultation with the Chair of the Committee to enter into such letter as may be required by BXS LP (which Homes England may or may not be a party to) having regard to the best interests of the Council to agree such template forms of documents.

Claremont Park Opening

- 1.36 Works on Claremont Park are nearing completion and is planned to open in early June. The Park will include space and equipment for exercise, play and leisure which caters for both young and old, a wide range of benches and picnic tables accessible for all.
- 1.37 On Wednesday 1st June a community preview event took place to provide residents living closest to the park with a first look of the new 4.5-acre Claremont Park featuring a new playground and a beautiful new pond and a new kiosk run by a local business.
- 1.38 The official opening event will take place on the morning of Thursday 9th June followed by four days of family focused activities for the local community.

Claremont Park Lease and Pavilion Lease

- 1.39 The Pavilion building has reached practical completion and has been operating on a short-term licence while the longer-term lease terms were being negotiated as reported to the last committee.

- 1.40 It is proposed that a lease of the Pavilion of 20 years and at a peppercorn rent is granted by the Council to BXS Estate Manco Limited. The lease will be outside the protection of the 1954 Act and there will be no statutory right for the tenant to renew the lease, subject to LBB not wanting to take back the premises. Under the terms of the lease, responsibility for the Pavilion structure will rest with BXS Estate Manco Limited as tenant.
- 1.41 As reported to the last committee the council's Green Spaces team have been working with BXT to put in place the necessary maintenance arrangements for when the park opens.
- 1.42 The Pavilion lease will permit the Pavilion to be used as a visitor centre for BXT whilst construction is underway together with ancillary uses, including a locally operated café.
- 1.43 Under the terms of the Park lease which is also proposed as 20 years, responsibility for the park assets (including all equipment, benches and hard and soft landscaping etc) will rest with BXS Estate Manco Limited as tenant.
- 1.44 The heads of terms are in the process of being finalised and it is proposed that there will be an option for the tenant to break the lease if the owners/occupiers of the estate successfully challenge the park levy and a second option to break if the tenant considers (acting reasonably) that it will not be possible to meet the park costs through the park levy.
- 1.45 On this basis, the committee is requested to:
- a) authorise the grant of a lease of the Pavilion building and surrounding grounds to BXS Estate Manco Limited (together with any ancillary documents);
 - b) authorise the grant of a lease of Claremont Park to BXS Estate Manco Limited (together with any ancillary documents); and
 - c) delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to: finalise the heads of terms for the Claremont Park lease; approve the final form of both leases (and any ancillary documents); and to authorise the Chief Executive to enter into the same.

Energy Agreement with BXN and BXT

- 1.46 Prior to May 2019, BXN was intending to procure the works to create a new electricity sub-station serving the redevelopments at both Brent Cross North and Brent Cross South and had secured a contract with UKPN and made various payments under that contract.
- 1.47 It is now agreed that the Council will facilitate the procurement of those works through BXT and the UKPN contract is to be transferred to Power On Connections Limited (as the nominated counterparty of BXT) on the date of the agreement.
- 1.48 The agreement between the Council and BXN in connection with electricity distribution network arrangements was previously set out in the Property Development Agreement dated 3rd March 2015 (as varied). Following the expiry of the long stop date under the PDA, the Council, BXN and BXT have agreed to enter into the side agreement to continue the agreements relating to electricity distribution network arrangements.
- 1.49 The committee is therefore requested to:

- a) authorise the entry into of an agreement with Hammerson (Brent Cross) Limited and Standard Life Investments Brent Cross LP (BXN) and BXS Limited Partnership (BXT) in relation electricity distribution network arrangements (and any ancillary documents with either party);
- b) if required, authorise the entry into of a side letter to the Project Agreement or a deed of variation of the Project Agreement to make consequential amendments arising out of the entry into the tripartite energy agreement referred to above; and
- c) delegate authority to the Chief Executive in consultation with the Chair of the Committee to approve the final form of the agreement (and any such ancillary documents) and any side letter or deed of variation to the Project Agreement and to enter into the same.

Variation of the DMIDA, the collateral warranty, the delegation warranty and the SEEB Side Agreement

- 1.50 JVLP and BXS DM Limited (DM) entered into the development management and infrastructure development agreement (DMIDA) on the 11th July 2016 in order to allow DM to perform the Project Services. It is proposed that the DMIDA will be varied to, among other things, allow DM to also perform services relating to the Station Eastern Entrance Building (SEEB) and to add a new category of Internal Services which may be performed by certain Related Argent entities subject to authorisation under the terms of the variation.
- 1.51 The Council benefits from a Collateral Warranty and a Delegation Warranty relating to the DMIDA and it is proposed that both the Collateral Warranty and the Delegation Warranty will be varied to make consequential amendments arising out of the variation of the DMIDA.
- 1.52 The variations agreed in relation to the DMIDA may require the SEEB Side Agreement between Council and JVLP to be varied in order to allow the SEEB services to be carried out by DM or another party to whom an authorised delegation has been made.
- 1.53 As a result, the committee is requested to:
 - a) Authorise the entry into a deed of variation of the related Collateral Warranty and related Delegation Warranty (together with any ancillary documents);
 - b) If required, authorise the entry into of a deed of variation of the SEEB Side Agreement (and any ancillary documents);
 - c) Delegate authority to the Chief Executive in consultation with the Chair of the Committee to finalise the approved final form of the deeds of variation (and any ancillary documents) and to enter into the same.

Relocation of the Whitefield Estate Part 2 – Plot 12

- 1.54 As reported above, following completion of the required legal agreements works on delivering the 120 (of which 110 units are replacement homes for existing residents in Whitefield Estate Part 2) affordable homes on plot 12 are now underway.
- 1.55 The Committee will recall that Homes England has provided a loan to JVLP. Part of these monies is intended to be used to acquire leasehold units on the Whitefield Estate. Presently, land which is acquired by the Council within Mega Phase A (which includes Whitefield Estate Part 2) using Homes England monies is charged to Homes England by way of a legal charge and completion of a Direct Agreement. The legal charge grants security to Homes England. The Committee will recall that the purpose of the Direct Agreement is to delay Homes

England's ability to enforce its legal charge such that the two public bodies can work together to identify an alternative delivery solution to the project in the (albeit unlikely) event of a material default on the loan by JVLP.

- 1.56 It is not possible for the Council to grant Homes England a legal charge in respect of the Council's freehold interest in the Whitefield Estate as there are currently secure tenants in occupation as well as leaseholders under RTB leases. As a result, the Council proposes to grant a much more limited form of security in the manner described in paragraph (a) below until such time as it secures vacant possession of the blocks.
- 1.57 These agreements are required to safeguard the interests of the secure tenants who remain in occupation by limiting the form of Homes England's security
- 1.58 The committee is therefore requested to authorise and delegate to the Chief Executive in consultation with the Chair of the Committee to complete:
 - (a) In relation to leasehold units occupied by leaseholders on the Whitefield Estate which are to be acquired by the Council to enter into:
 - (i) any letter agreed with BXS LP and Homes England recording the proposed treatment of those properties in a manner similar to that anticipated by the existing Loan Agreement and Direct Agreement; and/or
 - (ii) a legal charge over those properties to be granted to Homes England in a form similar to those that the Council has previously entered into (see (b) below); and
 - (iii) a document known as a "Council Acquired Land Deed of Covenant" (CALDOC) pursuant to and in accordance with the terms of the Project Agreement, together with any related documentation as may reasonably be required and which the BXSLP and the Council can lawfully enter into/guarantee in order to provide adequate security to Homes England in respect of the monies drawn down under a loan by BXS LP to fund the acquisition of those leasehold units. The CALDOC binds the property that is acquired into the terms of the Project Agreement; and
 - (b) once the Council has secured vacant possession of the Whitefield Estate to enter into:
 - (i) a legal charge over the freehold of the Whitefield Estate to be granted to Homes England in a form similar to those that the Council has previously entered into; and
 - (ii) a CALDOC (as described above) pursuant to and in accordance with the terms of the Project Agreement, together with any related documentation as may reasonably be required and which the JVLP and the Council can lawfully enter into the guarantee in order to provide adequate security to Homes England in respect of the monies drawn down under a loan by JVLP.

Housing Needs

- 1.59 Over the last few months, Barnet Homes has been verifying the information collected from the housing needs surveys (conducted in 2021) on the secure tenants living in Clare Point, Norden Point and Whyhcote Point (Whitefield Estate Part 2). Barnet Homes are two-thirds through the verification process, and they are aiming to complete it within the next few months. Following the completion of this process, the secure tenants will be nominated by

Barnet Homes for a new home in Plot 12. L&Q can then hold 1-2-1 sessions with each tenant individually to discuss their allocation for the new homes.

- 1.60 The tenure and unit mix is now fixed for the new properties in Plot 12, therefore no further changes can be accommodated within the construction of the new homes. As a consequence, Barnet Homes will need to cease re-letting void social rented properties in the high rise blocks (Clare Point, Norden Point and Whyhcote Point) to households on the basis of secure and flexible tenancies. A failure to do so would introduce a risk that new high rise tenants needs are not aligned to the Plot 12 design and therefore could be unable to move when Plot 12 is complete. This could result in delays in achieving vacant possession of the high-rise blocks. The committee should note this approach was previously agreed and implemented on Whitefield Estate Part 1 (low rise) properties following approval by Housing and Growth Committee in June 2021.
<https://barnet.moderngov.co.uk/documents/s65362/PUBLIC%20-%20BX%20HG%20Report%2014%20June%202021.pdf>
- 1.61 In addition, these properties should not be re-let to non-secure residents due to the pressures to re-house existing non-secure tenants on the other regeneration estates in alternative accommodation. This issue has been reported extensively in previous Housing and Growth committee papers (link below) which deals with the challenges associated with rehousing non-secure tenancies in regeneration schemes elsewhere in the borough.
<https://barnet.moderngov.co.uk/documents/s57396/West%20Hendon%20estate%20regen%20and%20non-secure%20tenants%20on%20regeneration%20estates.pdf>
- 1.62 The committee is asked to approve the approach to cease reletting void social rent properties on secure and non-secure tenancies on Whitefield Estate Part 2, and that these voids are re-let to property guardians on a temporary basis in line with the approach already agreed and implemented for Whitefield Estate Part 1.
- 1.63 As reported at the previous committee, L&Q's contract is now in place, and they will start to re-engage with residents on the proposals for the new homes. L&Q is developing a communications plan for the residents, it will include hosting several drop-in sessions, exhibitions, producing a shared equity guide and updating the resident guide for Whitefield Estate Part 2 residents.
- 1.64 Also, the council and JVLP will continue to work together to agree the strategy to secure vacant possession of the Whitefield Estate.

Claremont Way Shops

- 1.65 Following the successful opening of the Pavilion visitor centre on Claremont Way, further improvements are being implemented to the existing parade of shops.
- 1.66 The Brent Cross Town team has worked AFG Food & Wine to enhance their store which will continue to serve the local community from their current location. Happy Face Pizza and Karma Bread Bakery are now open with Cricklewood Coffee Roasters due to open soon. These new retail units have improved the retail offering in the area and will supplement the existing Exploratory Park and soon to open Claremont Park.



- 1.67 The parade of shops have been dressed in bunting ahead of the Jubilee weekend with offers from Happy Face Pizza and Karma Bakery to mark the occasion and tie in with the park launch.

Clitterhouse Playing Fields

- 1.68 The first round of consultations for Clitterhouse Playing Fields completed in November 2021. Following review of all the views given during round one of consultation, initial design proposals were developed for the playing fields.
- 1.69 On Thursday 10th March, Brent Cross Town revealed the initial designs with an [online exhibition](#) which ran until the 27th March.
- 1.70 The online exhibition showed how feedback was incorporated into the designs for the new playing fields from the first round of consultation last year. Three in person events took place, two at Brent Cross Town and one at Our yard, Clitterhouse Farm in addition to two online events. In total 85 people completed the feedback forms as part of the consultation.
- 1.71 Further community and stakeholder engagement will take place in the summer to provide feedback on the development ahead of a planning submission being made and further updates will continue to be provided to future committee meetings.

Leases

- 1.72 As reported to the last committee, the council has previously extended the lease for Jesus House until the end of March 2022. A new lease is now being negotiated with a new end date of 31st March 2024.

- 1.73 As reported to the last committee, the council has granted a Tenancy at Will to Food for All for the Community Foods building on Brent Terrace. The Brent Cross Town team are developing proposals for a temporary use for this property that focuses on grass roots sport operated by a charitable organisation. The council is working with them to ensure vacant possession of this property is achieved in line with the wider development programme.

Critical Infrastructure being delivered by the council

Relocation of the Whitefield Estate Part 1 – Plots 53 and 54

- 1.74 L&Q's contractor Bugler is continuing with the main construction works on Plots 53 and 54. The estimated completion of the plots and the relocation of residents to their new homes is May 2023. Works have progressed on the sub structure blockwork and all drainage has been installed on Plot 53 and Plot 54 is in progress. Bugler has completed the offsite drainage connections to both Plots 53 & 54 with the carriageway now reinstated.
- 1.75 Utility works are schedule to take place within the next 2 months and the estimated duration period is between 4 to 5 weeks. In order to facilitate these works approximately 15 residential car parking spaces will need to be suspended by a Temporary Traffic Regulation Order (TTRO). The TTRO will be in place from 27th June to 8th August on Brent Terrace South for double yellow lines between Plot 53 and 54 to allow for utilities to be installed to serve both construction sites.
- 1.76 A separate TTRO will be in place from 27th June to 15th July on the footpath adjacent to Plot 54 that gives access between Brent Terrace South and Clitterhouse Road to allow for Thames Water utilities to be carried out to serve the construction site. This footpath will be closed for this period. Residents can use the path through Claremont Park from Brent Terrace leading to Clitterhouse Crescent to maintain access.
- 1.77 To mitigate the loss of parking to residents, Bugler has identified a number of replacement car parking spaces which includes approximately 8 temporary car parking spaces in loading bay area of the Plots. In addition, the utility works have been coordinated to help reduce and minimise disruption to residents. Bugler is putting together a communication plan for residents who will be affected by these works.
- 1.78 L&Q hosted a Plots 53 and 54 New Home Exhibition on 19th May 2022. This was well attended with over 80 residents visiting the event to find out more about their new homes. Further sessions are due to be planned with residents on tenant choices. Barnet Homes is also progressing with the G10A legal proceedings, this will allow the council to take possession of secure tenants' properties to facilitate the development.
- 1.79 The council has received consent from the Secretary of State to extend the final demolition notice which expires on 11th November 2022, for a further two years to 11th November 2024.
- 1.80 Colleagues at L&Q are also in the process of brightening up the hoarding along Brent Terrace, with community workshops planned for June that will help to inform the newly designed hoarding.

Waste Transfer Station

- 1.81 The procurement of the main works contractor for the replacement WTS was completed in accordance with all the Public Contracts Regulations requirements. McLaughlin & Harvey were awarded the contract on the basis of submitting the most economically advantageous

tender in accordance with current procurement regulations. The contract was executed on 15th December 2021 and Stage One, consisting of value engineering options to the existing Geron Way design and developing a revised design to RIBA Stage 3 commenced.

- 1.82 As part of Stage One, McLaughlin & Harvey have undertaken a thorough scope gap analysis of the existing Geron Way design and have identified areas to develop further, in parallel with the value engineering, to provide the most effective and cost-efficient design.
- 1.83 During Stage One, Council officers will work with North London Waste Authority and London Energy (the end users) and McLaughlin & Harvey to develop the testing procedure for the scheme. This will be overseen by the Independent Certifier, SLR Environmental, in accordance with the Settlement Agreement. Engagement has commenced with a review of the initial testing procedure.
- 1.84 The timber hoarding at Geron Way, installed in early 2019 as part of the enabling works, was damaged during the storms in February 2022. It has now been replaced with a more robust 2.4m high UPVC “Go-Hoard” hoarding system, ensuring site security is maintained.

Highways Works

- 1.85 The committee has previously approved the appointment of Tarmac Kier Joint Venture (TKJV) under the Highways Maintenance Framework to provide highway design and construction services on the Brent Cross project.
- 1.86 The Brent Cross Regeneration team has started engagement with TKJV to support the programme on the following schemes:
 - Brent Cross West Station western entrance public realm (Design and Construction)
 - A5 Edgware Road j/w Geron Way widening and improvements (Construction)
 - Brent Terrace north improvements (Construction)
 - Tilling Road j/w Claremont Road widening (Design and Construction)
 - Tilling Road West realignment and improvements (Design and Early contractor Involvement)
 - A5/A406/M1 junction improvement works (Design and Early contractor Involvement)

164-168 Cricklewood Broadway

- 1.87 Rendering of the third-party wall at Cricklewood Broadway has been completed, improving the look of the building and providing additional weather protection and heat insulation for the previously exposed wall. The propping system will remain in place as a mitigation and will continue to be actively monitored while still required. We continue to progress plans to improve the look of the propping and palisade fencing surrounding this plot.
- 1.88 Work is ongoing to develop a feasibility study for the long-term use of the site, led by the council’s Town centres Team. Officers will be engaging with local ward members, the Town Team, Business Association and others to develop and test proposals for a landscaped area with seating, greenery and workspace units over the Summer. Once a full proposal has been developed a recommendation will be reported to a future Housing and Growth Committee meeting – targeted for September 2022.

Controlled Parking Zones

- 1.89 The council has commenced a review of the need for a Controlled Parking Zone (CPZ) across the regeneration area in accordance with the conditions attached to the section 73 permission. This will include the roads close to the new Brent Cross West Station and those bordering the current Brent Cross Town development. Initial survey work will commence shortly, with a view to implement an experimental CPZ on the roads in the immediate vicinity of the new Brent Cross West station in the short term, followed by detailed consultation and expansion of the CPZ as required.
- 1.90 The plan is to implement the experimental CPZ in time for the new Brent Cross West Station opening in early 2023.

Licences

- 1.91 The council and BXT continue to agree licences to facilitate the infrastructure works across the Brent Cross Town development. A number of licences have recently been agreed or are currently being negotiated as set out below:
- A licence to improve the walking route through the development to the retail park.
 - Licences to allow for additional parking to be constructed behind Claremont Way parade of shops and on the former Dixons Land to the rear of the Holiday Inn.
 - A variation to an existing infrastructure licence to incorporate part of Brent Terrace North which will be stopped up to allow construction of Claremont Park road and the Station Eastern Entrance interchange.

Construction Traffic Management

- 1.92 The Brent Cross Integrated Programme Management Office (iPMO) continues to meet fortnightly to assess construction interfaces across the programme. Issues around misrouted vehicles appear to have been resolved, however the iPMO is alive to the potential impacts as more works commence across the development and this will remain a standing agenda item at all iPMO meetings should the issue arise again in the future.
- 1.93 A new haul road is being constructed which will act as the new primary route to the station works area and train operating company facility once Brent Terrace North gets partially stopped up to allow development in this area. All stakeholders are being liaised with on this change and updated signage will be implemented ahead of the change. The haul road will not be used by members of the public.
- 1.94 Where there is a need to secure further agreements with third party interests e.g. undertakings or revisions to previous agreements, then the BX team will continue to do so to assist with the land requirement for the project.

Network Rail (NRIL) Land

- 1.95 The council has previously secured various agreements with Network Rail including undertakings and Land Sale agreements. There remain some parcels of land to be acquired/settled along the rail corridor. Agreements will be progressed to ensure the land required can be drawn down under these agreements and where necessary, variations to agreements will be concluded.

Land Arrangements with NRIL

NRIL Exclusivity Agreement

- 1.96 The Council and NRIL entered into an Exclusivity Agreement dated 14th August 2020 for the option to purchase the land known as the "exclusivity land" (shown edged red on the plan attached named "7091518-2 Option" at appendix 3). Such option expired on the 23rd April 2021, and the parties are currently negotiating a revised period of exclusivity.
- 1.97 The committee is requested to authorise the extension of the exclusivity period in the NRIL Exclusivity Agreement; and to delegate authority to the Chief Executive in consultation with the Chair of the Committee to finalise the heads of terms, approve the final form of deed of variation (and any ancillary documents) and to enter into the same.

NRIL Sale Agreement

- 1.98 The Council and NRIL entered into a Sale Agreement on 14th August 2020 which included a right for the Council to drawdown a compound lease. The council and NRIL have agreed to remove this right as it is no longer required by the Council. This is because the Council will instead use the land to be acquired under the Exclusivity Agreement (see 1.96 above). We will continue to work to finalise the heads of terms and the form of deed of variation.
- 1.99 The committee is requested to authorise the removal of the right to drawdown the compound lease from the NRIL Sale Agreement; and delegate authority to the Chief Executive in consultation with the Chair of the Committee to approve the final the heads of terms, and to approve the final form of deed of variation (and any ancillary documents) and to conclude the same.

NRIL CPO1 and 2 Deed of Undertaking

- 1.100 Further to the Council's discussions with NRIL, it is proposed that a deed of variation of the CPO1 and CPO2 Deed of Undertaking is entered into in order to remove entries from the Schedule which no longer serve any purpose.
- 1.101 Following the entry into of the deed of variation (and following the surrender of the existing lease to NRIL), it is proposed that NRIL and the Council will enter into a transfer deed to transfer the Second Preliminary Land to the Council.
- 1.102 The committee is requested to authorise the entry into of a deed of variation of the NRIL CPO1 and CPO2 Deed of Undertaking; authorise the entry into of a transfer to acquire the Second Preliminary Land; and delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to approve the final form of the deed of variation and the transfer deed (and any ancillary documents) and to delegate authority to the Chief Executive to enter into the same.

Transfer of Plot 67 from the Council to Transport for London

- 1.103 Plot 67 vested in the Council on 7th August 2021 as part of GVD16.
- 1.104 When the CPO was made, the information held at the Land Registry showed that Plot 67 was a parcel of unregistered land between title numbers MX95567 and AGL208033. In advance of the vesting date, a search of the index map was submitted which prompted the Land Registry to review the boundaries of the adjoining titles. They determined that the index map did not accurately show the boundaries for title MX95567 and concluded that the intention was for the two registered titles to adjoin one another.

- 1.105 As such, Plot 67 now forms part of title number MX95567. Title number MX95567 comprises land that is owned by Transport for London.
- 1.106 Interests owned by Transport for London are excluded from vestings but were not excluded from the vesting of Plot 67. As such, Plot 67 has vested in the Council in error.
- 1.107 Committee approval is sought to authorise the transfer of the land forming Plot 67 to Transport for London for nil consideration and to delegate authority to the Brent Cross Programme Director in consultation with the Chair of the Committee to approve the form of transfer deed and to authorise the Chief Executive to enter into the same.

Brent Cross South Retail Park

- 1.108 The Retail Park remains fully let.
- 1.109 As reported to the last committee the council has agreed the Heads of Terms with Brent Cross Town JVLP to provide the framework for bringing the Retail Park into the Brent Cross Town Joint Venture. The previous committee delegated authority to the Chief Executive in consultation with the Chair of the Committee and Director of Resources to agree and enter into the document and framework through a variation to the Project Agreement within the parameters of the approved Heads of Terms alongside any consequential changes to the associated documents and the BXT Business Plan.
- 1.110 Since the last committee the Heads of Terms and the subsequent variation to the project agreement have been completed. Progress incorporating the Retail Park into the wider scheme will be reported to future meetings of the committee.

Brent Cross Shopping Centre

- 1.111 There is no further update since the last meeting of the committee. The Hammerson webpage advises that Hammerson and their joint venture partner, Aberdeen Standard Investments are working to review plans for the future of Brent Cross to ensure development addresses changing customer and occupier requirements and include a greater mixed-use element than originally planned.
- 1.112 Hammerson have communicated they are developing some plans to implement some minor improvements to the shopping centre area.

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. RESOURCES (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.1 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 is £64.699m. Cumulative spend to date to 31st March 2022 is £55.920m and the total expenditure incurred in 2021/22 was £1.699m.

BXT Land Acquisitions

5.1.3 The approved budget is £34.920m. Cumulative spend to date to 31st March 2022 is £16.161m and the total expenditure incurred in 2021/22 was £6.602m.

Brent Cross West Station

5.1.4 The approved budget is £372.295m. This includes the £1.011m budget addition which was approved at Policy and Resources Committee on the 9 February 2022. Cumulative spend to date to 31st March 2022 is £293.401m and the total expenditure incurred in 2021/22 was £75.608m

Critical Infrastructure

5.1.5 The approved budget is £55.9m. Cumulative spend to date to 31st March 2022 is £39.610m and the total expenditure incurred in 2021/22 was £13.971m

DLUHC Grant Funding

5.1.6 To date, the council has submitted drawdown requests against the £416.573m DLUHC (formally known as MHCLG) grant totalling £411.324m, of which all has been received. One final grant drawdown is scheduled in June 2022.

5.1 Social Value

5.1.1 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, states that the functions of the Housing and Growth Committee includes responsibility for regeneration schemes and asset management.

5.2.2 The council's Constitution, Article 10 Table A states that the Housing and Growth Committee is responsible for authorising all disposal and acquisition of land for over £500k.

5.2.3 The council has a range of powers to enter into the legal agreements and to implement the transactions referred to in this report. These include:

- the general power of competence under section 1 of the Localism Act 2011 ;
- the 'incidental power' in Section 111 of the Local Government Act 1972 that enables the council to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions;
- sections 120, 122 and 123 of the Local Government Act 1972 (power to acquire, appropriate and dispose of land);
- the Environmental Protection Act (in relation to waste collection and disposal functions);
- the Town and Country Planning Act 1990 (development and planning powers)

5.2.4 All of the activity and legal transactions contemplated in this report will be carried out pursuant to and in compliance with all relevant statutory requirements, including all procurement activity which will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as amended) or any replacement public procurement regime that may become law in the UK as applicable.

5.3 Risk Management

5.3.1 Risk management has been applied across all levels of the programme. 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 high-level 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 and delivery of infrastructure is an important part of the regeneration proposals.

5.3.3 Station Delivery Date – there is the risk that the station opening date may be delayed. The current programme maintains construction completion by December 2022, however delays as a result of cancelled railway possessions have utilised all remaining float, and there remains a commissioning process once construction is complete. There is a risk that this could be further impacted as a result of other works to the railway, and the risks of inclement weather or industrial action. 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 QRSAs has also been undertaken. While the possession risk has been mitigated, railway possessions can, whilst unlikely, be cancelled as a result of unforeseen circumstances as has been seen already. There are 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. These are regularly monitored through both NR board and Rail operations assurance board.

- 5.3.4 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. Most recently the DfT and NR have indicated that the expected stopping pattern for the BX station is under review, and may not align to the 8 trains per hour peak and 4 trains per hour off peak included in the business case. The reason for this review is predominantly down to impacts of the pandemic on passenger numbers. While the train service pattern is largely out of the control of the council, officers are in close discussions with the DfT to ensure capacity is included within the timetable for the business case scenario, as passenger numbers are anticipated to increase as development comes forward.
- 5.3.5 Station Franchise – The current Thameslink franchise, operated by GTR, has been renewed which removes a risk of uncertainty on the station operator. There remains a small residual risk as the new station still needs to be formally accepted by the operator, however through consultation with DfT and GTR through the various project boards it has been made clear the station is to be considered as part of the franchise when it comes into use and a robust handover process has been developed with all industry stakeholders included.
- 5.3.6 BXW delivery costs – as with all major programmes there is the risk that costs will increase during programme delivery. As reported to previous committees 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 the former Assets and Regeneration and Growth Committee (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/Mace delivery are continuing to review the costs each month. Similarly, there is an on-site presence by the council/Mace delivery team to be monitoring programme and work achieved, particularly during track possessions. As indicated within this report, delivery costs have increased and put pressure on the programme budget. A mitigation plan is in place to identify alternative funding sources.
- 5.3.7 BXW Station Operating Costs – As part of the original station business case and grant agreement, it was agreed that the Council would take on the operational cost of the station until it became profitable. Work is underway to confirm the ongoing operational cost of the station which will feed into an updated model that will provide further clarity on future cost risk. If the council does take on additional cost risk, there is an opportunity to offset this against future station income once it becomes profitable. Discussions are ongoing with DfT on this topic.
- 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.

- 5.3.9 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.
- 5.3.10 Economic Decline – 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 BXT development partners are exploring/reviewing diversification of offer within BX. Wider macro-economic shocks may also impact the residential and office markets in London.
- 5.3.11 COVID 19 – In line with national statistics, this risk has reduced, but the team continues to monitor cases and impact on programme. So far 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 £4m, with a further £1m of additional risk up to the end of October 2021. It should be noted that further risks are dependent on any changes to government guidelines which could impact the project. The project team is maintaining a COVID 19 impact tracker to ensure all unavoidable costs and delays are recorded.
- 5.3.12 Retail Park Acquisition - The key risk associated with the acquisition of the Retail Park is ensuring that the acquisition has no negative impact on the General Fund. The council has in place the required structures and will update as required to enable it to manage the Retail Park against these short-term variables such as Covid and Brexit to ensure that the council will secure the required returns so that there will be no gap or negative impact on the General Fund.

Equalities and Diversity

- 5.3.13 As previously reported, the Development Proposals support achievement of the council's Strategic Equalities Objective.
- 5.3.14 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.

5.4 Corporate Parenting

- 5.4.1 None in the context of this report.

5.5 Consultation and Engagement

5.5.1 BXC Programme-wide communications

5.5.2 Overall, the past few months have been quieter than usual for communications and engagement activity due to the pre-election period. Proactive communications were paused, with the exception of those led by the Brent Cross Town team outside of the joint partnership.

Channels update and good news stories

5.5.3 Our last e-newsletter was released in [March 2022](#). This newsletter was sent to over 300 people covering the emerging designs for Clitterhouse Playing Fields an update on Brent Cross West's construction of the eastern entrance, and a profile on Spruce and Larch the locally run coffee show in The Visitor Pavilion. It remains well read with a 67% open rate and 20% click through rate.

5.5.4 The programme website, TransformingBX.co.uk, remains well visited with the interactive map and information about the new station driving the most traffic.

5.5.5 Brent Cross Town has its own well performing website, BrentCrossTown.co.uk, e-newsletter and marketing strategy that continues to drive interest in the programme and the latest developments.

Construction updates

5.5.6 The latest three-month construction update was issued in [March 2022](#) providing a forward look of construction activity for Brent Cross West, Brent Cross Town and Plots 53 and 54 (replacement homes for Whitefield Estate residents) until the end of June.

5.5.7 A separate update was provided to residents living close by to the station's western entrance.

5.5.8 The next construction update is due to be release mid-June.

5.5.9 On Tuesday, 22nd March we held a resident event at The Visitor Pavilion for residents of Clitterhouse Crescent, Brent Terrace and the Whitefield Estate to discuss future stopping up and provide a general update on activity across the wider Brent Cross Cricklewood programme.

5.5.10 It was also the first time since the pandemic that we could host a face-to-face forum for residents to speak with us about any concerns they have. Teams from Related Argent, Barnet Council and L&Q attended. Parking and community safety issues were common themes raised at this meeting.

5.5.11 During the pre-election period we continued to provide notice to residents ahead of any disruptive construction works in the area.

Good news

5.5.12 On Friday 29 April, Brent Cross Town in partnership with Savills launched the first residential homes to market. Press coverage was received first in The Times, Bricks and Mortar supplement, further coverage followed as below:

- The Sunday Times newspaper – Lustworthy Home of the Week (online and print): <https://www.thetimes.co.uk/article/lustworthy-homes-on-sale-in-the-uk-dfgkpr59>
- Estates Gazette – Argent Related Launches First Brent Cross Town homes: <https://www.egi.co.uk/news/argent-related-launches-first-brent-cross-homes/>

- PrimeResi – First Homes Go On Sale at Brent Cross Town: <https://primeresi.com/first-homes-go-on-sale-at-new-7bn-mega-project-in-nw-london/>
- Europe Real Estate – Agent Related Launches Brent Cross Town: <https://europe-re.com/argent-related-launches-brent-cross-town-gb/70394>
- London Post – Homes in London’s £7 billion Brent Cross Town launched: <https://london-post.co.uk/homes-in-londons-new-7-billion-brent-cross-town-launched/>
- Construction News – Milestone in Brent Cross Town development hit as new homes are launched: <https://www.constructionnews.co.uk/news/contractors-news/milestone-hit-on-7bn-brent-cross-town-development-03-05-2022/>
- Brent & Kilburn Times – Brent Cross will be ‘best place to live in London’ as homes go on sale: [Brent Cross: First homes go on sale | Kilburn Times](https://www.kilburntimes.co.uk/news/brent-cross-first-homes-go-on-sale/)
- What House? Magazine – Launch of Brent Cross Town, The Ashbee and The Delamarre: <https://www.whatshouse.com/news/argent-launch-brent-cross-the-ashbee-the-delamarre/>
- PropertyWire – Homes in London’s new £7bn Town Launched: <https://www.propertywire.com/news/homes-in-londons-new-7bn-town-launched/>
- Housing Today – First homes in Brent Cross Town will complete in 2024: <https://www.housingtoday.co.uk/news/argent-will-complete-first-homes-for-7bn-brent-cross-regen-in-2024/5117312.article>
- New Start Magazine – Homes in £7bn Brent Cross Town launched: <https://newstartmag.co.uk/articles/homes-in-londons-7-billion-brent-cross-regeneration-project-launched/>
- Buildington – Launch of homes in Brent Cross Town: <https://www.buildington.co.uk/buildings/news/view/17040>

Community Fund

- 5.5.13 On Tuesday 10th May the Brent Cross Town Community Fund opened for its fourth year, supporting local initiatives and charities. Applications to the fund will close on Friday 10th June 2022.
- 5.5.14 This year, the Community Fund has increased to £40,000 local groups and initiatives based in and around Cricklewood, Childs Hill, Golders Green, and West Hendon can apply for grants of anywhere between £500 and £5,000.
- 5.5.15 The community fund was promoted via a leaflet drop to residents within a mile of Brent Cross Town, via a database of community contacts, and widely on Barnet Council and Brent Cross Town online marketing channels.

Partner Rebrand

- 5.5.16 The councils joint venture partner Argent Related unveiled a rebrand on Thursday 19th March to Related Argent. The following press release provides more detail. <https://www.related.com/press-releases/2022-05-19/argent-related-rebrands-future-growth>

Promoting skills employment and opportunities

- 5.5.17 A key part of our communications strategy is to promote the opportunities for local people and businesses during the construction phase of the development and beyond.
- 5.5.18 Teams across the development continue to support local schools and community groups with projects. The Brent Cross West team, led by VolkerFitzpatrick visited Whitefields School on Friday 29th April to build a decked break out area for students walled garden.

They have also been supporting Totteridge Academy by digging a pond and raising funds for a beehive hotel.

5.5.19 Skills, jobs and grant opportunities can be found at transformingbx.co.uk/opportunities.

5.6 Environmental Impact

5.6.1 Brent Cross Town vision includes a commitment to developing a net zero carbon town and achieving this aim by 2030. This will be achieved through a mix of low-carbon construction, renewable power, circular economy principles, carbon offsetting — and by empowering everyone who lives and works in the new town to make low-carbon lifestyle choices of their own.

5.6.2 The new Town will be served by a new Thameslink train station with bus connections which will promote use of public transport and take cars off the road. The station creates a new walking route across the midland mainline railway making this a much more feasible journey for pedestrians and cyclists in the area. Improvements to previously congested road junctions will improve idling time and traffic flows in these areas.

6 BACKGROUND PAPERS

6.1.1 Finance Performance and Contracts Committee, 1 February 2022
<https://barnet.moderngov.co.uk/documents/s69886/Brent%20Cross%20Update%20Report.pdf>

6.2 Housing and Growth Committee, 17 February 2022, Brent Cross Cricklewood Update Report
[https://barnet.moderngov.co.uk/documents/b38406/Supplementary%20Agenda%20-%20Brent%20Cross%20Update%2017th-Feb-2022%2019.00%20Housing%20and%20Growth%20Committee.pdf?T=9https://barnet.moderngov.co.uk/documents/s68654/Brent Cross Cricklewood Update.pdf](https://barnet.moderngov.co.uk/documents/b38406/Supplementary%20Agenda%20-%20Brent%20Cross%20Update%2017th-Feb-2022%2019.00%20Housing%20and%20Growth%20Committee.pdf?T=9https://barnet.moderngov.co.uk/documents/s68654/Brent%20Cross%20Cricklewood%20Update.pdf)