

Decisions of the Housing and Growth Committee

13 June 2022

Members Present:-

Councillor Ross Houston (Chair)
Councillor Anne Clarke (Vice-Chair)

Councillor Zahra Beg
Councillor Richard Cornelius
Councillor Paul Edwards
Councillor Humayune Khalick
Councillor Kath McGuirk

Councillor Alex Prager
Councillor Ella Rose
Councillor Daniel Thomas
Councillor Sarah Wardle

CHAIR'S WELCOME

At the start of the meeting the Chair welcomed Members to the first meeting of the municipal year. They thanked the previous Chair for the working on the Committee and hoped that the Committee would work well together in the coming year.

Following the fifth anniversary of the Grenfell Tower fire the Chair held a Minutes silence in remembrance.

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Housing and Growth Committee held on 17 February 2022 be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

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

Councillor A Clarke declared an interest in relation to item 7, Fire Safety update, by virtue of being Chair of the Fire, Resilience and Emergency Planning Committee at the Greater London Authority.

Councillor A Clarke declared an interest in relation to item 8, Housing and Growth Priorities update, by virtue of being a Member of Cricklewood Town Team.

Councillor S Wardle declared an interest in relation to item 9, Barnet Homes Delivery Plan 2022/23, by virtue of being a representative on the Barnet Group Board.

Councillor P Edwards declared an interest in relation to item 9, Barnet Homes Delivery Plan 2022/23, by virtue of being a representative on the Barnet Group Board.

Councillor A Clarke declared an interest in relation to item 13, and exempt item 18, Brent Cross Update, by virtue of being a Member of Cricklewood Town Team.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. MEMBERS' ITEMS (IF ANY)

None.

7. FIRE SAFETY UPDATE

The Chair reported that this report would be coming to future meetings and covered both public and private rented stock. The Internal Audit report had raised areas of concern and the report set out the progress which had been made against a substantial programme of works.

The Committee queried whether the Council should be naming and shaming the worst offenders where issues were not being dealt with in the private sector and with registered providers. Officers responded that enforcement actions had to be completed in line with data protection requirements. Where possible closed meetings were held with parties to try and ensure that action was taken. This might be through support to access funds or brokering between leaseholders and freeholders as appropriate.

The Committee observed that it appeared to be getting more difficult. Officers responded that there was work on site to remove cladding and progress was being made. The owners had been on side for most cases and the highest risk blocks were being addressed. The Committee queried if there was sufficient capacity in the Private Sector Housing Team to tackle this and whether any central government funding was available. Officers responded that they prepared comprehensive paperwork alongside site visits and that they were reviewing resourcing levels. It was a difficult area to recruit to as they needed people with enforcement experience and they were not fully staffed.

The Committee noted that five years had elapsed since Grenfell Tower and that in some cases residents hadn't received updates from the Council. A number still had waking watches in place and reassurance was needed that work was being undertaken. Officers responded that a lot was going on, however if a person wasn't in a block that had direct activity going on they may not be aware although residents meetings could be held where necessary. Officers were reviewing the whole database as some which had appeared straightforward had turned out to be more difficult on inspection and where information was missing. The resource available to the team were being increased with new systems and processes in place. The team were having to keep abreast of changes in information from partners and provided by the Fire Authority and the Health and Safety Executive. The Chair asked that an update on the communications with residents should be brought to a future meeting.

RESOLVED unanimously that the report be noted.

8. HOUSING AND GROWTH PRIORITIES UPDATE

The Chair introduced the report which replaced the Thriving update. It had been expanded to cover workstreams relevant to the Committee not covered by individual items on the agenda and would be brought to every meeting. The Committee noted that the environmental impacts and reducing costs were important aspects of this.

The Committee queried whether a target for affordable housing has been set. The Chair responded that a pledge had been made for one thousand properties at London Affordable Rent within four years. This would include reprogramming those from existing systems where viable. The aim was to lower rent which would help to reduce overall costs to the taxpayer. It was recognised that social rents were the only rents affordable to a large proportion of residents and they were looking at what could be achieved within the Local Plan due to the current stage in the adoption process. Clarification was sought on the timings and the Chair responded that they were looking at the mechanisms available to them around height, density and the impact of environmental pledges and that this would be made public in due course. Due to the time it took to go through planning numbers would be based on commencement on site. The Chair noted that they hoped to exceed the target.

RESOLVED unanimously to note the report and instruct officers to progress work to deliver the commitments set out in paragraphs 1.7, 1.8, 1.10, 1.17.4, 1.23.2 of the report.

9. BARNET HOMES DELIVERY PLAN 2022/23

The Chair noted that

The Committee noted in the report that where some who qualified for social housing had had difficult accessing services they had gone independent. A question was raised about what support was given in those circumstances. Officers responded that the issue of supply and demand was a London and national issue. Where the Council still owed a duty of care they would place them in to an insecure tenancy if required, however this was considered a temporary solution. Individuals would then be supported through temporary accommodation. If suitable accommodation was provided the legal duty would end, however they did provide support if there was a need. The aim was to help support ongoing tenancies but it was recognised that circumstances do change and this would sometimes result in the Council being recontacted and support kicking back in. The support for those in the private sector was queried, in particular where some were on low pay in the private rented sector. The Officers noted that this was being considered in other papers on the agenda.

It was noted that there were some areas with good tenant satisfaction and this was a positive.

RESOLVED unanimously to note and approve the Barnet Homes 2022/23 Delivery Plan attached at Appendix 1 of the report.

10. HOUSING STRATEGY, HOMELESSNESS AND ROUGH SLEEPING STRATEGY, A HOUSING ALLOCATIONS SCHEME

At the start of the item Officers noted that there had been an error in the recommendations published in the report. The corrected wording was put to the Committee.

The Committee queried whether a steer had been provided by the consultants as the previous allocations review had had cross-party support. The Chair responded that they were looking at how offers were being made and how non-secure tenants were being treated. Officers would be reviewing the legal framework.

When queried Officers responded that external consultants had been used to provide support for the work as it was not cost effective to keep an in-house team as it was only reviewed on a periodic basis.

RESOLVED unanimously that:

- 1. To instruct officers to explore the emerging housing allocations priorities of the new administration (clause 1.1 of the report), and where considered appropriate, review and propose amendments to the Housing Allocations Scheme and Tenancy Strategy to a future meeting of the Committee for consideration.**
- 2. Note the proposed timetable for preparing the new Housing Strategy and Homelessness and Rough Sleeping Strategy.**

11. PRIVATE SECTOR HOUSING LICENSING SCHEMES - PHASE 2

The Chair reported that the aim was to increase the selective licensing of private landlords to cover more wards. The hope was that this would have cross party support and the consultation was part of the work preparing an evidence base for the Secretary of State.

The Committee noted that the wards selected had taken into consideration a number of factors. They noted that some who would benefit would be unlikely to complain or have low levels of engagement with the Council. Officers responded that the ward selection had partly been based on service requests but also supported by door knocking that had helped to engage to hard to reach groups.

The Chair thanked the team for their work and noted that it would proceed in the three wards previously agreed which would raise awareness. Further reports would come back to the Committee.

RESOLVED unanimously that the committee:

- 1. Approve the commencement of a minimum 12 week public consultation on the proposal to introduce a selective licensing scheme as described in part 2 of the report.**
- 2. Note that subject to the above consultation taking place, a future report will be brought to the Committee setting out the results of the statutory consultation and potentially seeking further approval to implement the licensing scheme, subject to confirmation by the Secretary of State.**

12. COMPULSORY PURCHASE OF A LONG TERM VACANT PROPERTY

It was reported that this was a report of the Chair of the Committee, rather than Deputy Chief Executive.

Officers confirmed that the Council had reached out to all parties that might have an interest in the property.

RESOLVED unanimously that:

1. **The Committee authorises the making of Compulsory Purchase Orders, under Section 17 of the Housing Act 1985, in respect of the property identified in the exempt report.**
2. **Subject to authorisation of the making of the Compulsory Purchase Order referred to in recommendation 1 above, the Order be submitted to the Secretary of State for Levelling up, Housing and Communities for consideration and confirmation.**
3. **That, in the event of the Secretary of State returning the Order for confirmation by the Council, the Deputy Chief Executive be authorised to confirm the Order.**
4. **Following confirmation of the Order, to authorise the Deputy Chief Executive to enter into a cross-undertaking with the owner of the property not to implement the Order on the condition that the owner agrees to bring their property back into use within a reasonable time.**
5. **In the event that a cross-undertaking is not entered into as referred to in recommendation 4 above, or the terms of the cross-undertaking are not adhered to by the owner, to recommend that the Housing and Growth Committee authorises the Deputy Chief Executive to proceed with the compulsory acquisition of the property.**
6. **To authorise the Deputy Chief Executive to enter into negotiations for the consensual purchase of the property at current market value at terms equivalent to terms under a CPO or to enter into alternative dispute resolution with the owner as detailed in 1.7 of the report.**
7. **Following compulsory acquisition of the property, an options paper on the onward disposal will be brought back to the Housing and Growth Committee for a decision.**
8. **To note that the financial costs of the CPO will be funded through the currently approved capital programme.**

13. BRENT CROSS UPDATE REPORT

The Chair noted that the park had recently been opened by the Mayor. The project was now reaching a critical stage and starting to deliver. This represented a milestone in one of the largest regeneration schemes in the country. The report included details of recommendations around funding schemes and timetables.

Members of the Committee were pleased to see that some of the new shops had started to open although there had been delays with some of the leases. The Officers responded that the heads of terms had now been agreed.

Concerns were raised about the lack of level access in the new station. The Chair stated that it was critical that ward Councillors are kept engaged and involved in the process. They would organise a trip to the site for Members of the Committee.

RESOLVED unanimously to:

1. **Note 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. Note 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 also:
 - a. approves the revised extent of the plots as referred to above; and
 - b. delegates 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 the report.
3. Authorise 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 the report.
4. Authorise 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 authorise the grant of a lease of Claremont Park to BXS Estate Manco Limited (together with any ancillary documents); and delegates 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 authorises the Chief Executive to complete the same, on the terms as outlined in paragraph 1.39 to 1.45 of the report.
5. Authorise the entry into 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 delegates 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 the report.
6. Notes the proposed entry into of a deed of variation of the Development Management and Infrastructure Development Agreement (DMIDA); authorises the entry into of a deed of variation of the related Collateral Warranty and related Delegation Warranty (together with any ancillary documents); if required, authorises the entry into of a deed of variation of the SEEB Side Agreement (and any ancillary documents); and delegates 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 authorises the Chief Executive to complete the same, as outlined in paragraphs 1.50-1.53 of the 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 the 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 the 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 the report to negotiate, approve and enter into the required agreements as set out in paragraphs 1.96-1.102 of the 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 delegates 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 the report.**

14. COMMITTEE FORWARD WORK PROGRAMME

Concerns were raised about the number of items scheduled for the September meeting. It was agreed that the Chair and Deputy Chief Executive would review the Work Programme.

RESOLVED that the Committee note the Work Programme.

15. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None.

16. MOTION TO EXCLUDE THE PRESS AND PUBLIC

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

17. EXEMPT: COMPULSORY PURCHASE OF A LONG TERM VACANT PROPERTY

It was noted that this was a report of the Chair, rather than the Deputy Chief Executive.

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

18. EXEMPT: BRENT CROSS UPDATE REPORT

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

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

None.

The meeting finished at 8.17 pm