

Chief Officer List of Decisions: April 2022 – Sept 2022

Chief Executive

TITLE / DECISION	DATE OF DECISION	DECISION TAKER	REASON
Brent Cross Cricklewood – Early Infrastructure Licence 4 (Community Foods Haul Road)	06/4/22	Chief Executive	Authorises agreement to complete the Early Infrastructure Licence 4 with Brent Cross South Limited Partnership (BXSLP)
Brent Cross Cricklewood – Plot 12 Land Drawdown	11/4/22	Chief Executive	To complete a letter with BXS LP, BXS SPV Plot Developer and Homes England (“the Letter”) to agree forms of documents required to lease Plot 12 at Brent Cross South to BXS SPV Plot Developer pursuant to the BXS Project Agreement and BXS Business Plan Nov 2020 to facilitate the development of Plot 12 to rehouse the tenants of Whitefield Estate and provide new housing (the "Letter")
Brent Cross Cricklewood Section 106 Deed of Variation 10	19/4/22	Chief Executive	Authorise the Council to sign the Deed of Variation 10 to the S106 Agreement attached to the Section 73 Planning Permission F/04587/13 for the Brent Cross Cricklewood Regeneration Scheme. The Deed of Variation amends the definition of “Triggered Affordable Housing Commuted Sum” to enable the initial stages of construction to a specified scope to be carried out to facilitate the construction of Plot 25 within Phase 4A (LPA ref: 21/4063/RMA) without the relevant Affordable Housing Commuted Sum becoming a Triggered Affordable Housing Commuted Sum.
Brent Cross Cricklewood – Plot 25 Student Accommodation	13/4/22	Chief Executive	Authorises entry into the documents relating to Plot 25 referred to in the Appendix.

Brent Cross Cricklewood – BXS Project Agreement First Phase Conditions Satisfaction	25/4/22	Chief Executive	That the Chief Executive now confirms following (i) approval by the Housing and Growth Committee on 17 February 2022 to the changes to the First Phase Proposal boundary and (ii) confirmation from the Chief Executive following consultation with the Chairman of the Housing and Growth Committee that the First Phase viability condition has been satisfied in accordance with the Project Agreement.
Brent Cross Cricklewood – Plot 12 Land Drawdown	28/4/22	Chief Executive	<p>The COD authorises completion of:</p> <p>a. the legal documents set out in rows 1 to 10, 12 to 21 and 23 of the Appendix pursuant to the Project Agreement that were approved by the Housing and Growth Committee on 17 March 2016. This authority approved the detailed terms of the Project Agreement, Limited Partnership Agreement, Shareholder Agreement and associated documentation (including Compulsory Purchase Indemnity Agreements) as set out in the public and the Exempt Report and which authorised the Chief Executive in consultation with the Leader to finalise and complete the documentation associated with BXS LP and enter into contract with BXS LP. To be noted that the Project Agreement was varied on 30 March 2020 and the variation was approved by the Policy and Resources Committee, 19 February 2020. It should be noted that the documents in rows 1 to 10, 12 to 21 and 23 of the Appendix are granted pursuant to the Council's obligations in the Project Agreement (as varied).</p> <p>b. the Step In Agreement referred to in row 22 of the Appendix, as authorised by the Housing & Growth Committee on 17 November 2021. It was agreed for the Chief Executive in consultation with the Chairman of the Committee to review the land transfer arrangements at the Phase Unconditional Date in respect of the first plots and make any necessary revisions ahead of the Phase Unconditional Date.</p> <p>c. The Side Letter referred to in row 11 of the Appendix. The Housing & Growth Committee agreed on 17 February 2022 to delegate</p>

			authority to the Chief Executive in consultation with the Chairman to agree a side letter to the Project Agreement regarding Plot 12. This chief officer decision supersedes that dated 11 April 2022 in respect of Plot 12.
Brent Cross Cricklewood – Clause 8 Licence Retail Park Pedestrian Improvements	29/4/22	Chief Executive	Authorises agreement to issue a clause 8 licence to Brent Cross Town to undertake minor works at the entrance to the Brent South Retail Park
Brent Cross Cricklewood – UKPN Diversion easement and surrender	11/5/22	Chief Executive	Authorises LBB to enter into two deeds to enable 1) the surrender of an existing substation lease, and 2) the granting of an easement for new underground cables in the Brent Cross development area.
Brent Cross Cricklewood – Compound Licence 1 Variation 6	20/6/22	Chief Executive	Authorises agreement to a variation to the existing compound licence originally entered into with Brent Cross South (BXS) on 25 February 2020.
Brent Cross Cricklewood – BXC CPO1 Land Acquisitions - Full and Final Settlement Payment on Plot 83 Cardiff House (Browning, Jones and Morris Limited (BJM))	05/07/22	Chief Executive	To authorise a Full and Final Settlement Payment of compensation and settlement documents for the freehold of Plot 83, CPO 1 following advice from Newsteer the Council's Chartered Surveyors for the former freehold owner BJM.
Brent Cross Cricklewood – BXC CPO 2 Land Acquisitions 2nd Advanced Payment on Plot 13,16 &17 for Edenway Contractors, Brent Terrace	05/7/22	Chief Executive	To authorise a Second Advanced payment for Edenway Contractors at Brent Terrace and legal settlement document who occupied Plots 13,16 and 17 in CPO 2.
Documents associated with the release of the retail restriction for Plots 13, 202 and 203, Brent Cross South	06/07/22	Chief Executive	It is anticipated that BXS LP ("JVLP") will be bringing forwards Plots 13, 202 and 203, Brent Cross South for development in the second half of FY 2022/2023 Currently the London Borough of Barnet ("LBB") and JVLP are in negotiations pursuant to the Project Agreement for the grant of Development Plot Leases to A/R Developers of each of Plot 13, 202 and 203. On 3 May 2019 LBB entered into a deed of restrictive covenant relating to land at Brent Cross South, including Plots 13, 202 and 203. The deed of restrictive covenant is in favour of Hammerson (Brent

			<p>Cross) Limited and Standard Life Investments Brent Cross LP. Works have been carried out on Plots 13, 202 and 203 to build a basement, and therefore, under the terms of the deed of restrictive covenant, LBB is entitled to apply to Hammerson (Brent Cross) Limited and Standard Life Investments Brent Cross LP for a release of the restriction in relation to Plots 13, 202 and 203. JVLP (as it is entitled to do so under the Project Agreement) has asked LBB to sign a letter addressed to Hammerson (Brent Cross) Limited and Standard Life Investments Brent Cross LP asking for a release of the restrictive covenant and providing the relevant required information.</p>
<p>Brent Cross Cricklewood – BXT CPO1, CPO 2, and Thameslink CPO 3- Land Registry Registration of General Vesting Declarations (GVD) with Addendum</p>	<p>22/7/22</p>	<p>Chief Executive</p>	<p>To authorise the GVD Addendum to accompany each GVD to be registered at Land Registry. This will support GVD's already served for CPO's 1,2,3 to be registered to council ownership.</p>
<p>Brent Cross Cricklewood Section 106 Deed of Variation 12</p>	<p>26/7/22</p>	<p>Chief Executive</p>	<p>Authorise the Council to sign the Deed of Variation 12 to the S106 Agreement attached to the Section 73 Planning Permission F/04687/13 for the Brent Cross Cricklewood Regeneration Scheme ("S73 Permission"). The Deed of Variation relates to a change to the definition of the term "Delivered" in the context of the affordable housing provisions contained in Schedule 2A of the S106 Agreement. The definition of 'Delivered' is proposed to be amended. This term relates to the delivery of affordable housing and is linked to specific occupancy restrictions. The obligations currently require completion of the affordable housing units and also their transfer to a Preferred Affordable Housing Provider. To address circumstances where such steps have been taken, but where the Preferred Affordable Housing Provider fails to complete the transfer, it is proposed that the definition of 'Delivered' is amended so that requirements will of the obligation will be met where relevant units have been completed and have either been transferred or are capable of being transferred to the Preferred Affordable Housing Provider.</p>

Brent Cross Cricklewood – Variation 7 of Early Infrastructure Licence 1	15/8/22	Chief Executive	Authorises agreement to complete the seventh variation to Early Infrastructure Licence 1 with Brent Cross South Limited Partnership (BXSLP) DECISION
Countersigning a letter relating to the four Lot 2 (IP2) plots, phase one Brent Cross Town ("IP2 Plots")	2/9/22	Chief Executive	This officer decision seeks agreement for LBB to counter sign a letter from JVLP. The letter: - records that LBB and JVLP have agreed to waive certain provisions in the Project Agreement in order to allow the IP2 Plots to be drawn down in a single tranche; - fixes the Plot Serviced Land Value for each of the IP2 Plots and records that the Plot CLC will be paid to LBB on the grant of the IP2 Development Plot Leases; and - confirms the conditions precedent to the drawdown of the IP2 Plots. A copy of the letter will be provided to the funder of the IP2 Plots to evidence that terms have been agreed between LBB and JVLP. Decision
Brent Cross Town –IP2 (Lot 2) - Land Draw down and variation of the DMIDA and Station Eastern Entrance Building (SEEB) Side Agreement	30/9/22	Chief Executive	Authorises entry into: • the documents referred to in the Appendix relating to Plots 13, 13, 202 and 203 (together IP2 or Lot 2); and • a variation of the Development Management and Infrastructure Agreement ("DMIDA") and Side Agreement to the Station Strategy relating to the Station Eastern Entrance Building (which is required as part of the IP2 or Lot 2 suite of documents) and other related documents referred to in the Appendix.
Brent Cross Cricklewood – Plot 25 Student Accommodation and Estate Manco	18/10/22	Chief Executive	1. Plot 25 Restates the authority to enter into the documents relating to Plot 25 referred to in the Appendix (as previously authorised by the Chief Officer Decision of 13 April 2022 (copy attached) (the "April COD")) but noting two updates as follows: 1. references to Argent/Related (or A/R) are to be read as referring to Related Argent (or RA); and

			<p>2. the anticipated future capital receipt referred to in the April COD has now been updated and fixed at £4,682,474 (rather than £5,090,984). The Council has already received the sum of £1,236,746 which was referred to in the April COD. The committee chair has been consulted on these changes.</p> <p>BXS Estate Manco Limited Authorises entry into a Subscription for a C share in BXS Estate Manco Limited.</p>
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I have the required powers to make the decision documented above or have delegated authority to the recorded Officer. I am satisfied that all relevant advice has been sought in taking the above decision in order to ensure that the decision making framework of the organisation including the Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations are applied. I also confirm that a full audit trail will be retained on file and available on request by the relevant authority.

Date

28/10/22
