



Housing & Growth Committee 23 March 2023

Title	Outline Business Case for the Whitings Road and Moxon Street Development Sites
Report of	Chair of the Housing & Growth Committee
Wards	High Barnet
Status	Public with accompanying exempt report and appendix - Exempt from publication in accordance with paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 on account that it contains information relating to the financial or business affairs of any particular person including the authority holding the information, and information in respect of which professional legal privilege could be maintained in legal proceedings.
Urgent	No
Key	Key
Enclosures	<p>Appendix 1: Whitings Road & Moxon Street OBC Appendix 2: Whitings Road existing site plan Appendix 3: Whitings Road proposed site plan Appendix 4: Moxon Street existing site plan Appendix 5: Moxon Street proposed site plan Appendix 6: Whitings Road & Moxon Street Equalities Impact Assessment Appendix 7: Whitings Road & Moxon Street OBC [Exempt]</p>
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Summary

In 2015, Re. acting on behalf of Barnet Council, secured resolution to grant planning consent for five mixed tenure sites. Re. was a joint venture formed by Barnet Council and Capita to deliver regeneration. However, these sites did not progress to delivery and in 2018, it was agreed that; one

of the sites would be disposed of, one delivered for affordable housing using GLA grant by Barnet Homes and three transferred to The Barnet Group to bring forward as mixed tenure options. This included Hermitage Lane which is now complete as well as sites at Whitings Road and Moxon Street, both on general fund land.

The Barnet Group (TBG), which includes Barnet Homes and Opendoor Homes, is acting as development agent on behalf of Barnet Council. The Barnet Group and its subsidiaries are wholly owned by the council.

The council approved that TBG take forward proposals for housing led schemes at Whitings Road and Moxon Street.

In 2022, the TBG New Build team appointed Peter Barber Architects to deliver Royal Institute of British Architects (RIBA) plan of works stage 3 Planning designs for both sites. The team is also supported by Potter Raper as employer's agent, JLL's planning consultancy and Staton Cohen landscape architects. A budget of £1.27m was secured from Barnet Council to deliver this work.

Both sites will be submitted to planning together. The target tenure mix is 50:50 private:affordable policy compliant across both sites, including 12no. affordable 3 and 4-bed homes and at least 10% wheelchair accessible. This helps meet the council's 1,000 affordable homes target and is in line with the needs of TBG's Housing Options service greatest need. The homes have been designed to a high quality and target net zero carbon, they will achieve Energy Performance Certificate category "A" or strong "B".

The local community has been consulted as well as local interest and stakeholder groups. Feedback has been positive and supportive of the designs, aspirations for affordable homes and how the consultation has been conducted. The scheme design has been positively amended and impacted by stakeholder feedback.

Opendoor Homes successfully bid for a grant allocation from the Greater London Authority's Affordable Housing programme 2021-2026 for the Whitings Road and Moxon Street sites. An allocation of £3.79m has been approved.

The Hermitage Lane delivery model may represent a feasible delivery model for the council, subject to agreement on land value and financial viability. It also needs to be demonstrably more advantageous than other options such as direct delivery through the Housing Revenue Account (HRA), or disposal.

This outline business case (OBC) seeks approval to submit planning applications for the sites and, subject to planning approval, for The Barnet Group to procure a private sector partner to support delivery of the schemes. The outcome of the tender and further detail of the development agreement structure will then be presented to the Housing & Growth Committee as part of the full business case.

Officers Recommendations

- 1. That the Housing and Growth Committee notes and approves the Outline Business Case, including planning submission for the general fund land identified on the plans in appendices 2 and 4.**
- 2. Note that the additional capital funding for the next stage of work up to Full Business Case stage is subject to approval by Policy and Resources Committee in April 2023.**
- 3. Delegate approval of the procurement and development delivery strategy to the Director of Growth.**

4. Note that the Full Business Case will be presented to Housing and Growth Committee ahead of entering into legal agreements at a later date.
5. Note that for the Whitings Road site an amendment to the existing Secretary of State approval for removing the land from education use will be sought, to reflect amendments made to the boundary with the school, subject to the school's agreement.
6. Note that The Barnet Group will continue discussions with the commercial tenant at 1-7 Moxon Street to determine whether an early start on site is possible.
7. That the Housing and Growth Committee delegate to the Director of Growth the approval of the appropriation of the site, if required, to Planning purposes.

1. Why this report is needed

- 1.1 This report sets out the Outline Business Case for the council-led redevelopment of the Whitings Road and Moxon Street sites shown on the site plans in appendices 2 and 4. Both sites are on general fund land and within the High Barnet ward.
- 1.2 The Whitings Road site is adjacent to Whitings Road Primary School, on Whitings Road, EN5. The school was originally situated on the subject site but as part of the council's primary school investment programme the new school building was constructed on a portion of the playing field and the existing school was demolished with the land being committed for residential development. The site was then cleared and has been empty and overgrown since.
- 1.3 The Moxon Street site is immediately off the High Street in High Barnet, EN5 and is currently partially occupied by Checkalow, a tile showroom and distributor, whose commercial lease expires in April 2025. The lease is contracted out of the landlord and Tenant Act 1954 and Checkalow have no right to renewal or compensation. Checkalow have already received compensation for their previous protected lease. The buildings on site are in generally poor condition and a previous planning application demonstrated that the site could yield 12 new homes. The team have worked closely with Checkalow and if alternative premises can be identified, they may agree to vacating earlier than that. A car storage company occupy the remainder of the site on a short term lease with a rolling break clause.
- 1.4 The buildings on site are in generally poor condition and a previous planning application demonstrated that the site could yield 12 new homes. The team have worked closely with Checkalow and if alternative premises can be identified, they may agree to vacating earlier than that.
- 1.5 Part of the Moxon Street site is within the Wood Street Conservation Area. Adjacent the site is a Grade II listed cottage and a cottage listed as a local heritage asset.
- 1.6 In 2018 the Housing & Growth Committee approved that The Barnet Group could bring forward development options for the two sites, to deliver high-quality mixed tenure housing.

- 1.7 The Barnet Group working as development agent on behalf of Barnet Council, has established policy compliant mixed-tenure development proposals for the sites.
- 1.8 At Whitings Road, the proposed scheme includes the construction of 35 new homes, mainly 3 and 4-bed houses including 4no. that are fully wheelchair accessible, around a communal garden. There will be close to 100% parking on site for the scheme, given the site's PTAL rating and distance from local public transport networks. See appendix 3 for the proposed scheme.

Moxon Street site

- 1.8.1.1 At Moxon Street, the proposed scheme includes 21 mews houses, set in an L-shape around the existing heritage cottages. Part of the existing Checkalow building will be retained and refurbished. The scheme will include 7no. 1-beds and 14no. 2-beds, including 2no. fully wheelchair accessible homes. See appendix 3 for the proposed scheme.
- 1.8.1.2 All of the homes will have their own front door onto the mews or Moxon Street. The scheme will be car free, given the site's access to good public transport. This has been supported by Planners and the local community.
- 1.8.1.3 The existing commercial space will be replaced but at a reduced amount, in agreement with the council's Economic Development Team and Local Planning Authority, given the high number of commercial spaces along the high road. Barnet Council is likely to retain ownership of this commercial space as part of the consideration for the scheme. The council's Economic Development Team will work closely to support the letting of the completed commercial space, including exploring the potential for the scheme to support the council's emerging Arts and Culture Strategy. It is also possible that Checkalow, the existing commercial tenant, may return upon completion to occupy some or all of the commercial space.
- 1.9 The current proposed tenure mix across both sites is as follows:

	Whitings Road		Moxon Street		Combined	
Tenure	Homes	%	Homes	%	Homes	%
Social rent	11	31%	0	0%	11	20%
Shared ownership	9	26%	8	38%	17	30%
Open market sale	15	43%	13	62%	28	50%
Total	35	100%	21	100%	56	100%

- 1.10 Two community engagement events have been held for each site and a number of local stakeholder groups have been consulted on the proposals. This has included a specific focus on the residents living adjacent the sites as well as Whitings Road School. Feedback shows support for redeveloping the sites with enthusiasm about the design and consultation process.
- 1.11 Subject to approval of the Outline Business Case, the intention is to progress to submit detailed planning applications for the sites.

- 1.12 Thereafter, the sites will be tendered as one package to procure a private sector partner for delivery. It is envisaged that the two sites will be delivered through a development agreement with a private sector partner, following the formula of the Hermitage Lane project. That arrangement follows these key principles:
- Barnet Council secures planning consent via The Barnet Group – this adds value to the sites
 - Developer partner procured by The Barnet Group
 - Developer partner provides working capital to deliver the scheme, takes both build cost and sales risk on market sale and provides a capital receipt to Barnet Council for land value; the land receipt could be a mixture of capital and a longer-term revenue contribution subject to negotiation
 - Opendoor Homes, a subsidiary of The Barnet Group, purchases the discounted affordable rent homes and takes sales risk on any shared ownership
 - Freehold to Opendoor Homes after final sale
 - Overage agreement if priority return achieved
- 1.13 Opendoor Homes, a subsidiary of The Barnet Group, successfully completed the Hermitage Lane mixed-tenure project in Childs Hill, NW2 in 2022. This was conceived by The Barnet Group as an innovative and alternative way to deliver more new homes in addition to the direct delivery programmes via the housing Revenue Account (HRA), deploying the skills and capacity of the wider Barnet Group. It also enables the limited capacity to support development in the HRA to be “ring fenced” to support the delivery of high priority schemes such as the regeneration of Grahame Park North East.
- 1.14 Following approval of the outline business case and subject to a resolution to grant planning consent being granted, The Barnet Group will procure a private sector partner on the basis of a contractual development agreement. The development partner will provide post-planning development manager and construction services. Final approval of the procurement strategy is to be delegated to the Director of Growth.
- 1.15 Prevailing market conditions make financial viability ever more challenging. If financial viability poses too great a challenge to Opendoor Homes or Barnet Council, then selling the sites with the benefit of planning consents could form an alternative exit strategy in the last resort.
- 1.16 The preparation of the delivery strategy will be supported by soft-market testing and continued financial appraisal modelling with scenario and stress testing.
- 1.17 Macroeconomic conditions are making financial viability of residential development a challenge at present. To help improve the project’s financial viability, the council can consider a number of options including different funding streams, reviewing rent levels, reviewing the target for net zero and altering the design.

- 1.18 The Greater London Authority have approved a grant allocation of £3.79m from their Affordable Housing Programme 2021-26. The number of units and the tenure splits/types have been adjusted since the bid application was made and will be updated as part of the Full Business Case. The grant requires a start on site by March 2026.
- 1.19 The proposal in this Outline Business Case will put the council at the heart of delivering these two projects and retaining the new developments in the ownership of the wider council 'family'.

2. Reasons for recommendations

- 2.1 Across Greater London, it is widely considered that there is a chronic undersupply of affordable housing. Over the last three years, the average London borough has delivered 21% of units as Affordable Housing. Barnet is below this average at circa 18%. The Mayor of London has set a strategic target of 50% of all new homes to be affordable homes, with individual sites expected to contribute 35% affordable housing as a minimum.
- 2.2 Delivering more affordable homes in the borough is a priority of the council, as set out in the Corporate Plan 2023 – 2026, and the Growth Strategy. A new Housing Strategy is currently being prepared and providing the right homes in the right places and more affordable homes is a key ambition. The schemes will support the ambition to deliver 1000 homes at 50% of market rent or lower. The council is currently also preparing a new Homelessness and Rough Sleeping Strategy. There are on-going homelessness pressures that could be relieved earlier through increased provision of new homes in this area.
- 2.3 This project will support the council's commitments and priorities in the following way:
- Contribute towards the council's commitment for 1,000 affordable homes, including larger family accommodation and wheelchair accessible homes to meet the greatest need
 - Build high-quality housing in compliance with local planning policy
 - Build 50% affordable homes across the two sites
 - Target net zero carbon and minimum of EPC B
 - Build homes that help to eliminate fuel poverty and improve energy efficiency
 - Build schemes that deliver low and medium rise streetscape design-led housing
 - Work with the local community in developing the design of new housing
- 2.4 Grant from the Greater London Authority's Affordable Housing Programme 2021-26 has been formally approved, with £3.79m grant confirmed.
- 2.5 All the new homes provided through this development will meet the former Lifetime Homes standard through a standardised approach centred around building regulations. At least 10% will be fully wheelchair adapted, meeting the objective in the council's emerging Housing Strategy by delivering new homes to meet the diverse needs of residents and increasing the provision of wheelchair accessible homes. The

council already provides a range of housing options for vulnerable adults with a focus on helping people live as independently as possible.

- 2.6 Despite the current wider climate, Savills Research forecast that subject to mortgage markets settling down, and the Bank of England base rate gradually reducing as inflation cools down, there should be a marked improvement in mortgage affordability. Combined with nominal price falls of -10% in 2023 (-12.6% adjusted for inflation), that would gradually bring more buyers into the market and allow a return to modest house price growth from 2024 onwards, with a more pronounced rebound in 2026.
- 2.7 In October 2022, the Barnet Post reported that over the past year, the average sale price of a property in Barnet rose by £52,000. Buyers paid 10.1% more than the average price in London (£553,000) in August for a property in Barnet. Across London, property prices are higher than those across the UK, where the average cost is £296,000.
- 2.8 The additional capital funding to proceed to Full Business Case stage is £0.485m. This budget will enable the procurement of a private sector partner to support the delivery of the two sites. This budget is subject to approval by the Policy & Resources Committee in April 2023.

3. Alternative options considered and not recommended

3.1 Do nothing

An alternative option is to do nothing. This option retains the status quo and would mean no development risk for the council. However, it would result in the loss of the Greater London Authority's Affordable Housing Programme 2021-26 grant, the council would fail to meet strategic objectives of delivering new homes, there would be no capital or revenue receipt to the council and no improvement to the street scene.

3.2 Dispose of the site, with the benefit of a planning consent

This option sees the council dispose of the sites, with the benefit of resolution to grant planning consent. If financial viability poses too great a challenge to Opendoor Homes or Barnet Council, then selling the sites could form the exit strategy as last resort, with the benefit of planning consents and correlating uplift in land value.

However, the council would fail to meet strategic objectives of delivering new homes, the purchaser may seek an alternative planning consent / land use, the purchaser may seek to reduce the number of affordable homes on the site, this does not prevent landbanking and no assurance of delivery, there would be resources required to manage the disposal.

3.3 Develop the site as affordable housing only

This option sees the council deliver the scheme for affordable housing only. The schemes would be delivered and a significant contribution to new affordable housing targets achieved, strategic growth achieved, the assets would be retained within the Barnet 'family', the council and ODH have control / influence over the development, it minimises profit leakage to the private sector.

However, this would rely on the HRA having the capacity to fund the schemes. The remaining development capacity of the HRA is already committed to supporting the delivery of existing schemes, most notably the regeneration of Grahame Park North East. This approach would not make the most of some of the commercial opportunities that the sites afford in respect of values and its ability to subsidise the delivery of affordable housing.

4. Post decision implementation

- 4.1 The additional budget for delivery of the next phase of work is £0.485m. This will be considered by Policy and Resources Committee in April 2023. It is envisaged that the pre-contract costs will be recovered through the development agreement model, subject to financial viability or by disposal of the site in the last resort.
- 4.2 The commercial tenants of Checkalow will continue to be engaged with, to understand the opportunity for vacant possession at Moxon Street earlier than April 2025.
- 4.3 For the Whitings Road site an amendment to the existing Secretary of State approval for removing the land from education use will be sought, to reflect amendments made to the boundary with the school, subject to the school's agreement.
- 4.4 The planning applications will be made in April 2023, with a 12-week determination period.
- 4.5 The development delivery model will be progressed and a developer partner procured. This will be supported by soft-market testing and stress and scenario testing. Legal and financial advice will be received to support this.
- 4.6 The Full Business Case will be presented to Cabinet in early 2024.

5. Implications of decision

Corporate Priorities and Performance

- 5.1 Delivering more affordable homes in the borough is a priority of the council, as set out in the Corporate Plan 2023 – 2026, Housing Strategy and the Growth Strategy. Since May 2022, this has become a council priority.
- 5.2 A new Housing Strategy is currently being prepared and providing the right homes in the right places and more affordable homes is a key ambition. The schemes will support the ambition to deliver 1000 homes at 50% of market rent or lower. Work is underway to convert current delivery plans to ensure they contribute to starting on site with 1,000 affordable social rent homes over the next 4 years.
- 5.3 The new Corporate Plan is built around a council that cares for people, our places, and the planet. Under the People priority, it aims to be family friendly, tackle inequality, and support health and independence. Under the Place priority, it aims to ensure safe, attractive neighbourhoods, quality affordable homes, sustainable growth, and thriving town centres and make Barnet a fun place to visit. Under the Planet

priority, it aims to focus on the council's journey to net zero, local environment, and green spaces.

- 5.4 The council is currently also preparing a new Homelessness and Rough Sleeping Strategy.
- 5.5 The Health and Wellbeing Strategy 2021 to 2025 recognises that the condition of and access to local housing has an important role in the quality of life and health of both individuals and communities.
- 5.6 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.6.1 Finance

- 5.6.2 In September 2020, the Policy & Resources Committee approved a budget of £1.27m from the general fund to bring three mixed tenure sites forward to outline business case stage, including Whitings Road and Moxon Street which accounted for £0.755m of this budget.
- 5.6.3 The spend to achieve outline business case stage for Whitings Road and Moxon Street has been 25% higher than originally approved. However, the sites are developing 25% more homes than originally proposed. There have also been significant cost increases across the sector.
- 5.6.4 Additional capital funding of £0.485m is required from the general fund for the post-planning and pre-contract stage, for professional services support to tender and set up the development agreement for delivery. This includes a development fee for The Barnet Group acting as development agent for the council. This is subject to Policy & Resources Committee approval in April 2023.
- 5.6.5 It is envisaged that the two sites will be delivered through a development agreement with a private sector partner, following the formula of the successful Hermitage Lane project. In that arrangement the development partner provides working capital to deliver the scheme, takes sales risk on market sale and provides capital receipt to Barnet Council for land value.
- 5.6.6 Opendoor Homes may supplement this with revenue contribution in respect of land value, if required.
- 5.6.7 The Hermitage Lane project was conceived by TBG as an innovative and alternative way to deliver more new homes in addition to the direct delivery programmes via the Housing Revenue Account (HRA), deploying the skills and capacity of the wider Barnet Group.
- 5.6.8 Opendoor Homes successfully bid for a grant allocation from the Greater London Authority's Affordable Housing programme 2021-2026 for the Whitings Road and Moxon Street sites. An allocation of £3.79m has been approved.
- 5.6.9 **Value for Money and Procurement**
- 5.6.10 Soft market testing for delivery partners is underway and will be subject to a competitive process.

5.6.11 Independent valuations will be commissioned as necessary to verify and confirm that any disposals are at best consideration to fulfil the council's overriding obligations to secure the same.

5.6.12 A chartered surveyor from a Royal Institution of Chartered Surveyors registered construction consultancy will manage the future tender process. This will be in accordance with The Barnet Group's contract procedure rules and applicable laws, acting as development agent for the council.

5.6.13 **Social Value**

5.6.14 Increasing the utility of existing assets through mixed use redevelopment will enable the council's portfolio of assets to go further towards supporting local needs by helping to provide new opportunities for housing, (in particular, affordable housing) and new, improved community facilities.

5.6.15 The main contractor will be required to provide opportunities for employment, training and apprenticeships for local people and use local suppliers where appropriate.

5.7 **Legal and Constitutional References**

5.7.1 Council Constitution Article 7.5 states that the remit of the Housing and Growth Committee includes responsibility for regeneration strategy and oversight of major regeneration schemes, asset management, and economic development including employment strategy, business support and engagement.

5.7.2 The Council Constitution, Article 10 Table A states that the Housing and Growth Committee is responsible for authorising all acquisitions and disposals over £500K.

5.7.3 The council has a range of powers including the general power of competence under Section 1 of Chapter 1 of the Localism Act 2011 to do anything that individuals can do subject to any specific restrictions contained in legislation and Section 111 of the Local Government Act 1972 which provides that a local authority has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions, subject to any specific restrictions contained in legislation.

5.7.4 Additionally, the council has the power to acquire and dispose of land in accordance with Sections 120 to 123(2A) of the Local Government Act 1972, and subject to obtaining all appropriate consents and approvals.

5.7.5 On any disposal of property, the council is required to observe the requirements of s123(2) of the Local Government Act 1972 to ensure that any disposal is not for a consideration less than the best that can reasonably be obtained, except with the consent of the Secretary of State. To cleanse a site of third party interests, where it is in the public interest to do so and on satisfaction of conditions, land can be appropriated from its current purpose to planning purposes under section 122 of the LGA 1972. Any disposal of land appropriated for such purposes is effected in reliance on Section 233 Town and Country Planning Act 1990, which requires that it is for the best consideration reasonably obtainable (otherwise Secretary of State consent shall be required). Additional conditions would apply if this land were held in the housing revenue account, but we understand it is not.

5.7.6 The council will need to consider, comply with and obtain any statutory and legal

requirements /consents to give effect to the preferred option.

- 5.7.7 Procurement of public works and services contracts over the relevant value thresholds must observe the requirements of the Public Contracts Regulations 2015, to include the placing of Find a Tender Service notices where such contracts are not drawn down from a compliant framework. Any procurement activity undertaken must also be in accordance with the Council's Contract Procedure Rules.
- 5.7.8 Where the Council accesses an existing Framework Agreement, the Framework Agreement terms and conditions of contract must be used, amended as appropriate as permitted by the Framework Agreement. Before entering into a Framework Agreement due diligence checks must be carried out to demonstrate that the Council can lawfully access the Framework Agreement and that it is fit for purpose and provides value for money.
- 5.7.9 Any conditions applicable to the grant mentioned at para 2.4 will need to be observed. This includes a start on site before the end of March 2026, compliancy with the London Housing Design Guide or any other prevailing grant design standards and a tenure and unit mix as approved by the GLA before start on site.
- 5.7.10 In the event the delivery option for the proposed development is with the assistance of a loan/grant by the council to a developer then the council must comply with the rules related to subsidy control, as required by the UK-EU Trade and Co operation Agreement and other relevant agreements, to the extent they are applicable.
- 5.7.11 The Public Services (Social Value) Act 2012 requires If a relevant authority proposes to procure or make arrangements for procuring the provision of services, it must consider—
- (a)how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and
- (b)how, in conducting the process of procurement, it might act with a view to securing that improvement;
- and it must consider whether to undertake any consultation in relation to such matters.

5.8 **Insight**

- 5.8.1 The council's emerging Housing Strategy and Local Plan respond to evidence such as the Strategic Housing Market Assessment and other needs assessments that have identified a need for increased housing delivery. Barnet has 393,000 residents and this figure is expected to grow by 76,000 over the next 25 years; an increase of 19%.
- 5.8.2 The delivery of new affordable rented homes will help to meet the objective in the council's emerging Housing Strategy and Homelessness and Rough Sleeping strategy to prevent and tackle homelessness, by reducing the use of temporary accommodation. There are currently more than 2,700 households living in temporary accommodation which presents significant budgetary pressures for the council.
- 5.8.3 Barnet's Health and Wellbeing Strategy recognises the importance of access to good quality housing in maintaining well-being in the Community.

5.8.4 Lack of affordable housing is highlighted in Barnet's Joint Strategic Needs Assessment (JSNA) as one of the top three concerns identified by local residents in the Residents' Perception Survey.

5.9 Risk Management

A summary of the key project risks is included below, using the risk scale as set out in the Outline Business Case (section 6 of Appendix 1):

Risk	Total	Actions to mitigate
That the scheme becomes financially unviable due to wider market pressures	12	<p>The council could dispose of the sites with the benefit of a planning consent. Alternative delivery options could be explored.</p> <p>Regular financial appraisal and cost monitoring.</p> <p>Use right to buy receipts instead of GLA grant on the larger family homes at Whitings Road and charge LAR or BAR.</p> <p>Work with the developer partner to review the efficiency of how the buildings are constructed and make improvements if necessary including reducing the net zero specification if necessary.</p> <p>Alter unit mix as there are a lot of larger oversized homes at Whitings Road.</p> <p>Change tenure so that it is not 50:50</p> <p>Consider London Living Rent or other tenures.</p> <p>Assume house prices will recover by the time the built products come to market.</p>
That title matters or rights prevent or delay development, including Rights of Light	12	<p>All title matters being reviewed by legal representatives.</p> <p>A detailed RoL report has been obtained and specialist advice is being obtained together to provide a robust strategy.</p> <p>Secretary of State consent to the amendment of the boundary at the Whitings Road site will be submitted.</p>
That there are unforeseen costs arising during the project and a subsequent budget shortfall	9	<p>A client contingency will be included in the project budget.</p> <p>The proposed delivery model should help mitigate rising costs once in contract.</p>
Wider pressure on the construction sector due to construction inflation and high interest rates	9	<p>Complete financial due diligence of the developer partner will be carried out</p>

That site conditions cause delay or cost increase	9	A number of surveys and investigations have taken place. The proposed delivery model should help mitigate rising costs once in contract.
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5.10 Equalities and Diversity

- 5.10.1 Barnet Homes is committed to taking a proportionate approach to equalities and considering which groups with protected characteristics are likely to be affected, whether this is a large or small group and the level of impact; nil, minimal or significant.
- 5.10.2 An Equalities Impact Assessment (EqIA) has been completed and included at Appendix 6.
- 5.10.3 The EqIA assessment identified that a few groups are impacted negatively by the delivery of the project, primarily due to disruption during the construction period. However, it is assessed that these are short term impacts only and that they are outweighed by the longer-term benefits of the project. The needs and requirements of the pupils and wider school community at Whittings Hill Primary School, has received specific focus to ensure any potential impact has been minimised.
- 5.10.4 There are clear mitigations for the short-term negative impacts, including a communications plan and appointment of a Resident Liaison Officer, which in the longer-term will help to establish good relationships and build trust with the community.
- 5.10.5 Under the Equality Act 2010, the council must have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the 2010 Act;
 - b) advance equality of opportunity between those with a protected characteristic and those without.
 - c) promote good relations between those with a protected characteristic and those without.

The 'protected characteristics' referred to are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regards to eliminating discrimination.

5.11 Corporate Parenting

- 5.11.1 Barnet Council have a small number of care leavers in temporary accommodation. Increasing the supply of affordable housing is therefore a corporate parenting issue.

5.12 Consultation and Engagement

- 5.12.1 The project team have undertaken a wide ranging and comprehensive consultation, reaching out to engage with all stakeholders for both sites.
- 5.12.2 Initial public exhibitions were held on 5 and 7 December 2022 for Whittings Road and Moxon Street, respectively, at local venues, where plans were presented on large format presentation board. At the same time electronic versions were made available on Barnet Homes engagement website. Publicity was initiated through a letter drop to addresses in

the vicinity. The event was hosted by the client team, including representation from Barnet Homes, Architects, Landscape Architects, Transport Consultants, Planning and Engagement Consultants.

- 5.12.3 Feedback from the initial consultations led to design development by the project team taking account of comments received. On 1 and 8 February 2023 a second round of public exhibitions were held. More detailed floor plans, elevations and computer generated images were presented, demonstrating the approach of “you said” and “we did”.
- 5.12.4 In addition to local residents, the project team has engaged directly and held individual briefings with a number of key stakeholders. These stakeholders included Ward Councillors, Whittings Hill Primary School, The Barnet Society, and Barnet Residents Association.
- 5.12.5 The Barnet Society recently wrote a positive article on their website in support of the proposals: <https://www.barnetsociety.org.uk/typical-wait-ages-for-a-decent-modern-housing-scheme-and-two-come-along-at-once>
- 5.12.6 Within the council the project team has engaged with with the Planners, and also the Town Centre Team. Overall, feedback has been positive with supportive comments received from many stakeholders to date.

5.13 Environmental Impact

- 5.13.1 The energy strategy for the two schemes aims at reaching beyond the current national, regional and local policy by targeting net zero developments.
- 5.13.2 The brief to promote ultra-low energy demand, has been achieved primarily through passive design, using highly insulated building fabric and low air permeability. This is combined with carbon free space heating and hot water through the use of air source heat pumps, in tandem with mechanical ventilation and heat recovery units. Furthermore, renewable energy has been embraced through the specification of photovoltaic roof panels.
- 5.13.3 In terms of the predicted Energy Performance Certificate these homes will achieve, they are designed to achieve category “A” or strong “B”.
- 5.13.4 Surveys conducted by the project team concluded that development of both sites have a positive impact of biodiversity, but less than the required ten percent improvement threshold required. At the Whittings Road site the team is working with the Planners to find an off-site solution. One proposal under consideration is working with the adjacent Whittings Hill Primary School to explore enhancing the biodiversity on the boundary of their playing field, which borders the rear of the site. The school has ambitions to become a Forest School, so this will hopefully help them achieve this objective. Similarly at the Moxon Street site, solutions to the shortfall in achieving the biodiversity net gain are under discussion with the council’s ecology team, with options including off-site improvement and / or a financial contribution to improvements elsewhere in the ward.

6. Background papers

Policy & Resources Committee, Business Planning 2021 to 2025 and Budget Management 2020/21, 24 September 2020 [see Appendix B – Capital Programme]

<https://barnet.moderngov.co.uk/documents/s60231/Business%20Planning%202021%20to%202025%20and%20Budget%20Management%20202021.pdf>

Housing & Growth Committee, Mixed Tenure Housing Programme, 17 September 2018

<https://barnet.moderngov.co.uk/documents/s48466/Mixed%20tenure%20housing%20programme.pdf>

Housing & Growth Committee, Outline Business Case for 2010 Hermitage Lane, 17 September 2018

<https://barnet.moderngov.co.uk/documents/s48470/Outline%20Business%20Case%20for%202-10%20Hermitage%20Lane.pdf>