



## Housing and Growth Committee 23 March 2023

<b>Title</b>	<b>Brent Cross Update Report</b>
<b>Report of</b>	Chair of Housing and Growth Committee
<b>Wards</b>	Cricklewood
<b>Status</b>	Public with Exempt report (Not for publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 as amended as this relates to information of a financial nature and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).
<b>Urgent</b>	No
<b>Key</b>	Key
<b>Enclosures</b>	Appendix 1, Governance Assurance Board Meeting Presentation 08/03/2023 Appendix 2, Brent Cross West Station (BXW) Site Progress Photographs
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### Summary

This report updates on progress across the Brent Cross programme since the last update to this Committee on the 17<sup>th</sup> January 2023.

In particular it provides an update on the progress on site with the recent launch of the Brent Cross Town substation artwork which received wide ranging press coverage for the development.

The report also includes updates on the Brent Cross West station works, and recommendations seeking authority to enter into various agreements required to continue bringing forward the Brent Cross Scheme.

# Officers Recommendations

That the committee:

1. Note the progress across the programme as detailed in the report.
2. Delegates to the Director of Resources in consultation with the Chair to finalise the heads of terms and to finalise and complete the required legal documentation to bring forward plot 22, as outlined in [paragraph 1.26](#)
3. Delegates to the Brent Cross Programme Director to finalise and approve minor variations to existing licences, Lot 2 agreements and plot headleases where required to improve the effective and efficient running of the development as explained in [paragraph 1.30-1.31](#)
4. Delegates to Chief Executive in consultation with the Chair to finalise and enter into the required legal agreement with BXSLP to undertake the works related to demolition of the low-rise Whitefield Estate subject to agreement with BXSLP, as explained in [paragraph 1.43-1.44](#)
5. Approves that home loss and disturbance payments for secure tenants of the Whitefield Estate Part 2 is to be administered by Barnet Homes for 91 properties as set out in [paragraph 1.38-1.39](#)
6. Delegates to the Brent Cross Programme Director to finalise and approve the relevant legal documents required to enter into a Memorandum of Agreement/Understanding with property owners and L&Q on terms to acquire existing property and roll-over value into new Shared Equity property on Plots 12 and 54 as explained in [paragraph 1.54-1.55](#)
7. Notes to strategy to finalise and approve agreements required to regularise the land boundary and secure the remaining Network Rail land required for the Waste Transfer Station as explained in [paragraph 1.63](#)

## 1. Why this report is needed

- 1.1. This report provides the quarterly update on progress on the Brent Cross Programme since the last update to this Committee on 17<sup>th</sup> January 2023.

<https://barnet.moderngov.co.uk/documents/s75818/PUBLIC%20-%20BX%20HG%20FINAL%2017%20Jan%2023%201.pdf>

- 1.2. Since the last report progress continues to be made across the development site. The key updates for the committee to note are as follows:
  - The artwork wrap surrounding the new Brent Cross Town substation was publicly launched on the 19<sup>th</sup> January. The event was covered by both BBC and ITV London News as well as numerous positive newspaper articles and trade press publications.



- Above ground works on site for Plot 12 and 202 have continued to programme as can be seen from latest drone images ([January 2023 Drone Footage](#)) showing the building cores construction rising out of the ground and numerous tower cranes now erected around the site.
- The Reserved Matters planning application for Clitterhouse Playing Fields remains under consideration by the LPA following submission on 21<sup>st</sup> November 2022 following three rounds of public consultation.
- Works continue on the fit out of the new Brent Cross West Station with internal finishes such as ceiling panels, signage and paving stones now being installed.
- The councils joint venture partner, Related Argent are developing the next phase proposal and update to the Brent Cross Town business plan, which sets out the next plots to come forward in the scheme.



Brent Cross West Station February 2023)

## **Brent Cross West Station**

### **Works Update**

- 1.3. The latest site progress pictures can be seen in Appendix 2. The photographs show good progress with brickwork, granite paving, panelling, ceiling tiles, glazing as well as mechanical, electrical and communication cabling and equipment being installed. The project has hit its highest peak of resources so far with more than 200 operatives working on site.
- 1.4. Network Rail has completed its railways systems and sidings infrastructure physical works but continues to support VolkerFitzpatrick (VFL), the station contractor in delivery of the station project.
- 1.5. The photos also show good progress with some of the final finishes such as ceiling panels and floor tiles being installed in both east and west entrance boxes.

### **Programme Update**

- 1.6. Having completed works in the last of the major railway possessions over the Christmas period the Mace Project Management team and VFL have recast the programme to complete the physical works, testing and commissioning, handback and entry into service and station opening.
- 1.7. The Steering Group of Key Stakeholders formed to oversee station completion and handback continues to meet to review readiness for station opening. Key Stakeholders include Network Rail (NR), Govia Thameslink Railway (GTR), Department for Transport (DfT), Related Argent, VolkerFitzpatrick Limited, MACE and London Borough of Barnet. The group most recently met on 23 February and concluded further certainty is required on the close out programme to confirm a specific opening date. A follow up meeting is scheduled in March to review the latest programme.
- 1.8. It is anticipated that physical works will now be completed in June 2023 with a period of testing and commissioning to follow which will dictate the formal opening date. The current working programme predicts an opening in late Summer/Autumn of this year.
- 1.9. As previously reported work is underway to develop a communications strategy and programme of events leading up to and including the station opening. This focuses on the practicalities of preparing for a station opening, the opening event and the events leading up to the opening. For these events to be planned effectively, a firm opening date is required, which is a key objective of the handback steering group as mentioned above. Agreeing a date for the opening of the station to the public and operation of train services is an area of key focus for the programme.
- 1.10. Site visits continue to be planned and arranged for stakeholders including local residents, schools, and local businesses, as well as national figures, industry partners, local councillors, MPs and press. It is anticipated that interest in visiting the station will increase as the station gets closer to completion. Further updates will be provided to the committee in the coming months.

### **Station Property Agreements / Operational Costs**

- 1.11. The council continues to work with NR, GTR, Brent Cross South Limited Partnership (BXSLP) through the Estate Management Company (ManCo) and the DfT to finalise the property agreements required to manage the station on a day-to-day basis.

- 1.12. This will include a number of leases and easements that define the operational and maintenance responsibilities and limits of each party in the various parts of the station. These arrangements are required to be in place ahead of the station opening.

### **Western Public Realm**

- 1.13. Construction works on the western public realm have commenced and are progressing to programme with construction works nearly complete. This includes ground levelling, drainage, paving, installation of the bicycle sheds, pedestrian wayfinding to and from the station and highways maintenance works deemed essential prior to station opening.
- 1.14. Officers are having ongoing coordination meetings with the London Borough of Brent to support placemaking initiatives in the area. Coordination meetings will continue as regeneration initiatives progress for the Staples Corner industrial area.

### **Brent Cross Town**

- 1.15. Further progress is being made across the site as can be seen from the latest drone footage of the development area [January 2023 Drone Footage](#).
- 1.16. As reported to the committee in January, works on the first phase plots at Brent Cross Town are well underway. The building cores for plots 12 and 202 are now clearly visible from the surrounding areas, and there are now several tower cranes now on site (see image below). In addition to plots 12 and 202, plot 25 works are also underway with plot 13 due to commence imminently, Plot 14 in May 23 and plot 203 in December 2023.



First tower cranes constructed and core of plots 12 and 202 now visible above ground (Feb 23)

### **Brent Cross Town Primary Substation**

- 1.17. As reported to the committee in January construction works on the new Brent Cross Town primary substation have completed including the artwork wrap designed by local artist Lakwena which surrounds the building. To publicly launch the artwork an event was held on the 19<sup>th</sup> January which was covered by both BBC and ITV London News channels. The artwork has also featured widely in news publications and industry

press. Proposals for the associated energy centre which will provide a district heating solution for the new town are currently being developed.



Brent Cross Town primary substation

### **Brent Cross Town Agreements**

- 1.18. As development continues at Brent Cross Town, a number of legal agreements are required to be entered into to ensure progress on the scheme continues in line with the approved Business plan. All agreements are envisaged within the wider Brent Cross Project Agreement and are aligned to the obligations of the council and vision of the Brent Cross scheme.

### **Next Phase Proposal**

- 1.19. BXSLP are currently developing the next Phase Proposal/s, following Phase One going unconditional in June 2022. Phase proposals are a requirement under the BX Project Agreement and ensure that the Brent Cross Town development comes forward in clearly planned out phases that achieve the goal of the masterplan.
- 1.20. The next phase proposal/s will include the details of the planned development within the Brent Cross Town and will set out the floorspace, uses, infrastructure, public realm and timetable for development as well as the council's potential entitlement to land value.
- 1.21. The next phase will build on the works already underway within the first phase of Brent Cross Town and is expected to include plots in the vicinity of the Brent Cross West station eastern entrance (Station Quarter), including plot 1 which already has reserved matters planning approval and a commercial tenant agreement in place. Geographically the plots in this phase are expected to bridge the gap between the early development plots of Brent Cross Town and the new Brent Cross West station. They will primarily be office plots, supplementing the residential plots underway in Phase One.

### **Next Phase Unconditional**

- 1.22. Subject to the next phase proposal/s being accepted, the phase/s can go unconditional subject to confirmation that all the drawdown conditions are satisfied to meet the Phase Unconditional Long Stop. 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 Related Argent that there is a viable scheme ready to be delivered, in order for Related Argent to formally commit to delivering the phase and the council formally committing the land.
- 1.23. It should be noted that during the Phase unconditional process for Phase 1 the council agreed to waive part of the highways condition and this or other conditions may be waived for future phase should there be a sufficient business case.

### **Plot 1 drawdown**

- 1.24. As reported to the last committee, Following the approval of the Reserved Matters planning application for Plot 1 on 6th October 22, Related Argent announced that Sheffield Hallam university will open its first satellite campus outside of Sheffield in Plot 1, known as 3 Brent Cross Town. The University is scheduled to open from 2025/26, with the aim of reaching a target of up to 5,000 students by 2030.
- 1.25. Plot 1 falls within the next phase of Brent Cross Town which is subject to a phase proposal as set out above. Following approval of the phase proposal, legal agreements will be required to formally draw down the plot and allow works to commence.

### **Plot 22**

- 1.26. Legal documentation is being progressed by BXSLP relating to a proposed commercial deal with a developer for Plot 22, which is expected to be a senior living plot. Heads of Terms have been developed between BXSLP and the proposed developer and council officers have provided input. The Council and BXSLP are now working towards finalising and exchanging legal documentation to enable the plot to come forward. It is envisaged this will follow a similar approach to the Plot 25 arrangement as approved by the committee on 25 January 2021. To secure this deal the Committee is asked to delegate to the Director of Resources in consultation with the Chair to finalise the heads of terms and to finalise and complete the required legal documentation to bring forward plot 22.

### **Interim Uses**

- 1.27. As reported to the committee in January, the council secured vacant possession (VP) of Unit 2 on Brent Terrace North, one of the last industrial units still in operation in the area. Following achieving VP, the council granted a lease to BXSLP in December 2022. BXSLP have agreed a sub-lease with a leisure operator with the aim to upgrade the building for grass-roots sports use. Enabling works on the unit are underway ahead of fit out later this year.
- 1.28. As the development comes forward the council and BXSLP will continue to work on identifying opportunities to bring value to the area during the construction phase. This comes with the benefit of providing security and management from vacated premises, while also removing business rates liabilities and generating potential income streams. It also allows the development to come forward in a way that supports the long-term strategies and values of the scheme, placemaking and promoting footfall.

## **BXS Business plan update<sup>1</sup>**

- 1.29. The Brent Cross Town business plan sets out the wider strategy for delivering Brent Cross Town. As the development comes forward, it is envisaged that the business plan will be updated to reflect delivery, which could change over time as a result of market factors, definition of deliver strategy and updates to proposed development timelines. Once the next phase proposals have been developed, an update to the business plan will also be required, and is expected to be submitted to the council for approval later this year.

## **Variations to existing agreements**

- 1.30. As the committee will be aware, numerous legal agreements are in place to allow the Brent Cross Scheme to become a reality. While authority has been delegated to enter into such agreements, due to the nature of the programme and changes in strategy, variations are at times required e.g., to respond to changing market conditions.
- 1.31. In order to improve the effective and efficient running of the development process in accordance with the Business Plan, the committee is requested to delegate to the Brent Cross Programme Director to finalise and approve minor variations to existing legal agreements where required to improve the effective and efficient running of the development process. Agreements that may require variations include infrastructure and compound licences (to consolidate existing licences in one master licence), minor amendments to Lot 2 agreements and changes to Plot 12 headleases.

## **Clitterhouse Playing Fields Update**

- 1.32. As reported to the committee in January, following the conclusion of the final round of public engagement in October 2022 the full planning application for Clitterhouse Playing Fields was submitted by Related Argent on the 21st November. The full application documents and plans can be viewed on the [Barnet Planning portal](#) by using reference 22/5617/FUL.
- 1.33. Active dialogue ongoing with residents who have raised concerns to the scheme. Two meetings have been held with the Chair of Golders Green and Brent Terrace residents association on the 1<sup>st</sup> and 22<sup>nd</sup> Feb as well as the monthly drop in sessions. The LPA is continuing their review of the application with a recommendation anticipated to be made to the Strategic Planning Committee in May.

## **Claremont Road Utilities works**

- 1.34. As part of service the new development utility works are being planned in Claremont Road in the vicinity of the Brent Cross Town pavilion which will require a temporary single lane closure. These works are being planned in a way to install several utilities simultaneously to avoid further disruption. More focused communications will be issued to affected residents and road users ahead of the works taking place, with specific communication with Whitefield and Mapledown Schools which are in the vicinity of the works.

## **Wider Economic Climate**

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<sup>1</sup> Brent Cross Town was formally referred to as Brent Cross South (BXS)



- 1.35. As reported to the committee in January, all stakeholders continue to monitor the ongoing economic turbulence as a result of recent national events brings uncertainty to investment markets which could result in challenges in the coming phases of the programme. Investment viability into the scheme is directly linked to interest rates which have been increasing over the past 6 months. The current projections for future increases are lower than previously thought, however increases to rates and market volatility will have an impact on investment viability for future phases. The council and Related Argent continue to closely monitor the latest developments and assess the potential impact on the development.

### **Plot 12 (Relocation of the Whitefield Estate Part 2 - High Rise)**

- 1.36. As previously reported, Plot 12 works are underway with the completion of new homes expected in 2024. L&Q have completed the allocation process for the secure tenants, where tenants have been allocated a new home in accordance with their housing needs requirements. Currently, Barnet Homes is undertaking the nomination process for these tenants. Related Argent and L&Q have held tenant choices for the secure tenants at the Visitors Pavilion in January, and this exercise is now complete.
- 1.37. L&Q recently distributed an updated resident guide with an FAQ to secure tenants and leaseholders. The guide provides information on tenancy, rent, service charge and shared equity for Plot 12. L&Q are carrying out several engagement activities for leaseholders, and they are holding shared equity information drop-in sessions for the leaseholders on 14 March and 16 March 2023 at the BXT workshop.
- 1.38. Once construction is complete the Whitefield Estate Part 2 residents will be moving to the new homes. The secure tenants are effectively moving at the council's request and as a result it has a potential duty to make statutory home loss and disturbance payments to these tenants where they qualify under section 29 of the Land Compensation Act 1973. The council can make such payments pursuant to the statutory provisions referred to in the Legal section, at paragraph 5.11.
- 1.39. Approval is requested from the committee to appoint Barnet Homes to administer the home loss and disturbance payments on the council's behalf. The payments will be made to 91 secure tenant households in Autumn 2024. The home loss payments prescribed amount is £7,800 for each household which totals £709k (excluding disturbance payments). This amount may be increased by the government from time to time, most recently in October 2022, and allowances have been made within the budget to cover additional increases. Any monies owed by tenants on rent arrears to the council will be deducted from the payments. The cost is recoverable from Related Argent, and it has been reflected within the CPO2 Whitefield Estate Part 2 Property Cost Estimate.

### **Critical Infrastructure being delivered by the council**

#### **Plots 53 and 54 - Relocation of the Whitefield Estate Part 1**

- 1.40. L&Q's contractor Bugler is continuing with the main construction works on Plots 53 and 54. The estimated completion of both plots has been delayed to Autumn 2023. Bugler and L&Q have reported several construction issues which have led to the overall programme delay mainly related to interfaces with utilities companies and poor weather conditions.

- 1.41. L&Q has sent letters and FAQ to the affected residents to inform them about the delays, and drop-in information session took place in early March at the Brent Cross Town Workshop.
- 1.42. Despite the overall programme delay, works are progressing well on the buildings. On Block B (Plot 53) the roof planks are now complete, and they have also screeded the roof with water proofing. Internally, the contractor has completed the metal stud walls and have commenced first fix works. On Block C (Plot 54) roof slabs are also complete, roof screeded, and water proofing works are due to commence shortly.



Internal fit out underway on plots 53/54 (Feb 2023)

### **Whitefield Estate Low Rise Demolition**

- 1.43. Following completion of plots 53 and 54 and rehousing of residents, the demolition of the low-rise Whitefield Estate is programmed to commence. These works sits within the government grant funded package of infrastructure and is a responsibility of the council. Through the Integrated Programme Management Office, it has been identified that BXSLP may be best placed to manage these works. There are several benefits to this approach including;
- Supply chain mobilised and familiar with the development area having undertaken demolition of the Claremont Industrial estate.
  - Security and logistics in place as part of wider development.
  - Site will be handed over the BXSLP post demolition – this approach removes additional handback / handover of land.
  - Easier to integrate programme with other BXT works and minimise disruptive works such as utilities.
- 1.44. The Brent Cross South Project Agreement includes a clause that allows the council to request BXSLP to undertake these works, subject to agreeing a side agreement. Initial discussions have been held and scope documents and governance practices are being developed. The committee is therefore requested to note the approach to request BXSLP to undertake the works related to demolition of the low-rise Whitefield Estate and, if agreed, to delegate to the Chief Executive in consultation with the Chair to finalise and enter into the required legal agreement to deliver the works.

### **New Waste Transfer Station**

- 1.45. McLaughlin & Harvey have completed the RIBA Stage 3 design for the replacement Waste Transfer facility at Geron Way, incorporating the selected options from the value

engineering review. The price and programme to develop this design to RIBA Stage 4, construct and hand over into operation, is due by the end of March 2023. This will provide the Council with the required information to issue the Notice to Proceed to Stage Two of the Main Works Design & Build Contract, should the council choose to do so.

- 1.46. Since closure of the Hendon Waste Transfer Station, waste operations have been moved on a temporary basis to an alternative site in Wembley. North London Waste Authority have proposed this could be used as a more longer-term solution, and a workstream has been ongoing to review if this could be a viable option for Barnet.

### **Hendon Waste Transfer Station**

- 1.47. As reported to the committee in January, the former Hendon Waste Transfer Station (HWTS) has been vacant since being procured by the council as part of the purchase of Network Rail land to facilitate the train station development. The environmental agency has confirmed that the environmental permit which covers the site has now been surrendered and the council are now free to implement the strategy for demolishing and clearing the site, as approved at the committee in January.

### **Highways Works**

- 1.48. 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.
- 1.49. 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 / Geron Way widening and improvements (Construction)
  - Brent Terrace north improvements (Construction)
  - Tilling Road / 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).

### **Brent Terrace North Improvements**

- 1.50. The project team are working closely through the Integrated Programme Management Office to co-ordinate improvement works to Brent Terrace North ahead of this route being re-opened as a through route from Claremont Park and Brent Terrace South. Improvements will be made to the highway and footways with improved crossing provision. These works will be undertaken by TKJV through the councils framework and will be complete ahead of station opening.

### **164-168 Cricklewood Broadway**

- 1.51. The Outline Business Case for the proposed use of the site at 164-168 Cricklewood Broadway was submitted to and approved by this committee in January. Future updates on this initiative will be reported through the Town Centre team with more detailed designs expected towards the end of 2023.

### **Land / CPO Matters**

## **CPO 1 - Whitefield Estate Part 1 (low rise houses/blocks)**

- 1.52. The council has sent communications to the remaining 5 freehold / leaseholder interests about the upcoming CPO vesting dates. The Council's property advisers have also undertaken a door knocking exercise to follow up on communications, and negotiations with these owners. The CPO vesting date is the date upon which the Council can take possession of the remaining freehold/leasehold interests, and falls in May 2023. The council is seeking to acquire the properties which are investor owned and possession will be taken on or around the vesting date with vacant possession. The units will then be either temporarily let to property guardians until required for demolition or boarded up if unsuitable for temporary letting.

### **Shared Equity Memorandum of Agreement**

- 1.53. The remaining 3 owner occupiers in Whitefield Estate Part 1 have indicated an interest in acquiring a shared equity property on Plot 54 and progress is being made with L&Q on the allocation of new homes to these owners.
- 1.54. As approved in the Whitefield Estate Delegated Powers Report (dated 05.01.23), the Council will allow residents who wish to take up a shared equity property on Plot 54 the ability to remain in their existing property after the vesting date under the terms of a temporary licence/lease, until their new home is made available. In addition, the council is likely to be required to enter into a Memorandum of Agreement/Understanding with the owner and L&Q on the terms to acquire the existing property and outline details of the onward purchase of the new property on Plot 54.
- 1.55. The committee is therefore requested to delegate authority to Brent Cross Programme Director to finalise and approve the relevant legal documents such as Memorandum of Agreement/Understanding with an owner-occupier/L&Q on terms to acquire existing property and roll-over value into new Shared Equity property on Plots 12 and 54. This recommendation also applies to the Whitefield Estate Part 2, as the leaseholders opting for shared equity will also be required to remain in the vested properties until the homes are available to move into.
- 1.56. Where terms cannot be agreed with owner occupiers to move to Plot 54 and Plot 12, the Council will take possession of these units on or around the vesting date and either board up or temporary let the property to guardians ahead of demolition.
- 1.57. The council has served further CPO Notices of Intention to Enter (NOITE) on Whitefield Estate Part 1 freehold/leasehold units to ensure any other occupiers in the properties will vacate at the time of vesting.
- 1.58. Barnet Homes is continuing to work with the non-secure tenant households in Whitefield Estate Part 1, where they have been assessing needs and making offers of alternative housing. They are working in tandem with HB Public Law to secure possession orders to ensure that vacant possession of this part of the Estate can be secured. It is anticipated the low-rise blocks and houses should be vacant by November 2023 to allow for the demolition of these properties in this part of the Whitefield Estate.
- 1.59. The council as part of its communications approach continues to provide correspondence for freeholders/leaseholders on the CPO process and updates on the website. Officers (and its strategic property advisors) Newsteer Real Estate remains

available to discuss details with the CPO acquisition process. L&Q are actively engaged with parties seeking to take a shared equity unit and the Resident Independent Adviser (RIA) is also available to freeholders/leaseholders on the process.

### **CPO 2 - Whitefield Estate Part 2 (high rise blocks)**

- 1.60. As previously reported, the CPO notices for this part of the estate are due to vest with the Council over March / April 2024. Newsteer are negotiating with leaseholders / agents to secure agreements for sale. The council has implemented an Advanced Acquisition Scheme, whereby any leaseholder wishing to sell in advance of vesting can do so. Several leaseholders have expressed an interest in the scheme and Newsteer Real Estate is currently undertaking updated valuations on these properties.

### **Notice to Treat**

- 1.61. As part of the land acquisition strategy approved through Delegated Powers Reports on 25<sup>th</sup> March 2021, the council served Notices to Treat (NTT) in March/April/May 2021 on plots and parcels of land then needed for the scheme. The council is undertaking a review to assess whether all land subject to NTT is still required to assist with the delivery of Brent Cross Town.
- 1.62. Where NTT land is no longer required due to scheme updates and changes to strategy, the council will seek to withdraw NTT's and inform those with a land interest in the plots/parcels of land. It is prudent to ensure withdrawal of NTT's to landowners to clear up any uncertainty with compulsory acquisition and seek to limit potential future CPO costs around these plots/parcels of land.

### **Network Rail Land**

- 1.63. The council has entered into undertakings with Network Rail Infrastructure Ltd (NRIL) which enable it to drawdown land required for the scheme. The council is engaging on variations to existing land drawdown agreements, as well as securing additional land around Geron Way to regularise the land boundary between the planned Waste Transfer Site (WTS) and railway lines. There is a small slither of land owned by NRIL which is outside of the CPO which needs to be acquired for the WTS. The terms for the acquisition are being worked up with NRIL but as the land sits outside of the CPO it needs to be brought into the scheme. Once finalised the Brent Cross Programme Director will approve the required agreements to secure the NRIL land required for the WTS as per the scheme of delegation.

### **CPO Property Advice**

- 1.64. The council's CPO property advisers Newsteer Real Estate continue to negotiate terms on land acquired through the 3 CPO's. Agreements and compensation settlements will be agreed when terms are satisfactorily agreed. There still remains the possibility of claims being referred to the Upper Tribunal Lands Chamber for third party determination which will require both external surveyor/legal resource and cost to administer should references be made. The council's existing external consultant team are well versed in Upper Tribunal Lands Chamber process and will be engaged to assist the council should they be required. Funding remains available within the land budget should this be required.

### **Controlled Parking Zones**

- 1.65. As reported to the committee in January the approach to implementing parking restrictions in the area have been split into two phases with an Experimental Controlled Parking Zone (ECPZ) in the areas directly in the vicinity of the new station and Claremont Park, followed by a full Controlled Parking Zone (CPZ) covering the wider development.
- 1.66. The programme team have been working with colleagues within the Barnet parking team on the process for implementing the ECPZ which has included resident engagement and setting up the required permitting system for this area. Installation of road markings and signage have been completed and the ECPZ came into force on the 20 March 2023.
- 1.67. A dedicated [Parking page](#) has been developed at TransformingBX.co.uk and will be updated with the latest information as the programme is implemented.
- 1.68. Further engagement and consultation on the wider CPZ area will take place later this year, while the live feedback from the ECPZ will also play an important role informing the approach to a permanent CPZ on the roads it will cover.

### **TFL Bus Route Consultation**

- 1.69. As reported to the committee on the 16<sup>th</sup> November 2022, in June 2022 TfL started consultation on the Central London Bus Review. TfL are now consulting on proposed route changes to adapt and develop a bus network that connects people to and from the new Brent Cross West station, Brent Cross Town and other developments around Edgware Road.
- 1.70. The buses routes which are subject to the changes are: 102, 189, 210, 232, 266, 316, 326 and C11. The proposals are designed to be introduced over a period of time as the development expands, new roads are built, and people move into the area - with minimal disruption to current bus journeys.
- 1.71. Feedback can be provided directly to TfL through their website (<https://haveyoursay.tfl.gov.uk/brent-cross-bus-changes>). The website provides more detail on the proposed changes including maps and timetables for each route.
- 1.72. As well as the online survey, people will be able to submit their feedback by email, phone or attending one of the three planned consultation drop-ins held in the borough. Details on the drop-ins are also available on the TfL consultation website. The public consultation launched on Monday 6<sup>th</sup> March and closes Sunday 16<sup>th</sup> April.

### **Promoting skills employment and opportunities**

- 1.73. 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.
- 1.74. Social value teams across the development continue to support local schools and community groups. And over the coming months we will be increasing our communications activity around jobs and skills opportunities across our sites.
- 1.75. Skills, jobs and grant opportunities can also be found at [www.transformingbx.co.uk/opportunities](http://www.transformingbx.co.uk/opportunities)
- 1.76. Some highlights reported through the Employment and Skills team include;

- a) Brent Cross Town Contractor Galldris have reported Local labour now at 15.2% (Barnet) and 22.2% for the 3 home boroughs, with 6 Apprentices on site, all of whom will be retained and taken to other sites when Galldris finish at Brent Cross Town.
- b) Brent Cross Town Contractor Midgard have confirmed that both plots will generate 37 local jobs each for Barnet residents.
- c) Barnet officers joined Related Argent in a workshop with Sheffield Hallam University to begin to explore ideas for collaboration pre and post arrival at Brent Cross Town.
- d) We are planning to allow contractors from the Chase Homes development (Donoghues site) access to the E&S systems set up for Brent Cross Town to support delivery.

1.77. The team is continuing good work with focus in the upcoming year on;

- Continuous improvement of ESAPs, leading to more robust agreements with contractors.
- Creation of a comprehensive programme plan to frame future forecasting and reporting.
- Create and/or adopt a state-of-the-art reporting tool.
- Work more closely with Midgard to maximise their opportunities.
- Formalise plans and timetable to install Brent Cross Town Recruit.

### **Donoghue Site**

1.78. As reported to the committee on the 5<sup>th</sup> September, the PB Donoghue waste management site on Claremont Road has been sold to Chase New Homes, an independent housing developer. A detailed planning application has since been submitted on 26<sup>th</sup> October 2022 under planning reference 22/5238/RMA.

1.79. Since the last committee, updated plans and documents have been submitted by Chase New Homes in respect of the Reserved Matters application in response to requests by Officers. Amendments are mainly to the design of the facades of the buildings as well as internal layouts of flats.

1.80. The LPA will now undertake a period of further public consultation for two weeks on the amended information before seeking to report the application to Strategic Planning Committee. The earliest available meeting is the 29<sup>th</sup> March. In parallel to the application for the Donoghues site, Officers are also considering the Reserved Matters submission for the improvements to Millennium Green and are expecting some minor updates to the plans for this green space in response to comments from the Millennium Green Trust.

### **Brent Cross South Retail Park**

1.81. The Retail Park remains fully let.

1.82. Heads of Terms and the subsequent variation to the project agreement have been completed to provide the framework for bringing the Retail Park into the Brent Cross Town Joint Venture. Progress incorporating the Retail Park into the wider scheme will be reported to future meetings of the committee.

### **Brent Cross Shopping Centre**

- 1.83. There is no further update since the last meeting of the committee. Hammerson have communicated they are developing some plans to implement some minor improvements to the area surrounding the shopping centre.

### **Programme Terminology**

- 1.84. Brent Cross Town is part of the wider Brent Cross Cricklewood development, and while it is a major objective of the scheme, there are several other deliverables that form part of the comprehensive redevelopment of the area and are important to delivering the wider scheme benefits. Notably, the new Brent Cross West station as well as highway junction improvements already undertaken in Cricklewood sit outside of the delivery of Brent Cross Town.
- 1.85. Further to the above, it should be noted by the committee that the joint venture partnership between the council and Related Argent that is delivering Brent Cross Town is formally known as Brent Cross South Limited Partnership (BXSLP). Many of the legal agreements required to be entered into by the council are with BXSLP and therefore when delegations are required to enter into agreements the full legal entity will be referenced. In other instances where updates on progress are given, the name Brent Cross Town will be used to refer to the new town development.

## **2. Reasons for recommendations**

- 1.86. 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**

- 1.87. None in the context of this report.

## **4. Post decision implementation**

- 1.88. 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. Implications of decision**

### **1.89. Corporate Priorities and Performance**

- 1.90. The Brent Cross Town development will create 6,700 homes and workplaces for 25,000 people, set in around 50 acres of green parks and playing fields. Brent Cross Town will achieve net zero carbon by 2030 at the latest.

### **1.91. Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 1.92. The council has put in place procedures to ensure the effective monitoring of the financial performance of the Brent Cross Programme. The Brent Cross 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 Brent Cross 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 Brent Cross Programme.

- 1.93. The overall Brent Cross Programme position forms part of the Financial Monitoring Report being presented at this Housing & Growth Committee.

### **Land Acquisitions**

- 1.94. The approved budget is £65.962m. Cumulative spend to date is £59.156m. The current year forecast for 2022/23 is £4.311m.

### **Brent Cross Town Land Acquisitions**

- 1.95. The approved budget is £33.657m. Cumulative spend to date is £16.836m. The current year forecast for 2022/23 is £1.143m.

### **Brent Cross West Station**

- 1.96. The approved budget is £388.945m. Cumulative spend to date to is £327.280m. The current year forecast for 2022/23 is £41.329m.

### **Critical Infrastructure**

- 1.97. The approved budget is £55.9m. Cumulative spend to date is £46.654m. The current year forecast for 2022/23 is £9.280m.

### **DLUHC Grant Funding**

- 1.98. The total £416.573m grant has now been received (as of July 2022). The council continue to work with Department for Levelling Up, Housing and Communities (DLUHC) on closing off the DLUHC funded elements and will be updating further on the repayable element of the grant once income from the Brent Cross Town scheme starts to materialise.

## **Legal and Constitutional References**

- 1.99. The council's Constitution, Article 7.5, states that the functions of the Housing and Growth Committee includes responsibility for overseeing regeneration schemes and asset management.
- 1.100. The council is obliged by the development documents to enter into the proposed property transactions included in this report.
- 1.101. Section 32 (7b) of the Land Compensation Act 1973 (the Act) provides that where a landlord obtains possession by agreement of a dwelling subject to a secure tenancy within the meaning of Part IV of the Housing Act 1985 and - (a) notice of proceedings for possession of the dwellings has been served, or might have been served, specifying ground 10 or 10A in Part II of Schedule 2 to that Act, or (b) the landlord has applied, or could apply, to the Secretary of State for approval for the purposes of Ground 10A of the development scheme including the dwelling, or part of it, the landlord may make to the person giving up possession or occupation a payment

corresponding to home loss payment or discretionary payment which they would be required or authorised to make to him if an order for possession had been made on either of those grounds.

- 1.102. 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.

### Insight

- 1.103. None in the context of this report

### Social Value

- 1.104. As indicated in sections within this report, the Brent Cross programme will secure wider social, economic and environmental benefits.

### Risk Management

- 1.105. 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 the Brent Cross Governance Board. Currently the high-level risks and mitigations are summarised below:
- 1.106. **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.
- 1.107. **Station Delivery Date** – there is the risk that the station opening date may be delayed. The current programme forecasts completion of physical construction in early in 2023. There remains a risk of unforeseen delay due to cancelled railway possessions, industrial action, inclement weather etc. While the possession risk has been mitigated, railway possessions can, whilst unlikely, be cancelled due to unforeseen circumstances. The project team and Network Rail continue to work closely together to avoid, mitigate and/or manage the impact of possessions unavoidably lost. These are regularly monitored through both NR board and Rail operations assurance board.
- 1.108. **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.
- 1.109. **Brent Cross West delivery costs** – as with all major programmes there is the risk that costs will increase during programme delivery. As reported to previous committees the Brent Cross West 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 funding strategy has been developed and was approved by Policy & Resources Committee on 29 September 2022.

- 1.110. **Brent Cross West Station Operating Costs** – As part of the original station business case and grant agreement, it was agreed that the Council would take on the shortfall in 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. Discussions are ongoing with DfT on this topic.
- 1.111. **Resources** - 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 Brent Cross West delivery team comprises professionals used to working on the railway within Network Rail and are experienced in delivering large railway projects. 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.
- 1.112. **Economic Change** – 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 Brent Cross North and Brent Cross Town development partners are exploring/reviewing diversification of offer within the Brent Cross development area. Wider macro-economic shocks may also impact the residential and office markets in London.
- 1.113. **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. 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.
- 1.114. **Availability of Materials** – Costs and availability of materials following the impacts of the pandemic and more recently the war in Ukraine is having an impact on supply chains across the world. For elements of the scheme that are close to completion such as the Brent Cross West station this is less of an issue, however for those that have yet to start construction such as the new Waste Transfer Station the impacts may be

significant. The programme team continues to assess the changing situation and are taking a pragmatic approach, considering alternative materials where possible if lead times are becoming an issue

- 1.115. **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**

- 1.116. As previously reported, the Development Proposals support achievement of the council's Strategic Equalities Objective.
- 1.117. 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.

### **Corporate Parenting**

- 1.118. None in the context of this report.

### **Consultation and Engagement**

#### **Brent Cross Cricklewood programme-wide communications**

- 1.119. We continue to work with our delivery partners to ensure residents living in the development area are kept up-to-date on the project, are given clear and timely construction updates, and are aware of opportunities available to them from employment and skills, funding and new amenities.

#### **TransformingBX.co.uk and e-newsletters**

- 1.120. Since [transformingbx.co.uk](https://transformingbx.co.uk) launched in February 2020, to provide news and construction updates to residents, there have been over 61K unique users. In the last year alone there has been over 35k showing the growing interest in the development especially as we near closer to the completion of Brent Cross West.
- 1.121. Our [January e-newsletter](#) was sent to over 370 people covering the start of construction on new affordable homes, the unveiling of a new sustainable electrical substation at Brent Cross Town, construction vacancies and the Council's BarNET ZERO campaign.
- 1.122. Our [February e-newsletter](#) was sent to over 370 people and covered the Plot 19 consultation, the London Festival of Architecture community grant, Whitefield School's Good Ofsted rating and the introduction of the Experimental Controlled Parking Zone.

#### **Construction updates and Brent Cross Town community newsletter**

- 1.123. The latest three-month [construction update](#) was issued in December 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 the year. Our next construction update is due at the end of March 2023.
- 1.124. Brent Cross Town also distributed its [winter community newsletter](#) in December covering the latest updates on the development. Their next newsletter will be the Spring 2023 edition distributed in March 2023.

### **Good news stories from across the development**

- [Construction starts on new affordable homes at Brent Cross Town and new jobs created](#): We started the new year by announcing the first building to be constructed at Brent Cross Town will be a new affordable residential building. The building will create 120 new homes and will welcome Whitefield Estate residents late next year. The early delivery of affordable homes is a key part of our commitment to ensure that existing residents benefit first from our regeneration scheme.

Alongside this, construction is also progressing on the first homes to buy at Brent Cross Town. This new milestone will be bringing hundreds of new jobs and training opportunities to the area. In the construction of the buildings, up to 350 people will be working onsite at peak time, 20% of which will be recruited locally.

- [New substation and Lakwena artwork unveiled](#): In January, we unveiled, with our partner Related Argent, a new artwork at Brent Cross Town with impressive green credentials. The 21-metre-high and 52-metre-long permanent public artwork called 'Here we come, here we rise' was created by London-based artist, Lakwena in collaboration with architects, IF\_DO. Funded by central government, the public artwork wraps around a sustainable electrical substation which, in future, will power all of Brent Cross Town within its control from 100% renewables sources.
- [Sustainability across the Brent Cross Cricklewood regeneration programme](#): As part of the Council's BarNET ZERO campaign, we shared some of the ways that sustainability is at the heart of the regeneration programme. For example, Brent Cross Town plans to be net zero carbon town by 2030 at the latest and is aiming to achieve that through multiple ways. Some include using 100% renewable energy and having the largest air source heat pump installation in Europe to provide low carbon heating and hot water for all residents and businesses. Brent Cross Town are also allocating more green space in the area, creating an improved network of walking and cycling routes and adopting sustainable construction practices.
- [National Apprenticeship Week](#): In February we celebrated this year's National Apprenticeship Week by showcasing the multiple talents across the programme who we've had join us through apprenticeships or were apprentices beforehand. We hope their stories will encourage people to consider roles on the project as construction work continues.
- **Barnet Nightingales launches London's largest girls-only football coaching academy**: Barnet Nightingales, one of London's leading grassroots girls football teams, launched a unique coaching academy to provide girls with access to free football coaching. Brent Cross Town has sponsored Barnet Nightingales and enabled

it to establish the Community Training Programme, London's largest girls-only training programme from its home in Friern Barnet.

### **Community drop-in sessions and project inbox**

- 1.125. We continue to run a monthly drop-in session on the third Thursday evening of every month at the Brent Cross Town Visitor Pavilion. Teams from Related Argent, Barnet Council and L&Q are on hand to answer questions from residents in the local area (particularly those most impacted by construction). This is in addition to regular opening hours at the Visitor Pavilion where Welcome Hosts are available daily to answer questions about the programme.
- 1.126. We also host ad hoc drop-in sessions and meetings for residents around specific consultations or projects. In February and March, Related Argent held drop-in sessions to review the Plot 19 consultation boards. L&Q, Barnet Homes and the BXC project team are also hosting specific drop-ins for the Whitefield Estate residents as part of the future move to Plots 53 and 54 and Plot 12.
- 1.127. Both [community@brentcrosstown.co.uk](mailto:community@brentcrosstown.co.uk) and [transformingbx@barnet.gov.uk](mailto:transformingbx@barnet.gov.uk) also continue to be channels that residents contact us with any questions, requests or concerns about the project.

### **Consultations and engagement**

- **[New office building \(Plot 19\) plans revealed:](#)** In February we shared the design plans for the new office building (referred to as Plot 19) at Brent Cross Town. The Plot 19 consultation ran from 20 February to 5 March 2023. Once feedback has been reviewed, a Reserved Matters Application (RMA), will be submitted to Barnet Council's planning department (expected spring this year.)
- **[Brent Cross TfL bus consultation:](#)** Transport for London is proposing changes to some bus routes in the Brent Cross Cricklewood regeneration programme. The public consultation launched on Monday 6 March. The proposals are designed to adapt and develop a bus network that connects people to and from the new Brent Cross West station, Brent Cross Town and other developments around Edgware Road.
- **[Experimental Controlled Parking Zone in the Claremont Park area:](#)** We sent letters on 20 February to residents in Brent Terrace, Clitterhouse Crescent, Clitterhouse Road and a section of Claremont Road to inform them of the upcoming controlled measures coming into effect from 20 March 2023. The introduction of the Experimental Controlled Parking Zone has been a long-coming commitment from us to address increasing parking issues since the opening of Claremont Park, and to prevent further parking pressures with the redevelopment progressing. Further information on the consultation process will follow on 13 March. A wider CPZ is due to go out for consultation in April.
- **[Clitterhouse Playing Fields:](#)** We continue to meet with local resident groups around the plans for the Clitterhouse Playing Fields and share comments and questions with the local planning authority.

### **Press Coverage**

- 1.128. The new Lakwena artwork and electrical substation announcement generated national press coverage on local broadcast news on 19 January, including Good Morning

Britain (7am), ITV news (5.30pm) and BBC London news (6.30pm). Councillor Barry Rawlings, Leader of Barnet Council was also interviewed as part of the BBC news coverage.

1.129. As well as local broadcast, the substation unveiling was also featured in online and print media including the following outlets:

- [Evening Standard](#)
- [Architects Journal](#)
- [The Londonist](#)
- [UK Yahoo!](#)
- [London News](#)
- [London Live](#)
- [BCD Magazine](#)
- [Lighting Insight](#)
- [Tottenham Independent](#)
- [Dezeen](#)
- [It's Nice That](#)

1.130. The local Times newspaper series has carried several stories over the past couple of months about the project, alerting readers to events and announcements across the programme.

- [Construction begins on homes in Brent Cross Town](#)
- [Apprentices build a future](#)
- [Barnet set for new parking restrictions](#)

1.131. [The Evening Standard](#) also ran a feature on Sheffield Hallam University's campus (22 February) and Brent Cross Town was mentioned in the [MJ newsletter](#) (23 February) which covered the #BarNETZERO campaign.

## Environmental Impact

1.132. 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.

1.133. The new Town will be served by a new 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

- Housing and Growth Committee, 17 January 2023, Brent Cross Cricklewood Update Report

<https://barnet.moderngov.co.uk/documents/s75818/PUBLIC%20-%20BX%20HG%20FINAL%2017%20Jan%2023%201.pdf>