



HOUSING & GROWTH COMMITTEE

13th September 2021

Title	GRAHAME PARK PLOTS 10, 11 AND 12 COMPULSORY PURCHASE ORDER (CPO)
Report of	Chairman of Housing and Growth Committee
Wards	Colindale
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1 – CPO Plan, Appendix 2 recommendations, Dec. 2014 Full Council Appendix 3, recommendations, Sept. 2016 Assets Regeneration & Growth (ARG) Appendix4, future programme, Appendix 5 EQIA summary, Appendix 6 consultation summary
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Summary

At its meetings of December 2014 and Sept 2016 Full Council and Housing and Growth Committee (formally known as Assets Regeneration and Growth, ARG) agreed to make, seek confirmation and implement up to three separate CPOs for the acquisition of third party proprietary interests within Stage B (plots 10,11 and 12) of the Grahame Park development. The detailed recommendations of the committees are attached at Appendices 2 and 3 of this report. This report seeks to update members of the committee on the progress of the CPO, confirm the proposed future programme and agree the amended red line planning drawing at appendix 1. Amendments reflect key changes to the previous plan most notably the reduction in the northwest corner where all interests have been acquired and construction has already commenced. The use of Compulsory Purchase Orders is an option of last resort and will only be utilised where third party interests cannot be acquired through private treaty negotiations.

Officers Recommendations

1. That the Housing & Growth Committee agrees to adopt the amended red line boundary attached at Appendix 1.

2. That the Housing & Growth Committee notes the progress made to date, the previous decisions and the CPO programme going forward.

1. WHY THIS REPORT IS NEEDED

- 1.1 In January 2001 the council embarked upon a scheme for the regeneration of the Grahame Park Estate (“the Estate”) which aimed to transform it into a thriving, mixed tenure community with improved transport links and enhanced community facilities, delivering LB Barnet and London Plan policy aspirations. On 30th January 2007 the Council entered into a Principal Development Agreement (PDA) with Choices for Grahame Park (CFGP) a special delivery vehicle (SDV) created by Genesis Housing Association (GHA) to deliver the regeneration. GHA later merged with Notting Hill Housing Association to form Notting Hill Genesis (NHG) which still retains CFGP as SDV for Grahame Park. The PDA divided the scheme into two stages, A and B
- 1.2 Given the lengthy construction programme to deliver the scheme in its entirety, on 14th December 2014, the Cabinet Resources Committee resolved in principle, to the making of up to three separate CPOs in order to safeguard the delivery of the Concourse plots in the event that the Council and CFGP are unable to acquire all third party proprietary interests and/or rights in the land through private negotiations within required timescales.(Appendix 2 refers) Further to this on September 16 2016 the Council’s Assets Regeneration and Growth committee agreed further CPO recommendations (Appendix 3 refers)
- 1.3 Stage A, comprising 685 new homes, was partly delivered prior to the economic downturn and substantively completed in July 2018 and, following a previously rejected planning application, the current new scheme was approved at Planning Committee on March 2 2020 and the Decision Notice issued July 31 2020. The scheme is for the phased redevelopment of the existing buildings to deliver 2,088 new homes, up to 5,950 sqm of flexible non-residential floorspace (including replacement community facilities) and significant public realm and open space improvements. The planning application was detailed for the first 209 homes (Stage B Plot A) with the rest in outline (so requiring further detailed design and Reserved Matters planning consent).
- 1.4 Following successfully achieving vacant possession through negotiation of the first demolition phase (Noel, Nimrod, Nicholson and Nighthawk – 113 residential units), CFGP appointed Squibb Group as demolition contractor in October 2020 to demolish the buildings to enable the construction of the first new homes at Stage B Plot A. Physical demolition works started soon after the contract was signed and the blocks have now been demolished to ground level and are finalising ground works to prepare the land for construction(including service disconnections and diversions).

- 1.5 Following the procurement process for a contractor for Plot A CFGP appointed Wates Construction Ltd under a Pre-contract Services Agreement (PCSA). Wates are a Tier 1 contractor with a strong reputation for delivering a high-quality product and are regeneration specialists. Wates also have a strong track record in delivering wider social value and have offered a comprehensive package of benefits for local residents – particularly around employment and training. Following the appointment of Wates there has been a period of design development (with a non- material amendment to the Plot A application being submitted June 9 2021) and programming of the submission of planning conditions and other statutory notices before works start. Works are currently anticipated for March 2022. The new homes will then be available to move into from February 2024.
- 1.6 Plot A will consist of 209 new homes, of which 60 will be social rent/affordable rent and be made available initially to rehouse the remaining 27 secure tenants within Plots 10, 11 and 12 of Stage B. On June 29 2021, following consultation with the remaining secure tenants, the Secretary of State approved the use of Schedule 2 of the Housing Act 1985 regarding the proposals to rehouse the remaining secure tenants (grounds 10a)
- 1.7 To ensure CFGP are able to move forward with the next phases of the regeneration once Plot A is complete and the remaining secure tenants rehoused, NHG have already committed to progress a Reserved Matters Application (RMA) for the next plots of Stage B. The next phases of the RMA will cover circa 375 homes (known as Plots K and H) – including affordable, private sale and private rented (via Folio – NHG’s own specialist provider). The RMA phases will also deliver a number of community uses – including replacement community centre and housing management office – as well as new commercial spaces and a realigned Bristol Avenue. CFGP appointed a high -quality design team earlier this year (led by Patel Taylor Architects) and plan to submit the planning application in early in 2022 with a likely committee date later in the year and post -election. During the design and planning process, there will be a range of opportunities for residents and stakeholders to engage with, and feed into, the design process. The first of these resident- focused consultation events took place in the recently launched community hub on August 20 and further events are planned leading up to RMA submission
- 1.8 To support the overall delivery of the programme, the Council, Barnet Homes and CFGP are working together to secure vacant possession to enable the next phases of the scheme to commence in sequence soon after Plot A is completed.
- 1.9 In order to enable the demolition of the remaining areas within Plots 10, 11 and 12 of Stage B there are a number of remaining interests to be acquired. The Council and CFGP commenced negotiations for acquisition of all third -party proprietary interests through private treaty in 2016. Within Plots 10, 11 and 12 there are 517 residential units remaining following the demolition of 113 units and 31 non-residential units of which 25 units were identified as third- party proprietary interests (i.e. interests held by parties other than the Council).
- 1.10 In terms of residential leaseholders, negotiations have proven successful and across the entire Plots 10, 11 and 12 area there now remain 14 residential leaseholders (out of an original 63). Of these, 6 are resident homeowners and 8 are landlords. Negotiations are ongoing with the remaining residential leaseholders who are offered home-loss and disturbance payments and to cover the cost of a surveyor.

Residents homeowners who were on the estate at the time of the ballot in 2003 are also eligible for Shared Equity. The Shared Equity offer is designed to enable homeowners to purchase a new home of a greater value than their existing home either within in the regeneration area or elsewhere. Residents need to invest the full market value of their existing home as well as the home loss payment. If a homeowner wants to purchase a new property being built on the estate then they need to purchase at least 25% equity or if they want to purchase a property elsewhere within the UK on the open market then they need a minimum of 50% equity on a property up to £600,000. There is no rent to pay on the proportion of the property they don't own. The new home is to have the same number of bedrooms as the current home but could be larger if the current home is too small for the household.

- 1.11 There are 27 secure tenants remaining who will be offered the opportunity to move into the new homes on Plot A - the mix of which has been designed to meet the needs of the remaining secure tenants. These new homes will be on a social rent basis (i.e. rent set on the same way) and the new tenancy will be with NHG on a tenancy that is broadly the same as a Council tenancy (including the retained Right to Buy). NHG have also offered other existing homes they have in the area to Secure Tenants on the same basis. Secure tenants can also remain Council tenants.

There are approximately 325 non-secure residents remaining that are managed by Barnet Homes. A small number of homes are being let via guardian schemes or void.

- 1.12 For the 26 non-residential units, 4 are vacant and 21 are third party interests where most are either licensed or on contracted out lease terms with the Council being able to obtain vacant possession with 6 months' notice either way. Effective management by the Council should continue to ensure that any necessary notices and actions under Landlord & Tenant powers are integrated within the overall project programme. One of the remaining interests is the health centre which is leased to the CCG and who are due to relocate shortly to the Colindale Gardens development.
- 1.13 Therefore, in order to secure the delivery of the scheme, the Council has made a resolution in principle for it to exercise compulsory purchase powers where necessary. Negotiations with residential leaseholders and other interests are ongoing and the power to compulsorily acquire third party proprietary interests would only be exercised as a last resort in the event that those interests cannot be obtained by private treaty. It should be noted that the Council achieved vacant possession of the land required to deliver Stage A and Plot A without the need to exercise compulsory purchase powers.
- 1.14 However, in order to ensure that CFGP can meet the programme set out above, the CPO process will need to run in parallel with continuing negotiations they have appointed Avison Young to assist both CFGP and LB Barnet in project managing the development and delivery of the site assembly strategy including CPO.
- 1.15 Avison Young in consultation with HB Law has advised that the Council should use its compulsory purchase powers under s.226 TCPA 1990 and consider that there is a reasonable planning policy basis to justify use of these powers. All outstanding third party residential and commercial interests within the site are to be included within the CPO. Having reviewed the development programme and vacant possession and rehousing programme, Avison Young have proposed that a single CPO to assemble the site is the

preferred route. It is proposed that the Order is made early in the new year. As part of the preparation of the Order there will be a land referencing exercise undertaken. Whilst Rights of Light will be dealt with by appropriation, CPO legislation requires beneficiaries of Rights to Light to be included within Table 2 of the Order so they will be included within the land referencing exercise.

2 REASONS FOR RECOMMENDATIONS

- 2.1 The CPO is required to provide certainty with regard to the demolition and delivery of this next phase of regeneration (including the Concourse area). Without a Compulsory Purchase Order as a 'backstop', it would be very hard to assemble the site through private treaty negotiations within the programme required. The Council is obliged under the terms of its Development Agreement with NHG to progress the CPO for Grahame Park.
- 2.2 Further work on how the scheme will be delivered has necessitated a number of minor amendments to the order red line, showing the area of acquisition by the order,(including removal of the area now demolished). The new red line (appendix 1) should be formally endorsed by the committee.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The only alternative to seeking Compulsory Purchase powers would be to seek to acquire the properties and interests required to progress the scheme by private treaty. Without a Compulsory Purchase Order as a 'backstop', it would be very difficult to assemble the site through private treaty negotiations within the programme required and would pose a major threat to delivery of the scheme.

4 POST DECISION IMPLEMENTATION

- 4.1 The indicative forward programme is attached at Appendix 4. It is intended that the Order is made early 2022.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 With the renewed emphasis on delivering a successful regeneration scheme, the Council's vision is:
 - To ensure that Grahame Park becomes integrated with its surroundings by changing the physical and social environment.
 - To promote access to healthier living standards for the residents, therefore, making Grahame Park a place where residents want to live.
 - To promote a safer neighbourhood by reducing the high levels of crime and antisocial behaviour.
 - To ensure that the new development is governed by the principles of the Council's vision statement for the estate and designed to a high standard.
 - To ensure that residents play an active role in the regeneration process and in the long-term future of the development.

5.1.2 The Corporate Objectives

The Grahame Park Regeneration Scheme supports The Barnet Plan 2021-2025 which sets out the council's vision to make Barnet a great place to live work and visit. It focusses on four priorities over the next 4 years to realise this vision:

- Clean, safe and well run: A place where our streets are clean and anti-social behaviour is dealt with so residents feel safe. Providing good quality, customer friendly services in all that we do
- Family friendly: Creating a Family Friendly Barnet, enabling opportunities for our children and young people to achieve their best
- Healthy: A place with fantastic facilities for all ages, enabling people to live happy and healthy lives
- Thriving: A place fit for the future, where all residents, businesses and visitors benefit from improved sustainable infrastructure & opportunity

5.1.3 The regeneration also complies with strategic objectives in the **Council's Housing Strategy 2019 – 2024** which was updated to incorporate Barnet's proposed approach to housing reform. These changes include:

Increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and promoting mixed communities and maximising opportunities available for those wishing to own their home.

5.1.4 Growth Strategy

The Growth Strategy 2020-2030 sets out how the council will offer greater local opportunities, create better places, encourage more active lifestyles and over time increase the health and well-being of Barnet's residents. The Strategy sets out five goals:

- A growing borough – Delivering more homes that people can afford, ensuring that communities across the borough get a 'growth benefit' from investment. This theme also prioritises creating new jobs for people of all ages, backgrounds and skills levels.
- A connected borough - working with private providers to tackle digitally excluded areas, and with every council home in the borough having access to fast, affordable broadband by 2023. Delivering new and enhanced public transport connections and healthier street design.
- An entrepreneurial borough - supporting businesses, including microbusinesses, to thrive and to adapt to the opportunities of the economy after the pandemic – making Barnet the best place to be a small business in London.
- A borough of thriving town centres - diversifying the role of town centres, encouraging a broad mix of uses, delivering new housing and creating an environment in which businesses can succeed.
- A great borough to live in and visit - delivering social infrastructure to support growth, getting the best out of the borough's green assets, growing the visitor economy and creating a broader canvas for creative industries.

5.1.5 The regeneration scheme also complies with strategic objectives in the Council's Housing Strategy 2010-2025 which include:

- Increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and promoting mixed communities and maximising opportunities available for those residents wishing to own their own home.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, sustainability)

5.2.1 The Council has agreed the terms of a Compulsory Purchase Order Indemnity Agreement (CPOIA) with CFGP. Under the terms of the CPOIA CFGP is required to cover all of the Council's costs in relation to the preparation, making, confirmation and implementation of up to three Compulsory Purchase Orders. These costs include the purchase price or any compensation for any land or interest which the Council has to acquire either pursuant to the Compulsory Purchase Order or in consequence of the service of valid blight notices, including all payments made pursuant to the Compulsory Purchase Act 1965 and the Land Compensation Acts 1961 and 1973; any statutory interest payable and the Council's reasonable and proper internal and external costs including legal and surveying and other professional costs are also covered by the indemnity agreement

5.2.2 As all CPO costs – including land acquisitions, legal costs and staff time – are covered by the CPO Indemnity Agreement, there is no financial risk to the Council

5.3 Legal and Constitutional References

5.3.1 The Council has the power through various enactments to make Compulsory Purchase Orders and to apply to the Secretary of State for confirmation of those orders. The Management of Asset, Property and Land Rules with the Council Constitution, outlines the governance structure within which the council may acquire, lease, act as landlord, licence, develop, appropriate, change use of or dispose of Assets within its Asset Portfolio. In addition it states that the Council may delegate responsibility to Authorised Service Providers to manage the Council's Asset Portfolio on its behalf in accordance with specific rules, and in accordance with any approved scheme of delegation maintained by the Council and published on the Council's website.

Town and Country Planning Act 1990 Powers

5.3.2 Section 226 (1) (a) of the Town and Country Planning Act 1990, (as amended by the Planning and Compulsory Purchase Act 2004), provides that a local authority shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area if they are satisfied that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. However, the power must not be exercised unless the authority thinks that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of their area. The compulsory acquisition of third party proprietary interests and/or rights in the CPO land will enable the delivery of Plots 10, 11 and 12 in accordance with an agreed programme and will provide certainty with regard to land assembly and the implementation of the

Scheme. The ability to deliver Plots 10, 11 and 12 will enable the Council and GHA to progress the delivery of future phases and the Scheme in its entirety.

- 5.3.3 The maximum area in which CPO(s) are to be made is shown on the redline drawing attached at Appendix 1. The order land largely comprises estate properties, open space and commercial properties within The Concourse
- 5.3.4 Following further and more detailed design, construction planning and other scheme preparatory work, the plan at appendix 1 represents the maximum boundary and identification of properties needing to be acquired for delivery of the scheme. In addition, in order to deliver the scheme on land inside the red line, additional properties outside the redline may be affected, eg for crane oversailing or rights of light impact but will not need to be acquired. Detailed professional land referencing and title investigation will shortly commence, and this will allow refinement of the plan prior to an order being made.
- 5.3.5 Once detailed design of the scheme buildings is carried out for the reserved matters application, the rights of light impact assessment (ROL) will be undertaken and any impact on individual rights of light will be resolved via appropriation, as has previously been agreed.
- 5.3.6 Similarly, once construction planning has been progressed, any crane oversailing outside the red line boundary will be identified and included within the order.
- 5.3.7 The requirements of compulsory purchase legislation require the crane oversailing rights and beneficiaries of ROL to be identified within the compulsory purchase order schedule, and the owners of those rights to be formally notified if the ROL exist at the date of making the CPO. The project team will ensure that it is clear to these property owners that no acquisition of the property is required to deliver the scheme
- 5.3.8 The following key changes have been made since the previous plan annexed to the 2016 ARG report:
- The CPO acquisition boundary has reduced in the northwest corner as this area represents "Plot A" in which all required interests have been acquired and construction has already commenced.
 - The boundary has increased to the west into the park to incorporate buildings identified by Avison Young, and to include Lanacre ave, both of which may be affected by construction. This will be refined following detailed land referencing work.
 - There are also minor amendments to the boundaries of the whole site to capture areas included within the planning boundary which were not included within the previous CPO boundary. This will be refined following detailed land referencing work.
- 5.3.9 In using the enabling powers pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, the Council is using the most specific powers available to it for the purposes of the redevelopment of the Grahame Park estate properties required to deliver Stage B.
- 5.3.10 Government guidance on the use of compulsory purchase powers is set out in "Guidance on Compulsory Purchase Process and the Crichel Down Rules for the disposal of surplus

land acquired by, or under the threat of, compulsion” The current guidance dated July 2019 updates the previous guidance of February 2018. The guidance states that compulsory purchase orders should only be made where there is a compelling case in the public interest.

5.3.11 In resolving to make CPO(s) the Council has had full regard to the MHCLG CPO Guidance. The regeneration of the Grahame Park Estate provides a compelling case for the making of the CPO. The existing housing stock is outdated and does not meet current environmental and building standards. The Grahame Park regeneration proposals will improve the economic and social well-being of existing and future residents through the creation of training / job opportunities (e.g. during construction phases of development), updated housing stock, proposals for a health and children’s centre and community centre and improved transport links. Vacant possession of each phase will be required in advance of its implementation.

Human Rights

5.3.12 The Human Rights Act 1998 requires (amongst other things) that every public authority acts in a manner which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”). The following parts of the Convention are relevant to the Council’s exercise of its compulsory purchase powers:

Article 1 of the First Protocol – the right to peaceful enjoyment of possessions;
Article 8 – respect for private and family life and home.

5.3.13 A decision to make CPO(s) must strike a fair balance between the public interest in the regeneration of the land and interference with private rights. Bearing in mind the fact that the exercise of compulsory purchase powers is a statutory process, the provisions for compensation to be paid to those affected and the compelling case in the public interest for the regeneration, it is considered that the interference with private property rights is necessary, proportionate and strikes a fair balance towards meeting the Council’s objectives.

5.3.14 Those affected by the CPO(s) will be informed and advised of their right to make representations to the relevant Secretary of State, to be heard at public inquiry and of a fair entitlement to compensation (where applicable). Throughout the process the Council will ensure that rights of individuals are protected in line with Article 6: right to a fair hearing.

5.3.15 The Council’s Constitution outlines the terms of reference of the Housing and Growth Committee which includes: to develop and oversee a Regeneration Strategy; develop strategies which maximise the financial opportunities of growth; oversee major regeneration schemes including those of key social housing estates; and all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

5.3.16 The Constitution also sets out specific terms of reference relating to land disposals. The Management of Asset, Property and Land Rules govern how the Council may acquire, lease, act as landlord, licence, develop appropriate, change use of, or dispose of assets within its asset portfolio. Specific aims of the Management of Asset, Property and Land Rules outline how to apply the terms of reference.

5.4 Insight

- 5.4.1 The Council's Housing Strategy and emerging 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%. The delivery of new affordable rented homes will help to meet the objective in the Council's Housing 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.
- 5.4.2 Barnet's Health and Wellbeing Strategy recognises the importance of access to good quality housing in maintaining Well-Being in the Community. 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.

5.5 Social Value

- 5.5.1 As indicated in sections within this report, the Grahame Park regeneration project will secure wider social, economic and environmental benefits.

5.6 Risk Management

- 5.6.1 The delivery of the Scheme is dependent upon the ability of the Council and NHG to acquire all third-party proprietary interests in the land and/or rights over the land.
- 5.6.2 The Scheme is to be implemented in accordance with an agreed phasing plan. In order to ensure Scheme viability (and delivery) the commencement and completion of each phase has to occur within a defined timeline. Both the Council and NHG are committed to continuing negotiations with third party interests with a view to acquiring their interest in the land by way of private treaty. However, in the event that negotiations become protracted any delay to the completion of the land assembly process will pose a significant risk to the delivery of the Scheme.
- 5.6.3 Whilst it is hoped that all proprietary interests can be acquired by negotiation, the Scheme cannot proceed with the risk that negotiations may not prove successful in all cases. If confirmed by the Secretary of State, the CPO(s) will secure the delivery of Plots 10, 11 and 12 of the Scheme.
- 5.6.4 The land assembly exercise is also dependent upon tenants relocating from their existing properties to other suitable alternative premises within an identified construction timetable. Any delays in achieving vacant possession could risk the deliverability of the scheme. Plot 10 is a cleared site. Revised Ground 10A approval has been received from the Secretary of State for the relocation, to facilitate development, of the remaining secure tenants in plots 10, 11 and 12 of Grahame Park regeneration scheme under Part V of Schedule 2 to the Housing Act 1985. In the first instance officers will seek to rely on that approval to obtain vacant possession of properties occupied by secure tenants. In order to further mitigate this risk, it is also proposed that all tenures, including premises

occupied under a secure tenancy on the estate, would be included within the proposed CPOs for the Scheme.

CPO Indemnity Agreement

- 5.6.5 Costs incurred by the Council relating to the compulsory purchase process (including compensation payments and claims arising from blight notices) will be met by NHG in accordance with the CPO Indemnity Agreement (“CPOIA”). The Council – through Re – has procedures in place to monitor costs against the agreed estimate. Costs will be approved by both NHG and Re.
- 5.6.6 Once CPO(s) have been made, the Council will be exposed to potential blight claims from owners of properties included within the CPO areas. The CPOIA will indemnify the Council against any payments made following a blight notice.
- 5.6.7 If confirmed by the Secretary of State, CPO(s) must be implemented within three years with the date of taking possession being extended a further three years (making a total of six years) by the service of Notice to Treat and then a Notice of Entry on the proprietors of the relevant interests.
- 5.6.8 The Council and NHG are confident that the regeneration of plots 10, 11 and 12 is viable and remain committed to the delivery of the Scheme in its entirety.

5.7 Equalities and Diversity

- 5.7.1 The Council is committed to improving the quality of life and wider participation for all in the economic, educational, cultural, social and community life of the Borough. The Grahame Park Regeneration Scheme will provide a mix of affordable and private sale properties and other uses (including community and commercial). The new mixed tenure housing will improve the community cohesion in an area with a highly diverse population. It will provide increased choice and opportunity for Barnet residents. This supports the overall aim of the Council’s Equalities Policy and the Council’s duties under the Equality Act 2010.
- 5.7.2 At present the Grahame Park Estate does not reflect a mixed and balanced community, with a heavy bias towards social rent. The regeneration proposals seek to address this imbalance through the delivery of a range of residential tenures across the site e.g. private housing, a new range of intermediate housing, wider range of unit sizes across all tenures and 10% of all residential units meeting Wheelchair Standards. The Scheme seeks to improve the demographic of the Estate to provide a step change in the levels of social inclusion to create a sustainable, mixed and cohesive community.
- 5.7.3 The public sector equality duty under section 149 of the Equality Act 2010 (“PSED”) requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. ‘Protected characteristics’ are: sex, race, disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment.

- 5.7.4 The Council is aware that within the Grahame Park estate there may be residents for whom English is a second language. The Council will offer a translation service when sending out CPO literature; additionally all those affected will be advised to seek independent legal advice so they fully understand the CPO process.
- 5.7.5 All owners and/or residents within the CPO boundary will be affected by the Compulsory Purchase Orders. There is a comprehensive resident offer for secure tenants and leaseholders as set out in the report. The Council and its partners will endeavour to reduce this effect by extensive consultation. Consultation has and will continue to be undertaken with the residents and wider community to ensure that the Scheme reflects local needs. In this regard, the Council and GHA appointed an Independent Resident Advisor to work with the residents on the estate. A Partnership and Residents Board has been established to discuss the regeneration proposals with the Council and its partners.
- 5.7.6 Having had due regard to its duty under the Equality Act 2010, the Council is confident that the delivery of the Scheme will contribute towards the social, economic, educational and cultural improvements for existing and future residents. It will also increase levels of social inclusion within a mixed and diverse community.
- 5.7.7 An Equalities Impact Assessment was undertaken by CFGP and included as part of the planning application. A summary is attached at appendix 5. This will be updated as the CPO progresses. However, the one submitted for the planning application still presents a correct picture and doesn't need further up - dating at this time.

5.8 Corporate Parenting

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

5.9 Consultation and Engagement

- 5.9.1 There has been a significant amount of public consultation since the original ballot was held in 2003. This has included consultation on the original outline planning permission and subsequent planning applications; the Grahame Park SPD and on the previous refused scheme for Plots 10, 11 and 12 which took place in June and November 2016 and June 2017. More specifically the following consultation events have taken place over the past 5 years in relation to Plots 10, 11 and 12 which includes:
- Initial consultation event for the preparation of the Grahame Park SPD with correspondence advising residents of consultation events on 18th, 19th and 21st February 2015;
 - Ground 10A Information evenings (11th and 14th November 2015) and correspondence advising secure tenants of the proposals and seeking their views (letter dated 7th December 2015)
 - Consultation on the Draft Grahame Park SPD and correspondence inviting residents to consultation events on 17th, 18th and 20th February 2016 and how to comment on the draft SPD;
 - CPO Surgery on 9th November 2016 with residents informed by letter including advice on the CPO process and what to do if they require further information.

- Consultation with local residents and the wider community at each stage of preparing the 2020 planning approval, including 4 drop-in consultation events (March and May 2019) and an exhibition at the Grahame Park Festival (July).
- Details of feedback and consideration of comments in the final design are captured in a comprehensive Statement of Community Involvement submitted with the application.

Consultation has and will continue to be undertaken with the residents and wider community to ensure that the Scheme reflects local needs. In this regard, the Council and CFGP appointed an Independent Resident Advisor to work with and support the residents on the estate. A Partnership and Residents Board has been established to discuss the regeneration proposals with the Council and its partners. There are also quarterly newsletters sent to all residents on the estate. NHG also provide a significant social economic programme which also support residents on the estate which includes the recent opening of a community hub on the concourse in the Old Library.

5.9.2 A summary of consultation submitted with the hybrid planning application is attached at appendix 6

6.0 BACKGROUND PAPERS

6.1.1

[Agenda for Council on Tuesday 16th December, 2014, 7.00 pm \(moderngov.co.uk\)](#)

[Agenda for Housing and Growth Committee on Monday 5th September, 2016, 7.00 pm \(moderngov.co.uk\)](#)