

**THE LONDON BOROUGH OF BARNET  
(WEST HENDON REGENERATION AREA)  
CPO No 1 2014**

SUMMARY OF STATEMENT OF EVIDENCE OF MARTIN COWIE

PLANNING INSPECTORATE REF: [APP/NPCU/CPO/N5090/74016]

## 1. INTRODUCTION

1.1 My name is Martin Cowie and I am the Assistant Director – Strategic Planning, Regeneration and Transport employed by London Borough of Barnet and Re, its joint venture partner

1.2 My summary will briefly address:

- Why and how the Regeneration Project was conceived;
- Why the Regeneration Project is so important to LB Barnet;
- Overview of progress on Regeneration Project;
- Justification for the Order;
- Providing for affected parties;
- Approach to negotiations;
- Response to objections;
- Conclusions

## **2.0 Why and how was the Regeneration Project conceived?**

- 2.1 The Regeneration Project came into being as a result of a number of key factors including the Borough's corporate priorities, the Decent Homes programme, environmental considerations and the need to secure longer term, viable and sustainable change in the locality.
- 2.2 In July 2001, the Department for Communities and Local Government launched the Decent Homes Programme, requiring local authorities to ensure that their housing stock offers residents the opportunity of a decent home and promotes social cohesion, well-being and self-dependence. The Council considered that merely bringing existing homes up to the Decent Homes standard on its four largest estates would fail to address the wider and more fundamental problems they faced including high levels of deprivation, poor layout and design, environmental degradation, lack of integration with local area and long term sustainability.
- 2.23 The Council recognised that it did not have the capacity to deliver the Regeneration Project without external assistance. It therefore embarked on the process of procuring a partner to secure the delivery of the Project.
- 2.24 The Council selected its preferred development partner in June 2002 following a ballot with residents when 75% voted in favour of progressing the Regeneration Project.
- 2.25 In June 2002 the Council selected the West Hendon Consortium (Metropolitan Housing Trust (MHT), Lovell Partnerships and Bellhouse Joseph) as its development partner to undertake regeneration proposals for West Hendon. In May 2003 Lovell's was replaced by Barratt Homes Limited and a Principal Development Agreement exchanged in August 2006.
- 2.27 In November 2002, the Council and its development partners outlined a number of proposals to residents, known as the 'Pledge'.
- 2.28 At the time the Pledge was made, there were no non-secure tenants on the Estate, so the Pledge only related to secure tenants and long term leaseholders / freeholders.
- 2.29 Most of the commitments in the Pledge are being met including all residents being provided with a new home, current rights (including right to buy eligibility) being protected and tenants being able to choose to remain a Council tenant or an MHT tenant. Long leaseholders also have the option of purchasing a shared equity property.
- 2.30 A number of Pledges made cannot be met including being able to move to a new home within 5 years of the first new home being completed and moving only once due to the design and phasing of the Regeneration Project having changed since. In addition it is no longer achievable or reasonably practicable to re-house all existing residents on a floor no higher than their current home.
- 2.31 The Council and Developer will however continue to work closely with residents to assist in finding the most suitable accommodation for their needs.
- 2.33 The PDA is dependant on a series of conditions being met and subject to the confirmation of the CPO, which is itself one of the conditions precedent, the Council is satisfied that all necessary conditions will be satisfied.

### **3.0 Why the Regeneration Project is so important to LB Barnet**

- 3.1 As one of the Council's four identified Priority Estates, West Hendon is a critical project in delivering not only new and affordable homes but a new, attractive, integrated and sustainable neighbourhood with supporting infrastructure and facilities serving existing and new communities.
- 3.3 The Regeneration project is supported by the Council's key corporate and local planning policies including the Sustainable Community Strategy, its Corporate Plan and Local Plan.

### **4.0 Overview of progress on Regeneration Project**

- 4.1 A standalone 'Pilot Phase 1a' as part of the regeneration proposals has been implemented and outline planning permission for the comprehensive regeneration of the Estate was granted July 2008, with reserved matters approval for Phase 2 known as 'Lakeside' now built.
- 4.2 The Developer subsequently submitted a new outline planning application due to changing economic circumstances and permission for the Scheme was as granted in November 2013. The parties also agreed a Deed of Variation to the PDA dated 5 February 2014.
- 4.3 More recently the Developer submitted a request to the Council to vary the Section 106 agreement associated with the Scheme to enable the earlier delivery of units during Phases 3a and 3b, rather than in phase 3c.

### **5.0 Providing for affected parties**

- 5.1 Since the ballot was undertaken in November 2002 the Council and its development partners have undertaken substantial consultation and engagement with residents, the wider community and relevant stakeholders at different stages of the development process
- 5.5 A Resident Regeneration Group was established over ten years ago open to all residents of the West Hendon Estate to act as a focus for detailed engagement and this has recently been superceded by West Hendon Regeneration Partnership Board.

### **6.0 Approach to negotiations**

- 6.2 In March 2014 the Council appointed Capita to assist in private treaty negotiations, and since then they have been actively pursuing these negotiations to acquire properties in advance of the making of the Order.
- 6.10 Separate procedures have been implemented to assist the non-secure tenants move from properties in the Order Land. The Council is confident that all the non-secure tenants will have been found suitable alternative accommodation by the end of March 2015.

### **7.0 Justification for the Order**

- 7.1 The Council is committed to securing the regeneration of the Estate and the wider West Hendon area. The need for comprehensive re-development is supported in adopted planning policy documents including the NPPF, the London Plan and the Barnet Local Plan - Core Strategy. The Council has also followed a transparent and objective decision making process leading up to the decision to exercise its compulsory powers to secure delivery of the Scheme.

- 7.2 The Scheme has been split into 6 delivery phases to ensure that the regeneration is sustainable and deliverable. Completion of all phases is necessary to meet the Council's objectives and comprehensively regenerate the wider area.
- 7.3 The Council is satisfied that all of the Order Land is required to enable the completion of sub-phases 3b and 3c of the Scheme and subsequent phases.
- 7.4 The Council is therefore firmly of the view that there is a compelling case in the public interest for the compulsory acquisition of the Order land. It is also convinced that the wider social, environmental and economic benefits to be realised from the Scheme outweigh the necessary interference with existing private rights and interests in the Order Land.
- 7.5 Having regard to the Human Rights Act 1998, the Council considers that a fair and proportionate balance has been struck between the interests of those whose human rights will be affected and the community as a whole and that it has also met its statutory responsibilities under the Equality Act 2010 in promoting the Scheme which will deliver an inclusive place for all sections of the community

## **8.0 Response to objections**

- 8.1 A number of objections have been made to the Order which I have addressed in detail in my Proof of Evidence.

## **9 Conclusion**

- 9.6 The Council is clear on the need for the comprehensive redevelopment of the Estate and with its development partners remain absolutely committed to securing the delivery of the Scheme. Having followed a transparent and objective decision making process leading up to this point, it considers therefore that there is a compelling case, in the public interest to exercise its compulsory purchase powers to acquire the land subject to the Order.

### **Declaration**

I believe that the facts stated in this summary proof of evidence are true.



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Martin Cowie

Dated 19 December 2014