

London  
Borough of  
Barnet

**The London Borough of Barnet (West Hendon Regeneration Area) Compulsory Purchase Order  
(No. 3) 2018**

SUMMARY STATEMENT OF EVIDENCE OF **SIMON BAILEY**

5 July 2019

PLANNING INSPECTORATE REF: APP/PCU/CPOH/N5090/3218378

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# 1. Introduction

- 1.1 My name is Simon Bailey and I am Interim Regeneration Manager for the West Hendon Regeneration Project. I am a contractor to Re: - a provider of regeneration services to Barnet Council. I have provided assistance to Barnet Council since August 2013. As Interim Regeneration Manager I have been lead officer for the West Hendon Regeneration Project since June 2015.
- 1.2 My current role involves ensuring that the Council's regeneration objectives for the estate are met & that our development partners meet or go beyond the obligations set out in the development agreement. I also represent the authority on the West Hendon Partnership Board.

# 2. The need for the Regeneration Project

- 2.1 The regeneration of the West Hendon Estate has been a key component of the Council's Housing Strategy since 2000. The Regeneration Project emerged as a result of a number of key factors including the Council's corporate priorities, the Decent Homes programme and environmental considerations as well as the need to secure longer term, viable and sustainable change in the locality.
- 2.2 The Council recognised that comprehensive redevelopment represents the only feasible solution to resolve the Estates inherent failings, provide local infrastructure and meet the Council's wider objectives. This principle was accepted by the Inspector for CPO1 (Inspector's report, paragraph 614, page 103 (**CDA.19**) and the Inspector in CPO2 and CPO2a saw no reason to deviate from this position in the absence of substantially unchanged circumstances [Inspector's report para 382 (**CDA.12**)].

# 3. Why the Regeneration Project is so important to the Council:

- 3.1 The Regeneration Project has remained a key priority for the Council since first highlighted in the Council's 2000 Housing Strategy (**Appendix 1**). As one of the Council's identified Priority Estates its regeneration is critical to delivering not only new and affordable homes but a new, attractive and sustainable neighbourhood with supporting infrastructure and facilities serving existing and new communities.

3.2 The Project is bringing and will continue to bring forward the much needed transformation of the area and the redevelopment of the remaining sections of a severely outdated housing estate currently in very poor condition. It will create a balanced, mixed, inclusive community and will significantly enhance the physical environment of the Estate. This will bring about improvements to the quality of life for existing residents and the wider community through the provision of enhanced social and environmental infrastructure.

3.3 Overall the Regeneration Project accords with the Council's corporate objectives and adopted policy. It represents the continuing delivery of the Council's objectives as set out in;

- *Barnet's Sustainable Community Strategy - 2010 – 2020*
- *The Council's Corporate Plan 2015 – 2020*
- *The Council's Housing Strategy*
- *The Council's Draft Growth Strategy (2019-2030)*

#### ***Local Planning Policy***

3.4 The Regeneration Project remains a key planning policy objective of the Council and the purpose for which the land is required fits with the adopted planning framework.

## **4. The Masterplan**

4.1 Section 3 of the Project Synopsis and Section 4 of Heyndrick Heyn's evidence explain how the implementation of Phases 5 & 6 will complete the masterplan, thereby meeting the Council's objectives for the Regeneration Project.

## **5. The Council's arrangements with the Developer**

5.1 Consultation on proposals for the regeneration of the Estate has been an on-going process of engagement with residents and local stakeholders since 2000.

5.2 The Council remains satisfied that the Developer has the necessary skills and resources to discharge the conditions precedents included in the PDA and continue delivering the Scheme, having successfully delivered phases 1, 2, and 3a to C.

## 6. Regeneration Project progress update

- 6.1 The Developer has delivered the Pilot and Lakeside phases of the Regeneration Project (Phase 1 and Phase 2). The Developer has also completed Phase 3a, 3b, 3c and is currently delivering phase 4.
- 6.2 Since the inquiries into CPO1, CPO2 and CPO2a, extensive consultation has been undertaken and relations with affected residents have significantly improved. The Developer and Council have implemented a number of changes in the project team and policies and introduced initiatives such as the Interim Community Centre which have been very favourably received by affected residents.

## 7. Other matters

### *Highway Orders*

- 7.1 Highways orders will be required as the project progresses to enable later phases of the Regeneration Project to be delivered. I do not consider the need for such orders to represent an impediment to delivery of the Regeneration Project.

### *Negotiations*

- 7.2 The development partners have contacted all parties referenced within the Order Land inviting them to commence negotiations. It is unlikely the Council will be able to acquire all the necessary interests by private agreement within a reasonable timescale or at a reasonable cost.

### *The Pledge*

- 7.3 The majority of the matters outlined in the 2002 Pledge (**Appendix 4**) will be met and the offer made to resident leaseholders continues to go beyond the Council's statutory obligations.

### *Impediments*

- 7.4 The Council is satisfied that there are no planning or other impediments to the completion of the scheme.

## 8. Justification for the Order

- 8.1 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 key planning policy documents including the NPPF, the London Plan and the Barnet Core Strategy.

8.2 The Council believes that the compulsory acquisition of the Order Land will facilitate its redevelopment and result in very significant improvements to the availability and quality of housing locally and the economic, social and environmental well-being of the area.

### ***Wellbeing***

8.3 The Regeneration Project will create a more attractive, vibrant and sustainable neighbourhood offering a significant number of social, economic and environmental well-being benefits.

### ***Planning policy***

8.4 The purpose for which the land is being acquired fits in with the adopted Local Plan. The Scheme has the benefit of planning permission and the Developer is well advanced in implementing the 2013 Planning Permission.

### ***Alternatives***

8.5 The Order will facilitate the completion of the Regeneration Project. There remains no alternative to the comprehensive redevelopment of the Estate through completion of the Regeneration Project.

### ***Human Rights***

8.6 The Council is satisfied that the public interest that will result from delivering the Regeneration Project outweighs the interference with existing private rights and interests in the Order Land on account of the far reaching social, environmental and economic benefits. The Council therefore believes that a fair and proportionate balance has been struck between the interests of those whose human

### ***Equality Act considerations***

8.7 The Regeneration Project will deliver an inclusive place for people of all ages, with a housing mix that reflects different life stages, a range of housing tenures, community and recreational facilities as well as public spaces which are accessible to all.

8.8 Throughout the project lifecycle the Council has had due regard to its equality duty. It has sought to ensure any disproportionate impact is understood and mitigated.

8.9 I believe that confirmation of the Order would be consistent with the Secretary of State's duties under the Equality Act 2010. On account of the steps taken by the Council and Developer in delivering the Regeneration Project there will be no disproportionate impact on any protected groups.

### ***Compelling Case in the Public Interest***

- 8.10 The Order will secure the completion of the comprehensive redevelopment facilitated by CPO1, CPO2 and CPO2a. There remains no alternative to, and a compelling case in the public interest for, the delivery of the comprehensive redevelopment facilitated by the Regeneration Project. This Order should therefore be confirmed.

## **9. Response to objections**

- 9.1 The Secretary of State has received three objections against the confirmation of the Order (CD,01).

### **Objection 1**

- 9.2 The majority of objections raised are matters that were considered at the CPO1, CPO2 and CPO2a Inquiries.
- 9.3 The financial misconduct of an individual raised in the objection is a historic issue, has been dealt with by the criminal justice system and has no relevance to whether this Order should be confirmed.

### **Objection 2**

- 9.4 The Council has given considered very carefully the impact of the Scheme on the human rights of leaseholder and freeholders and is convinced that the public interest in completing the scheme and the broad range of benefits realised it, outweigh the necessary interference with private rights.
- 9.5 Leaseholders and freeholders are able to access a discretionary shared equity scheme in order to remain on the estate.

### **Objection 3**

- 9.6 The Council does not consider that the land within Plot 3 will be less advantageous to the public once the new rights are granted.
- 9.7 Since the Order seeks only to acquire rights over Plot 3 and no land comprising open space will be acquired, the Council does not consider any replacement is required.

## 10. Conclusion

- 10.1 Having regard to the very significant public benefits to be achieved from the Regeneration Project, the poor quality of the existing accommodation and the built environment in which it currently exists, the Council considers the use of compulsory purchase powers to be necessary, justified and proportionate. The Council considers there to be a compelling case in the public interest for the confirmation of the Order to facilitate delivery of the Regeneration Project.
- 10.2 If the Order is not confirmed, the Regeneration Project will be delayed or even stop altogether. Attempts to assemble all of the land interests by agreement have been unsuccessful to date and without an assembled site it will not be possible to complete the Regeneration Project.
- 10.3 Confirmation of the Order remains essential not only for the regeneration of the estate but also the regeneration of the wider area and delivery of a significant amount of new housing. The Regeneration Project has been a fundamental component of the Council's Housing Strategy since 2000 and remains a key objective in the adopted Local Plan.
- 10.4 Confirmation of the Orders is therefore necessary if the Council is to achieve its planning, housing and other policy objectives.

### **Declaration**

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

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Simon Bailey, 5 July 2019