

London Borough of Islington

Executive - 20 April 2023

Minutes of the meeting of the Executive held in the Council Chamber, Islington Town Hall, Upper Street, N1 2UD on 20 April 2023 at 7.00 pm.

Present: **Councillors** Kaya Comer-Schwartz, Diarmaid Ward, Una O'Halloran, Rowena Champion, John Woolf, Santiago Bell-Bradford, Nurullah Turan, Michelline Ngongo and Roulin Khondoker

Also **Councillor:** Ernestas Jegorovas-Armstrong

Councillor Kaya Comer-Schwartz in the Chair

93 APOLOGIES FOR ABSENCE

None.

94 DECLARATIONS OF INTEREST

None.

95 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 23 March 2023 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

96 PHASE 2 OF SCHOOL ORGANISATION

RESOLVED:

(a) To note the contents of the report of the Executive Member for Children, Young People and Families, detailing proposals to reduce the number of school places in a planned way to support schools to manage change within their national funding formula allocations.

(b) To approve the changes proposed in recommendations 2.1 and 2.2 in exempt Appendix A (exempt agenda item H1).

Reasons for the decision – to drive educational excellence through inclusive and sustainable schools

Other options considered – none

Conflicts of interest / dispensations granted – none

**NEW BARNSBURY ESTATE; DISPOSAL OF FREEHOLD LAND AND
RELEASE OF RESTRICTIVE COVENANT TO SUPPORT
REDEVELOPMENT**

RESOLVED:

(a) To authorise the Corporate Director for Community Wealth Building, following consultation with the Executive Member for Finance, Planning and Performance, to authorise the transfers of land and leasehold interests at the New Barnsbury Estate, as identified edged yellow on the plan attached at Appendix 1 to the report of the Executive Member for Finance, Planning and Performance, to Newlon, as appropriate, to enable development delivery.

(b) To note, subject to certain conditions, that the Council will enter into the Deeds of Release to remove the restrictive covenant in respect of development.

(c) To authorise the Corporate Director for Community Wealth Building, following consultation with the Executive Member for Finance, Planning and Performance, to authorise entering into the transactions and other documentation in respect of acquisition and/or appropriation for planning purposes, related to rights of light and all and any other rights, to support the development, including any required acquisition and disposal of land interests and other related matters and detailed in Appendix 2 to the report. In order to appropriate, the council needed to have an interest in land to satisfy the legal requirements set down in the relevant sections of law and as such would need to acquire a relevant interest from Newlon accordingly, disposing of that interest back to Newlon shortly thereafter, enabling the implementation of appropriation.

(d) To authorise the Corporate Director for Community Wealth Building, following consultation with the Executive member for Housing and Development, and subject to the prior completion of a compulsory purchase indemnity agreement with Newlon Housing Trust, to approve the making of one or more Compulsory Purchase Orders (CPO) under sections 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990, section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and any other power as relevant, to ensure that all necessary interests in (and rights over, including new rights) the Order Land, (being that land edged red on the Plan at Appendix 3 and that land shown for the acquisition of new rights on the Plan at Appendix 4, or such other version of the Order Map as the Director of Law and Governance may approve, provided that such version does not include any additional land to that currently shown), can be compulsorily acquired.

(e) That, where the Corporate Director of Community Wealth Building approves the making of a CPO, to authorise the Director of Law and Governance to take all necessary steps to secure the making, confirmation, and implementation of that CPO, including (but not limited to):

i) The preparation, submission and exchange of all necessary documents required before and during the CPO process, including if necessary any applications for certificates required pursuant to section 19 or Schedule 3 to the Acquisition of Land Act 1981.

ii) Compliance with all procedural requirements.

- iii) The entering into of agreements or giving undertakings to, with any objectors or those with an interest in the land to facilitate the withdrawal of such objections to the CPO on terms recommended by the Corporate Director of Community Wealth Building.
 - iv) The appointment of and attendance, presentation and representation by any legal advisor or expert at any public inquiry (or similar)
 - v) The ability to seek formal modifications to the CPO.
 - vi) The execution and service of any General Vesting Declarations and/or notices to treat and notices of entry or any other document or instrument required to effect implementation of a CPO.
 - vii) Taking and enforcing possession of the Order Land
 - viii) The referral and conduct of disputes relating to compensation at the Upper Tribunal (Lands Chamber)
 - ix) To enter into a CPO indemnity agreement with Newlon Housing Trust (or such other entity as the Director may approve), under which Newlon Housing Trust will indemnify the Council in respect of the costs of the CPO process and compensation that may arise as a result of the making, confirmation, or implementation of any CPOs
 - x) The costs of all such actions, following agreement and confirmation, to be met in full by Newlon Housing Trust
- (f) To authorise the Corporate Director of Community Wealth Building, pursuant to section 227 of the Town and Country Planning Act 1990 and/or any other power (as relevant), to acquire any interests in (or new rights over) the Order Land by agreement and make payments equivalent to statutory compensation (or payments as are deemed reasonable in the circumstances or the provision of property or services in lieu of compensation), either in advance (but in contemplation of) or during the formal CPO process. The costs of all such actions, following agreement and confirmation, to be met in full by Newlon Housing Trust
- (g) To authorise the Director of Law and Governance to transfer, lease or licence any interests in (or new rights over) the Order Land that have been acquired by the Council pursuant to the CPO or by agreement to Newlon Housing Trust or such other person involved in the development and which the Director of Law and Governance may approve.
- (h) To note that following the compulsory acquisition, voluntary acquisition and/or appropriation of any part or parts of the Order Land pursuant to the above that section 203 of the Housing and Planning Act 2016 and/or section 236 of the Town and Country Planning Act 1990 (as applicable) may then apply to override or extinguish (as applicable) (and subject to payment of compensation where requested) any third party rights or covenants (to which that section applies).
- (i) To authorise the approvals required to assemble the Order Land including (if necessary) via compulsory purchase to ensure the development can proceed should Newlon Housing Trust and the Council fail to reach a negotiated settlement with the relevant affected parties. The scheme requires the assembly of the Order Land with vacant possession and free from impediments (including third party rights) including potentially via compulsory purchase.

Reasons for the decision – It was in the public interest for the Council to enter into these arrangements to secure the redevelopment to provide better and more homes and to promote economic, social, and environmental wellbeing and to contribute to sustainable development in Islington.

Other options considered – none

Conflicts of interest / dispensations granted – none

98 LETTING OF UNDERGROUND CAR PARK, PARKER COURT GARAGES, BASIRE ST, LONDON N1 8RZ

RESOLVED:

To authorise the Corporate Director for Community Wealth Building, following consultation with the Corporate Director of Resources and Acting Corporate Director of Homes and Neighbourhoods, to enter into the agreement for lease and subsequent lease of an unused car park under a housing scheme on Basire Street, on the terms set out in exempt Appendix 2 of the report of the Executive Member for Finance, Planning and Performance, along with the delegation to amend any such reasonable matters during the completion of the necessary paperwork.

Reasons for the decision – The ability to generate substantial long-term income for the Housing Revenue Account from non-operational property assets provided a much-needed revenue stream to the Council to reinvest in social housing. Additionally, in keeping with mitigating environmental and amenity concerns, the proposed use created opportunities to support both residents and the local business community with storage opportunities in the vicinity.

Other options considered – none

Conflicts of interest / dispensations granted – none

99 LETTING OF 10-14 GARRETT STREET, LONDON, EC4

RESOLVED:

To authorise the Corporate Director for Community Wealth Building, following consultation with the Corporate Director of Resources, to enter into the agreement for lease and subsequent lease of the site in Garrett Street, on the terms set out in exempt Appendix 1 of the report of the Executive Member for Finance, Planning and Performance.

Reasons for the decision - The creation and operation of much needed affordable work spaces was a key Council strategy to support local business recovery and economic growth with its attendant benefits in employment and community wealth building.

Other options considered – none

Conflicts of interest / dispensations granted – none

100 **DISPOSAL OF LAND AT YORK WAY FOR DEVELOPMENT PURPOSES**

RESOLVED:

To authorise the Corporate Director for Community Wealth Building, following consultation with the Corporate Director of Resources, to enter into the arrangements for the transfer of land at York Way, entering into a long lease and other related issues on the terms set out in exempt Appendix 1 of the report of the Executive Member for Finance, Planning and Performance.

Reasons for the decision - The provision of an appropriate fit for purpose building and other related issues would enable the long-term security of the site to be established.

Other options considered – none

Conflicts of interest / dispensations granted – none

101 **ACQUISITION OF FREEHOLD AND LONG LEASEHOLD LAND AT VALE ROYAL FOR OPERATIONAL PURPOSES**

RESOLVED:

To authorise the Corporate Director for Community Wealth Building, following consultation with the Corporate Director of Resources and Corporate Director of Environment and Climate Change, to enter into the arrangements for the transfer of land at Vale Royal, construction of new operational facilities and other related issues on the terms set out in exempt Appendix 1 of the report of the Executive Member for Finance, Planning and Performance.

Reasons for the decision – The requirement to provide the service operating from this site was a statutory requirement. In resolving the ownership issues, the provision of an appropriate fit for purpose building and other related issues would enable the long-term security of the site to be established.

Other options considered – none

Conflicts of interest / dispensations granted – none

102 **RESIDENT EXPERIENCE PROGRAMME - PHASES 1 AND 2 FUNDING APPROVAL**

RESOLVED:

(a) To note the scope of works to be undertaken in Phase 1 of the Resident Experience programme, as set out in paragraph 3.3.2 of the report of the Executive Member for Finance, Planning and Performance.

(b) To note the scope of works to be undertaken in Phase 2 of the programme, as detailed in the report.

(c) To note paragraph 3.3.4 of the report, which outlined the timetable for approval of Phase 3 of the programme.

(d) To note that Phases 1 and 2 of the programme would require a total investment of £3.372m, of which £1.068m had previously been agreed in the financial year 2023/24.

(e) That approval for the remaining 2023/24 revenue cost of £1.974m be funded from the Business Strategy Reserve (50%) and the HRA (50%), based on the number of staff in the Contact Centre supporting General Fund and HRA activity.

(f) To agree that the 2023/24 capital cost of £0.330m be funded from the Business Strategy Reserve (50%) and the HRA (50%).

(g) To note that the ongoing costs of £0.470m per annum related to Phases 1 and 2 of the programme, of which £0.367m had already been agreed.

(h) That approval be given to £0.103m ongoing expenditure being incurred from 2024/25 being factored into the 2024/25 General Fund (50%) and HRA (50%) budget processes as base budget adjustments in the MTFs.

(i) To note the expenditure for Phase 3 which was projected to cost in the region of £10.000m one off, plus ongoing expenditure, which would be established in Phase 2 of the programme.

Reasons for the decision - To deliver long lasting transformation to the Council's services to residents, following a period of under-investment. Services would be redesigned around resident requirements to improve their experience of contacting the Council.

Other options considered – none

Conflicts of interest / dispensations granted – none

103

FUTUREWORK PROGRAMME FUNDING APPROVAL

RESOLVED:

(a) To agree the Programme's proposals as detailed in the report of the Executive Member for Finance, Planning and Performance to vacate the sites identified as excess office accommodation.

(b) To note that separate business cases would be written to establish the best value and viable future use of the sites which were no longer required

(c) To note the actions to be taken to mitigate the impact of vacating the sites that are no longer required, as detailed in the report.

(d) To approve the additional £0.688m of capital programme requirement for 2023/24 and to note that there was an estimated total £3.089m capital requirement, of which £2.401m had already been included in the 2023/24 capital programme.

(e) That £7.749m additional revenue expenditure (one-off) be funded from the Budget Strategy reserve.

Reasons for the decision - To support a more agile operating model to support better outcomes for residents, whilst modernising the office estate and making significant savings in office accommodation.

Other options considered - None

Conflicts of interest / dispensations granted -None

104 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED:

That the press and public be excluded during consideration of the following items as the presence of members of the public and press would result in the disclosure of exempt information within the terms of Schedule 12A of the Local Government Act 1972, for the reasons indicated in the reports.

105 **PHASE 2 OF SCHOOL ORGANISATION - EXEMPT APPENDICES**

RESOLVED:

To agree the recommendations set out in the exempt appendix (H1).

106 **LETTING OF UNDERGROUND CAR PARK, PARKER COURT GARAGES, BASIRE ST, LONDON N1 8RZ - EXEMPT APPENDIX**

Noted.

107 **LETTING OF 10-14 GARRETT STREET, LONDON, EC4 - EXEMPT APPENDICES**

Noted.

108 **DISPOSAL OF LAND AT YORK WAY FOR DEVELOPMENT PURPOSES - EXEMPT APPENDIX**

Noted.

109 **ACQUISITION OF FREEHOLD AND LONG LEASEHOLD LAND AT VALE ROYAL FOR OPERATIONAL PURPOSES - EXEMPT APPENDIX**

Noted.

110 **RESIDENT EXPERIENCE PROGRAMME - PHASES 1 AND 2 FUNDING APPROVAL - EXEMPT APPENDIX**

Noted.

111 **FUTUREWORK PROGRAMME FUNDING APPROVAL - EXEMPT APPENDIX**

Noted.

The meeting closed at 7.30 pm