

MINUTES OF THE Cabinet Member Signing HELD ON Friday, 20th March, 2026, 10.00 - 10.10 am

PRESENT:

Cabinet Member: Councillor Sarah Williams

ALSO ATTENDING:

Chris Liasi – Principal Committee Coordinator, Robbie Erbmann - Delivery Director of Capital Projects & Property

10. FILMING AT MEETINGS

The Cabinet Member referred to the filming at meetings notice and this information was noted.

11. APOLOGIES FOR ABSENCE

There were no apologies for absence.

12. DECLARATIONS OF INTEREST

There were no declarations of interest.

13. URGENT BUSINESS

There was none.

14. DEPUTATIONS / PETITIONS / QUESTIONS

There were none.

15. ARCHWAY ROAD, N6 - AWARD OF CONSTRUCTION CONTRACT

The Cabinet Member was also asked to approve the appropriation of the land outlined in red in Appendix 1 from its existing use to planning purposes to support the development process. This would have enabled the Council to override third-party rights where necessary (subject to engagement and compensation), with the land to be appropriated back to housing use upon practical completion.

The Cabinet Member for Housing and Planning:

RESOLVED:

Approved the appointment of Contractor A, identified in the exempt of this report, to undertake the new build works to provide 16 new Council Homes at 505-511 Archway Road, for a total contract sum and client contingency set out in the exempt part of this report - Appendix 2. The anticipated commencement date of the contract is 3 August 2026.

Approved the appropriation of the land at 505-511 Archway Road edged red on the 'Site Plan' at Appendix 1, from the General Fund for planning purposes pursuant to Section 122 of the Local Government Act 1972, as it is no longer required for the purpose for which it is currently held, and to enable the delivery of the development as approved by planning permission reference HGY/2025/1220.

Approved the use of the Council's powers under Section 203 of the Housing and Planning Act 2016 to override easements and other third party rights and interests relating to the land edged red on the 'Site Plan' at Appendix 1 infringed by the works for the development approved under planning permission reference HGY/2025/1220.

Delegated authority to the Delivery Director of Capital Projects and Property, in consultation with the Corporate Director of Finance and the Cabinet Member for Housing and Planning, to agree and make any necessary compensation payments arising from valid claims relating to third-party rights affected by the development as a result of Recommendation 3.3

Approved the appropriation of the land shown edged red on the 'Site Plan' at Appendix 1, from planning purposes to the Housing Revenue Account (HRA) for housing purposes pursuant to Section 19 of the Housing Act 1985 such appropriation to take effect only upon practical completion of the development works anticipated for March 2028.

Approved the total scheme cost as set out in the exempt part of the report - Appendix 2.

Approved the issuance of a letter of intent for up to 10% of the contract value as set out in the exempt part of the report – Appendix 2.

Reasons for decisions

The site known as 505-511 Archway Road, was approved by Cabinet in January 2021 to be included in the Council's Housing Delivery programme. A planning application for the redevelopment of the site was submitted on 02 May 2025. (planning reference: HGY/2025/1220). The scheme was considered at the Planning Sub-Committee on 06 November 2025 where there was a resolution to grant consent. Planning Decision notice granting consent was received on 16 January 2026. The site is now ready to progress to the construction phase. This report therefore marks the final Members' decision required to proceed with the development of this scheme.

Contractor A has been identified through a formal tender process to undertake these works.

The contract award and planning appropriation approval decisions will allow the Council to enter into contract with the building contractor and facilitate the carrying out of the works for the proposed development at 505-511 Archway Road. This will ensure that the Council will not lose the external grant allocations it has secured, by entering into contract by the agreed deadlines. Details of grant funding are set out in the exempt report – Appendix 2 - Section B.

Appropriation of the development site for planning purposes is required to facilitate the carrying out the works under planning powers in accordance with the planning permissions. By appropriating the site for planning, it will allow the Council to use the powers contained in Section 203 to override easements and other third-party rights that may be infringed by the development and will prevent injunctions that could delay or prevent the Council's proposed development. Section 203 converts the right to seek an injunction into a right to compensation.

The site proposal will provide 16 much-needed affordable homes on Council-owned land, including M4(3) wheelchair homes and family homes, with associated refuse stores, cycle stores, service space, amenity space and landscaping. These 16 homes will contribute to The Council's aspiration to build 3000 Council homes by 2031.

Alternative options considered

The Council could choose not to develop this site for housing purposes. However, this option was rejected as it does not support the Council's commitment to deliver a new generation of much needed affordable homes.

The Council could continue with the scheme without appropriating the site for planning purposes, but this would risk the proposed development being delayed or stopped by potential third-party claims. By utilising the powers under Section 203 of the Housing and Planning Act 2016 (HPA 2016), those who benefit from third party rights will not be able to seek an injunction since those rights or easements that are overridden are converted into a claim for compensation only. The Council recognises the potential rights of third parties and will pay compensation where a legal basis for such payments is established.

The Council could decide not to appropriate the land for housing purposes upon practical completion of the building works. This option was rejected because it could prevent the Council from being able to offer up these homes for occupation, thereby not supporting the delivery of much needed affordable homes.

16. EXCLUSION OF THE PRESS AND PUBLIC

Item 8 was subject to a motion to exclude the press and public from the meeting as it contains exempt information as defined in Section 100a of the Local Government

Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 and 5, namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

17. EXEMPT ARCHWAY ROAD, N6 - AWARD OF CONSTRUCTION CONTRACT

The Cabinet Member for Housing and Planning considered and approved the exempt information.

Cabinet Member:

Signed by Cabinet Member

Date