



Cabinet
12 March 2018

**Report from the Strategic Director
of Regeneration and Environment**

**Brent Neighbourhood Community Infrastructure Levy
(NCIL) - Preston Community Library**

Wards Affected:	Preston
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	1
Background Papers:	None
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1. Purpose of the Report

- 1.1 The Community Infrastructure Levy (CIL) is a charge applied to eligible developments to help fund strategic (borough-wide) and neighbourhood infrastructure related to development. Brent's CIL was formally introduced on 1 July 2013.
- 1.2 This report requests that Cabinet approves the allocation of **£267,983** Neighbourhood CIL (NCIL) funds towards the 'fit-out' of Preston Community Library (PCL).

2. Recommendations

- 2.1 To approve the allocation of **£267,983** from Neighbourhood CIL (NCIL) to support the 'fit-out' of Preston Community Library (PCL).
- 2.2 To agree that the progression of the PCL fit out will be subject to the receipt of formal approval for the wider redevelopment of Preston Park Annexe. The wider development will be addressed by a separate decision report managed by Brent Property Service.
- 2.3 To agree that the responsibility for delivery of the construction elements of the PCL project funded by NCIL, will be held by Brent's Property Team, and progress will be monitored via the Council's capital programme.

- 2.4 To agree that the responsibility for delivery of some internal fixtures and fitting will be held by PCL and a grant will be issued from the NCIL allocation. Grant monitoring will be conducted by the Planning Service's Infrastructure Team.

3. Neighbourhood CIL – Background

- 3.1 The CIL Regulations 2010 (as amended) stipulate that at least 15 per cent of CIL receipts generated may be spent on Neighbourhood Projects, that is, infrastructure or anything else that is concerned with addressing the demands that development places on an area (capped at £100/dwelling each financial year). Whilst the legislation does not prescribe a process for how NCIL is allocated, the expectation is that priorities for spend are decided following engagement and consultation with the local community. A cabinet report outlining Brent's NCIL spend process was approved on 13 February 2017¹ and, as a result, Brent is divided into five 'CIL Neighbourhoods'; Kilburn, Kingsbury & Wembley, Willesden and Harlesden (**Appendix 1**).
- 3.2 A CIL Neighbourhood may also contain a Neighbourhood Forum with an adopted Neighbourhood Plan. In this case, up to 25 per cent of CIL funds collected from liable developments within the Neighbourhood Forum boundary, may be spent on priorities identified by the Neighbourhood Forum (uncapped). There are currently four Neighbourhood Forums in Brent; Church End & Roundwood (The Unity Neighbourhood Forum), Harlesden, Kilburn and Sudbury Town Residents Association (STRA). The Kilburn Neighbourhood Forum falls within both the boroughs of Brent and Camden. STRA is currently the only Neighbourhood Forum (Re-designated December 2017) with an adopted Neighbourhood Plan. A diagram showing the CIL Neighbourhood and forum boundaries is in **Appendix 1**
- 3.3 All shortlisted NCIL projects must be aligned to at least one of the Neighbourhood Priorities identified via consultation (May 2017). A summary of the current NCIL priorities is in **Table 1**:

Table 1 Neighbourhood CIL Priorities 2017-2020

CIL Neighbourhood	Community Space & Cultural facilities	Parks & Open Space	Schools & Education	Town Centre & High Streets	Transport & Roads
Harlesden	✓			✓	✓
Kilburn	✓		✓		✓
Kingsbury		✓		✓	✓
Wembley	✓	✓		✓ (joint 1 st)	✓ (joint 1 st)
Willesden	✓			✓	✓

- 3.4 Applications for NCIL funds are received twice a year. The last round closed on 1 December 2017. All projects that were shortlisted by the NCIL Panel (the Cabinet Member for Regeneration, Growth, Employment and Skills and the Head of Planning, Licensing and Transport) in January 2018 (including PCL) received provisional offers of funding. However any request over £100k in NCIL funds for one project must also receive final approval from Brent's Cabinet. As the bid for PCL is over £100k in value, final approval from Cabinet is required.

¹ <http://democracy.brent.gov.uk/ieDecisionDetails.aspx?AllId=24493>

4. Preston Community Library (PCL)

- 4.1 Preston Park Annexe, Wembley HA9 8PL (formerly Preston Library) is a purpose built 1960s single storey building on a site area of 68m²/0.2391 acres. The premises are located in a residential area and Preston Road underground station is within a short walking distance. The site is currently owned by Brent Council and formerly contained the council-run library which closed in 2011.
- 4.2 In September 2016, Cabinet approved the redevelopment of Preston Park Annexe to deliver new homes and D1 space appropriate for community library use². The current redevelopment proposals seek to deliver a modern community library and 12 new homes, subject to public consultation and planning permission. The fit out of PCL is dependent on the progression on the redevelopment of Preston Park Annexe; which is currently awaiting formal approval.
- 4.3 PCL is a registered charity (no. 1148971) which aims to run the library as a volunteer-run facility and community hub. PCL is based in the Wembley CIL Neighbourhood. The NCIL submission by the PCL complements a wider programme to redevelop Preston Park Annexe.

5. Next Steps

- 5.1 The PCL bid was submitted in close collaboration with Brent's Property team. The project will eventually deliver a "shell and core" for PCL to operate from and internal fixtures and fittings. It was shortlisted for funding on the basis that it met the seven NCIL shortlisting criteria and aligned to the Wembley CIL Neighbourhood priority of Community Space & Cultural facilities. The intention is that contractor procurement funded from the NCIL allocation is managed by the Property Team and monitored via the Council's Capital programme. Delivery of certain internal fixtures and fittings will be the responsibility of PCL. This will be managed via a grant from the NCIL allocation to PCL and monitored by the Planning service's Infrastructure Team.
- 5.2 A summary of the provisional milestones for implementing these proposals is in **Table 2**. The progression of these milestones will be subject to the receipt of formal approval for the wider redevelopment of Preston Park Annexe.

Table 2 – Preston Community Library Milestones

Programme Milestone	Estimated Completion Date
Formal approval for redevelopment of Preston Park Annexe	Summer 2018
Planning permission	Autumn 2018
Construction - Start on site (Assuming 12 month build contract)	Spring 2019
New Community Library Operational	Spring 2020

6. Financial Implications

- 6.1 The value of CIL funds available to fund neighbourhood projects is dependent on the number and value of CIL liable developments in each CIL Neighbourhood. As of 1 December 2017, approximately £3.7m was collected from developments in the Wembley CIL Neighbourhood. Cabinet is asked to approve the use of **£267,983** as a contribution towards the PCL scheme. **Table**

² http://democracy.brent.gov.uk/documents/s43731/future_use_preston_park_annexe.pdf

3 provides a summary of how this grant will be shared between the Property Team and PCL to support delivery. **Table 4** provides a detailed breakdown of the NCIL portion. These include a 10% contingency. VAT has also been included for the elements delivered by PCL:

Table 3: Preston Community Library – Summary NCIL costs

CIL Neighbourhood	Cost (Rounding)	Notes
NCIL contribution to PCL development	£190,663	Managed by Property team
NCIL grant to PCL	£77,320	Managed by PCL
Total	£267,983	

Table 4: Preston Community Library – Detailed NCIL costs

Fit Out Inclusions	Delivered by	Cost (Rounding)
Kitchen Base Units and Sink	LBB	£38,090
Internal Doors and Adaptable Partitions	LBB	£21,330
Internal Partition Walls and Skirting	LBB	£20,569
Small Power Provision (Plugs, Data and Telephone Sockets etc.)	LBB	£18,832
Basic Lighting on Exposed Soffits and Wall Switches	LBB	£15,693
Heating Provision	LBB	£15,693
Upgraded Wall, Floor and Ceiling Finishes	LBB	£15,236
Paint decoration to Walls	LBB	£12,341
Basic Floor Finishes	LBB	£9,416
Sanitary ware in WC	LBB	£7,618
Upgraded lighting to D1 spaces	LBB	£7,618
Internal Doors to D1 Spaces including frames	LBB	£7,313
Door Finishes	LBB	£914
Library Shelving	PCL	£36,566
Reception Desk	PCL	£18,283
Fixtures, Furniture and Equipment	PCL	£9,142
Installed Telecoms and Internet	PCL	£7,532
Security Alarm	PCL	£5,650
Refuse bins - Library	PCL	£146
TOTAL		£267,983

7. Legal Implications

- 7.1 The Planning Act 2008, and CIL Regulations (2010) as amended, provide for local authorities to apply the CIL to infrastructure to support development. The Neighbourhood element may be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing the demands that development places on an area (Reg 59F).
- 7.2 CIL spend is governed by Part 7 of the CIL Regulations and for any financial year in which CIL receipts are received, a report outlining CIL receipts and expenditure must be prepared and published on the council's website. (Reg 62).

- 7.3 DCLG Guidance (2014) states that the community is to be engaged where development has taken place and accordingly, agree with them how best to spend the funding. The use of neighbourhood funds should match the priorities expressed by the local communities.
- 7.4 The development of the Preston Annexe site is regulated by S122 and S123 of the Local Government Act 1972. The Council and PCL currently have a Memorandum of Understanding (MoU) however this is not legally binding. Therefore, subject to public consultation and planning permission, the intention is for the parties to enter into a legally binding Collaboration Agreement and leasing arrangement reflecting the terms of the MoU. Delegated authority to the Strategic Director of Resources in consultation with the Strategic Director of Community Wellbeing is sought to agree the exact terms and enter into such agreement.
- 7.5 Any development will also be subject to planning permission as per the Town & Country Planning Act 1990.

8. Equality Implications

- 8.1 In compliance with the Equality Act 2010 and the Public Sector Equality Duty (PSED), the Council must, in the exercise of its functions, have “due regard” to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 8.2 The duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex and sexual orientation.
- 8.3 A screening analysis of the likely impact of the redevelopment proposals was undertaken as part of the September 2016 Cabinet report which concluded that the impact for protected groups was positive.

9. Consultation with Ward Members and Stakeholders

- 9.1 The Lead Member for Regeneration, Growth, Employment and Skills is a member of the NCIL project shortlisting panel, and has been consulted throughout the process. Letters of support from stakeholders were also received with the NCIL application.

10. Human Resources / Property Implications (if appropriate)

- 10.1 There are no Human Resources implications for Brent in relation to the redevelopment.
- 10.2 Brent Council will retain ownership of the building. The current MoU addresses funding options, interim arrangements, Lease Heads of Terms and Delivery

approach, however the intention is to enter into a legally binding Collaboration Agreement and leasing arrangement reflecting the terms of the MoU.

11. Appendices

Appendix 1 – Brent CIL Neighbourhood Boundaries

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and Environment