



MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE
Wednesday 3 April 2019 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor Kansagra (Vice-Chair) and Councillors Nerva, Gill, S Butt, Gbajumo, Kabir and Mashari

Also Present: Councillors Hassan & Conneely (to present the call-in), Councillor Tatler (Lead Member for Regeneration, Highways and Planning – to respond to the call-in) and Councillors M.Butt, Johnson and McLennan.

1. Apologies for absence and clarification of alternate members

None received.

2. Chair's Opening Remarks

The Chair opened the meeting by welcoming everyone in attendance. Highlighting that a number of requests had been made to speak at the meeting he began by briefly outlining the way he was intending to conduct the meeting and way that the call-in procedure would be undertaken at the meeting.

3. Declarations of interests

There were no declarations made at the meeting.

4. Deputations (if any)

The chair advised that he had received a number of requests to speak at the meeting in relation to the Call-In on the Cabinet decision relating to the Carlton & Granville Centres site – South Kilburn, which would be considered under that item on the agenda.

5. Call-In of Executive Decision - Carlton and Granville Centres Site - South Kilburn

Having received the report from the Director of Performance, Policy & Partnerships detailing the background to the call-in referred to the Scrutiny Committee for consideration, the Chair began by inviting Councillors Hassan and Conneely to outline the reasons for the call-in and alternative action being sought as a result.

Councillor Hassan advised that whilst recognising the progress made since 2016 in terms of the changes made to delivery of the scheme, the call-in had been designed to reflect significant local concerns that remained in relation to maintaining the much valued community provision and use on the site. These concerns had been strengthened as a result of the proposed mixed residential use on the site

proposed under Phase 2 of the development, with local residents keen to safeguard the existing and future use of the site as a community facility given the need and limited amount of community space already within the South Kilburn area. Concerns were also raised in relation to the potential tension between a mixed residential and community use on the site and also in relation to the proposed community governance arrangements for management of the community facilities on the site with local residents keen to seek much wider community involvement as key stakeholders.

Councillor Conneely in co-presenting the call-in also supported the concerns raised in relation to the impact of the proposed housing development on the well-established community provision on the site. It was not felt that the existing proposals contained sufficient safeguards in terms of managing the co-existence of a mixed residential and community use on the site. Additional concerns highlighted included the need to ensure that any housing units provided were as social housing, given the Cabinet report on which the called-in decision was based had only referred to a preference for Council housing. Given the concerns raised, and need identified to maintain community provision on the site in view of demand in the area, Councillor Conneely felt there was also a need to consider alternative sites for the provision of the proposed social housing units within the area. Whilst recognising the need to address housing demand, it was felt there were other more appropriate sites in the adjacent area on which the housing element of the scheme could be accommodated with specific reference made to the Peel site development on which only 14% of the units were currently due to be provided at social rent. It was felt this would mitigate the potential loss and impact on community provision at the Carlton & Granville Centre site. On the basis of the concerns raised, Councillors Hassan and Conneely urged the Committee to consider referring the original decision back to Cabinet for reconsideration.

The Committee then moved on to consider representations from members of the public and other stakeholders who had requested to speak in relation to the call-in. Comments made were as follows:

Claude Boucher (representing the Kilburn Housing Co-operative Ltd) provided an outline of local community use on the site and its importance in meeting local community needs. As such he advised the Housing Co-operative were opposed to the proposed reduction in community services and facilities that it was felt the development would involve. Concern was also raised in relation to the consultation undertaken on the proposals and to the fact that no guarantee had been provided that the 23 residential units proposed for the site would be provided as council housing. Whilst supportive of the need to provide council housing, it was felt there were other more appropriate residential development sites where these units could be located with reference again made to the low number of social housing units within the Peel Precinct development and concerns regarding wider gentrification of the area. It was felt that further consideration was also required in relation to the impact of the Government's austerity based funding cuts on the most disadvantaged communities, which he felt also supported the need to preserve important and well used community spaces such as the Carlton and Granville Centres.

David Ellison (representing the South Kilburn Trust) highlighted what he felt had been the local levels of support for the Trust in terms of what they were seeking to

achieve in managing and seeking to extend, on a financially viable basis, access to community facilities on the site. He pointed out that since the Trust had taken on management of the Phase 1 community and enterprise hub at the Granville Centre in 2018 there had been over 20,000 visits and 400 community events involving a range of different providers. He also felt it important to recognise the positive impact the proposed Phase 2 development would have in addressing existing provision at the Granville Plus Nursery School. For these reasons he advised he was supportive of the Phase 2 proposals being progressed.

David Kaye (Co-Chair Kilburn Community Neighbourhood Plan Forum) also spoke against the current proposals highlighting concerns in relation to the lack of wider community involvement in terms of the development and current management of community provision on the site and any further reduction in community space with reference made to the proposals for the Enterprise Hub.

Following on, Dawn Sally Holder (local resident) also highlighted a number of concerns in relation to the proposed development and in support to the call-in. Issues highlighted included the potential loss of open community space as a result of the proposed housing development and also concerns relating to the local democratic accountability and engagement of the South Kilburn Trust as a key stakeholder and in the ongoing management of community service delivery at the site. As an example it was highlighted that none of the three local ward councillors were represented on the Trust.

Deirdre Woods and Leslie Barson (Grenville Community Kitchen) both spoke separately in support of the call-in. Deirdre Woods took the opportunity to highlight the unique architectural and heritage aspects of the Carlton and Grenville site, which she felt had not been reflected within the Phase 2 scheme proposals approved by Cabinet. If allowed to proceed in its current form she felt the scheme would damage the heritage legacy of the site and South Kilburn in general. Given the Community Kitchen's long standing use on the site, Leslie Barson supported the concerns raised regarding the impact which any reduction or loss of community space as a result of the scheme moving forward would have on the local area. She was concerned to ensure that space for multi-purpose community use and facilities was maintained on the site given the current levels of demand for a range of support services within the local community and supported a delay in implementing the plans in order to provide more opportunity for the whole community to be involved in helping shape the final scheme.

Dhelia Snoussi (local resident) also spoke in support of the call-in, advising that she shared the concerns expressed around the need to protect and preserve the multi-purpose community use and space on the site and in relation to the proposed housing element of the scheme. She supported the view that more appropriate alternative sites were available for delivery of the housing element of the scheme, again referring to the low density of social housing currently provided within the Peel site development and remained concerned to ensure that assurances were provided regarding its provision as social housing rather than any mixed tenure.

Dolores Miller (local resident) also speaking in support of the call-in took the opportunity to highlight the reduction in community space as a result of the Phase 1 development which had involved the Great Hall on the Granville site being transformed into enterprise space rather than retained as a multi-purpose

community facility. As with other supporters of the call-in she opposed the loss of any further community space given local demand in the area for this type of provision and facilities.

Dolors Vila (local resident) also highlighted concerns relating to management of the proposed mix residential and community use on the site. She referred to previous examples of clauses being included within tenancies for housing blocks elsewhere on Granville Road regarding the acceptance of community use on the site which had not worked, with complaints regarding noise etc arising from the use of the community facilities having eventually led to those activities having to be scaled back or stopped. She was therefore also in favour of this element of the proposals being referred back for reconsideration.

Lesley Benson (Granville Plus Nursery) then spoke in favour of the Phase 2 proposals agreed by Cabinet highlighting the establishment and involvement of the key Stakeholder Group in the development and design of the proposals. The Stakeholder Group had involved a wide range of existing local users and a series of consultation events and meetings designed to provide robust challenge to the scheme design in order to achieve a balanced mix in terms of community elements. The scheme proposals would include a reconfiguration of the existing nursery school site which would enable the school to address current issues in terms of capacity and the need for Special Educational Needs provision and were therefore strongly supported by the nursery school. Whilst noting the concerns expressed in terms of the mixed housing and community use proposed on the site, it was felt that the proposals delivered a coherent, financially viable and innovative scheme that would create more flexible opportunities for community use. The key Stakeholder Group had therefore endorsed the proposals with the need identified to ensure the local community were provided with accurate information regarding the nature of the scheme.

Having reflected on the previous contributions, Peter Denton (local resident) felt it was important for the Committee to focus on the wider social benefits arising from the existing community use on the site. He was also therefore concerned to ensure that multi-use community provision was maintained on the site and no further space was lost as a result of the Phase 2 development.

Peter Firmin (Chair of the Alpha, Gorefield and Canterbury Tenants and Residents Association) also spoke in support of the call-in, highlighting concerns in relation to the local democratic accountability and accessibility of the South Kilburn Trust as the organisation identified by the Council to manage service delivery of the community space and enterprise hub proposed under Phase 2 of the scheme. Specific concerns were raised in relation to the lack of local community representation on the Trust and difficulty experienced in being able to engage with their decision making process. He was therefore keen to seek wider community engagement in terms of the community governance arrangements for management of the community and enterprise space.

As a final contribution, Sheikh Babikir (representing Rumi's Cave Charities as a leaseholder on the Carlton site) felt it was important to highlight the level of existing community use within the Carlton Centre with, he pointed out, more than 2000 people a week using the current facilities and various community based support services (such as his charity) being provided from within the site. As an example

he outlined the range of services and support available from his organisation which included weekend, breakfast and afterschool clubs alongside legal and financial advice for adults which it was likely would be lost if the proposals to redevelop the Carlton Centre in their current form were implemented. He therefore urged the Committee to recognise the concerns raised in relation to the potential loss of community provision on the site given the detrimental impact on the surrounding community.

The Chair thanked all members of the public and stakeholders for their contributions and then invited Councillor Tatler, as Lead Member for Regeneration, Highways & Planning to respond to the reasons provided for the call-in and public representations made at the meeting.

Councillor Tatler began by outlining the Council's support for the Carlton & Granville sites as valuable community assets and recognising the need to maintain space available for community provision. Following the significant change of approach agreed by Cabinet in November 2016 regarding development of the site, the design process moving forward to Phase 2 had, she pointed out, been led by the Stakeholder Group established at the time to take account of views expressed by local community organisations with the Council's role, in this respect, being to act as facilitator.

Following the addition of the site to the revised South Kilburn Masterplan the Council had however been keen to explore the potential inclusion of housing on the site, given the ongoing pressure in relation to housing need with a range of options developed. Having taken account of the strong community presence on the site and results of consultation undertaken, the recommended design option approved by the Cabinet had involved the proposed delivery of 23 units which was a less dense scheme than originally identified and was felt to represent a more acceptable level of development in terms of the shared community use of the site. Whilst the final viability in relation to the affordability of the housing element of the scheme would need to be assessed, Councillor Tatler assured the Committee that the aim was to deliver these units as council housing. In terms of other sites available within the South Kilburn development to accommodate the provision of social housing, Councillor Tatler felt it was important to recognise (given the ongoing level of housing demand) that the Council would need to explore all options available to increase the level of affordable social housing provision on every available site across the borough. The aim being to achieve at least a minimum 50% target for affordable social housing. In seeking to address the concerns raised regarding management of residential and community use on the same site, she highlighted the safeguards available through the planning process and also the successful mix between community and residential use at Willesden Green Library.

In terms of the concern raised regarding the potential loss of community space on the site and impact on the local community, Councillor Tatler highlighted that the proposed option agreed by Cabinet would ensure a range of community use including not only improvements to the Granville Plus Nursery site but also a new community and enterprise space along with an accompanying Children's Centre and Family Hub. The space had been designed to include more flexible use of the facilities available in order to cater for a variety of needs which would also be supplemented by the roll out of the Kilburn Hub initiative at William Dunbar House. She also pointed out that the community and workspace elements had been subject

to extensive discussion with each of the proposed users and the Stakeholder Group.

Whilst drawing the Committee's attention to the fact that the decision taken by Cabinet had been focussed on the development options available rather than community governance arrangements for the scheme, Councillor Tatler finished by highlighting that Cabinet (in response to stakeholder feedback) were also seeking to explore the potential management options available in order to ensure as wide a level of community engagement as possible.

The Chair thanked Councillor Tatler for her response and then invited questions/comments from the Committee, with the following issues raised:

- (a) Given the concerns raised regarding the democratic engagement and accountability of the South Kilburn Trust, Members were keen to explore how this had been assessed in terms of any continued involvement in the community management arrangements for the Phase 2 development. In response Councillor Tatler advised that having worked closely with the Trust her view had been that they did engage well with the local community and had been positive and open in their approach towards development of the Phase 2 proposals, working as part of the wider Stakeholder Group. Carolyn Downs (Chief Executive) also felt it was important to highlight that given the charitable status of the Trust any concerns regarding their structure or democratic accountability would be matters for the Charity Commission or Trustees rather than dealt with under the call-in.
- (b) Further details were sought by the Committee of the basis on which the decision to recommend Development Option 3 as the preferred option from the four identified had been taken. Councillor Tatler confirmed that the identification of Option 3 as the preferred option had been based on close consultation with the Stakeholder Group and developed following consultation with existing users and a review of the existing buildings on site. The final option had represented a compromise in terms of the level of housing included, with initial proposals designed to include a larger number of units but this having been adjusted (following consultation) to endorse the principle of a less dense scheme and also to recognise issues raised relating to the build and management of the space given the shared community use.

In terms of the size of accommodation proposed within the development it was confirmed this would involve 2 x 4 bedroom properties; 4 x 3 bedroom properties; 8 x 2 bedroom properties and 9 x 1 bedroom properties. With regard to the recommended design option the Committee were keen to ensure that assurances were provided regarding the 23 units of housing being delivered as social housing. Whilst recognising the need to address issues in relation to viability, the Committee also felt that the aim should be to maximise the number of three or four bedroom 'family-sized' accommodation. In response, Councillor Tatler advised that the mix of accommodation proposed had been designed to reflect what it was felt would be achievable from a planning perspective and also in order to provide a more acceptable level of development. Whilst these decisions would also need to take account of viability and affordability assessments relating to funding options and the Housing Revenue Account (HRA) Councillor Tatler provided an assurance

that the Council was committed to the provision of council housing on the site. The Committee, whilst welcoming the assurance provided, felt there was a need for this position to be clarified by Cabinet given the fact that the report on which the called-in decision had been based only referred to a preference for Council housing and also recognising that the position would still be subject to a viability assessment in terms of both the size and tenure of the units achievable.

- (c) Clarification was also sought by the Committee on the level and mix of community space provision within the Phase 2 proposals. In response Councillor Tatler advised that there would be no loss of community event space available on site (currently totalling 445 sq metres). Having considered the need for community provision, she pointed out the proposals would, in fact, provide an increase in provision to 588 sq metres which did not include the proposed community enterprise hub or reconfiguration of the existing nursery provision on site. Recognising the comments raised by members of the public and other stakeholders when speaking in support of the call-in, further details were sought on the reasons loss of community space had been cited as a concern, which Councillor Conneely advised had reflected the overall loss of community space under Phase 1 of the development. This had, she pointed out, included the loss of the main hall in the Granville Centre in order to provide enterprise and small office space with concerns also highlighted about the proposed layout and mix of the space to be provided for community use including a lack of any space for large scale events.

Commenting on the new design proposals, Councillor Tatler felt it important to recognise that these included 2 new halls (although separated by the community garden) and more functional space which could be flexibly managed in terms of layout and a more innovative and creative use.

- (d) Further details were sought on the timescale for implementation of the scheme, with Councillor Tatler advising that she was keen to progress the scheme as soon as possible given the fact that its development had involved a two year process and close collaboration over its design with local stakeholders. Although still subject to the necessary planning consideration, she pointed out the scheme was also seen as integral, in terms of its community offer, to the wider development of the South Kilburn area.
- (e) Recognising the concerns raised in relation to the community governance arrangements for management of the development moving forward, the Committee were keen to further explore the options being considered highlighting that the report to Cabinet on which the called-in decision had been based only appeared to refer to the South Kilburn Trust. Highlighting the wider engagement and representative nature of the established Stakeholder Group, Members sought clarification on whether consideration had been given to using this Group to structure the future community management arrangements for the site around. In response, Councillor Tatler reminded Members that she had already advised the future community management options for the site were subject to review. Whilst not able to make any final decisions at this stage she confirmed that a full review of available options would be undertaken with the aim to ensure the final community governance arrangements were as representative as possible. The Committee were once

again keen to ensure this assurance was confirmed by Cabinet with the preference identified being a model involving the Key Stakeholder Group with a broader local community membership rather than involving only the South Kilburn Trust as the key management stakeholder.

- (f) In response to concerns raised regarding the way in which the mix between residential and community use on the site would be managed, Councillor Tatler advised that she had already recognised the need to consider the type of safeguards which could be provided for tenants, especially in relation to noise. These matters were being actively considered by the Council's Housing Management Team and would also be matters for consideration under the planning process with the Committee keen to ensure that adequate safeguards were in place in order to avoid limiting use of the community facilities.
- (g) In terms of other issues raised, the Committee also requested further details on:
- the design of the scheme in terms of open space and concerns regarding tackling anti-social behaviour and safety concerns in the area. Councillor Tatler advised that these issue had been addressed within the design of the scheme, which would involve the provision of community open space. In relation to safety concerns, one of the additional benefits arising from the on-site housing element was the enhancement of community safety through the provision of 24 hour passive surveillance of the outdoor space and other wider design principles.
 - The concerns raised in relation to the heritage and architectural aspect of the design proposals. In response, Councillor Tatler advised that from her perspective the proposals had been designed to retain the heritage and architectural value of the site and existing buildings which had been one of the principles within the design brief.
 - The proposals relating to the redesign of the nursery site and impact should these not proceed. In response Emma Sweeney (Project Officer) advised that the proposals had been designed to improve the current provision on site recognising the significant constraints of the current configuration and layout in terms of capacity and also Special Education Needs provision. The new design, whilst involving some disruption during the construction phase and changes in configuration, had been developed to support a free flow educational model with assurance provided by Councillor Tatler that the need to address safeguarding provision had also been included within the design proposals.
 - The ongoing viability of the current community use on site, should the development and management of Phase 2 of the scheme not proceed as agreed by Cabinet. Having been invited to initially comment, Councillor Hassan felt there was sufficient interest and existing levels of use to ensure continued provision on site with a number of different organisations having expressed an interest in managing the site and alternative sites available for provision of the housing element. In response, Councillor Tatler felt it was important to stress that a range of

options had been considered reiterating that all development sites were subject to ongoing review in relation to the Council's social housing targets. The scheme had also, it was pointed out, been designed to address future financial viability in terms of issues such as running costs and rental charges.

- In terms of the operation of the proposed community Enterprise Hub, Councillor Tatler advised that she would, in response to a query from the Committee, be willing to look at the potential to establish a minimum level of local social enterprise provision within the Hub.

As no further issues were raised, the Chair thanked everyone for their contributions and then invited the committee to consider the recommendations set out in the report in relation to the outcome of the call-in.

As a result of the discussion that followed the Committee **RESOLVED** by a majority decision (with only Councillor S.Butt voting in favour of confirming the original decision):

- (1) That on the basis of the views and comments expressed at the meeting, the called-in decision regarding the Carlton and Granville Centre Site – South Kilburn” be referred back to Cabinet for reconsideration.
- (2) In referring the decision back for reconsideration the Committee insist that Cabinet only considers proceeding with the scheme on the basis that clear written promises are provided in relation to the following issues:
 - (a) In terms of the recommended design option, the 23 units of housing being sought must all be provided as social housing. Whilst recognising the need to address issues in relation to viability, committee were also keen to ensure a predominance of three or four bedroom ‘family-sized’ accommodation;
 - (b) Appropriate noise-reduction safeguards be provided for tenants within the new housing units in order to manage the relationship between the mixed residential and community use on the site. Such a provision to ensure that noise concerns do not limit the use of the facility by the community;
 - (c) A minimum level of local social enterprise provision be guaranteed within the Enterprise Hub; and
 - (d) Community governance options being developed in terms of future management of the site are based around the Key Stakeholder Group and involve a broader local community membership. Such governance options must have open membership to the local community, with democratic selection processes.
- (3) That following on from (1) & (2) above, the Committee receive a further report back in 3 months’ time enabling them to continue monitoring progress on development of the scheme and how the assurances being sought had been addressed.

The meeting closed at 8.10 pm

COUNCILLOR KELCHER
Chair