



## **MINUTES OF THE CALL IN OVERVIEW AND SCRUTINY COMMITTEE Wednesday 1 February 2012 at 7.30 pm**

PRESENT: Councillor Ashraf (Chair), Councillor Denselow (Vice-Chair) and Councillors Mrs Bacchus, Gladbaum, Kabir, Lorber and Thomas

Also Present: Councillors Adeyeye, Cheese, Chohan, S Choudhary, Crane (Lead Member for Regeneration and Major Projects), Hashmi, Hunter and Jones (Lead Member for Customers and Citizens)

An apology for absence was received from: Councillor HB Patel

Prior to the commencement of the meeting, a minute's silence was held in memory of Councillor Alec Castle, a former chair of the Call In Overview and Scrutiny Committee, who had recently passed away.

### **1. Declarations of personal and prejudicial interests**

Councillor Lorber declared an interest as a member of Friends of Barham Library, however he did not consider the interest to be prejudicial and remained in attendance to discuss and vote at the meeting.

### **2. Minutes of the last meeting held on 3 August 2011**

RESOLVED:-

that the minutes of the last meeting held on 3 August 2011 be approved as an accurate record of the meeting.

### **3. Matters Arising**

*Additional street cleansing savings*

Councillor Gladbaum commented that she was still awaiting information concerning leaf fall collection arrangements for parks.

### **4. Call-in of Executive decisions from the meeting of the Executive held on 16 January 2012**

Decisions made by the Executive on 16 January 2012 in respect of the report referred to below were called in by councillors for these to be considered by the Call In Overview and Scrutiny Committee in accordance with Standing Orders 6 (b) and 18.

#### **Willesden Green Redevelopment Project**

The reasons for the call in were:-

1. Delegation of authorisation of detailed design (recommendation 2.4 in the report): it is appropriate that a decision of this significance is signed off by members, especially if the consultation process or other pressures result in a need to reconsider elements of the scheme or choose between options.
2. Interim service delivery strategy (recommendation 2.5)
  - (a) Lack of clarity over important aspects of the alternative provision including the size of the premises at Grange Road and details of other premises in the Willesden Green area being explored.
  - (b) Lack of serious consideration of the use of available closed libraries to aid the delivery of services as evidenced by the perfunctory nature of paragraph 6.29 in the report.
  - (c) It is incorrect to state that the provision of transport services to aid access to alternative study space is outside the council's powers (para. 9.23). The council has a number of potentially relevant powers including the power of well-being.
3. Lack of clarity in the papers provided to members at the Executive meeting about the design and functions of the proposed new building including:
  - (a) No information (even in broad terms) about how the available floorspace will be split between the different uses and the projected income from the proposed commercial uses.
  - (b) No information about the architectural and design approach to the development or the planning considerations and risks (other than the risk of local objections set out on page 54) that the design has to take into account.
  - (c) Lack of clear explanation about how the zero net capital cost will be achieved.
  - (d) Inadequate consideration of the risk of construction costs being greater than anticipated and the extent to which the additional costs might fall on the council if they are not the responsibility of the contractor; and inadequate assurance about financial control of the project subsequent to detailed design development and prior to practical completion.
4. Defects in the decision making process including lack of information provided to members about the revenue consequences of the recommended decision (section 7 asserts that all future revenue costs will be contained within existing budget allocations for the management of the WGLC but there are no figures to support this. Additionally there is no mention of the revenue implications of the non-cultural centre functions such as office space and contact centre).
5. Lack of access to Background Papers despite requests in good time

## 6. Consultation strategy (recommendation 2.7)

- (a) The agreed consultation strategy does not include any objectives nor does it specify what scope there is for the current design to be altered in response to the consultation. It is therefore unclear to what extent this is a genuine consultation strategy and to what extent it is simply a public engagement strategy designed to provide reassurance and promote the project to stakeholders.
- (b) There is no mention in the report, recommendation or consultation strategy of reporting back the outcome of the consultation to members (Executive or Scrutiny) to enable consideration of the views expressed.

Suggested action for the Call In Overview and Scrutiny Committee to take:-

- Consider the revenue implications of the decision to assure value for money and the other issues raised above.

Recommend that:-

- The decision about the detailed design and costs be taken by the Executive and not delegated;
- The interim service delivery strategy be revised to provide more library floorspace and more accessibility to the museum collection than the present proposals deliver, possibly including use of currently closed library premises to avoid the need to pay rent;
- Objectives be set for the consultation strategy; the process for considering and responding to consultation feedback be clarified and publicised to stakeholders in due course; a resident / stakeholder liaison group be created as part of the consultation strategy

The Chair confirmed that recommendations 2.4, 2.5 and 2.7 in the report had been the decisions that had specifically been called in along with other additional reasons and he invited Councillor Lorber, one of the councillors who had called in the item, to provide an initial summary for the reasons for the call in. Councillor Lorber began by acknowledging that the Willesden Green Redevelopment Project had been under consideration for a while and certain issues had arisen. The preferred bidder during the tendering process had had to withdraw their bid due to their not being able to secure the necessary funding and the second preferred bidder was now proposed as the contractor to develop the site. In respect of recommendation 2.4, Councillor Lorber felt that in view that the costs involved in the project were in excess of £10m, the final decision should not be delegated to officers but referred to the Executive which would also allow non Executive Members to play a scrutiny role. In respect of recommendation 2.5, Councillor Lorber suggested that the interim service delivery strategy presented an opportunity for the council to rebuild its relationship with the community since the library closures and that re-opening closed libraries to provide this service and working with voluntary groups to help deliver it would have a beneficial impact on the relationship with the community. With regard to recommendation 2.7, Councillor Lorber felt that the initial Client

Design Brief had received only limited consultation and the workshops organised had been significantly undersubscribed and that there needed to be considerably more scope for consultation to be set out in the consultation strategy and more extensive consultation in respect of the final Client Design Brief.

The Chair then invited some members of the public who had requested to speak to address the committee.

Sonja Nerdrum, representing Cricklewood Library Supporters Club, began by stating that both Cricklewood and Kensal Rise libraries were purpose built libraries that had been donated by All Souls College. She queried why the council would wish to pay rent and refurbishment costs for the temporary library at Grange Road as the building that had not been designed to be a library. Sonja Nerdrum asserted that the Cricklewood library building was ready to use at no extra cost to the council and as Willesden Green library had been identified as the nearest library to both former Cricklewood and Kensal Rise library users, there was no reason not to re-open these libraries again during the interim service delivery period.

Alison Hopkins, representing former users of Neasden Library and also residents of surrounding areas, including Dollis Hill and Dudden Hill, addressed the committee. Alison Hopkins began by stating that residents were against the closure of Neasden library and that the Willesden Green and Wembley libraries were difficult to travel to from Neasden and surrounding areas. The temporary closure of Willesden Green library would worsen matters as the alternative locations would remain in Willesden Green and concern was expressed that the redevelopment would take longer than the 18 months planned. Alison Hopkins commented that Neasden library had previously attracted a large number of visitors and was a hub for local activities, including hosting mother and child groups and Brent Adult and Community Education Service (BACES). In addition, the library had also had a recent refurbishment costing £360,000. Alison Hopkins contended that in view that the council was still paying rent on the Neasden library building, it made sense to use the library in view of the council's financial situation as well as to provide facilities for Neasden residents during the entire period that Willesden Green library was closed for redevelopment.

Jackie Baines addressed Members and asked when residents would be consulted with regard to the demolition of the old library building currently occupied by the Brent Irish Advisory Service (BIAS) and the views of local residents would be taken into account with regard to the proposals. She urged those present to sign a petition to save the old library building that had listed building status. Jackie Baines also stated that although she had been asked to participate in the initial consultation, she felt that this had been limited to a few.

Eric Pollack addressed the committee as a representative of Libraries for Life for London. Eric Pollack explained that he had understood that there were plans to accommodate the new Willesden Green library on the first floor which he suggested was highly impractical and would impact upon the ability of visitors to access it, particularly those with physical disabilities. With regard to the rear part of the site to be given to the developer, he felt that this too was unfortunate as it would lead to a loss of car parking spaces that many users would otherwise benefit from, particularly older persons and others who had to rely on cars for transport. Eric Pollack also asked on what basis was the regeneration of the site taking place at

zero capital cost and what benefits would the developer gain from the agreement. The importance of consultation was also emphasised.

Phillip Bromberg felt that there were sufficient funds to keep Cricklewood and Kensal Rise libraries open during the interim service delivery period. He stated that it was difficult to obtain particular details with regard to the proposals, including a request made in November 2011 for costs associated with relocating library services to Grange Road during the interim period. In addition, the council was yet to respond to an offer to discuss initial proposals from Friends of Kensal Rise library to continue to operate a library from the building. In his view, Phillip Bromberg felt that the council did not have sufficient information either to agree the proposals, or make a judgement on any proposals from voluntary organisations to operate libraries. He requested that the committee recommend that the Executive reconsider using Cricklewood and Kensal Rise libraries and that this would not unduly delay the regeneration project.

Nicolette McKenzie, representing Mapesbury Residents Association, stated that when the Willesden Green building had opened in 1989, it had housed a library, cinema, arts complex, café and bookshop. Whilst the cinema and coffee shop had since closed, the bookshop continued to be well used and provided a unique service and was a source of local employment. In addition, it should be expected that a bookshop would be located within a cultural centre. Nicolette McKenzie acknowledged that although the bookshop could not be considered a core service of the council, she suggested that agreement could be sort to accommodate the bookshop on the new site possibly in conjunction with the café.

Melvyn Hacker introduced himself as a member of Save Preston Library and began by stating that there had been no mention of a temporary closure of Willesden Green library when it had been announced that six libraries were to close as part of the libraries transformation programme. He informed Members that he had visited Willesden Green library twice on recent occasions, including a weekend visit and had observed heavy use of the study spaces area. He queried where students would go to during the temporary closure and felt that the suggestion of using Vale Farm would be impractical for many because of the journey involved. Melvyn Hacker suggested that the ideal solution would be to re-open all libraries that had closed to be used as study centres and that it would only require minimal staff to open and close the buildings during the day and volunteer staff could also help. In addition, heating and lighting would help keep these buildings in good condition and deter vandalism. The building that Preston Library had operated in was also only twelve minutes on the tube from Willesden Green.

David Butcher of the Kensal Rise Library Users Group began by querying the council's view that the Willesden Green library building was no longer fit for purpose, especially as the building had only been opened in 1989 and had undergone a £700,000 refurbishment as recently as 2006. He expressed concerns about the interim service delivery strategy and asserted that the Kensal Rise library building could be re-opened almost immediately with all its facilities still in place and even the WiFi was still functioning. David Butcher felt that the Kensal Rise building could be used as a community library at no cost to the council, whilst in addition, extra space in the building could be used for other purposes. He suggested that such an arrangement would represent a win-win situation for both Kensal Rise residents and the council.

Simon Watkins, a Brondesbury Park resident, stated that he had only been made aware of plans to demolish the existing site at the Executive meeting on 16 January and that the two consultation exercises of one hour each were nowhere near sufficient. He expressed concern that the only meaningful consultation would take place during the formal planning application stage which minimised the impact residents and other stakeholders would have on the design of the new building and more consultation was needed in particular with regard to design. In addition, the design would need to be mindful that the site was located in a conservation area. Simon Watkins suggested that the interim service delivery was incoherent and lacked clarity and he enquired how the Client Design Brief could be accessed by residents. He also sought information on the vision for future needs and how would this reflect cultural diversity, why was a cinema not part of the plans and asked that recreational space in the new building not be reduced. Simon Watkins also stressed the need for sound management of the new library.

The Chair then invited Councillor Crane (Lead Member for Regeneration and Major Projects) to respond to issues raised. Councillor Crane confirmed that the report from the 16 January Executive meeting was a follow up to the report that went to the Executive in February 2011 that had approved a comprehensive redevelopment of the Willesden Green site at zero capital cost to the council through a developer partner framework. Some land on the site, including the car park, would be sold to the developer, however the council would remain the freeholder. Members heard that the present building was in poor condition and offered a poor customer experience and there were no funds available for the high costs required to undertake the necessary refurbishment. The decision had been taken at the 16 January Executive meeting was to award the contract for the regeneration and to delegate authority to officers to enter into a Development Agreement with the contractor. It was acknowledged that the timescales for the temporary closure during the regeneration had changed. Councillor Crane advised that the new building would provide a number of uses in addition to the library and customer contact centre and would be the major civic building for the south of the borough. The consultation to date had included a small number of users and ward councillors and more extensive consultation was planned in future.

Councillor Crane explained that all three prospective contractors that had reached the final stage of the tender process required additional land, including the land presently used for the car park. In addition, all three had included proposals to replace the listed building on the site. Councillor Crane advised that there was no space available for the bookshop and BIAS in the new building, however the council was assisting both in identifying suitable alternative sites. Councillor Crane added that it would have been extremely difficult for the bookshop and BIAS to survive during the temporary closure if they had been allocated space in the new building. A comprehensive interim service delivery strategy had been developed and a full Equality Impact Assessment had been undertaken. The contractor was committed to undertaking a full consultation and community engagement exercise, whilst there would also be statutory consultation during the planning stage.

Councillor Lorber sought further details with regard to the consultation exercises that would be undertaken by the developer and what had already been agreed in respect of the development. In reply, Councillor Crane advised that the developer would establish contact points and liaise with key stakeholders and ensure

information was available to the public. The proposals would also be presented at the Area Consultative Forums, residents' associations, traders and schools. Broadly, the internal structure of the building had been agreed and user groups had provided feedback in respect of the Client Design Brief. Further feedback from consultation would be sought during consideration of the detailed plan.

Andy Donald (Director of Regeneration and Major Projects) was then invited to address the committee. Andy Donald began by confirming that the contractor was the developer and therefore the associated risks were theirs rather than the council's. The council would benefit from a new centre in Willesden Green, whilst the contractor would have the opportunity to develop the land currently used by the car park. Andy Donald advised that the Client Design Brief would be made available on the council's website. In respect of the locally listed building, it was confirmed that planning permission would be required for its demolition and the applicant would need to justify this by replacing it with a building of considerable architectural merit which would be tested through the planning process, during which there would be plentiful opportunities for input from consultation. An indicative design had been produced, however this could not be published until the council and contractor had signed the Development Agreement. Andy Donald then outlined the consultation process which would involve informal consultation at the pre-planning stage which include design and layout aspects of the building. This would be followed by the formal planning process involving residents and stakeholders. In the meantime, there would continue to be on-going consultation with regard to details of specific arrangements. The committee heard that there was no provision for a cinema on the new site as this use was not viable and in any case the cinema had not been occupied for a number of years on the existing site. In addition, the Tricycle and Lexus cinemas were conveniently located nearby for residents. Discussions had taken place with both the bookshop and BIAS concerning suitable alternative sites and Members heard that the council had contacts with a number of landlords in Willesden Green that may offer opportunities, whilst there were also other council owned premises in the area. Andy Donald advised that it was common for the detail of the design of major projects such as this to be delegated to officers and the final planning permission would still be required from the Planning Committee.

Jenny Isaac (Assistant Director, Environment and Neighbourhoods) then addressed the committee in respect of the interim service delivery strategy. She advised that the interim service would continue to ensure the library was open seven days a week and the outreach and home delivery service would remain. The Grange Road site would include book stock, computers, study spaces and reading for the under fives, whilst additional space was also being sought for groups to use. However, this was presently subject to negotiation, although it was anticipated that the details would be able to be published within the next four weeks. Jenny Isaac explained that some groups of the community had not been accessing the museum and so it was felt that this would be a good opportunity to take the museum to the community by visiting various groups and areas and also schools. An on-line library service would continue to be available which would also include archive material. The library transformation project approved by the Executive in April 2011 had clearly demonstrated high level demand for library provision in Willesden Green and so it was important that the interim service continued to be delivered from this location. In addition, high levels of deprivation and low school achievement in the area

strengthened the need to locate library services in Willesden Green during the redevelopment.

The committee then discussed the item in depth. Councillor Denselow commented that issues raised about the consultation, including the future of the bookshop and the locally listed building, should be seen in the context that the regeneration proposals were to be delivered within a development partner framework. He acknowledged that it was normal for the detail of such proposals to be delegated to officers, whilst the interim service delivery proposals were yet to be finalised. He also enquired whether the book stock would be increased during the interim service period. Councillor Gladbaum asked whether the consultation that had been undertaken involved ward councillors and users from both Willesden Green and Brondesbury Park wards and what had been the outcome. Clarification was sought with regard to bids for the London Mayor's Outer London fund to redevelop Willesden Green. Councillor Gladbaum asked for further information about the next steps to be taken with regard to the proposals and when was the planning application for the new building likely to be made.

Councillor Kabir enquired whether the same amount of study spaces and space for socialising would be available under the interim service and also whether the £50,000 deposit the developer was due to give the council would contribute towards this service. She also commented that a new centre in Willesden Green was desirable and the regeneration scheme would also contribute towards providing housing that was so sorely needed in Brent. Councillor Thomas sought assurances that the new building proposed would have a longer future than the present one and asked how the facilities would be accommodated. He concurred that it was normal for such proposals to have delegated authority to officers at this stage. In respect of timescales, he asked reasons as to why this had changed and were there any measures in place to monitor need in respect of the interim service and could more study spaces be accommodated if such a need had been identified.

Councillor Lorber acknowledged that provision of study spaces was demand-led, however he stated that they were just in much need in Kensal Rise, Preston, Barham Park and Tokyngton and that these should be provided across the borough. He referred to the meeting of this committee on 27 April 2011 when Brent Youth Parliament had been informed that providing study spaces was a high priority and asked when would these be made available. In respect of taking the museum out to the community, Councillor Lorber suggested that this type of activity should be on-going and not just during the interim service period. He asked whether all Willesden Green library staff would be moved to the Grange Road site in view that it was smaller and sought details with regard to costs in providing services in Willesden Green during the interim service period. Further details were sought concerning the estimated costs in re-opening Kensal Rise library and the value of the land on Chambers Lane. Councillor Lorber suggested that funds from the Chambers Lane sale could be used to help fund repairs for the existing library building. He queried why the museum had been moved from Grange Road to the library building as late as 2005. In noting the £2m costs for the interim library service, he suggested that part of this could be used to re-open Kensal Rise, Cricklewood or Neasden libraries during this period. Clarification was also sought regarding whether all shortlisted tenderers had included acquisition of Chambers Lane as part of their applications.



The Chair sought further information with regard to the costs involved in re-opening libraries that had been closed and how had these been calculated. He enquired what discussions had taken place with voluntary groups in respect of them operating the libraries that had been closed. The issue was raised as to whether any additional funds would be made available for libraries. The Chair also queried why authority had been delegated to officers in respect of the Development Agreement and he sought further details with regard to who was on the Willesden Green Project Board and what was the Board's role.

Councillor Hunter, a ward councillor for Willesden Green, was then invited to address the committee. Councillor Hunter stated that councillors from Willesden Green and surrounding wards had received a briefing on the proposals and had been informed that the present Willesden Green library building's foundations would not be able to accommodate an additional floor and was no longer fit for purpose. The councillors concerned had provided input with regard to the design brief. Although there were some concerns with regard to the interim service, the outreach service in respect of the museum had the support of the British Museum, and furthermore the library outreach service to be provided under the interim service was also welcomed. Councillor Hunter felt that the new building would be of significant benefit to the area and welcomed the proposals and she acknowledged that details of the indicative design could not be elaborated on until the Development Agreement had been signed.

Councillor Cheese, ward councillor for Brondesbury Park, was also invited to address Members. Councillor Cheese welcomed the proposals overall, however he stated that he understood that the first developer who had initially been selected had not included Chambers Lane as part of the land they wished to acquire and he asked why it had been agreed to give this land to the developer that had finally been chosen.

In reply to issues raised, Councillor Crane confirmed that the council had made a successful bid in the first round of the Mayor of London's Outer London Fund in respect of the New Windows for Willesden scheme. However, a subsequent second bid to regenerate Willesden Green High Road had been turned down, as had a bid to regenerate sites in Tokyngton. Members heard that several plans were being considered in respect of the new building, including those that proposed locating the library on the ground floor. Councillor Crane advised that study space provision was demand-led and would be provided for accordingly. The committee also noted that in respect of the delay in terms of timescales, BIAS and the bookshop had been advised that they could continue to operate from their sites until the space was needed.

Andy Donald confirmed that the regeneration of the Willesden Green site would be at zero capital cost to the council. It had been estimate that even a basic repair of the present Willesden Green library building would be in the region of £600k to £700k. A cinema and a commercial café were also not viable uses on the site. Andy Donald advised that the present building was poorly designed and had initially included plans for an additional floor. The design brief for the new building addressed the need to include the extra floor and to ensure that the building was fit for purpose for the uses proposed, as well as being an efficient building. Consultation on the interior design of the new building would take place informally at the pre-planning and at the formal planning application stages. There would also

be subsequent opportunities to provide feedback on the finer details of the building, such as signage. The developer fully understood their consultation responsibilities and obligations to the stakeholders and there would be plenty of opportunities for discussion with regard to how spaces could be used. Andy Donald confirmed that both Brondesbury Park and Willesden Green ward members had been presented with the plans and had been broadly positive, although he acknowledged that consultation had been limited to date. Most of the concerns raised had been with regard to the interim service delivery and these were being taken on board. With regard the Development Agreement being delegated to officers, Andy Donald advised that he met regularly with Councillor Crane to ensure that he would be satisfied with the planning application that would eventually be submitted. It was normal to delegate such decisions to officers particularly as it involved extensive negotiations and discussions which would be much harder to pursue if member approval was needed at some stage.

Andy Donald confirmed that he led the Willesden Green Project Board whose role was to deliver the scheme on time and within budget. Members heard that the Chambers Lane land was worth approximately £300k. All three short listed prospective developers had been offered the land on Chambers Lane and all had ultimately included acquisition of this area in their applications. An in principle decision to redevelop the site had been made by the Executive in February 2011 and so there had been no further consideration given to refurbishing the existing building since. The £50k deposit to be received from the developer would be used to help put together the design brief and pay any legal costs. The planning application was due to be submitted in April 2012 with a view for permission to be approved in July 2012 and during this period there would be on-going statutory consultation. Subject to planning permission being granted, works would commence on site in October 2012, with building complete by April 2014, during which time input from stakeholders concerning specific interior features could be made.

Jenny Isaac acknowledged that there was not presently a great level of specific detail that was publically available concerning interim service and this was due to on-going litigation with regard to the library transformation programme and also because the Development Agreement was yet to be signed. The full provision of study spaces could be accommodated during the exam period, however there was presently a ten space shortfall outside of these times. Every effort was being made to address this by identifying alternative sites for additional study spaces. Museum services would travel extensively in the Borough and there would also be a major exhibition celebrating the last time London had hosted the Olympics in 1948. Exhibition space would also be available in the Civic Centre when it opens in 2013. Jenny Isaac advised that five library staff were due to be located at the Grange Road site and a further four staff would be deployed for library outreach services. Members noted that the main priority, based on the findings of the library transformation project, was to provide a library service for Willesden Green residents during the regeneration and that there were no additional funds available to provide more. Two buildings would be used in Willesden Green, although the configuration and uses for each would be confirmed once negotiations were finalised. Jenny Isaac explained that monitoring of the interim service would be undertaken and any appropriate changes would be made from the findings. In respect of book stock, this would not increase during the interim service period, however there would be a larger stock once the new building was complete.

The committee then agreed to a recommendation put forward by Councillor Lorber that the Executive reconsider proposals for the interim service delivery strategy and to specifically consider the use of some closed existing libraries and the costings involved for the proposed strategy in order to provide a comprehensive library service for residents.

RESOLVED:-

- (i) that upon considering the report from the Director of Regeneration and Major Projects, the decisions made by the Executive be noted; and
- (ii) that the Executive be recommended to reconsider proposals for the interim service delivery strategy and specifically consider the use of some closed existing libraries and the costings involved for the proposed strategy in order to provide a comprehensive interim library service for residents.

5. **The Executive list of decisions for the meeting that took place on 16 January 2012**

RESOLVED:-

that the Executive list of decisions for the meeting that took place on 16 January 2012 be noted.

6. **Date of next meeting**

It was noted that the next meeting of the Call In Overview and Scrutiny Committee was scheduled for Wednesday, 29 February 2012 at 7.30 pm, however it would only take place in the event of there being any call ins of decisions made by the Executive on 13 February 2012.

7. **Any other urgent business**

None.

8. **Exclusion of Press and Public**

Members noted the information contained in an appendices 8, 14 and 16 to the report on the Willesden Green Redevelopment Project in relation to item four in the minutes were not for publication as they contained exempt information as specified in the Local Government Act 1972, namely:-

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

The meeting closed at 10.00 pm

J ASHRAF  
Chair