



**Cabinet**  
14 January 2020

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

**Morland Gardens Redevelopment**

<b>Wards Affected:</b>	Stonebridge
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Seven: Appendix 1: Morland Gardens Project Overview Appendix 2: Consultation feedback Appendix 3: Brent Start Performance Data Appendix 4: Sustainability in Design Appendix 5: Equality Impact Assessment (EIA) Appendix 6: Brent Start Demographic Data Appendix 7: Economic Indices of Deprivation
<b>Background Papers:</b>	N/A
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**1.0 Purpose of the Report**

- 1.1 To seek approval to redevelop 1 Morland Gardens, Stonebridge, London NW10 8DY, delivering a new education centre, new council homes, affordable workspace, a public facing café, and public realm improvements.

- 1.2 To outline the delivery of the ambitious mixed use scheme to improve skills and improve the quality of life of residents in an area of economic deprivation as well as housing demand, and that provides important education and civic space in an area that lacks such assets.
- 1.3 To highlight the strong level of community engagement and ward members in the design of the scheme and the support they have provided for the development.
- 1.4 To provide detail of the design, particularly the high standards of environmental sustainability that the building will achieve, outlined further in 3.31. The design is available in Appendix 1.

## **2.0 Recommendation(s)**

That Cabinet:

- 2.1 Approve the proposal to invest up to £43m to deliver a state of the art adult education centre, 65 new affordable homes, 675 sq metres affordable workspace for start-up businesses from the local community, and a public facing café at 1 Morland Gardens.
- 2.2 Note that the proposal to invest up to £43m at 1 Morland Gardens includes the cost of the 2 year service decant and encompasses £6.5m of the GLA affordable housing grant.
- 2.3 Note the risk that if the Stonebridge Primary School Annexe isn't used for decant, outlined in paragraphs 3.43-3.47, it may not be viable to deliver the project in accordance with the delivery timetable at paragraph 3.42, with there being various risks as detailed in paragraph 3.48, to include a risk that alternative capacity for classes could not be found, meaning a period of 2 years where Brent Start would have to close a significant portion of its provision.
- 2.4 Delegate authority to the Strategic Director Regeneration and Environment, in consultation with the Cabinet Member for Schools, Employment and Skills, to carry out the consultation process with third parties prior to appropriation and thereafter to consider responses prior to appropriating 1 Morland Gardens.
- 2.5 Delegate authority to the Strategic Director Regeneration and Environment to appropriate 1 Morland Gardens for planning purposes and use its powers under section 203 of the Housing and Planning Act 2016 to override third party rights.
- 2.6 Approve the procurement of a delivery partner to deliver the redevelopment of 1 Morland Gardens.
- 2.7 Delegate authority to the Strategic Director Regeneration and Environment to approve the pre-tender considerations for the procurement of the delivery partner and thereafter arrange for Officers to evaluate tenders on the basis of the approved evaluation criteria.
- 2.8 Delegate authority to the Strategic Director Regeneration and Environment in consultation with the Cabinet Member for Schools, Employment and Skills, to award the contract for a developer partner.

### **3.0 Background**

- 3.1 The council fully owns 1 Morland Gardens, which presents an opportunity to deliver an innovative and high quality mixed use development in the heart of Stonebridge and on the doorstep to the communities of Church End and Harlesden. This encompasses new council homes, a new adult education centre, affordable workspace, and a café for housing tenants, learners and the wider public.
- 3.2 Involvement of residents and local stakeholders to date suggests that there is great appetite to take forward such as scheme. Engagement with the community has highlighted its potential to deliver much-needed council homes and to put Brent Start on the map with a high quality facility. In addition, the building also respond to a range of local aspirations in the community by providing access to the new facility for community rental on evenings and weekends and partnership uses.
- 3.3 The Community Steering Group (see para. 3.11 for representation) articulated the opportunity to create an environment for people to access education, employability support and jobs, self-service IT for learning and to access services, social housing, as well as much needed spaces for networking and community activity such as the new café and hire facilities (e.g. of the hall and classroom spaces).
- 3.4 The Community Steering Group will ensure that the community continue to steer how this asset can be utilised for the benefit of local residents and businesses.
- 3.5 The design and function of the new building responds to the Borough Plan 2019-23 aspirations:

3.5.1 A future built for everyone and an economy fit for all.

#### **Higher Level Skills Achievement:**

- 7% of residents having no qualification and 28% of residents do not have NVQ 2 qualifications (equivalent to 4/5 GCSEs A-C), which in particular hampers people's ability to access employment.
- The education centre will be a major contributor to Brent Start's ability to improve skills in the borough for the benefit of local communities. 42% of Brent Start's learners reside in the five most deprived Wards of the borough.

#### **High Value Employment and Increase in Average Wage:**

- Currently Brent workers are relatively low paid with almost one third of residents (31%) earned less than the London Living Wage – the second highest rate in London, after Newham. Brent Start supports residents to develop skills to access quality work (preferably paid Living Wage and not zero hour contracts). Also to develop skills of residents in-work, to help them progress in employment.

- The new enterprise hub will also be a boost for local business start-ups, providing support to residents with latent skills that aren't being utilised.

### 3.5.2 Housing Supply

#### **Increased social and council housing supply:**

- There are 12,200 households currently in affordable housing need in Brent. Of these, 3,657 currently occupy housing that does not meet their needs. Also, to re-house residents currently in Temporary Accommodation (TA), from the current cohort of over 2,300 homeless households living in TA.
- The new scheme provides 65 new social rented homes that will assist in responding to this need.

### 3.5.3 Every opportunity to succeed.

#### **Outcomes for Young Black Men:**

- In 2016, the unemployment rate for Black Caribbean and Black African young men (aged 16 to 24) was 29%. This was almost double the average unemployment rate for all young men, which was 15%.
- The Moving on Up project to support young black men into quality employment has highlighted the demand from the community for access to entrepreneurship programmes. There are opportunities to link the Moving on Up project to the new enterprise workspace to support self-employment skills and start-up businesses.

#### **Outcomes for residents with learning disabilities:**

- There are 648 service users 18-64 years old known to social care, of which 18 (2.8%) are in employment, compared to a London average for 2017-18 of 7.5%, with some London boroughs achieving over 10%.
- The specification for the café will make available social value opportunities to support Brent Start learners with learning disabilities, building on the existing café enterprise programme. This will help them to gain work experience and improve their skills and where appropriate to access employment.

### 3.5.4 A borough where we can all feel safe, secure, happy and healthy.

#### **Employment and health:**

- In 2019 there are over 10,800 residents in receipt of Employment Support Allowance (ESA) in Brent, the out of work benefit related to disability or sickness. Of this number, over 5,000 are known to have a mental health issue.
- The Work and Health Programme provided by The Shaw Trust will be able to provide outreach support from the building, responding the Mental Health and Employment Outcome Based Review findings, ensuring that there is a locally accessible offer linking health and employment.

### **Preventing re-offending:**

- The new Bright Futures project to help ex-offenders into employment can run skills related activities in the building.

### **Community Involvement**

- 3.6 The community have been involved throughout the project to ensure the design responds to their feedback and that the uses of the building reflect local needs and aspirations.
- 3.7 The Ward Members of Stonebridge Ward have been involved, with their feedback contributing to the mix of uses and the design, with the following results:
- Preference was given for delivery of social housing.
  - Members were supportive of the need for a new education centre.
  - Members were supportive of the proposed Community Steering Group to bring together local stakeholders to discuss the future building, its uses, and further community engagement focus groups that have since been delivered.
- 3.8 A Community Steering Group has been established and has met twice to date. The group includes local churches, voluntary and community sector and housing association representatives from Stonebridge, Church End and Harlesden. They approve of the mix of uses and design of the building.
- 3.9 A steer from the Community Steering Group was for new homes to be council housing and that there should be an appropriate proportion that are for families.
- 3.10 They have also reflected that the facility can put Brent Start on the map whilst simultaneously becoming an asset that can be utilised by the local community. The steering group highlighted the following:
- The affordable workspace should prioritise access to start-up business support for local businesses. It will be able to support entrepreneurship, skills and employment for young people and adults. It should be leased to a provider to deliver an innovative enterprise function that is focussed on engagement with the local community. It is an opportunity to establish creative enterprises in a shared workspace, with on-hand training and business support.
  - The space will be available for hire for use by partners for activities relating to skills, employment, enterprise, and related provision such as financial inclusion and health advice.
  - The space will be available for hire on evenings and weekends.
  - The café should be open to the public as there is a gap in this offer locally at Hillside.

- Employment programmes such as the Brent Works, Work and Health Programme and vocational courses commissioned by the Department for Work and Pensions should be delivered from the centre to help with progression to employment.

3.11 The Steering Group representatives are:

- St Michael and All Angels Church: Sarah Liebert (Vicar)
- The Five Previous Wounds Catholic Church: Antonio Ritaccio (Parish Priest)
- Bang: Errol Donald (Creative Director)
- Crisis: Atara Fidler (Director)
- Catalyst Housing: Sahil Khan (Head of Community Engagement)
- Hyde Housing: Evelina Sredovska (Community Engagement Manager)
- Brent Council: Matt Dibben (Head of Employment, Skills and Enterprise)

3.12 Consultation on the proposed scheme and the uses proposed has been ongoing since April 2019, including a range of opportunities for local residents, staff and students of Brent Start to contribute. This included a number of open days at the existing Morland Gardens site where designs were available for people to comment on. The consultation timeline and a summary of feedback is available in Appendix 2.

### **Brent Start – Adult Education**

3.13 Morland Gardens is the location of the adult education facility for Brent Start. It is in need of significant repairs and investment and part of building is now unusable due to subsidence. It also only partially utilises the council owned site and is low in density.

3.14 A new state of the art centre is needed to create an aspirational learning environment for the community, partners, learners and staff. This is a key workstream in delivering the aim for Brent Start to become Ofsted Outstanding, as identified in the Borough Plan 2019-23.

3.15 The new facility will help to put Brent Start on the map, raising its profile in the community and borough wide. It will be an asset to be utilised with and by the local communities of Stonebridge, Harlesden and Church End, the areas of Brent with the lowest average income, skills, and highest economic inactivity.

3.16 In 2018-19 Brent Start has supported 2,780 learners. A summary of performance is attached in Appendix 3.

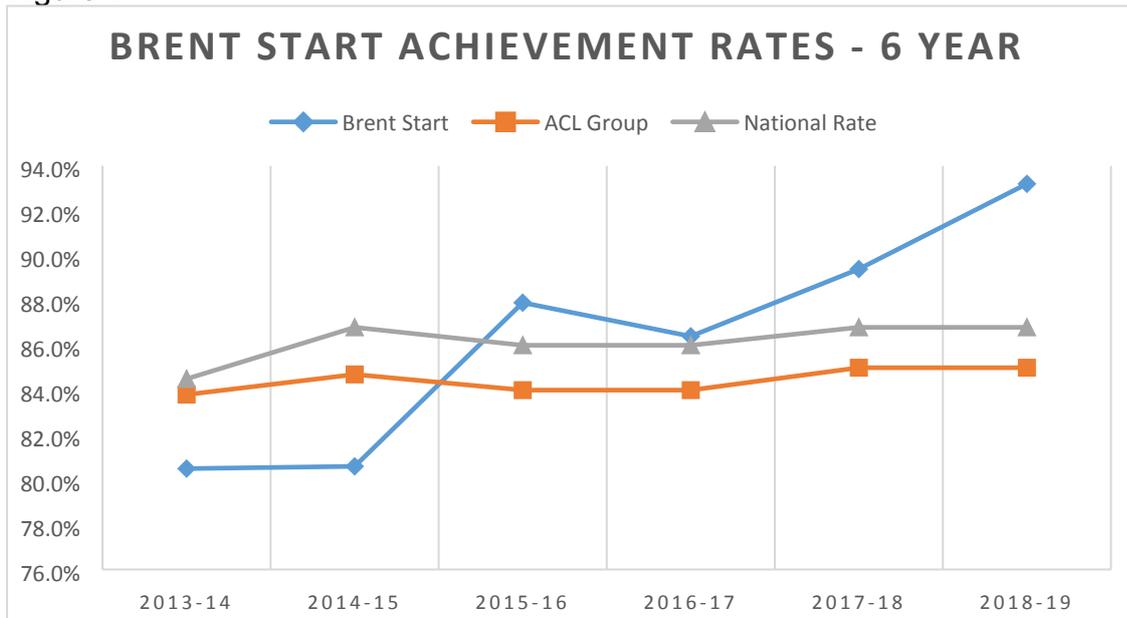
- 42% of Brent Start learners are from Brent's five most deprived Wards.
- 30% of learners were employed and seeking to improve their skills for work
- 41% were unemployed or economically inactive and looking for work.

- 29% are economically inactive and not seeking work (this can include residents claiming Disability Living Allowance, full fee payers, people on low wages but not claiming benefits, or retired).

3.17 The performance of Brent Start was judged by Ofsted in 2017 to be Good. The service now self-assesses overall as Outstanding with areas of Good.

3.18 It has an achievement rate (those that start a course that successfully complete) over 93%, higher than the national average and a 10% increase in the last 4 years. See Figure 1 below.

Figure 1



3.19 96% customer satisfaction verified by an independent survey by the Education Skills and Funding Agency.

## Housing

3.20 The upper floors will provide 65 social rented homes. The proposed breakdown of 1-4 bed units is outlined in Figure 2, with 32% of units being 3 and 4 beds, above the planning policy requirement of 25%.

Figure 2: Housing Unit Mix

Floor	1 bed (46-51m <sup>2</sup> )	2 bed (63-76m <sup>2</sup> )	3 bed (86-99m <sup>2</sup> )	4 bed (99-117m <sup>2</sup> )	Cumulative Units
1	4	6	1	7	18
2	4	3	0	1	8
3	5	1	2	1	9
4	5	1	2	1	9
5	5	1	2	1	9
6	1	2	1	0	4
7	1	2	1	0	4
8	1	2	1	0	4
<b>All Floors</b>	<b>26</b>	<b>18</b>	<b>10</b>	<b>11</b>	
	40%	28%	15%	17%	
	<b>Total Units</b>				<b>65</b>

- 3.21 Housing is arranged in two residential blocks, which are 5 and 8 stories, which are positioned around a broad courtyard. 75% of units are dual aspect and 82% have an outlook onto the central courtyard
- 3.22 The larger 4 bed maisonette units are situated between the two residential blocks, either side of the central courtyard.
- 3.23 All units have access to a series of high quality landscaped amenity spaces in addition to their own private balconies and terraces, which meet with National Space Standards. The total amenity on site is over 2,200 sq. m, which amounts to 78% of the building footprint. This additional provision adheres to Brent policy DMP19. Of these spaces 645 sq. m is dedicated play space.
- 3.24 The primary courtyard shelters residents from the busy urban environment and forms a reservoir of clean air. This high quality landscaped space will promote outdoor living and healthy lifestyles. It will also be an active and sociable space as 9 units are accessed directly from it. A secondary courtyard offers a more open outlook and a large play area. An upper terrace at the 6<sup>th</sup> floor will create a further amenity zone for residents to enjoy. Each unit has access to at least one private balcony with in-built planters to promote gardening and care of plants.

### Community Uses

- 3.25 Victim Support currently occupy 110 sq. m of space at Morland Gardens. A record of the lease has been obtained that shows agreement with Victim Support to occupy such space on a 99 year lease, starting in 2010, with no rental fee.
- 3.26 The council is in dialogue with Victim Support to consider options for them moving into a discrete area of workspace, circa 50 sq. m, that is available in the new building, and how they can be supported during the development.
- 3.27 The new workspace within the building will be leased to an external operator. The focus of the specification for the lease is proposed as a Creative Enterprise Hub for local entrepreneurs.

- 3.28 The proposal for the café is for it to be leased to an external operator and social value will be sought through the lease.
- 3.29 The education facility will be set-up flexibly so that the halls and classrooms can be utilised for hire by the local community and services in the borough. Examples provided by the Community Steering Group include use by employment programmes, as well as community uses such as local functions.

### Design Quality and Sustainability

- 3.30 Below provides the existing site footprint, the current uses, and those proposed through a new development. The development land is within the red line boundary in Figure 3.
- 3.31 The site will vary in heights, responding to the surrounding context, with the highest point at 8 stories at the corner of the site adjacent to the crossroads.
- 3.32 The adult education offer will be based on one floor at ground level. Due to the slope of the site, affordable workspace, plant and service access will be at the lower ground level. New homes will be on floors 1-8.

Figure 3: Morland Gardens site red line and existing uses



Existing Uses	Proposed Uses
Brent Start - 1,630 sq.m	Brent Start - 2,600 sq.m
Public Realm - 800 sq.m	Public Realm - 800 sq.m
	65 new social rented homes. GIA (Gross Internal Area): 6073 sq.m
	Affordable Workspace - 675 sq.m

- 3.33 The existing building has a section that is locally listed, see Figure 4. This is not a statutory designation, however, its history is as a Victoria villa. The exterior is intact but the interior has been significantly affected over decades of use as an education centre. This must be taken into consideration in planning decisions. The listing has informed the proposed design of the building.

- 3.34 Development options that retain the locally listed building have been explored, but to achieve this, it would considerably reduce the size and viability of the scheme. In summary, retention of the building would deliver half of the proposed new homes (32 less) and 30% less education space.

Figure 4: Area of the existing site that is locally listed.



- 3.35 The Council requires high design standards to allow the replacement of a local listing. This facility will meet with the BREEAM Excellent standard and incorporate the latest sustainable approach to building technologies, construction materials and procurement methods. This standard is also Brent's policy requirement for all major non-residential development.

In summary, the scheme has the following environmental credentials, see Appendix 4:

- At 35m, this will be one of the tallest buildings in the UK with a structure of Cross-Laminated Timber (CLT). CLT uses far less embodied carbon than either steel or concrete significantly reducing our carbon footprint and dramatically speeds up the build time. Our building also uses an innovative hybrid steel reinforcement in its fire-proof external wall to ensure that it is fully compliant with recent changes in legislation.
- BREEAM excellent accreditation ensures we are meeting the highest energy saving standards.
- It is a mixed-use building that will use innovative thermal storage techniques which allows the excess energy produced by the adult education building to heat water and power utilities in the residential towers. Air source heat pumps will power this system and are far more fuel efficient than traditional gas or oil boilers.
- Extensive gardens over four terraces ensure that no external space is wasted, promoting bio diversity as well as encouraging residents to spend time outside.

- 3.36 National, regional and local policies all require a high standard of elevation design and materials. This is reinforced by the fact the proposed scheme will

replace a Locally Listed building and deliver equal or improved quality to the urban environment.

- 3.37 Pre-application dialogue with planning has confirmed that the existing building does not need to be retained and the proposal for the development is to remove the existing building in its entirety in order to deliver the benefits of the scheme.

### Public realm

- 3.38 This project will improve the public realm in Stonebridge. A key part of the works will be to repair and upgrade an existing community garden, which dates from the 1994 Harlesden City Challenge.
- 3.39 The scheme will also see wider pavements and new street trees planted along Hillside. This will link the repaired garden to the existing high quality public spaces in front of the Hyde Housing community building immediately to the west of the site.
- 3.40 The public realm should also respond to wider work in partnership with Transport for London, with the council working on the initial design stages of Cycle Future Route (CFR) 23 (Wembley to Willesden Junction). The proposed improvements on Hillside will take into consideration this new cycle route.

### Delivery Timetable

- 3.41 The following timetable is proposed:

<b>Milestones</b>	<b>Timescale</b>
Architects commissioned	November 2018 - complete
Cabinet Member consultation (including Leader, Deputy Leader, Lead Member for Housing and Lead Member for Education, Employment and Skills)	February-March 2019 - complete
Ward Member consultation	March 2019 – August 2019 - complete
Engagement with Victim Support	March - December 2019 - complete
Brent Start management consultation	February 2019 - complete
Pre-application meetings with Planning	March 2019 – complete April 2019 – complete August 2019 – complete
Learner, staff, and community consultation	April 2019 - September – complete
Steering group focus group	August and September 2019 – complete

X3 focus groups with residents organised in partnership with steering group members	September 2019 – complete
Decant Options Study for Brent Start	August-November 2019 – complete
Cabinet approval	January 2020
Submission of Planning Application	January 2020 (following Cabinet)
Planning approval	April 2020
Commission development partner	February – July 2020
Developer mobilisation	July - August 2020
Decant and vacant possession	August 2020
Development commences	September 2020
Development completed	July 2022
Service Go-Live	September 2022

### **Decant of the Adult Education Service and Victim Support**

- 3.42 The delivery timetable (see 3.42) suggests that Brent Start will require an alternative location for delivery for two academic years. The proposed timescale will mean that decant will be required from August 2020 to August 2022, with completion of decant out of Morland Gardens required by the end of August 2020.
- 3.43 An extensive search has been undertaken to identify alternative property arrangements.
- 3.44 The preferred option is The Stonebridge Primary School Annexe, which is located nearby to the Morland Gardens site, is council owned, vacant and an education building. Circa £0.5m is required to refit the building and to move equipment from Morland Gardens. A maximum of £1.5m is available from the Capital Transformation Fund as a contingency to complete the decant.
- 3.45 It is proposed that the site is used for an interim period of two years as an adult education provision, to enable the decant and redevelopment of Morland Gardens. Legal advice has been provided that clarifies that the building can be used for the decant period for Brent Start as an adult education use. This doesn't require change of use.
- 3.46 This outdoor space on site is subject to a proposed application under Section 77 of the School Standards and Framework Act 1988 to the Education and Skills Funding Agency (ESFA), which will change the use of the 'playground space' from education to residential to enable the redevelopment of the site.

The use of the Stonebridge Primary School Annexe for adult education means that the development of the site will need to be phased. This is based on the Morland Gardens development starting in September 2020 and completing by

September 2022. Once the building is vacant, this part of the site can be developed.

If the Section 77 application is approved by the Department for Education to develop the outdoor area of the site as residential, this can be developed as a separate phase.

- 3.47 If this option is not progressed for the decant, this creates a series of risks.
- There is not sufficient space elsewhere in the borough to deliver the full Morland Gardens based provision, other than space in Strategic Industrial Land (SIL), which wouldn't be preferable for adult education.
  - Best endeavours would be made to deliver some provision from other community or civic venues, but it would mean a significant reduction to the service.
  - A significant reduction in service would require negotiation with the GLA to agree a temporary reduction to the contract value, which would then be at risk longer term of not being re-set at its current level when the Morland Gardens project completes.
  - It would also create a HR risk, as a number of staff may be made redundant because of a two-year reduction in service.

## **Facilities Management**

- 3.48 The new building will be encompassed within the new Facilities Management arrangements for the council's properties, with the same arrangements as the Civic Centre and Willesden Green Library.

## **4.0 Financial Implications**

- 4.1 The build cost of the scheme is estimated to cost up to £43m after incorporating professional fees, CIL liabilities, fit-out and decant costs.
- 4.2 The build cost for the affordable homes will be supplemented by GLA grant of £100k per unit, which equates to £6.5m.
- 4.3 Up to £1.5m is required to implement alternative property arrangements for the decant of the Adult Education service, although the aim is to spend less than £0.5m if the preferred option is taken forward. It is proposed that this element of the scheme is funded by a one off call on the capital transformation reserve. The preferred option is the Stonebridge Primary Schools Annex, which is a council owned site.
- 4.4 Officers have evaluated the proposal by undertaking a high level analysis that aggregates the annual rental income and associated costs profiled over a duration of 60 years and discounted to convert to today's values.
- 4.5 The residential element of the scheme will be paid for with a combination of GLA capital grant (see para 4.2) and HRA borrowing as all units are affordable in the scheme, which is now possible following the lifting of the HRA debt cap. The residential element of the scheme pays for itself after 50 years via housing

income from rents. For the purpose of this analysis, the 65 units are assumed to be let at LAR (London Affordable Rent) levels.

- 4.6 It is proposed that the Education centre and workspace is funded entirely from Strategic Community Infrastructure Levy (CIL), other than the £1.5m call on the capital transformation reserve for the decant. If agreed, there will be no borrowing costs arising and no impact on General Fund revenue.
- 4.7 In addition, the Education Centre attracts some fee income of circa £0.07m per annum and external revenue grant of £3m per annum from the GLA, whilst the Workspace is expected to generate additional rental income of approximately £0.08m per annum at an affordable rate of £11 per sq.ft.
- 4.8 The following table outlines the estimated scheme costs, sources of funding and payback periods.

<b>Element of the scheme</b>	<b>Total cost</b>	<b>Funding Source</b>	<b>Cost</b>	<b>Average annual revenue cost/ (surplus) after debt repayment</b>	<b>Payback period for borrowing (years)</b>
Education and Workspace (including café)	£16.7m	Strategic CIL	£15.2m	(£85k)	N/A
		Capital Transformation Fund	£1.5m		
Housing	£26.2m	GLA Grant (at £100k per unit)	£6.5m	(£651k)	50
		HRA Borrowing	£19.7m		

- 4.9 Ongoing revenue expenditure for facilities management, utilities and rental of the Education Centre has been factored into the service budget.

## **5.0 Legal Implications**

- 5.1 The report details that consultation regarding proposed development of the site has taken place with Brent Start learners and staff, and members of the community. Members should have full regard to the outcome of such consultation in considering proposals for the proposed development.
- 5.2 Victim Support occupy 110 sq. m of space at Morland Gardens. Evidence of the legal agreement has not yet been found, but a letter exists from Victim Support in 2010 suggesting that a 99 year lease at peppercorn rent was agreed with the council. Subject to further checks, the council will therefore need to

negotiate accommodation arrangements with Victim Support, which is likely to require that Victim Support is offered space in the new community space in the building. Victim Support has suggested that they are willing to enter a new lease at an affordable rent.

- 5.3 In relation to the proposal to lease the Café and lease a space to Victim Support for less than market rent section 123 of the Local Government Act 1972 places the Council under a statutory obligation to obtain best consideration in relation to the disposal of its property assets other than for leases for a period of seven years or less. The Secretary of State provides general consent which allows the Council to dispose of properties at an undervalue where the value between the actual consideration/rent paid and the undervalue does not exceed £2m and the disposal adds to the economic, environmental and social benefit of the Borough. It is advisable to evidence this by showing the well-being benefit in financial terms.
- 5.4 In view of the new development and the new height of the building, prior to progressing this matter any further a legal report should be undertaken which would highlight any third party rights and covenants on the land that may restrict the ability to develop the land. A right to light surveys report will also need to be undertaken. The reports will set out any compensation payable to neighbouring owners.
- 5.5 Section 122 of the Local Government Act 1972 and section 232 of the Town and Country Planning Act 1990 provides the Council with powers to appropriate land to planning purposes – section 255 of the Town and Country Planning Act 1990 provides statutory powers to build and develop land appropriated to planning purposes.
- 5.6 Third party rights highlighted in the legal report can be overridden where the Council invokes its powers section 203 of the Housing and Planning Act 2016. Compensation may be payable to third parties. Prior to using these powers, however the Council will need to consult those with the benefit of the third party rights for a period of ten to thirteen weeks. This amount of time should be taken into consideration in the build timeline. Compensation may be payable to third parties
- 5.7 Appropriation of the Site for planning purposes would facilitate the carrying out of the development provided that there is a compelling case in the public interest to appropriate the site for planning purposes, as developing the Site would serve the public interest by providing new and improved housing and community facilities and accordingly, such development outweighs the effect of the appropriation on the private rights of individuals.
- 5.8 The Strategic Director Regeneration and Environment should state prior to appropriation that 1 Morland Gardens is surplus to requirements.
- 5.9 Current estimates of build cost (excluding decant) are up to £42m. This would be a classed as a High Value Contract under the Council's Contract Standing Orders and Cabinet approval is required to procure such contract. Cabinet is asked to delegate the setting of pre-tender considerations and the evaluation of tenders to the Strategic Director Regeneration & Environment. Also Cabinet is asked to delegate the subsequent award of the contract with a developer partner to the Strategic Director Regeneration & Environment in consultation

with the Lead Member for Regeneration, Property & Planning. The estimated value of the contract is such that it is subject to full application of the Public Contracts Regulations 2015 in respect of its procurement.

- 5.10 Authority to undertake highway works is delegated to the Strategic Director Regeneration and Environment provided the highways and transportation matters involving expenditure over £2m for services and supplies and or £5m works;
- 5.11 There is a General Power under section 62 of the Highways Act to make improvements to the highway.
- 5.12 Advice has been received from Sharpe Pritchard that consent from the Secretary of State in relation to section 77 of the School and Standards Framework Act 1998 is not required in relation to this matter as the Council only intends to use the school building and not the playing fields.
- 5.13 The intended use of the school building for adult education purposes however constitutes a change of use and the Council is therefore under an obligation to advise the Secretary of State of the change of use in accordance with schedule 1 of the Academy Act 2010. A letter should be sent to the Department for Education (DoE) to inform them of the change of use prior to occupation.

## **6.0 Equality Implications**

- 6.1 The decant of Brent Start may result in provision being delivered for the period of development in a location elsewhere in the borough, before returning to Stonebridge upon completion of the site. More vulnerable learners will be supported to establish new travel plans, for example, adults with learning disabilities. Childcare advice will also be given.
- 6.2 An Equality Impact Assessment has been completed, see appendix 5, showing that the scheme has a number of benefits, including improved accessibility to the adult education centre on one level (the current building includes areas that are not accessible to people with physical disabilities), a new prayer room is to be provided, and the social housing will be allocated based on the Housing Allocations Policy.
- 6.3 Brent Start learners are from a highly diverse demographic base (see Appendix 6) and communication regarding the decant and new development will need to be clear and provided with significant advance notice of the changes.
- 6.4 Equality implications will continue to be reviewed on an ongoing basis.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Stonebridge Ward Members have been consulted and were supportive of the scheme being progressed. They have also been consulted on the approach to public consultation and approved a three phase consultation, starting with Brent Start learners and staff, followed by wider public engagement, and the establishment of a stakeholder steering group and additional community focus groups.
- 7.2 Brent Start learners and staff were consulted in April and September 2019.

**8.0 Human Resources/Property Implications (if appropriate)**

8.1 Brent Start staff have been consulted.

8.2 Clear and ongoing communication with staff will be required to ensure they understand the interim arrangements during delivery of the new building in order to adjust their travel to work plans.

**Report sign off:**

**AMAR DAVE**

Strategic Director Regeneration &  
Environment