



## **CALL-IN FORM**

**For the Attention of: The Head of Executive and Member Services**

**Date: 26 May 2022**

*A call in request must be submitted in accordance with the requirements of Standing Order 20, within 5 days of the relevant decision being made or in the case of a key decision made by officers, within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules.*

**Decision:** Authority to award the Design and Build Contract for the Morland Gardens Development

**Date of decision** (or date of public notice for officer decisions): 20 May 2022

**Five non-cabinet members making request:**

	<b>Name of councillor</b>	<b>Signature</b> <i>(only required if submitted in hard copy)</i>
1	Paul Lorber	
2	Anton Georgiou	
3	Hannah Matin	
4	Michael Maurice	
5	Sunita Hirani	

**Please provide below an explanation as to why you are calling in the decision and if you are calling in all or part of the decision:**

*(Note: according to the Protocol On Call-in (Part 7 of the Constitution), call-in requests will not be considered valid if they:*

- are used as a means of gaining information/understanding or discussing general concerns with Members and officers,*
- duplicate a call-in on the same issue within the previous six months,*

- are based on reasons already discussed by the relevant Scrutiny Committee prior to the decision being made,
- concern a decision of the Cabinet referring a matter to Full Council for consideration
- concern operational management decisions, or
- are otherwise considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions.)

The site for the Council's proposed Morland Gardens development is made up of two adjacent areas of land. The first is the buildings and grounds at 1 Morland Gardens, and the second is an area of public highway and the Harlesden City Challenge Community Garden. These are shown on this site plan:



Although the Council owns both areas of land, it does not yet have a legal entitlement to construct its proposed development on the second area. That would require (at the least) a Stopping-up Order for the public highway, and an appropriation of land, including the existing community garden, for planning purposes.

Notice of a proposed Stopping-up Order for an area of the public highway was only published on 28 April 2022, and has been subject to objections. Unless or until those objections are resolved, which is likely to require an Inquiry by an independent Inspector, there can be no certainty that the proposed development can be built.

There is a real possibility that the second area of land, on which the approved plans for the proposed development depend, will not be legally available to be built on. Even if all the necessary legal requirements are achieved, that is likely to be many months away. In these circumstances, the award of a Design and Build contract worth almost £38 million, at this stage, appears to us to involve too great a financial risk to the Council.

On that basis, we are calling-in all of the Key Decision by the Strategic Director, Regeneration and Environment.

However, if it is decided that the award of the contract should go ahead, there is part of the decision that we would also wish to call-in. This concerns the inclusion of 'commence pre-construction demolition' as part of the first stage of the two-stage Design and Build Contract.

At the heart of the 1 Morland Gardens site is a locally-listed heritage building, a beautiful Victorian villa with a distinctive belvedere tower, built by the renowned architect, H.E. Kendall, as part of his original Stonebridge Park estate in 1876, and known as "Altamira".

Planning Officers, when consent for the proposed development was given in 2020, admitted that demolishing this heritage asset goes directly against Brent's planning policies. Their justification for recommending the application was the wider public benefits of the plans, particularly the 65 affordable homes they promised. Those homes cannot be built unless the second area of land can be included in the development site.

On 2 June 2021, in an email which is in the public domain, the Strategic Director, Regeneration and Environment, Alan Lunt, wrote: 'I confirm that the demolition of 'Altamira' will not take place until all necessary legal pre-requisites are in place.'

For the avoidance of any misunderstandings, and because the modern parts of 1 Morland Gardens around the heritage villa were built or adapted for, and are still useable for, educational use, no demolition on the site should be included in Stage 1 of the contract, if the Scrutiny Committee does not object to the award of the contract as a whole.

**Please provide below an outline alternative course of action to the decision being called in:**

That the Scrutiny Committee recommends that no contract for the Morland Gardens Development should be awarded unless or until all the legal requirements for building on the area of land, currently public highway and community garden, have been met.

If the Scrutiny Committee does not object to the award of the two-stage Design and Build Contract as a whole, that the Committee recommends that no pre-construction demolition of any buildings on the site shall be included in Stage 1 of the contract.

Please return this form to Katie Smith, Head of Executive and Member Services, by email (from your individual email address) at [Katie.Smith@brent.gov.uk](mailto:Katie.Smith@brent.gov.uk) or in hard copy (with signatures) and in person on the fourth floor of Brent Civic Centre.