

	<b>Cabinet</b> 9 December 2024
	<b>Report from the Corporate Director,            Neighbourhoods and Regeneration</b>
	<b>Lead Member - Leader and Cabinet            Member for Housing, Regeneration,            Planning &amp; Growth            (Councillor Muhammed Butt)</b>
<b>Request for Strategic Community Infrastructure Levy            Allocation for the South Kilburn Primary School &amp; South            Kilburn Urban Park</b>	

<b>Wards Affected:</b>	Kilburn, Queens Park
<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>List of Appendices:</b>	One Appendix 1: Proposed Site Plan
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Archika Kumar - Head of Estates Regeneration <a href="mailto:Archika.Kumar@brent.gov.uk">Archika.Kumar@brent.gov.uk</a>

## 1.0 Executive Summary

- 1.1. This report seeks Cabinet approval for use of Strategic Community Infrastructure Levy (SCIL) funding to deliver two social infrastructure projects, as part of the South Kilburn Regeneration Programme as detailed below and in the main body of this report.
- 1.2. The report highlights the proposed social infrastructure to be delivered at South Kilburn including:
- A new build primary school in the heart of South Kilburn future-proofed to expand from a 1 Form Entry (1FE) to a 2 Form Entry (2FE) school.
  - Enhancements to the South Kilburn Open Space so that it can provide accessible, valuable amenity space for the widest range of community needs.

## 2.0 Recommendations

That Cabinet:

- 2.1 Approves the use of £12.9m of SCIL funding, for the construction of a 1 FE primary school with a nursery and the infrastructure to expand to a 2FE school (including decanting of Carlton Vale Infant school to Kilburn Park Junior school and the associated building works), as part of South Kilburn Regeneration Programme.
- 2.2 Approves the use of £4.4 m of SCIL funding, for the enhancement of the South Kilburn Open Space, as part of the South Kilburn Regeneration Programme.
- 2.3 Delegates authority to the Corporate Director Neighbourhoods and Regeneration in consultation with the Cabinet Member for Regeneration Planning and Growth to approve the most appropriate procurement process and to approve pre-tender considerations as set out in Contract Standing Order 89 in respect of the procurement of contractors for the development of the new school and improvements to the open space.
- 2.4 Approves inviting tenders in respect of the procurement of contractors for the development of the new school and improvements to the open space in accordance with Contract Standing Order 88.
- 2.5 Approves officers evaluating tenders on the basis of the pre-tender considerations referred to in recommendation 2.3 above.
- 2.6 Delegates authority to the Corporate Director, Neighbourhoods and Regeneration in consultation with the Cabinet member for Regeneration Planning and Growth, to take all necessary steps to acquire the land at Kilburn Park Junior school for the regeneration of South Kilburn, and thereafter pursue Secretary of State approval to dispose education land for non-educational uses.
- 2.7 Notes that consultants required for design development and procurement of the contractor(s), will be procured using powers delegated to officers under the Constitution.
- 2.8 Notes the indicative time scales, next steps and key risks associated with the delivery of the school and improvements to the open space.

### **3 Detail**

#### **Cabinet Member Foreword**

- 3.1 This report is part of the Council's ongoing commitment to create a long-lasting positive change to local areas for the benefit of the communities that live there. The use of Strategic Community Infrastructure Levy to deliver these projects will benefit both current Brent and future residents as the borough grows and prospers.
- 3.2 South Kilburn has been identified as a strategic priority area for driving transformational change, economic opportunity, and regeneration within Brent – Prosperity and Stability in Brent, Thriving communities (Brent Borough Plan 2023-27).

- 3.3 The South Kilburn Primary School and SK Urban Park initiatives aim to deliver:
- A new primary school in the heart of South Kilburn with a future-proof design to expand from a 1 Form Entry (1FE) to a 2 Form Entry (2FE) school.
  - Enhancements to the South Kilburn Open Space so that it caters for a wide range of community and recreational needs.
- 3.4 The South Kilburn School project helps meet outcomes within the Borough Plan 2023-2027, namely Strategic Priority 4: The Best Start in Life by making sure access to quality education is fair and equal which will allow children to develop their skills, achieve their potential and realise their aspirations.
- 3.5 The South Kilburn Urban Park project helps meet outcomes within the Borough Plan 2023-2027, namely Strategic Priority 2: A Cleaner, Greener Future. The project will enhance and improve green infrastructure, supporting residents' mental and physical health through enhanced active travel infrastructure and continuing to make Brent's award-winning parks even better. The initiative also contributes to meeting Strategic Priority 5: A Healthier Brent. Making Brent a healthier and stronger borough where everyone can live independent, safe and happy lives, by supporting the most vulnerable and removing barriers all residents face to becoming physically active. This includes making our green spaces, walking, and cycling routes more accessible, friendly, inclusive, and well-maintained.
- 3.6 The proposals support sustainable development and growth, aligning with the strategic objectives of the Brent Local Plan (2019-2041), the South Kilburn Masterplan, the Infrastructure Delivery Plan and SCIL legislation by addressing current deficiencies and meeting future demands by delivering high-quality educational facilities and green infrastructure ensuring long-term community stability and growth.

## **Background**

### *South Kilburn Schools*

- 3.7 The South Kilburn Masterplan was produced in 2005, revised in 2016, and adopted in 2017. To date, fourteen redevelopment sites have been completed, three are underway, and seven are in various stages of design, planning, and delivery, contributing towards the overall target of 3,437 modern, fit-for-purpose new homes.
- 3.8 The Development Principles within the South Kilburn Masterplan / Supplementary Planning Document includes improving educational attainment by delivering a new primary school with modern educational facilities and high-quality learning environment to improve attainment and learning experiences.

- 3.9 There are currently two schools within the South Kilburn masterplan: Carlton Vale Infant School (CVI) is a 2FE Community Infant school, with Brent as the landowner. Kilburn Park Juniors (KPJ) is a 2FE Junior foundation school with the foundation as the landowner.
- 3.10 Both schools are in very poor condition, and any capital improvements would fall under the Council's responsibility. Since the original plans to redevelop the schools were approved and instigated several years ago, no significant capital improvement works have been completed at the two schools. The Council is currently assisting the schools to best maintain the buildings until such time a definitive decision is made on the future of the schools and their buildings.
- 3.11 From 2021 onwards, the South Kilburn regeneration team, Capital Delivery Team and the Children and Young People (CYP) Directorate worked closely with the two schools to develop designs for a new 2FE primary school and nursery in a single premises. During these conversations, the two schools agreed to amalgamate into one primary school and entered a hard federation in April 2024.
- 3.12 In July 2023, a planning application for 146 homes, a 2FE school and park enhancements on the combined site of the two schools and Masefield Wordsworth and Dickens (MWD) regeneration blocks was submitted. The planning application was subsequently withdrawn due to a significant viability deficit due in part due to the cost of building the new school.
- 3.13 In February 2024, a school place planning modelling exercise undertaken by the Children and Young People Directorate confirmed a need for a 1 Form Entry (1 FE) primary school in South Kilburn, including a 26-place nursery and an Additional Resourced Provision (ARP) for pupils with Special Educational Needs and Disabilities (SEND) requiring additional support. The size of the school has been revised in the context of a falling primary population across Brent and London, which, according to Greater London Authority forecast modelling, is not due to rise in the next few years. However, in the context of demographic growth arising from the regeneration programme, CYP has recommended building a 1 Form Entry (1 FE) primary school with a nursery with the potential and infrastructure to expand to a 2 Form Entry (2FE) school. This futureproofing aligns with the principles of the Brent School Place Planning Strategy 2024 – 2028 and the first refresh of the Strategy agreed by Cabinet on 12 November 2024, which focuses on both the sufficiency and sustainability of school places.
- 3.14 The modelling exercise detailed in paragraph 3.13 identified that there would be sufficient capacity over the next five years (the 2027/2028 academic year) to meet projected need if a one form of entry primary school replaced CVI and KPJ schools, taking into account the likely relocation of Islamia Primary School away from the area. Development of a two-form entry school would likely lead to spare places in the area which would not be an efficient use of resources. However, in the longer term given the level of planned regeneration, it was felt prudent to design options that would allow the new primary school to be relatively easily expanded to a 2 FE school should the need arise.

3.15 Officers proposed the continued provision of the South Kilburn school to be pursued through a new school building on the CVI site. Delivery of the new school building at the CVI site was initially proposed to be funded and enabled by the wider redevelopment of sites at Masefield, Wordsworth, Dickens, (MWD) Austin, Blake (A&B) and KPJ school as part of the South Kilburn Regeneration Programme. The recommended development option included the following.

- A new build 1 Form Entry school aligned with Department for Education's area guidance (BB103) on the CVI site with the infrastructure to expand to a 2FE school by building additional classrooms in the future.
- 588 homes including 528 homes on MWD and A&B site and a further 60 homes on the KPJ site.
- 12.4% affordable homes (73 homes)
- Necessary enhancements to KPJ school to enable the decant of CVI school during the period of the new school build.
- Nil land receipt.

3.16 Following discussions at Regeneration Board and Capital Programme Board it was recommended that SCIL is secured to cover the cost of delivering the school and park improvements and to utilise the funding generated by the wider development to increase the levels of affordable housing, currently estimated at 12%.

#### *SCIL Funding for the School*

3.17 With the 46,000 new homes in Brent expected to be delivered in the Local Plan period of 2019 to 2041, there will be a need for new and enhanced community facilities in and around the growth areas to meet this increase in population. The school will not only support the educational needs of the growing population but will also act as a catalyst for community cohesion, social mobility, and local economic growth, linking directly to the wider regeneration goals.

3.18 The project meets Policy BSEGA1, South Kilburn Growth Area of the Brent Local Plan (2019-2041), delivering social infrastructure in South Kilburn. Enhancing educational infrastructure is key to supporting population growth and improving life chances for residents. The new school will not only replace outdated facilities but will create a modern, efficient educational environment that meets the needs of South Kilburn's children now and in the future. It aims to provide top-tier educational facilities at the heart of the community, fostering community cohesion and improving life chances for residents.

3.19 The project meets Policy BSI1, Social Infrastructure & Community Facilities by encouraging the provision and enhancement of social infrastructure, including schools, to support growth. Replacing two outdated schools with a new, future-proofed primary school is a strategic enhancement that addresses the

inadequacies of the current facilities. The new school will be designed to expand from 1 Form Entry (1FE) to 2 Form Entry (2FE), directly accommodating an expected increase in local population due to ongoing and future housing developments.

- 3.20 The project meets Policy BH5, which sets out Brent’s requirements for delivering affordable housing in new developments. This SCIL funding investment will help deliver key enabling infrastructure that will facilitate the provision of additional affordable homes for South Kilburn to be developed as a Growth Area.
- 3.21 The Social Infrastructure section of the IDP mentions that additional capacity may be required in the borough’s growth areas, where new housing is expected to increase demand for school places. The new primary school, with its ability to expand from 1 Form Entry (1FE) to 2 Form Entry (2FE), directly responds to this need by providing scalable infrastructure that can adapt to future growth demands.
- 3.22 The Infrastructure Officers Working Group (IOWG) assessed and confirmed that the school is eligible for the use of SCIL.
- 3.23 SCIL Funding is crucial for the timely delivery of the much-needed improved educational facilities. Securing SCIL funding will allow the proposal to be developed independently of the regeneration programme, freeing the project from the cross-subsidy constraints, and allowing the Council to secure increased levels for affordable housing in future phases of the South Kilburn Regeneration Programme.
- 3.24 It should be noted that should the need arise for the new school to expand to a 2FE school in the future, there is no provision in this proposal to cover these costs.

*School Risks and Mitigation*

- 3.25 Below is a summary of key risk to the delivery of the school, their impact, and proposed mitigations.

Risk	Impact	Mitigation
Stakeholder Engagement	Lack of support for revised scope of new school building (2FE to 1FE+)	Early regular engagement to gain support from school, community, planning.
Land Assembly	Delivery of regeneration objectives to for new housing and open space at KPJ site.	Early agreement in principle with the Foundation to transfer KPJ site to the council. Early discussions with Department for Education to facilitate Secretary of State for Education’s approval for the disposal to deliver regeneration objectives.

Cost	Delivery within order of cost estimate	Cost plan monitoring throughout design development and change control to deliver within project budget.
Programme	Delivery within indicative programme	Indicative programme to be agreed by stakeholders and subject to approval of the project brief and critical milestones.

*School delivery indicative Programme*

3.26 An indicative programme for the delivery of the school is set out below. This timeline is contingent upon securing SCIL funding. All dates are subject to timely input and approval of the project's brief and critical milestones. Any changes to the scope or project brief during design development or delays to approval or sign off will impact the programme.

Milestones	Indicative Dates
Cabinet Approval - CIL Funding, Consultant Procurement, Progress to Planning	Dec 2024
School Brief Finalised with CYP and School	Jan 2025
Design Team and Consultant Procurement	Jan to Mar 2025 (3m)
In Principle Agreement KPJ Land Transfer to Council	by Mar 2025
Design and Planning Stage	Apr to Dec 2025 (9m)
Planning Determination	Jan to Jun 2026 (6m)
Contractor Procurement	Apr to Jul 2026 (4m)
Cabinet Approval/ Delegated Authority for Contract Award	Sep 2026
Decant to KPJ and VP of CVI	by Sep 2026
Pre-Construction Service Agreement (PCSA)	Sep 2026 to Feb 2027 (6m)
Construction	Mar 2027 to Aug 2028 (18m)
Defects, Handover, and Commissioning	Sep to Dec 2028 (4m)
Anticipated Occupation	Jan 2029

**South Kilburn Urban Park**

3.27 The Development Principles within the South Kilburn Masterplan/Supplementary Planning Document sets out the requirement of accessible, high-quality public spaces to foster community cohesion and improve residents' quality of life. Principle, GI1 of the SDP, outlines the enhancements to the South Kilburn Open Space to transform it into the South Kilburn Urban Park to be recognised and established as a park that caters to a wide range of community needs, providing improved connections, choices of activities and recreational opportunities for both existing and new residents.

- 3.28 The landscape and public realm proposals within the Masterplan look to improve the existing green spaces on the Estate. Alongside the proposed improvements to Carlton Vale Boulevard, public open space, and green infrastructure networks, the South Kilburn Open Space will provide the single most important piece of green infrastructure for the South Kilburn Masterplan.
- 3.29 The proposed landscape strategy of the South Kilburn open space includes ecological enhancements and activation of the open space through a network of safe routes, creating opportunities to bring together new and existing residents of South Kilburn. The proposed improvements include new cycle and pedestrian connections, a new multi-activity area, youth space, gym trail, woodland play area and earthworks, enhanced biodiversity, community orchard, and growing space, and a proposed community pavilion that can accommodate community space and café. Officers within the Parks Service have commented on the design proposals, to ensure ease of maintenance and community benefit.
- 3.30 The project addresses London Plan (2021) policy by providing significant biodiversity and urban greening factor enhancement. Improvements to the Open Space are designed to accommodate off-site play provision from adjacent sites, provided according to GLA requirements, this includes provisions for; equipped and information local playable space, neighbourhood playable space and youth space. The new school and connections to it are designed to support children's independent mobility through safer pedestrian and cycle priority streets and routes.
- 3.31 The proposed planting strategy introduces variation through topography, species, and typologies. Diverse and robust planting requiring minimal maintenance will promote climate and disease resilience. It will enrich the public experience by introducing additional trees and ground cover while maintaining open sight lines and addressing the current perception of lack of safety in the park and along Malvern Rd.
- 3.32 The park's role in the regeneration of the South Kilburn area cannot be overstated, as it is a core driver for enhancing the attractiveness and liveability of South Kilburn. Moreover, the park will act as a connecting green corridor within the neighbourhood, linking different residential and social infrastructure sites, further reinforcing the South Kilburn Masterplan's vision of a well-connected and accessible community.

#### *SCIL Funding for the Park*

- 3.33 The South Kilburn Urban Park is a key component in Brent's commitment to environmental and social sustainability. It will provide green infrastructure that enhances biodiversity, mitigates urban heat island effects, and promotes environmental awareness among residents, particularly school children.
- 3.34 The park will support sustainable urban living, offering safe pedestrian and cycling routes that encourage active transportation and reduce car dependency. This not only improves the area's environmental footprint but also



strengthens the social fabric of the community by fostering greater interaction in shared, well-maintained spaces. The park is integral to the South Kilburn regeneration programme's goal of creating a 'Cleaner, Greener Future,' as Brent's Borough Plan outlines, and falls within the boundary for the South Kilburn Green Neighbourhood.

- 3.35 The project meets Policy BSEGA1 - South Kilburn Growth Area, which aims to continue the regeneration of South Kilburn by delivering affordable housing, green spaces, and social infrastructure.
- 3.36 The project meets Policy BD1 - Leading the Way in Good Urban Design by promoting high-quality urban design in new developments to create attractive, functional, and sustainable environments.
- 3.37 The project meets Policy BH13 - Ensuring that all new residential developments provide adequate outdoor amenity space for residents, contributing to health and wellbeing.
- 3.38 The project meets Policy BGI1 - Green and Blue Infrastructure in Brent by promoting the enhancement of Brent's green infrastructure, including parks, and green spaces, to support biodiversity and community wellbeing.
- 3.39 The project meets Policy BGI2 - Protecting existing trees in Brent and encouraging new tree planting to enhance the urban environment and contribute to climate resilience.
- 3.40 The IDP's Open Space and Leisure section sets out the improvements to the Open Space in the South Kilburn Growth Area, including the new MUGA facilities.
- 3.41 The Infrastructure Officers Working Group (IOWG) has now assessed and confirmed that the school is eligible for the use of SCIL.

*Park Indicative Programme*

- 3.42 The programme for proposed improvements to the SK Open Space are subject to progressing recommendation 2.6 above, the Council will need to secure agreement in principle from the Secretary of State to dispose of education land for non-education uses. A phased delivery approach is proposed to allow portions of the park to remain in use during development.

Milestones	Indicative Dates
Cabinet Approval - CIL Funding, Consultant Procurement, Progress to Planning	Dec 2024
Design Team and Consultant Procurement	Jan to Mar 2025 (3m)
In Principle Agreement KPJ Land Transfer to Council	by Mar 2025
Design and Planning Stage	Apr to Sep 2025 (6m)
Planning Determination	by Mar 2026

Contractor Procurement	Apr to Jul 2026 (4m)
Cabinet Approval/ Delegated Authority for Contract Award	Sep 2026
Decant to KPJ and VP of CVI	by Sep 2026
Enabling Works and Construction Phase 1	Sep 2026 to Feb 2027 (6m)
Completion of new School and acquisition of KPJ	Jan 2029
Demolition of KPJ	Jan to Apr 2029 (4m)
Construction Phase 2 (KPJ Site)	May to Aug 2029 (4m)

#### **4 Stakeholder and ward member consultation and engagement**

- 4.1 The South Kilburn regeneration team, along with Capital Delivery and CYP have worked closely with the two schools in developing designs for a new 2FE primary school and nursery in a single premises. A conversation with the two vice chairs of the single governing body for the two schools was held on 27 September to appraise them both on the decision to proceed with a 1 form entry school and the reasons why. The vice chairs would then be communicating this information to the respective leaders of the two schools. As further decision-making progresses this will be communicated with the school in the most appropriate way
- 4.2 Lead members, ward members and other stakeholders will be kept up to date as the project progresses.
- 4.3 For the Open Space enhancements, Public and community engagement began in May 2021, incorporating meetings, workshops, and study visits to inform early design principles. As the project progressed the engagement program expanded to include public consultations and a project website launched in March 2022 for online feedback and updates.

#### **5 Financial Considerations**

- 5.1 The requested use of SCIL below for the two projects has been supported by Infrastructure Officers Working Group to fund the projects:
- £12.9m of SCIL funding, for the construction of a 1 FE primary school with a nursery and the infrastructure to expand to a 2FE school (including decanting and temporary conditioning works in the KPJ site)
  - £4.4m SCIL funding, for the enhancement of the South Kilburn Open Space to be consolidated as the South Kilburn Urban Park.
- 5.2 At the time of drafting this report there is sufficient SCIL available to fund this project. As described above, the projects are seen as appropriate uses of SCIL to meet the requirements of the Local Plan and IDP.
- 5.3 SCIL funding will allow the proposal to be developed independently of the regeneration programme, freeing the project from the cross-subsidy

constraints, and allowing the Council to secure increased levels for affordable housing in future phases of the South Kilburn Regeneration Programme.

- 5.4 There is currently no additional secured budget for the South Kilburn Primary School and Urban Park, therefore the SCIL request is to fund the construction of the project.
- 5.5 By using SCIL, there is no need for the Council to use capital borrowing to deliver these projects.
- 5.6 Should the school require expanding from 1FE to 2FE in the future, then there is no provision in this request to cover these costs. The Council would need to identify alternative funding sources to do so.

## **6 Legal Considerations**

- 6.1 SCIL is a charge which can be levied by local authorities on new development in their area. It helps them deliver the infrastructure needed to support development. It can be used to fund a broad range of facilities including transport facilities, play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare, schools, district heating schemes and other community facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan, supported by the IDP.
- 6.2 Brent's IDP outlines a strategy for comprehensive regeneration in South Kilburn, which includes:
  - the replacement of outdated schools with modern facilities that meet current educational standards and future needs. This ensures that the development is not just a replacement but an enhancement of the area's educational infrastructure, contributing to the overall improvement of the local environment and community wellbeing.
  - the improvements to the Open Space in the South Kilburn Growth Area, including the Multi-Use Games Area, (MUGA) facilities. The proposals will improve the connectivity, visibility and usability of the park contributing to the regeneration efforts and attracting population growth to supporting its development and growth.
- 6.3 For both projects, by approving the SCIL request, the Council will be able to begin the projects. This will involve a procurement which will be performed in line with the Procurement Regulations and the Council's Standing Orders and financial and constitutional processes.
- 6.4 It is intended that the legal process leading to the amalgamation of the two schools will be timed in accordance with the delivery of the new school building. This will follow 'Making significant changes ('prescribed alternations') to maintained schools' statutory guidance for proposers and decision makers updated in October 2024.

- 6.5 For both projects, relevant approvals from the Secretary of State for Education will be needed if either of the school sites need to be designated as/disposed of as non-educational land so that they can be used for housing land or open space, under S.77 of the School Standards and Framework Act 1998 and Schedule 1 of the Academies Act 2010.
- 6.6 The proposals are subject to the grant of planning permission and any conditions contained in such a planning permission.
- 6.7 The Secretary of State may require that any proceeds from the disposal or change of use of school land be reinvested into educational infrastructure under S.77 of the School Standards and Framework Act 1998 and Schedule 1 of the Academies Act 2010. This needs to be reviewed further as it could impact the financial viability of this project and other potential uses of the land (i.e. housing).
- 6.8 The estimated value of the contract in respect of the new school is above the threshold for Works under the Procurement Act 2023 (the "PA 2023"), which is scheduled to come into force on 24 February 2025 and will therefore govern the procurement. The estimated value of the contract in respect of the South Kilburn Urban Park is below the threshold for Works under the PA 2023 and therefore the procurement of this contract will be governed in part only by the PA 2023.
- 6.9 The procurement of the contract in respect of the new school is subject to the Council's own Standing Orders and Financial Regulations in respect of High Value Contracts given the procurement is valued at over £5M. For High Value Contracts, the Cabinet or alternatively Lead Member (where the value of the contract is between £5M and £10M) must approve the inviting of tenders (Standing Order 88) and the approval of pre-tender considerations (Standing Order 89). As planning for the procurement is ongoing, Cabinet approval is sought to the delegation of authority to approve the pre-tender considerations to the Corporate Director, Neighbourhoods and Regeneration in consultation with the with the Cabinet Member for Regeneration, Planning and Growth. Similar authorities are sought in relation to the contract in respect of the South Kilburn Urban Park, although this contract is classed as a Medium Value contract under the Council's Constitution.
- 6.10 The two projects will involve the procurement of technical consultants and contractors and be a range of low value, medium value and high value contracts. Officers will follow the Council's Constitution and Contract Standing Orders when procuring and awarding these contracts.

## **7 Equity, Diversity & Inclusion (EDI) Considerations**

- 7.1 The Public Sector Equality Duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster

good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 7.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.3 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications. This request for SCIL funding is to develop a new build school and park, the provision of which will have positive impacts on residents of South Kilburn from diverse backgrounds, and is in line with Strategic Priorities 2, 4, and 5 of Brent Council’s Borough Plan, which state our commitments to a cleaner, greener future, giving children the best start in life, and building a healthier, stronger borough. The proposed park will help promote a healthier lifestyle for residents and foster a sense of community by providing opportunities for people to interact and engage with their surroundings. The plan’s overall aim to improve public health and community well-being, including through a new build primary school, is likely to benefit residents across different demographics.
- 7.4 As the plan develops, it will be important to consider the impact of construction on residents, in terms of accessibility, noise levels, and the overall environment. Mitigations to minimise disruption, particularly for vulnerable groups including older residents, people with disabilities, and families with young children should be put in place. In addition, the construction plans for both the park and school should involve accessibility planning, to ensure that people with disabilities can fully and independently access and enjoy these spaces.

## **8 Climate Change and Environmental Considerations**

- 8.1 The Council declared a climate and ecological emergency in 2019, pledging to do all in its gift to aim for carbon neutrality for 2030. The council also aims to become one of the greenest, most biodiverse urban boroughs by the same timeframe. To support this work, the Council adopted a Climate and Ecological Emergency Strategy in 2021 and has also embarked on a pioneering ‘Green Neighbourhoods’ programme as one of the key focal points of its 2022-24 Delivery Plan, and subsequently the 2024-26 climate programme. South Kilburn was one of two areas in the borough selected as a ‘development-led’ Green Neighbourhood. It should be noted that whilst this project falls within the boundary of the South Kilburn Green Neighbourhood, the current climate programme only runs until the end of 2026. The construction of the new school is not due to be completed until 2029, meaning some of the environmental sustainability provisions may not be realised within the existing climate programme’s timeframe.

- 8.2 The Council's Climate and Ecological Emergency Strategy has five key themes which should be considered throughout the development and delivery of this project. Firstly, when considering the proposal for the construction of a new primary school, it is known that the existing school buildings are old, poorly insulated, and use fossil fuels to heat them. The proposals seek to reduce the number of school buildings and provide a new, modern building, built to current building regulations and exemplar energy efficiency standards in order to reduce carbon emissions and support the Council's climate emergency ambitions. New builds should be as environmentally sustainable as possible on site, in accordance with the provisions with Brent's Local Plan and the London Plan. The Council has also adopted a Sustainable Environment and Development Supplementary Planning Document which should be utilised as early as possible within the development process, which provides guidance and sets expectations for new developments across a wide range of environmental sustainability topics such as air quality, green infrastructure and biodiversity, water management, energy, sustainable movement and waste and the circular economy. The initial consideration of linked development policies are set out within paragraphs 3.39-3.44.
- 8.3 Secondly, the proposals for the South Kilburn Urban Park should also consider these documents where necessary. The report outlines several proposed elements which align to the key themes of the climate and ecological emergency strategy. These are:
- Theme 2: Sustainable Travel – through proposed improvements to Carlton Vale Boulevard, improved cycle and pedestrian connections and planned enhancement, activation, and network of safe green routes in the area.
  - Theme 4: Nature and Green Spaces – through the proposed improvements to green and blue infrastructure in the area, a woodland play area, additional tree canopy cover and a lighting strategy to support biodiversity. These provisions would also support the aims set out in the council's Green Infrastructure Vision
  - Theme 5: Supporting Communities – the proposed community pavilion, which has the potential to accommodate a community space, could be space utilised by the Brent Environmental Network, and contributing to enhanced community cohesion in the area via environmentally themed events.
  - Climate Adaptation is an overarching element to the council's strategy, rather than having a theme of its own, and the proposals set out where this has been considered – such as through climate resilient planning (para 3.35) and the urban heat island effect (para 3.39).
- 8.4 Finally, the procurement of contractors and delivery partners for the works for both elements will be required to be compliant environmental sustainability provisions with the Council's Procurement Sustainability Policy and the West London Low Carbon Procurement Policy.

## **9 Human Resources/ Property Consideration (if appropriate)**

- 9.1 There are no direct Human Resource implications of this report.
- 9.2 Should this proposal be approved, Officers will need to work with the schools to relocate the Infant School to the Junior School site and complete any necessary works (e.g. toilet adaptations, dining facilities) to accommodate this move.
- 9.3 Depending on when this is completed, there may be the need to secure the vacant Infant School building and site until such time a contractor takes ownership of the site as part of the build works contract.

## **10 Communication Considerations**

- 10.1 South Kilburn Regeneration programme including the development of the physical proposals of the area has been and will continue to be the subject of extensive consultation and engagement with the community in and around South Kilburn estate. The council will continue to work with local stakeholders to update the local community and Ward Councillors as each project progresses.

**Report sign off:**

***Alice Lester***

Corporate Director Neighbourhoods and Regeneration