

	<b>Officer Key Decision</b>
	<b>Report from the Corporate Director, Neighbourhoods and Regeneration</b>
	<b>Lead Cabinet Member for Regeneration, Planning and Property</b>
<b>APPROVAL OF PRE-TENDER CONSIDERATIONS FOR THE PROCUREMENT OF A SINGLE DELIVERY PARTNER TO DELIVER THE REMAINDER OF THE SOUTH KILBURN REGENERATION PROGRAMME.</b>	

<b>Wards Affected:</b>	Kilburn, Queen's Park
<b>Key or Non-Key Decision:</b>	Key Decision
<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>	<ol style="list-style-type: none"> <li>1. Tender procedure</li> <li>2. Evaluation criteria and process</li> <li>3. Business risks associated with entering the contract</li> <li>4. Performance management</li> <li>5. Equalities impact assessment</li> <li>6. Commercial structure overview</li> </ol>
<b>Background Papers<sup>1</sup>:</b>	None
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## 1.0 Executive Summary

1.1 This report requests approval of the pre-tender considerations for the procurement of a Single Delivery Partner (SDP) to deliver the remainder of the

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South Kilburn Regeneration Programme as required by Contract Standing Orders 89.

## 2.0 Recommendation(s)

That the Corporate Director, Neighbourhoods and Regeneration in consultation with the Leader of the Council and Cabinet Member for Regeneration Planning and Property:

- 2.1 Approves the pre-tender considerations as set out in paragraph 3.3 of this report for the procurement of a Single Delivery Partner for the remainder of the South Kilburn Regeneration Programme.
- 2.2 Approves Officers evaluate the tenders (referred to in 2.1 above) based on the evaluation criteria described in **Appendix 2** of this report.

## 3.0 Detail

### 3.1 Contribution to Borough Plan Priorities & Strategic Context

- 3.1.1 The South Kilburn estate regeneration programme is one of the most important projects Brent Council is currently working on, to deliver improved homes, introduce new tenures of housing, and to improve the physical and social infrastructure in the area for existing and future residents.
- 3.1.2 The programme is a key component in supporting Brent's strategic priorities, as outlined in the Borough and Local Plans. It directly addresses local housing needs and contributes to sustainable growth, economic stability, and community well-being.
- 3.1.3 Several key strategic policies are relevant to the programme and are essential to Brent Council's approach to regeneration, housing, sustainability, and community development. By appointing a SDP, Brent Council ensures a streamlined approach to meeting its strategic goals. This mitigates project delays and inconsistent delivery, ensuring that regeneration achieves its full potential for the South Kilburn community and helps to address the following:
  - i. **Prosperity and Stability in Brent (Borough Plan priority):** The South Kilburn Regeneration Programme will deliver affordable homes, commercial uses, community facilities, and workspaces to foster economic growth in the area. Procuring a SDP will streamline project delivery, ensure consistent quality and pace across all regeneration phases preventing delays and delivering economic benefits to the community.
  - ii. **A Cleaner, Greener Future (Borough Plan priority):** The programme supports the move towards carbon neutrality through a district energy network, sustainable development, energy-efficient

homes and improved green spaces. A SDP will ensure coordinated and sustainable building practices to reduce energy use and improve waste management.

- iii. **Thriving Communities (Borough Plan priority):** The programme aims to provide the community with improved housing, community facilities, and public spaces in line with the Borough Plan's vision.
- iv. **A Healthier Brent (Borough Plan priority):** A SDP will ensure a unified approach to delivering health-related infrastructure, helping to prevent delays and ensure timely access to health services and recreational facilities.
- v. **Good Growth and Inclusive Development (Local Plan Priority):** Brent's Local Plan 2019-2041 emphasises sustainable growth and inclusive development, focusing on delivering affordable housing and balanced communities. The South Kilburn regeneration aligns with these goals by creating a mix of market and affordable homes while retaining social rent housing. A SDP will facilitate better management of the project's scope and ensure the timely delivery of affordable housing. This mitigates risks associated with having multiple developers, such as uneven distribution of affordable homes across sites.
- vi. **Housing and Infrastructure (Local Plan Priority):** The regeneration's affordable housing targets, including social rent homes, directly support this priority. Working with a SDP allows the council to maintain a clear focus on maximising housing provision, address viability constraints, streamline construction timelines, and ensure consistent housing in all regeneration phases. This reduces the risks of fragmented delivery and ensures efficient infrastructure integration, such as roads and utilities. The SDP model will provide a significant number of new homes across tenures, contributing to meeting Brent's housing need.
- vii. **Brent Climate and Ecological Emergency Strategy (2021):** Brent is committed to achieving carbon neutrality, including sustainable building practices and creating green spaces in the South Kilburn regeneration project. By having a SDP, the project ensures that environmental sustainability goals are consistently applied. This approach will prevent the varied sustainability standards seen in earlier phases, ensuring all new developments meet the council's stringent carbon reduction targets.
- viii. **Brent Health and Well-being Strategy (2022-2027):** This strategy aims to reduce health inequalities and improve the well-being of Brent's residents by providing access to health services, creating healthy living environments, and promoting active lifestyles. A SDP

will ensure the delivery of a comprehensive range of facilities, such as gyms and open spaces, thus effectively supporting the Borough's health priorities rather than a multi-partner approach.

- ix. **Brent Housing Strategy (2019-2024):** Brent's Housing Strategy focuses on delivering more affordable homes, improving housing quality, and ensuring sustainable development. It emphasises mixed-tenure developments, reducing homelessness, and improving residents' quality of life. The SDP model will streamline the construction process, ensuring consistent housing quality and delivery timelines across the regeneration project, helping Brent meet its housing targets.
- x. **Brent Inclusive Growth Strategy (2021-2025):** A SDP will enhance the regeneration's social value impact by ensuring that employment, training opportunities, and apprenticeships are delivered across all phases. This will provide more reliable opportunities for residents, which aligns with Brent's strategy to ensure that growth benefits all residents by creating jobs, improving infrastructure, and fostering inclusive development.
- xi. **Brent Corporate Procurement Strategy (2020-2024):** Appointing a SDP will enable a more focused and strategic procurement process. This approach ensures that the SDP will comply with Brent's social value and sustainability commitments and guarantees the consistent application of ethical standards across the project.
- xii. **Brent Social Value and Ethical Procurement Policy:** A SDP will ensure that social value is embedded throughout the regeneration, with a unified approach to local hiring, skills development, and environmental stewardship. This streamlined approach eliminates the complexities of managing multiple developers with differing levels of commitment to these important goals.

## 3.2 Background

The council wishes to appoint a SDP to deliver the remainder of the South Kilburn Regeneration Programme. A report seeking authority to tender the contract for a SDP was considered by Cabinet on 14th October 2024. Cabinet approved the procurement of the relevant contract subject to the Corporate Director, Neighbourhoods and Regeneration in consultation with the Lead Cabinet Member for Regeneration, Planning and Growth approving the pre-tender considerations in accordance with Contract Standing Orders 89.

## 3.3 Pre-tender considerations

In accordance with Contract Standing Orders 89, pre-tender considerations for the procurement of a SDP for the remainder of the South Kilburn Regeneration

Programme (the “Contract”) have been set out below and in appendices 1-6 for the approval of the Corporate Director. Approval is also sought for Officers to evaluate the tenders based on the evaluation criteria referenced in Appendix 2.

<b>Ref.</b>	<b>Requirement</b>	<b>Response</b>	
(i)	The nature of the services/supplies / works.	Partnering Agreement for services and works.	
(ii)	The estimated value.	£0.8 – 1.0 billion	
(iii)	The contract term.	<p>The Partnering Agreement will commence on the date it is entered into, estimated to be in Q2 2026, and will expire on the tenth (10<sup>th</sup>) anniversary of that date (unless extended by agreement). The parties may agree in writing to extend the term of the agreement on one or more occasions, provided the aggregate of such extensions does not extend beyond the twentieth (20<sup>th</sup>) anniversary of the agreement.</p> <p>In considering extensions to the term, the council shall have regard to, amongst other things, the SDP’s performance to date under the Partnering Agreement.</p>	
(iv)	The tender procedure to be adopted.	Competitive Flexible Procedure  See <b>Appendix 1</b>	
v)	The indicative procurement timetable.		<b>Indicative dates are:</b>
		Tender Notice published	Late June 2025
		Participation Response Documents returned	Early September 2025
		Participation submissions evaluated / scored in accordance with the council’s approved participation criteria	Early October 2025
		Invite to tender (3 bidders)	Mid-October 2025
		Deadline for bidder submissions	Late March 2026
		Evaluation / moderation of tender submissions	Late March – Early May 2026

Ref.	Requirement	Response	
		Identification of preferred bidder	Early May 2026
		Report recommending Contract award circulated internally for comment.	Mid-May 2026
		Cabinet approval	June 2026
		Minimum 8 working day standstill period – notification issued to all bidders and additional debriefing of unsuccessful bidders (contracts covered by the full requirements of PA23)	Late-June 2026
		Contract Mobilisation	Q3 2026
		Contract start date	Q3 2026
(vi)	The evaluation criteria and process.	See <b>Appendix 2</b>	
(vii)	Any business risks associated with entering the contract.	See <b>Appendix 3</b>	
(viii)	The Council's Best Value duties	<p>In accordance with its statutory Best Value duties under the Local Government Act 1999, Brent Council is committed to securing continuous improvement in how its functions are exercised with regard to a combination of economy, efficiency, and effectiveness.</p> <p>The council's approach to procurement is guided by its Procurement Strategy 2020–2023 (which remains relevant), which sets out a framework to ensure that all procurement activity delivers best value for residents. This includes promoting social value, supporting local businesses, and ensuring transparency and fairness in supplier engagement. The strategy emphasises the importance of ethical sourcing, sustainability, and innovation in achieving long-term value for money (Brent Council Procurement Strategy 2020–2023 (which remains relevant)).</p>	

Ref.	Requirement	Response
		<p>The procurement of a SDP for South Kilburn has been designed to fulfil this duty by enabling:</p> <ul style="list-style-type: none"> <li>• Efficient delivery through a streamlined process, compared to a site-by-site model.</li> <li>• Effective outcomes through holistic placemaking, integrated infrastructure delivery, and long-term stewardship.</li> </ul> <p>The approach aligns with Brent’s Borough Plan (2023–27), Inclusive Growth Strategy, Housing Strategy, Climate &amp; Ecological Emergency Strategy, and Social Value &amp; Ethical Procurement Policy, ensuring the regeneration delivers tangible social, economic and environmental benefits.</p> <p>Performance will be monitored through a contractual performance management regime, governance mechanisms, and KPIs (as required by the Procurement Act 2023), securing long-term value for residents and communities.</p>
(ix)	Consideration of Public Services (Social Value) Act 2012	<p>The council is under a duty under the Public Services (Social Value) Act 2012 (“the Social Value Act”) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act to secure that improvement; and whether the council should undertake consultation. This duty does not strictly apply to the proposed Contract as it is not a services contract. Nevertheless, Officers have had regard to considerations contained in the Social Value Act .</p>
(x)	Any staffing implications, including TUPE and pensions.	See section 9 below.
(xi)	The relevant financial, legal and other considerations.	See Financial Considerations at Sections 5 and Legal Considerations at Section 6 below.
(xii)	Sustainability	Sustainability is a core objective of the South Kilburn Regeneration Programme and is embedded in the procurement strategy for the SDP. See section 8 below.

Ref.	Requirement	Response
		<p>The successful partner will be required to:</p> <p>Support Brent’s ambition to do all it can to become a carbon-neutral borough by 2030, in line with the Climate and Ecological Emergency Strategy.</p> <p>Deliver low-carbon, energy-efficient homes, incorporating renewable energy and aligning with the South Kilburn District Heat Network.</p> <p>Enhance green and blue infrastructure, biodiversity, and sustainable urban drainage across the neighbourhood.</p> <p>Support the aims of the South Kilburn Green Neighbourhood Pilot, promoting active travel, local greening, and environmental education.</p> <p>Environmental performance will be tracked ensuring delivery of measurable outcomes and compliance with Brent’s planning and climate objectives.</p>
(xiii)	Key Performance Indicators / Outcomes	See <b>Appendix 4</b>
(xiv)	Policy requirements including the National Procurement Policy Statement; prompt payment; London Living Wage; modern slavery; and carbon reduction	The potential suppliers will be required to provide services and works in accordance with all relevant policy requirements, to include those detailed in the National Procurement Policy Statement, to comply with a 30 day payment requirement, to provide evidence of wage compliance, evidence due diligence in supply chain (including modern slavery) and provide report on carbon emission and sustainability initiatives during contract delivery.
(xv)	Sharing information to allow understanding of the council’s procurement policies and decisions	All relevant policies and information will be shared with the bidders through the tender process.
(xvi)	Steps undertaken to remove or	Officers have considered whether any steps can be taken to remove or reduce barriers for SME

Ref.	Requirement	Response
	reduce barriers for SME participation in the procurement	<p>participation in the procurement. While the contract is for a single strategic delivery partner, it is considered that the tender process recommended is appropriate for the services and works required and upholds the principles of equal treatment, transparency, and non-discrimination, ensuring that SMEs and large enterprises are evaluated fairly without any undue advantage given to larger enterprises.</p> <p>To support SME inclusion, bidders will be asked to submit a Supply Chain Engagement Plan outlining how they will involve local and Brent-based SMEs in the delivery of works, services, and social value initiatives. This will form part of the social value evaluation, aligning with Brent's commitment to inclusive growth and ethical procurement.</p>
(xvii)	Contract Management	<p>Appropriate mechanisms will be included within the overarching Partnering Agreement as well as each Site Development Agreement to incentivise good performance, address default scenarios, change of control, and disincentivise poor performance.</p> <p>Use of a Partnering Agreement and Site Development Agreements will ensure performance-based progression by the SDP through the programme and enable the council to only authorise site drawdowns where appropriate.</p> <p>Land ownerships will be retained by the council until they are required for development, with appropriate landowner protections during the development period (to enable site recovery) in case of a SDP default in relation to any site within the programme.</p> <p>Legal and commercial oversight will be exercised throughout the contract term, including regular governance checkpoints and risk review mechanisms.</p>

#### 4.0 Stakeholder and ward member consultation and engagement

4.1 The community was intensively engaged and consulted during the 2016 review of the Masterplan which confirmed the vision, objective and ambition for regeneration, and then again in 2019 to endorse the continuation of the regeneration programme and the Landlord Offer (the South Kilburn Promise) at

a residents' ballot. 84.2% of those who voted supported the regeneration of South Kilburn with 72.2% turn out of the residents eligible to vote.

4.2 Through the Tenants Steering Group and other engagement sessions with residents, community and voluntary groups and ward Councillors the principle of the appointment of a SDP has been discussed.

4.3 The relevant Lead Members have been regularly briefed on the progress of the SDP and the wider South Kilburn Estate Regeneration programme.

## **5.0 Financial Considerations**

5.1 The South Kilburn Regeneration Programme is intended to be self-financing. Costs incurred to date and future costs incurred on these programmes will need to be recovered through either grants or land receipts.

5.2 The Council has commissioned an external consultant to produce a financial model for the scheme. Based on this model, officers have modelled the options under consideration and found the SDP option as the one that is likely to deliver the better financial outcomes for Brent Council. This is premised on the following key elements of the SDP options compared to using multiple developers on multiple sites:

- The adoption of a long-term vision and partnership approach on infrastructure planning between Brent Council and the SDP will enable better management and planning to deliver quality public realm that help drive value of the site.
- Developers are likely to take into consideration the larger opportunity created compared to several smaller sites as they can be more competitive in their supply chains and site delivery planning to again achieve better value of the sites for themselves and their partners.
- The scale of the opportunity and the relative lack of comparable projects in this location is likely to incentivise developers to take a more competitive approach on the variable cost drivers.

5.3 The estimated gross development value (GDV) of the sites to be offered under this contract has been estimated by Deloitte (with wider input from residential agents Hamptons) at £0.8 – 1.0 billion. GDV represents the total projected sales revenue from the completed development encompassing the value of all residential units (both private and affordable) and commercial space, once sold. It is a measure of the project's potential income that the developer will realise, from which it will then deduct all of the construction, financing and wider development costs, that it will be responsible for, as well as an allowance for its profit return to reflect this sales and cost risk, prior to arriving at a land value for each site to pay to Brent.

5.4 Because of the length, value and significance of the contract, the Council will

carry out a more detailed assessment of the financial and economic standing of interested parties and the selected SDP than its usual due diligence. The Council are seeking external advice on the most efficient and effective way of carrying this out.

- 5.5 Cabinet approval will be required to commit Brent Council to the financial details of the contract to be awarded to the selected single development partner after the procurement process has been concluded.
- 5.6 The requirement for the scheme to be self-financing is independent of any future decisions of the Council over whether to seek to buy back the completed developments to provide social housing. The contract documents will not bind the Council to purchase back affordable elements of the completed developments and will be subject to its own governance process.

## **6.0 Legal Considerations**

- 6.1 The estimated value of the proposed Contract is above the threshold for Works under the Procurement Act 2023 (the “PA23”) and the procurement is therefore governed by the PA23.
- 6.2 The procurement is subject to the Council’s own Standing Orders and Financial Regulations in respect of High Value Contracts. For High Value Contracts, Cabinet should approve the procurement of the Contract and the pre-tender considerations as required by Contract Standing Order 88 and 89. As detailed at paragraph 3.2, Cabinet has approved the procurement of the Contract and delegated approval of the pre-tender considerations to the Corporate Director, Neighbourhoods and Regeneration in consultation with the Leader of the Council and Cabinet Member for Regeneration Planning and Growth. Approval is also sought to evaluate the tenders in accordance with the evaluation criteria referenced in **Appendix 2**.
- 6.3 In accordance with Recommendation 2.7 of the Cabinet report of 14<sup>th</sup> October 2024, once the tendering process is undertaken, Officers will report to Cabinet explaining the tendering process undertaken and recommending the bidder to be appointed the SDP to deliver the Project.

## **7.0 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 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. This is especially important in regeneration contexts, where change can have varied effects on different communities.
- 7.4 The proposed SDP model is likely to result in positive equality outcomes:
- Holistic, inclusive design and delivery: the approach allows for coordinated and inclusive planning of new homes, public spaces, and infrastructure. This reduces the risk of inconsistencies that could overlook the needs of protected groups.
  - Stronger integration of equality objectives: embedding equality requirements in a long-term partnership (via contractual KPIs and social value clauses) enables sustained focus on EDI throughout all stages of planning, construction, and rehousing.
  - Improved oversight and accountability: a single accountable partner provides a clearer route to monitor, evaluate and enforce EDI commitments, eg step-free access, family-friendly homes, and inclusive public realm.
  - Targeted mitigation of disruption: vulnerable residents—including disabled people, older adults, lone parents, and minoritised ethnic communities—face disproportionate impacts from regeneration. A single partner model allows for tailored, early, and consistent rehousing support, service continuity, and communication.
  - Greater engagement with underrepresented groups: through a structured partnership model, the Council can ensure continuous engagement with residents who face barriers to participation (e.g. disabled people, non-English speakers, LGBTQ+ residents) to shape delivery.
  - Enhanced capacity to address cumulative disadvantage: by linking housing with health, education, employment, and community facilities within one delivery strategy, the SDP model can contribute to reducing entrenched inequalities in South Kilburn, as highlighted in the South Kilburn Evidence of Need (2024) and Brent's EDI Strategy (2024–2028).

- 7.5 While there are positive impacts associated with housing, public space, and social infrastructure improvements, there are negative impacts associated with the possible relocation of residents, and further monitoring and targeted engagement will take place to ensure that groups at risk of marginalisation are not disproportionately impacted.
- 7.6 The Equality Analysis (See **Appendix 5**) will be used to inform procurement specifications and evaluation criteria. This will ensure that the future SDP is fully aligned with Brent's legal duties and policy ambitions. The Equality Analysis will be reviewed and updated prior to contract award to reflect the final tender scope and delivery approach.

## **8.0 Climate Change and Environmental Considerations**

- 8.1 Brent Council's commitment to addressing the climate and ecological emergency is central to the South Kilburn regeneration project. The procurement of a SDP will embed carbon reduction, climate resilience, and wide-ranging best practice throughout the remaining programme. The SDP will play a crucial role in co-ordinating and implementing these measures, integrating them into the project from the outset.
- 8.2 The SDP must comply with a comprehensive set of environmental policies, from the Local Plan, the London Plan, the Climate and Ecological Emergency Strategy and other associated environmental plans and policies that the council is committed to.
- 8.3 Engaging a SDP allows Brent to improve the management and implementation of climate and environmental measures, facilitate a cohesive sustainability strategy across the remainder of the programme – for example integrating renewable energy systems, highly energy efficient buildings, biodiversity enhancements, and green infrastructure (including sustainable travel infrastructure) from the outset.
- 8.4 The SDP model accelerates delivery by reducing the need for multiple procurement processes. This allows for earlier integration of climate-resilient design, which could potentially reduce delays.
- 8.5 Environmental performance will be expected to be monitored and reported on ensuring Compliance with Brent's environmental sustainability goals.
- 8.6 The SDP will be expected to implement several critical sustainability measures:
- Sustainable Construction: new buildings will be designed to meet high environmental standards using energy-efficient designs, low-carbon materials, on-site renewable energy generation, integration with the South Kilburn District Heat Network and consideration of best practice for climate

adaptation measures for buildings to be designed for resilience to hot temperatures and extreme heat in the future

- Green Infrastructure: the SDP must support biodiversity, manage water/sustainable drainage, and enhance local ecosystems.
- Sustainable Travel: factor in provisions for car-free developments,
- An exemplar waste management system on site which maximises the circular economy and closed loop systems

8.7 Implementation of climate and environmental measures involves potential risks that must be carefully managed:

- Regulatory Compliance: the evolving nature of environmental regulations presents a risk of redesigns and increased costs. early-stage integration of climate considerations can mitigate this risk.
- Cost Pressures: implementing sustainable technologies may result in higher initial costs. Monitoring and Reporting

8.8 The SDP will be required to provide regular reports on:

- Carbon emissions and energy performance of buildings.
- Progress on biodiversity and green infrastructure targets.
- Air quality and transport-related emissions.
- Adaptation and resilience measures

These reports will allow for continuous assessment of the project's environmental impact, ensuring that it remains aligned with Brent's carbon neutrality targets.

8.9 South Kilburn Green Neighbourhood Pilot – the SDP will be required to support the objectives and action plan for the South Kilburn Green Neighbourhood pilot, which aims to make the area a green neighbourhood exemplar for the Borough.

## 9.0 Human Resources/Property Considerations

The SDP procurement would be undertaken by the existing team with external professional support. The SDP will have staff and consultants dedicated to the SK SDP Programme.

## 10.0 Communication Considerations

Ongoing communications with residents on the progress of the programme will continue. Once a partner has been appointed outlining the shared vision for South Kilburn the benefits of this new approach will be published.

### Related documents:

Cabinet Report of 14 October 2024 - South Kilburn: Authority to Tender for a Single Delivery Partner

**Report sign off:**

*Alice Lester*

Corporate Director Regeneration and Neighbourhoods