



**Delegated Decision
Strategic Director Regeneration and
Environment in consultation with
Cabinet Member for Regeneration,
Property and Planning
21st January 2022**

**Report to the Strategic Director of
Regeneration and Environment**

**CONSIDERATION OF APPLICATION FOR RE-DESIGNATION
OF KILBURN NEIGHBOURHOOD FORUM**

Wards Affected:	Brondesbury Park, Kilburn & Queen's Park.
Key Decision:	Yes
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	3
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Claire Bradley, Principal Planner, Planning Policy, Claire.Bradley@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The purpose of the report is to consider the representations received in relation to the re-designation of Kilburn Neighbourhood Forum. In light of comments received, it also recommends that the Forum is re-designated.

2.0 Recommendations

- 2.1 That the Strategic Director of Regeneration and Environment and Cabinet Member for Regeneration, Property and Planning consider the representations received and officer responses as set out in Appendix A.
- 2.2 That the Strategic Director of Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning approve the re-designation of the Kilburn Neighbourhood Forum.

3.0 Detail

Background

- 3.1 The Kilburn Neighbourhood Forum (KNF) and its Neighbourhood Area falls within both the boroughs of Brent and Camden. Its status as a forum was originally approved by the Council on 2 June 2016 and Camden Council on 3 June 2016.
- 3.2 KNF are in the process of preparing a neighbourhood plan. Since being designated they have secured funding and technical support. They have commissioned a number of studies including a socio-economic profile of the neighbourhood area, an analysis of its current condition and a visioning document. Progress on the plan has been slower than anticipated, having in part been adversely impacted by Covid. In 2021 they appointed consultants Troy Planning to support them with plan preparation. This is likely to result in the pace of plan preparation picking up significantly.
- 3.3 The designation of a Neighbourhood Forum ceases to have effect after 5 years. KNF lost its status as a forum in Brent on 2 June 2021. They submitted a new valid application for re-designation on 15 October 2021. The application is included as Appendix B.
- 3.4 The application includes the Forum's written constitution, a map of the existing Neighbourhood Area, a statement of its intentions, how they have sought to be inclusive, and that the Forum is reflective of the local populace and has sufficient numbers. The objectives of the Forum have been carried forward from their previous application, and are reflective of requirement to promote the social, economic and environmental well-being of the area. The Forum has 71 members. Details were provided for 32 members to illustrate membership is drawn from a wide area/ representative of the area and characteristics of the population. Membership is open to those who live, work or are elected members in the neighbourhood area. There is no fee required for membership. A statement which demonstrates how the applicants have met these requirements is included in Appendix C.

Consultation Process

- 3.5 Brent and Camden Councils jointly consulted on the application from 4 November to 17 December 2021. This was just over the statutory minimum of 6 weeks. A public notice was placed in the Brent and Kilburn Times, Camden New Journal and at sites in the proposed Neighbourhood Area, with documents made available at Kilburn Library. The consultation was publicised on the council's websites and consultation platforms. Notifications were sent to statutory consultees and those on the Local Plan consultation list.

Representations

- 3.6 Twenty-six responses were received on the consultation. These were from Brent's Park Forum, Kilburn Village Residents Association (KVRA), Queen's Park Area Resident's Association (QPARA), residents and statutory bodies Environment Agency, Historic England, Natural England, Sport England and Transport for London (TfL). A summary of the representations received, and the officer response, are included within Appendix A.

- 3.7 The statutory bodies did not wish to comment on the re-designation of the proposed Neighbourhood Forum. TfL requested to be engaged on any proposed policies or projects which may affect transport infrastructure. Natural England and Sports England provided general guidance to inform a neighbourhood plan and this has been shared with the forum.
- 3.8 Brent Park's Forum, KVRA, QPARA and eighteen residents supported the re-designation. Reasons for support included that the area needs improvement and the Forum could help with this by delivering projects, developing a neighbourhood plan and influencing local planning decisions. A number of comments also referenced benefits in enabling a more co-ordinated Brent and Camden Council approach in the neighbourhood area. A neighbourhood plan will be able to set planning policies and identify projects across the two local planning authority areas. Neighbourhood Forums are consultees on planning applications in their neighbourhood area and can assist in providing a collective response from the community.
- 3.9 One resident objected on the grounds the neighbourhood area should include South Kilburn. The objection did not raise any concerns regarding whether the forum is suitable to represent the existing Neighbourhood Area. A resident in support of the re-designation also considered in future the neighbourhood area should include South Kilburn, due to the need to consider flooding and open space provision across the areas.
- 3.10 In relation to the Area boundary, whilst neighbourhood forums expire after 5 years neighbourhood areas do not, and KNF has not sought to amend the neighbourhood area boundary. As such, this is outside the scope of this consultation. The Council engaged with the Forum in defining its extent in association with the 2016 KNF application. At that time the Council and Forum agreed it was not appropriate to include parts of the South Kilburn Growth Area. This principally was because this area was subject to strategic policies in the development plan (Core Strategy) and more detailed guidance in an associated supplementary planning document (SPD). The Council was also engaging to a high degree with local residents through the regeneration programme on emerging plans for the area. Both the strategic policy framework (emerging Brent Local Plan) and SPD have since been updated. The legitimacy of the regeneration of the estate has also been further reinforced through the overwhelmingly positive ballot outcome.
- 3.11 In relation to open space and flood risk, the neighbourhood plan will need to be consistent with strategic policies in the Brent Local Plan, which sets borough wide policies on flooding and open space. Its evidence base includes a Strategic Flood Risk Assessment and Open Space, Sport and Recreation Study. The South Kilburn Masterplan SPD also sets out detailed guidance on open space and surface water run off for this area. As such, it is considered that the exclusion of South Kilburn Growth Area is appropriate at this time. The current Neighbourhood Area boundary is consistent with the aims and objectives of the KNF as set out in their application.

Next steps

- 3.12 Due to KNF being within more than one Local Planning Authority (LB Brent & Camden) area the Council has 20 weeks from the date the application was

first made public to make a decision. The deadline for decision is therefore 4 March 2022.

- 3.13 In making a decision, the Council must consider whether or not the application for re-designation as a Neighbourhood Forum satisfy the requirements set out within Appendix C. As stated within paragraph 3.4, it is considered that the applicant has met these statutory requirements, and it is therefore recommended that the proposed Neighbourhood Forum be re-designated.
- 3.14 Once a decision is made, it will need to be made publically available as soon as is practicable on the Council's webpage. If the decision is made to refuse the application, a statement will need to be produced which outlines the reasons for refusal.
- 3.15 Camden Council must also consider whether or not to re-designate KNF. In Camden this is a single member decision and they are targeting 28th January 2022. In undertaking the consultation and preparing this report we worked closely with officers at Camden. We will continue to provide a co-ordinated response in supporting the KNF to prepare their Plan.

4.0 Financial Implications

- 4.1 The Council has a legal responsibility to assist the Neighbourhood Forum in the production and implementation of a Neighbourhood Plan. The Government provides financial support for neighbourhood planning. On designation of the neighbourhood area and forum in 2016 Brent was able to claim £10,000 of funding to support the preparation of a neighbourhood plan. £10,000 would fund a PO4 Planning Officer for around 60 days. Whether this is exceeded will depend on the complexity of the Plan and the length of time the KNF takes to develop it. It is likely additional staff input beyond the 60 days will be needed, and this would be covered by existing officers under current staffing budgets.
- 4.2 On successful completion of an examination into the Plan, Brent and Camden Councils can jointly apply for an additional £20,000 towards the cost of examination and referendum. This funding is available in 2021/22.
- 4.3 On adoption of a neighbourhood plan the proportion of Community Infrastructure Levy (CIL) collected within a Neighbourhood Area apportioned to Neighbourhood CIL increases from 15% to 25%. This will benefit the local area but will reduce funding for strategic CIL projects.
- 4.4 The KNF can apply to Locality (a part of MHCLG) for funding and technical support. They have been successful in gaining technical support which resulted in two technical reports and the appointment of Troy Planning to assist in the preparation of the plan. They also secured £5,495 from Groundwork and £10,000 from Trust for London towards consultancy research, consultation activities and the running of the forum.

5.0 Legal Implications

- 5.1 The process for Neighbourhood Forum and Neighbourhood Area designations are set out within the Neighbourhood Planning (General) Regulations 2012

(as amended). The process undertaken here has been consistent with these prescribed regulations.

- 5.2 Once adopted a neighbourhood plan will form part of the development plan for the borough. There is a duty upon the council to provide support and advice to communities wishing to bring forward a neighbourhood plan under the Neighbourhood Planning (General) Regulations 2012. The designation of a Neighbourhood Forum also ensures that the Council as local planning authority has a responsibility to consult the Forum in relation to plan making and planning applications received (those that the forum has indicated it wishes to be consulted upon).

6.0 Equality Implications

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

- 6.2 The KNF found it challenging to maintain and develop contacts during the pandemic. However, the application demonstrates their membership is drawn from across the local area, including for those who live, work or are elected members in the area. Participants and members are derived from a wide range of backgrounds as they relate to the above protected characteristics, and are broadly representative of the proposed Neighbourhood Area. Other local organisations are well represented on the Committee including in residents’ groups BEST, BRAT, Kilburn Square Co-op and Webheath TRAs plus amenity organisations: Charteris Sports Centre, Friends of Paddington Old Cemetery, Friends of Kilburn Grange Park, Kingsgate watch, Kingsgate Garden Club, KOVE. Other local organisations which are members of KNF include South Sudanese Women’s Skills Development (SSWSD), South Hampstead and Kilburn (SHAK), Sacred Hearts Church and Somali Cultural Centre. In their application KNF acknowledge there are still gaps they need to fill and commit to continue to attract new members from across the Neighbourhood Area.

- 6.3 In achieving diversity, the forum represents the objectives of the community as a whole, allowing the broader community to have a say in specific local matters which are likely to impact them directly. This provides a valuable resource for the Council in gauging the needs and wants of the local community, and how its actions are reflective of these.

- 6.4 Brent is one of the most ethnically diverse Local Planning Authorities in the UK, and the proposed KNF area has a high proportion of Black and Minority Ethnic (BAME) groups. The area also experiences high levels of deprivation, being inhabited by some of Brent’s most vulnerable residents. The forum will

therefore serve as a platform for improving the well-being of these most disadvantaged individuals, uplifting them and improving their access to opportunities.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The Local Ward members were notified upon receiving a valid application for re-designation of the KNF. They were also consulted on the designation, but did not comment. Membership of the KNF is also open to local ward councillors. Membership of the forum includes the local MP and both a Brent and Camden Ward Councillor.
- 7.2 In terms of awareness raising for the consultation, this is summarised in paragraph 3.5.

Report sign off:

Alice Lester
Operational Director of
Regeneration and Growth