

**Report for:** Cabinet meeting 14<sup>th</sup> March 2017

**Item number:**

**Title:** Development of a Partnership between Haringey Council and OnSide, to take forward the proposal to create a Youth Zone facility in Haringey subject to site identification and mutual approval.



**Report authorised by :** Jon Abbey, Director of Children's Service

**Lead Officer:** Gill Gibson Asst. Director Early Help and Prevention  
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**Ward(s) affected:** All

**Report for Key decision. YES**

## Summary

1. The Cabinet is asked to approve the development of a partnership with the charity OnSide, to take forward their proposal to create a Youth Zone, providing facilities and programmed activities for young people in Haringey. The proposal contributes to the wider vision to improve youth outcomes through participation, health and wellbeing and encouraging greater use for formal and informal recreation. This will provide a fully accessible facility for young people based on the successful Youth Zone model elsewhere in the country.
2. **Cabinet Member Introduction**
  - 2.1 This paper describes a unique opportunity for Haringey council to deliver against our ambitions for the young people of the borough. By supporting this proposal to work in partnership with the OnSide Youth Zone charity, we have the opportunity to leverage private sector funding into Haringey which will massively increase the scale of the available youth offer, expand its reach and scope and make a lasting difference to young people now and for generations to come.
  - 2.2 OnSide Youth Zones is a charitable foundation with a track record of success in developing outstanding facilities and establishing local charitable trusts to deliver 21<sup>st</sup> century youth provision. We must always consider and be responsive to the views and needs of younger residents in our Borough and the commitment from OnSide – borne out through their previous Youth Zone developments – is to fully engage them in all aspects of this project from branding and design to the range of provision which would be accommodated within a new and iconic facility, ensuring that it is relevant accessible and attractive to young people. In delivering this project, the council will significantly enhance Haringey's current range of youth provision with an offer that will

appeal to young people across the whole borough, with provision they have determined, ranging from art and crafts to sport and dance, literature to information technology. It will offer a range of provision far greater than we can deliver alone as well as being more relevant to our young people and their communities which also supports this council's strategic objectives and priority outcomes including health and wellbeing, education and employment and community safety.

- 2.3 In the face of huge financial pressures, Haringey can be proud to have maintained limited universal youth provision in the face of significant budget reductions. However, by working with OnSide, our commitment to ensuring the safety, development and wellbeing of young people will be evident for all to see. Through an initial capital investment - match-funded by OnSide - and medium term revenue contribution equivalent to our current revenue spend on youth provision, the benefits and improved outcomes for Haringey will be many times greater.
- 2.4 I firmly believe that Cabinet should adopt the recommendation below to launch a new era for youth in Haringey, where our ambition meets their uninhibited aspiration and working collaboratively we secure a tangibly brighter future for Haringey communities.

### **3. Recommendations**

The Cabinet is recommended to:

- 3.1 Agree the development of a partnership with OnSide to take forward proposals for a Youth Zone in Haringey, subject to site identification agreeable to both the council and OnSide and subject to planning approval and agreed heads of terms for a lease on a suitable Council site.
- 3.2 Give delegated authority to the Corporate Director of Children Services and Director Regeneration, Planning and Development after consultation with the Cabinet member for corporate resources to approve the final details of the project and the terms in respect of the grant funding agreement, lease, facility mix, and connection to other site specific regeneration proposals and operational detail.
- 3.3 Note that there is a guaranteed revenue funding requirement of £250,000 pa for three years for the Youth Zone.

### **4. Reasons for decision**

- 4.1 The proposed Youth Zone development will engage young people across the Borough in the creation of a unique facility that genuinely responds to their views and provides sustainable, 21<sup>st</sup> century youth provision significantly beyond the scale that the council alone can deliver, which will make a positive difference to the experience of being a young person in Haringey. The proposed council capital contribution of £3m towards the Youth Zone development will lever in a further £3m capital and ongoing revenue investment from the private sector of £750,000 per annum for the first three years of operation.

- 4.2 This project would also make a significant contribution to the Borough's vision – to work with communities to make Haringey an even better place to live through encouraging investment and creating opportunities for all to share in - a reality. Additionally, it will contribute significantly to each of our five corporate objectives enabling our young people to achieve their aspirations and growing our community assets to further demonstrate our ambition, innovation and collaborative approach.
- 4.3 One of the fundamental principles and attractions of OnSide's operation is the establishment of a standalone, locally reflective, charitable trust within the host borough, which is responsible for the operational delivery and financial viability of the venture. Under the guidance and direction of a high profile chair-person and private-sector, locally-led membership, these boards have the professional and financial connections to attract investment into the 'not for profit' operation and critically, the future of local young people. This model offers a sustainable, long-term funding model and a four-way partnership between the private sector, the authority, young people and the community – cementing future youth provision at a time of diminishing authority resources.
- 4.4 OnSide can evidence clearly the significant social impact that Youth Zones have by addressing disengagement, reducing school exclusions and unhealthy lifestyles and also shows a positive economic benefit for local and national government. On average, Youth Zones generate £2.03 of social value for every £1 spent on running these facilities, or £6.66 for every £1 invested by the local authority. As Haringey has negotiated a lower revenue contribution than other authorities, this return on investment would be closer to £12 for every £1 of Local Authority money spent to achieve a similar level of outcomes.
- 4.5 The benefits of Youth Zone extend beyond the financial and impact positively on education and employment outcomes for young people and improving health and wellbeing. In 2015, 92% of young people who complete the Youth Zone Get a Job programme, which focuses on giving young people the tools, motivation and aspiration to succeed in the future, progressed into paid employment or further study. 79% of parents surveyed reported that their child's involvement in Youth Zone had made family life more positive and 89% of young people reported feeling more self confident as a result of their joining Youth Zones. Communities also benefit from the presence of Youth Zones, such as a reduction in anti-social behaviour since Youth Zones opened – in Manchester this dropped 13% in year 1 and 51% in year 2 of opening and in Oldham police reported a 40% reduction in anti-social behaviour involving young people.

## **5. Introduction and Background**

- 5.1 The Council has proactively positioned and promoted itself as 'London's Growth Opportunity' and has a clear message that Haringey is committed to securing inward investment as part of a major regeneration and revitalisation programme. In response to this call, the Council has been approached by OnSide Youth Zones with an investment opportunity to develop a Youth Zone in the Borough, to replicate the success of this model elsewhere in the UK and to be the fourth London Youth Zone.

- 5.2 The OnSide Youth Zones (Company Registration Number 06591785) is a registered charitable foundation established in 2008 (Registered Charity No. 1125893). Its mission is to build state-of-the-art youth centres, modelled on the success of the nationally-recognised Bolton Lads and Girls Club. To date, OnSide has funded, built and established 8 Youth Zones in the north-west of England (Carlisle, Manchester, Oldham, Blackburn and Wigan, Wolverhampton and the Wirral. Other pipeline projects include developments in Barking & Dagenham, Croyden and Barnet.
- 5.3 OnSide have met with the Leader of the Council, Cabinet Member for Communities and Officers on a number of occasions to discuss the outline of their proposal and to explore site options together to identify a suitable location for this proposed development, as well as the potential benefits, opportunities and risks. However, in order to confirm pledged external support for Haringey, including a time limited opportunity to secure a £1m capital grant from The Queens Fund.

## 6. Proposal Overview

- 6.1 Onside have a strong track record of delivering Youth Zones and making a positive impact on young people and the wider community. To benefit from the Youth Zone development, Haringey will identify a site suitable for the development of a unique, iconic youth facility, co-designed by Haringey young people, which is at the heart of the Youth Zone proposition. An extensive investigation of potential sites across the borough is being conducted to identify a site or sites, which meet the minimum specification as detailed by OnSide and where completion of the project can be achieved within the parameters of the funding offer, and specifically the £1m contribution from The Queens Trust.
- 6.2 If Cabinet agree 'in principle' support for the project, the site(s) identified as being suitable will be subject to final detail and planning approval, and the Council would be announced as part of OnSide's journey to establish 20 Youth Zones by 2020.
- 6.3 Each Youth Zone is an independent, local charitable organisation, established by OnSide for this purpose. OnSide will facilitate the recruitment of a private sector led Board of Trustees who in turn can contribute to the sustainability of the project through fund raising and strategic direction. The Council will have representation on the Board as a strategic partner. It is envisaged that up to two places on the Board will be available for Council representation.
- 6.4 OnSide have projected that a minimum of 1,500 young people will visit a Haringey Youth Zone facility each week, based on the local demographic and experience elsewhere. The scheme will create up to 50 permanent employment opportunities for local people and generate a minimum of 100 volunteering opportunities. As it has done elsewhere, the Youth Zone is committed to working with local partner organisations and stakeholder groups to broaden the offer.
- 6.5 The Council has been approached to provide: □ £3m capital support (50% of scheme cost); □ revenue funding of £250,000 per annum for three years; A long-

term lease; □ Commitment to ongoing strategic support on the locally established Youth Zone Board of Trustees.

- 6.6 If Cabinet agree to support the project 'in principle' and commit to the £3m capital grant funding contribution, Officers and OnSide will continue to identify and scope a potential site(s) in order to start detailed planning and local engagement subject to Cabinet site approval, designed to deliver the facility opening in summer 2019.
- 6.7 OnSide has now established a North London office, from where the project will be coordinated and the local community stakeholder engagement process will commence immediately. Consultation will take place with: young people; local residents; statutory agencies and potential partner organisations. Local businesses will have the opportunity to participate in the construction and development phase if planning consent is secured. In tandem, OnSide will start work on a phased recruitment process by appointing a Chief Executive of the Haringey Youth Zone.
- 6.8 OnSide would commit to:
- Release the remaining balance of £3m to the capital construction cost (including £1m grant from The Queens Trust);
  - Alistair King (Alderman of the City of London) to lead the project as inaugural Chair of the Haringey Youth Zone;
  - Source all additional funding required to operate the Haringey Youth Zone for its first 3 years; □
  - Proactively fundraise to ensure project sustainability without additional Council support after Year 3; □
  - Full capital build responsibility including planning applications and community consultation;
  - Creation of the new operating charity for the Haringey Youth Zone;
  - Work alongside a Members Working Group to report on project progress;
  - Engage local young people to help shape their Haringey Youth Zone;
  - Work alongside other local voluntary sector groups in support of young people;
  - Recruit and train a minimum of 100 volunteers;
  - Deliver a comprehensive marketing and communications plan;
  - Recruit and support a local Board of Trustees responsible for strategic vision and long-term sustainability of the charity, including Council representation on the Board.

- 6.9 The Haringey Youth Zone will be open 7 days a week. During term-time, evening session opening hours mirror school timetables, typically opening from 16:00 – 21:00 from Sunday to Thursday, and until 22:00 on Friday and Saturday evenings. At weekends, the Youth Zone will operate family and junior sessions (8-12 year olds) in the morning and afternoon, in advance of the regular evening sessions which begin at 16:00. During school holidays, additional junior sessions will run from 08:00 – 18:00, offering affordable holiday provision for local parents. The Youth Zone may also open on bank holidays, dependent on the local demand for the service and feedback from parents.
- 6.10 The Youth Zone will be open until no later than 22:00 each day. Experience from other Youth Zones indicate that, due to the length of the sessions and programming, members tend to disperse at different times throughout the evening and not en masse when the facility closes. Based on experience elsewhere, it is anticipated that there will be little (if any) issues of concern in reality with regard for the potential for groups of young people congregating around the Youth Zone once the session is finished. OnSide will engage fully with all local residents, communities and stakeholders during the planning and development stages to maintain open and effective dialogue.
- 6.11 The operating model typically includes a small annual membership fee and a small fee per visit. The annual membership fee would be set at £5 and a charge of 50p per visit thereafter. All young people living in Haringey aged 8-19 would be eligible for membership. The age range is extended up to the age of 25 for young people with a disability. Family orientated sessions catering for the 5-8 age groups will also be explored in recognition of the local demographic.
- 6.12 Typically a Youth Zone would offer a minimum of 20 different activities each evening, which are determined through consultation with local young people to ensure they reflect their views. Youth Zones may include the following:
- A 4-court indoor sports hall with climbing wall;
  - A fully equipped fitness gym;
  - Dance studio;
  - Music suites with both instruments and recording equipment;
  - At least one outdoor multi use games area kick-pitch;
  - A specialist arts and crafts area;
  - Break-out rooms to include activities such as employability workshops, general and gender specific health/youth issue topics/projects and youth participation;
  - A large open plan recreation area;
  - A café serving hot nutritious meals for no more than £1;
  - A boxing gym.

Additionally, Onside will provide a targeted outreach programme to engage young people and further refine the local offer in the 9 months leading up to Youth Zone opening. Once operational, Youth Zone will continue to work collaboratively to develop a targeted offer linking outreach and satellite sites to the Youth Zone hub.



## **7. The Youth Zone Operating Model**

- 7.1 Youth Zones elsewhere in the country have created a safe, encouraging and positive environment in which children and young people can spend their leisure time; offering them 'somewhere to go, something to do and someone to talk to'. They are bright, vibrant, iconic buildings that take their inspiration from the original and acclaimed success of the Bolton Lads and Girls Club.
- 7.2 One critical factor in the success of the OnSide Youth Zone model is the voluntary relationship that exists between the Youth Zone and its members. It is important that young people who attend do so because they choose to, not because they are compelled to. This is key to developing positive, healthy relationships between young people, the staff and volunteers; enabling the Youth Zone to deliver high quality, engaging youth work to those that need it most.
- 7.3 It is also vital that the Youth Zone maintains its cover charge of 50p per session. Income from young people only amounts to c.10% of annual turnover; however the fee is important as it creates a sense of value, ownership and equity. Experience from Youth Zones elsewhere have acknowledged that for the most deprived families, even finding the 50p cover charge can be difficult; in these instances the Youth Zone has never turned away young people who genuinely cannot afford the 50p cover charge.
- 7.4 Youth Zones are filled with a wide range of activities, catering for all sporting, creative, artistic and social interests. They are youth-led, responding to the needs of its members and driven by a commitment to help all children and young people, with special emphasis on those from the most disadvantaged backgrounds to help increase their confidence and raise aspirations.
- 7.5 The Youth Zone concept offers a high quality facility and the wide range of activities that represent a commitment to delivering best-in-class youth work. OnSide are experienced in working with diverse communities and dealing with cultural and gender specific issues. Youth Zones offer young people the opportunity to try out activities in which they may otherwise never have the opportunity to participate. The Youth Zone model creates the opportunity for young people to meet new people, make new friends and learn new skills. All of this goes towards building the confidence they need to develop into happy, mature, healthy and successful young adults. OnSide are well experienced with ensuring appropriate high standards of Safeguarding practice is put into place in all its Youth Zone developments.
- 7.6 It will be important for the Youth Zone operating model to be sufficiently flexible to ensure it meets specific local youth needs including a balanced programme that addresses any potential gender and disability inequalities. The proposed Haringey Youth Zone must also have the capability to integrate with other youth provision hubs across the borough to demonstrate an integrated approach to provision and build trust and engagement across all areas and communities within Haringey.

## **8. Strategic Fit and Need**

- 8.1 The Borough has an increasingly young demographic; the 2011 Census showed a rapidly increasing population between the ages of 0-14, with a higher proportion of this age group in the borough when compared to the London average. The rapid increase in young people particularly the 0-4 age band is amongst the highest in London. More recent population projections put the borough's 0-14 population at 26% in 2015, rising to 27% in 2020. This remains above the London average which is projected to have a 0-14 population at 19% in 2015 and 19.4% in 2020. (GLA 2014 Short Term Trend Based); inevitably this will place increasing pressure on youth provision in the borough.
- 8.2 In common with many other services the budget for Youth Services has decreased significantly over recent years due to the broader financial pressures across the public sector. The Council's universal youth provision is delivered as part of the Early Help Service and is limited, with just one dedicated youth centre – Bruce Grove Youth Space and a weekly sport-based session in Hornsey. Bruce Grove activity is supplemented with two sessions of targeted activity for young people with disabilities and young carers, delivered through established third party organisations.
- 8.3 Experience from existing Youth Zones indicates that the vast majority of Youth Zone members are 'new' customers, i.e. they do not already access existing local youth provision. For those young people that do attend other local centres, the Youth Zone is seen to them as an additional offer as opposed to a substitute. Currently in Haringey the offer from BGYS is three open access sessions per week totalling 15 open access hours per week with an average weekly attendance of 115 young people. There are, in addition a range of community youth clubs predominately in the east of the Borough. The Haringey Youth Zone alone will be open for around 48 hours per week, offering specialised tutored activities not available from the Early Help Service; as such the Youth Zone represents a significant increase in choice and availability for local children and young people.
- 8.4 The significance of the proposed investment in young people through the Youth Zone should not be underestimated. It has the potential over the medium to long-term to reduce youth related anti-social behaviour and offending rates and positively enhance the quality of life not only for young people but for all residents. The Youth Zone can also play a key role in reducing the number of young people not in education, employment or training through its engagement and support activities as well as impacting on the wider health and wellbeing agenda through collaborative and integrated community-based provision during daytime hours and also sessional attendance.
- 8.5 In Wigan, local police reported a 77% reduction in anti social behaviour over a 12 month period in the area around the Youth Zone since the facility opened. Recent research undertaken on three established Youth Zones reported a positive impact on young people and the wider community since the establishment of a Youth Zone. Some of its key findings are indicated below:
- Users (Young People) 76% stated that they were getting on better with family since attending the Youth Zone;
  - 72% stated that they are staying out of trouble as a result of attending;



- 60% of respondents believed that the Youth Zone has helped them understand the dangers of smoking, alcohol and drugs;
- 51% said that they were less likely to miss school or college since attending the Youth Zone;
- 89% reported feeling more self-confident as a result of attending the Youth Zone.

Stakeholders reported:

- reduced crime and anti-social behaviour (including youth offending and arson);
- 75% of local businesses commented that the reduced fear of crime was a positive benefit to the area;
- providing valuable support for troubled families;
- improved health and wellbeing;
- improved community cohesion.

- 8.6 The proposed Youth Zone would complement and significantly enhance the offer to Haringey's young people and make a clear statement about the ambition of the council and wider partnership for our young people in this generation and the next. Not only will the age range of the Council's current youth offer be extended, but a Haringey Youth Zone will bring 21st century youth provision to the borough within a high quality bespoke design building, with state-of-the-art equipment and facilities. In addition, and most importantly, the Youth Zone brings the capability of significantly enhancing the lives and future prospects of local young people. Young people will be involved in the design and branding of the Youth Zone ensuring that it is relevant to its target users.
- 8.7 The development of a new Haringey Youth Zone will, given the ambitious delivery timeline, bring an iconic facility to the Borough which will represent our commitment to young people and their success in the future. The Youth Zone would help the Council to secure the promotion or improvement of the economic, social or environmental well-being of its immediate and wider, surrounding area.
- 8.8 The Youth Zone can positively contribute to the borough's strategic priorities:
- Outstanding for all
  - Clean and Safe
  - Sustainable Housing, Growth and Employment.
- 8.9 Youth Zone will also support the identified Youth Council priorities (crime, youth club provision and increased activities for young people) as well as supporting delivery of Haringey's Young People Strategy outcomes.

## 9. Planning

- 9.1 Once a site is identified by the council and agreed by OnSide as suitable for the development of a Youth Zone facility, all relevant planning procedures will be adhered to included consultation as appropriate to the land type of the identified site. Typically, a proposal of this type presents an excellent opportunity to deliver improvements across a locality to re-animate an area and increase its appeal and usage which would capitalise on the draw of the Youth Zone and be the catalyst for greater community involvement and enjoyment of this enhanced space.

### **Terms of disposal – Heads of terms**

- 9.2 Heads of terms will be negotiated with OnSide according to site specific considerations, however indicative draft proposals are attached in **Appendix 1**.

### **Best Consideration**

- 9.3 The Council is under an obligation to achieve best consideration in disposing of land under S123 Local Government Act 1972, and a valuation will be undertaken on behalf of the Council to show the Market Value of the site. A valuation of less than £2m will mean that the Council do not have to ask for consent from the Secretary of State for permission to dispose although justification will need to be set out why the Council is disposing of the site for less than best consideration. The disposal is part of the provision of Youth Services the details of which are set out in this report. Should the value of the proposed long lease be more than £500,000 a further report will need to be taken to Cabinet for approval.

## 10. Options Appraisal

- 10.1 The options in this instance are limited. The Council had not considered developing a major purpose built youth facility in the borough before being approached by OnSide; therefore considering the proposal as presented, the options are limited as indicated below.
- 10.2 **Option 1 - Do nothing.** Reject the proposal and do not offer Council support. The impact of this would result in OnSide withdrawing its £3m investment offer into the borough (Including £1m Queen's Fund) and looking towards an alternative host authority. The opportunity to create sustainable youth provision in the borough would be lost.  
**This option is not recommended.**
- 10.3 **Option 2 - Support the proposal.** Once a site has been identified and agreed by all parties, this would require the scheduled transfer of £3m capital grant from the Council to OnSide (50% of the capital build) as approved by Cabinet in June 2016. A further £250,000 per annum revenue contribution (25% of annual revenue costs) would be required from the council for the first three years of operation. OnSide have committed to deliver 50% of the capital cost and 75% of revenue costs for the first three years.  
**This option is recommended.**
- 10.4 It should be noted that there are considered to be three key risks to the recommended option:

- (i) OnSide decline any site offered and withdraw their capital funding offer to develop the project. This is considered to be a medium risk as OnSide need to calculate that the site being offered represents a realistic opportunity for them to create and establish a sustainable operation within their forecast timescales; should this be realised the Council would withdraw its grant offer.
- (ii) Revenue shortfall in from Year 4. This is considered to be a moderate risk; however the Haringey Youth Zone Board would be charged with securing on-going revenue support exploiting its network of supporters and potential funders.
- (iii) Project Failure. If the project failed at some point in the future and the local Trust dissolved the lease would be nullified and the building would become a Council asset/liability. The success of OnSide's Youth Zones elsewhere in the country suggests this is a low risk.

**11. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

**Financial Implications**

- 11.1 The Council's Capital Strategy includes an agreed £3m Council contribution to an estimated £6m project, subject to a more detailed business case and an identification of sufficient resources within the capital programme. This £3m is on the amber list of potential projects and is not included in the capital programme considered by Cabinet and Council in February 2017. This project will be presented to Capital Board in March 2017, to demonstrate value for money and to ensure that sufficient capital resources can be identified to proceed.
- 11.2 The report identifies that such an initiative would require £1m on-going revenue support each year to operate. The council has committed to contribute £250,000 towards revenue funding for the first three years and OnSide have undertaken to source the remaining funds to cover the first three years of operation, allowing the new local Board to develop long-term plans from a stable base. The Council's £0.250m on-going contribution would use existing budgets in this service to leverage additional third-party contributions.
- 11.3 The project is at an early stage, but the capital and revenue funding will need to be confirmed before the Council can commit itself contractually to this partnership.

**Procurement**

- 11.4 Strategic Procurement notes the recommendations made in this report and comments as follows:
  - Officers have considered the issues of awarding direct without having gone to the open market; whilst it is theoretically possible that another organisation could offer £3m match funding, ongoing revenue investment of £750k from private sector for three years and establish and successfully deliver a 21<sup>st</sup> century inclusive youth provision, in all likelihood the probability of this is remote.

- OnSide have been able to demonstrate successfully delivering such a model across 8 other local authorities over the past 7 years; something officers have been unable to identify elsewhere in the market. Therefore undertaking a procurement exercise is unlikely to yield any similar or improved offers.

11.5 Procurement notes the reference to Onside being responsible for the ongoing procurement activity. Procurement is to be consulted to ensure best value principles and process are incorporated into the final agreement.

## 12. Legal

12.1 The Council is proposing to grant a long lease of land once a site is identified. The granting of a long lease is a disposal. The Council can dispose of the land but this will depend on the purpose for which the land is held. If the land is one to which under section 123 of the Local Government Act 1972 applies the Council must obtain best consideration otherwise the consent of the secretary of state is required.

12.2 Where land identified is open space the Council must before disposing of the land cause notice of its intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to it.

12.3 Where there is any disposal under section 123 and that disposal is under value the Council can rely on the General Disposal Consent (England) 2003 issued by the Secretary of State. This allows the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area and the Council must have regards its community strategy and the disposal undervalue does not exceed £2,000,000 (two million pounds).

12.4 Where the site disposal would not fall within section 123 then separate legal advice would be required as to the statutory requirements that needs to be met prior to the disposal taking place.

12.5 The Council is also making a grant and revenue funding, any sums advance must comply with value for money and any grant be the subject of a grant funding agreement. Where the Council is providing funding these fundings must comply with State Aid rules. Aid for sport and multifunctional recreational infrastructures must comply with the General Block Exemption Regulation.

12.6 The Council can make grant payments under section 1 of the Localism Act 2011. Section 1 is a very broad based power which allows local authorities to do anything that an individual may do. There are some limits on the power set out in section 2 of that Act. If exercise of a pre-commencement power (i.e. power in existence before the general power became law) is subject to restrictions then these restrictions also apply to the exercise of the general power so far as it is overlapped by the pre-commencement power. This general power also does not enable the Council to do anything which the Council is unable to do by virtue of a pre-commencement limitation. It further does not allow

the Council to do anything which the Council is unable to do by virtue of a post-commencement power.

### **Contractual Issues**

12.7 It is proposed that OnSide will lead and be fully responsible for the procurement and subsequent management of the construction project (subject to planning approval) local companies will have the opportunity to tender for the construction related works. The detail of the operational arrangements will be developed pending planning approval as per recommendation (ii).

### **Equality**

12.8 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

12.9 The new Youth Zone proposal aims to increase the range of and outreach of activities for young people across the borough. This includes activities that are accessible for and targeted at young people who share protected characteristics, including those with disabilities, young women and different ethnicities and religions.

12.10 A **full equality impact assessment will be undertaken** when a confirmed site has been identified for the new Youth Zone. The impact assessment will consider the offer and accessibility of the new Youth Zone for different groups, including those that share protected characteristics. It will put forward mitigating actions to increase opportunities for all groups of young people to have access to and benefit from the new Youth Zone offer.

12.11 Beyond the immediate decision on the new Youth Zone, there will need to be further consideration on provision of services at the existing Bruce Grove Youth Space. To inform this process a full equality impact assessment will be undertaken to assess the impact of any future service changes on those groups that currently use Bruce Grove Youth Space, identifying mitigating actions and alternative options where appropriate.

**13. Local Government (Access to Information) Act 1985** - Not applicable

## **Appendix 1**

### **HEADS OF TERMS**

#### **AGREEMENT FOR LEASE AND CONSTRUCTION WORKS**

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## **AT (TBC)**

- 1. Seller** The Mayor and Burgesses of the London Borough of Haringey of Civic Centre, High Road, Wood Green, London N22 8LE
- 2. Seller's Solicitor** Legal Services, London Borough of Haringey, Alexandra House, Station Road, Wood Green, London (FAO Patrick Uzice)
- 3. Buyer** OnSide Youth Zones
- 4. Buyer's Solicitor** TBA
- 5. Property** Not yet identified
- 6. Basis of agreement** The property is to be sold on a long lease of 125 years and subject to vacant possession. Completion of the grant of the lease will be subject to the Conditions Precedent.
- 7. Purchase Price** The purchase price will be £1.00.
- 8. Title** The Seller's Solicitor to deduce title to the Buyer's Solicitors.
- 9. Agreed Scheme**

A development providing a Youth Zone facility based on the attached specification and including an indoor sports hall with climbing wall, fitness gym and dance studio, music suites and arts/craft, cafe and outdoor recreation area.

The Buyer is to commission and pay for initial design works and obtain planning permission based on the agreed scheme so that a planning application is submitted and validated by (or later dated mutually agreed by both parties) with determination of the application obtained by.
- 10. Early Access** The Seller will permit the Buyer to access the site prior to exchange of contracts and/or following exchange of contracts through licence for the purposes of undertaking visual survey work provided that the Seller will be under no obligation to allow access to occupied areas. The Seller will use reasonable endeavours to enable access to occupied areas where possible. If structural surveys and inspections are to be undertaken the Buyer will need to make good if the sale does not

complete.

## **11. Exchange and Completion Timescales**

The parties will endeavour to exchange contracts by the [ ].

The Buyer will oversee the preparation and submission of a planning application in order to achieve validation by xxx (or later date mutually agreed by both parties), which must be agreed by the Seller prior to the application for planning permission. Once the planning application has been validated all other detail will be dealt with under reserved matters, with the application determined prior to XXX (or later if mutually agreed by both parties).

Completion will take place no later than 28 days after the satisfaction of the last of the Conditions Precedent.

If completion of the lease has not taken place by a long stop date of 18 months from exchange of contracts either party may terminate the agreement. A satisfactory permission will be a permission which does not contain an onerous condition. An onerous condition will be a condition which contains a condition which may have the effect of materially reducing the value, increasing the cost or restricting the occupiers of the development. The Buyer would have a right to terminate the agreement if the permission contains an onerous condition.

## **12. Conditions Precedent for Exchange of Contracts**

Entry into the agreement for lease will be subject to the following conditions:

- Agreeing the form of lease including the operating model.

The lease will include a D1 use (details tbc), no assignment or subletting or charging will be allowed, full repairing and insurance obligations on the tenant, lease to be outside the provisions of Part II of the Landlord and Tenant Act 1954.

- Satisfactory completion of legal due diligence.
- Satisfactory surveys having been undertaken to include ground conditions, statutory undertakers, and rights of light, noise and air quality.
- Receipt of the Seller's approval and Buyer's

approvals.

- The Buyer will enter into a fixed charge over their leasehold title in favour of the Seller in respect of the received grant.

### **13. Conditions Precedent for Completion**

The agreement for lease will provide that the grant of the lease to the Buyer will be conditional upon the happening of the following events:

- Receipt of a satisfactory detailed planning permission.
- Vacant possession being provided.
- The Buyer and Seller entering into Funding Agreements and the provision of services is agreed.

### **14. Costs**

Each party will bear their own costs.

### **15. Services**

The Seller shall grant the Buyer the right to use and connect into all existing service media and thereafter the free flow of all services through such service media, such rights to be included in the lease.

### **16. Site Security**

The Seller will be responsible for the security of the site between exchange and completion.

### **17. Communications**

The parties will agree a communications strategy in connection with the project in relation to the local community, stakeholders and the media.