

NOTICE OF MEETING

CABINET MEMBER SIGNING

Friday, 6th April, 2018, 10.00 am - Civic Centre, High Road, Wood Green, N22 8LE

Councillor Claire Kober - Leader of the Council

Quorum: 1

1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a

pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. MATTERS REFERRED TO THE LEADER BY OVERVIEW AND SCRUTINY COMMITTEE - DECISION OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 29 MARCH 2018 REGARDING MINUTE 44 - CONFIRMATION OF THE SITE PROPOSED FOR A YOUTH ZONE AND APPROVAL OF CAPITAL AND REVENUE FUNDING TOWARDS THE PROJECT (PAGES 1 - 70)

The Democratic Services and Scrutiny Manager to report that the Overview and Scrutiny Committee of the 29th of March 2018 on consideration of the call in of the Leader's decision of the 19th of March , minute number 44, resolved that the decision relating to the **Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project**, be referred back to the Leader to reconsider the decision before taking a final decision within 5 working days in light of the views expressed by the Overview and Scrutiny Committee.

Part Four Section H(Call in Procedure Rules) Paragraph 10(b) of the Constitution requires that when the Overview and Scrutiny Committee decides to refer a decision back to a decision maker then the decision taker has 5 working days to reconsider the decision before taking a final decision .

The following documents are attached:

- a) Report of the Chair of Overview and Scrutiny setting out the recommendations of the Overview and Scrutiny Committee to the Leader following consideration of the Call In forms, verbal representations considered at the Overview &Scrutiny meeting, the Leader's Signing reports, and minutes relating to the Leader's decision **Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project.**

Additional Information

- b) Copy of the Call In forms
- c) Excerpt from the draft minutes of the Leader's Decision held on 19 March 2018.
- d) The Report and appendices on **Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project**

- e) Report of the Monitoring Officer considered by the Overview and Scrutiny meeting.
- f) Report of the Director for Children's Services considered by the Overview and Scrutiny meeting

Ayshe Simsek
Committees Manager
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Email: ayshe.simsek@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Tuesday, 03 April 2018

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Report for: Leader's signing 6 April 2018 10.00am

Title: Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project

Report Author: Councillor Charles Wright, Chair of Overview and Scrutiny Committee

Ward(s) affected N/A

Report for Key/Non Key Decision: Key decision

1. Describe the issue under consideration

This report sets out the outcome of the Overview and Scrutiny Committee's consideration of the Leader's decision of 19 March 2018, 'Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project' following its referral to the OSC under the Call-In process (as described in Part 4 Section H of the Council's Constitution).

2. Introduction

The Overview and Scrutiny Committee considered the Leader's decision at a special meeting on the 29th of March 2018. The Committee heard from a deputation led by Ceri Williams. The Committee also heard from the lead signatories of the two call-in requests received.

Following full discussion, there was overall concern that the current administration could decide to allocate a total of £596K of revenue funding for the Youth Zone in the third year of a budget. This was nearly 40% of the Early Years budget for this single youth provision resource. It was felt unfair that this key decision might tie the Council into this agreement with no risk assessment being completed and, at a time; when there was, a budget forecast overspend in the Children's Service.

The Committee also noted that the capital budget allocation for the Youth Zone, which would be drawn from the responsiveness budget line, was included in the budget report agreed by the full Council in February. It was concerning that, this budget allocation had not been included in the budget report considered by Overview and Scrutiny in January nor included in the Children and Young People's Scrutiny Panel discussions.

However, as both sufficient revenue and capital funding for the Youth Zone were included in the Council budget and MTFS agreed by full Council and these funding allocations not exceeded, the Committee did not find that the decision reached fell outside the Budget or Policy Framework.

A key theme emerging from the deputation and responses to Member questions was the lack of needs assessment and overall lack of an evidential base to support the decision on the location of the site. This was needed to provide assurance that the Youth Zone would be well used by young people across the

borough. The Committee felt it was difficult for the Leader to make a decision without this information.

A further fundamental consideration identified, was determining whether the land at Woodside School was usable for the purposes of a Youth Zone. This issue seemed currently under investigation. The Committee felt that given OnSide were committing significant funding to this project, it was prudent to be clear that the land could be used, subject to planning requirements being met.

There was also discussion about current youth provision in the borough and the need to assess what the impact would be as a result of funding OnSide for the Youth Zone. It was important to make clear the implications for other Youth Services and what will happen in 2021 when the Youth Zone is in operation. This was especially important given the issues raised on the increase in youth crime set out by the call in. The response to the recommendations should also include implications on TUPE.

The Committee proceeded to agree to refer the matter back to the Leader, as the decision maker, to reconsider its decision of 19 March 2018 before taking a final decision, as set out in paragraph 10(b) of the Call-In Procedure rules set out in Part 4 Section H of the Council's Constitution. To assist with this, the Committee makes a number of recommendations to the Leader, as follows:

3. Recommendations

- a) That there is significant clarification on the sources of funding for the Early Help and Prevention budget to provide assurance that the allocation of revenue funding for the Youth Zone, which begins in 2021, will not have a detrimental impact on statutory services and will not be at the expense of other Children's related services.
- b) That comment be provided on the reasons for the lack of needs assessment being undertaken and assurance provided that there will be a full and thorough consultation with young people on the Youth Zone 'offer' and their views taken into consideration.
- c) That the land at Woodside School, proposed for the Youth Zone site, be surveyed to understand if fit for development and that Planning requirements are likely to be met, before agreement is reached with OnSide for use of this site.
- d) That clarification be provided of the impact on Youth Service provision in the borough, following the commencement of revenue funding for the Youth Zone in 2021. This response should include potential implications relating to TUPE of staff.

4. Background

The papers considered by the Overview and Scrutiny are attached to provide the background to this paper. They are:

- Copy of the Call-in requests

- Excerpt from the draft minutes of the Leader's Signing held on 19 March 2018
- Report to Leader's Signing – Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project
- Report of the Monitoring Officer and Chief Finance Officer
- Report of the Director for Children's Services

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'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	CABINET MEMBER SIGNING
DATE OF MEETING	19/3/2018
MINUTE No. AND TITLE OF ITEM	44. CONFIRMATION (continued below)

1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?

<p>44. CONFIRMATION OF THE SITE PROPOSED FOR A YOUTH ZONE AND APPROVAL OF CAPITAL AND REVENUE FUNDING TOWARDS THE PROJECT</p> <p>REASONS FOR CALL-IN See attached pages (1) + (2)</p>

2. Variation of Action Proposed

<p>VARIATION OF ACTION PROPOSED See attached pages (3)</p>
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Signed:

Councillor: Bob Hare (Please print name): BOB HARE

Countersigned:

1. Councillor: Clive Carter (Please print name): CLIVE CARTER
2. Councillor: Liz Morris (Please print name): LIZ MORRIS
3. Councillor: David M Beacham (Please print name): DAVID BEACHAM
4. Councillor: Viv Ross (Please print name): VIV ROSS

Date Submitted: 26 MARCH 2018

Date Received :

(to be completed by the Democratic Services Manager)

Notes:

1. Please send this form to:

Michael Kay (on behalf of the Proper Officer)
Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.
4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.

CALL-IN

SIGNED: BOB HARE

COUNTER-SIGNED: CLIVE CARTER, LIZ MORRIS, DAVID BEACHAM, VIV ROSS

TITLE OF MEETING: CABINET MEMBER SIGNING

DATE OF MEETING: 19 MARCH 2018

MINUTE NO 44

CONFIRMATION OF THE SITE PROPOSED FOR A YOUTH ZONE AND APPROVAL OF CAPITAL AND REVENUE FUNDING TOWARDS THE PROJECT

REASONS FOR CALL-IN

1) Outside the budget framework

We believe the decision taken by the Leader on "Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project" to proceed at the signing on Monday 19 March was outside the budget framework.

There are two points to make on the budget framework, either or both of which mean the decision is outside it.

a) There is no explicit allocation in the MTFs to the Youth Zone project of the £3m capital required.

We note that the budget for youth work appears to include £3m for one year. However, we consider a project of this scale and importance should have been costed specifically and by name, otherwise almost any activity within the broad description of youth work could be argued to be within the budget.

b) There is no source identified for the annual revenue cost of the Youth Zone.

As was clear from the responses of officers to questions at the signing, there is no clear idea of where the funding of £0.25m annually that will be required from the council for the Youth Zone for the first three years will be found. This is unacceptably vague for a significant annual cost equivalent to 42% of the annual budget for Early Years Prevention Services. There has not been any discussion where of this unplanned cut could be made to existing provision by the present cabinet or council committees, and the decisions about what to cut are being passed on to the next council.

Funding after the first three years is hoped to be found from other funders, but the sourcing of the sum required of £1m annually is not guaranteed, with the potential in the event of a shortfall for continuing calls for significant revenue support from the council. The accompanying document for the signing notes that the council will have to contribute additional revenue funding to support the fund-raising from third parties, but no indication of the scale or sourcing of that funding was provided.

No evidence was provided that Onside will be able to raise the funding required in the long-term in the competitive environment of London, with potentially large financial implications for the council, and/or for the continuation of the provision of youth services through the project, and for the inevitable competition for funds that the rest of the local voluntary sector would experience.

2) Outside the policy framework

While the broad aims of the policy framework could be argued to justify almost any action, there are numerous deficits in the proposed action that amount to a failure to meet the council's policies for the successful provision of youth services, for the efficient use of council funds, and for good governance. We are therefore Calling In this decision for all these reasons, whether they are considered legally outside the framework or not.

These reasons include:

a) General Exception Notice

No evidence was provided in the General Exception Notice to support the assertion that third party funding and planning consent could be put at risk by a delay to allow the usual 28 days notice. The deputation and councillors present at the signing challenged this point without receiving an answer. The investment of £3m and annual cost of £0.25m for the first three years is a highly significant decision, and should not have been taken by the outgoing administration using a GEN. The only answer received by the deputation and councillors on this point was that the work of the council could not cease because of elections. However, we consider the scale of the commitments made to be so large, with such large impacts on the way in which youth provision is delivered for the whole borough that this was not 'business as normal' but completely exceptional. The Libdems as the official opposition knew nothing of this recent proposal for a partnership with Woodside High School, and it has only been discussed within the Labour Group. The first opportunity we had to even comment on it was at the Cabinet Signing by General Exception Notice. The decision to waive CSO 9.01.1 which specifies that contracts with a value of £0.5m or above should be tendered is further evidence of the inappropriate haste of the process towards this decision.

b) Decision not based on agreed strategies

This very large capital and revenue investment is not based on agreed strategies for youth services. There has been no consideration of the effects on young people of the potential reductions in other sports facilities.

c) Three way arrangement

The arrangement between Woodside, Onside and the council has not been discussed by cabinet.

d) Lack of draft contract

No draft contract was made available that takes into account the three-way arrangement. The supporting papers refer to the need for a new lease for Woodside to allow them to lease to Onside, but no draft was made available either.

e) No tender for service and strategy

It became clear from responses to questions at the signing that it is openly admitted that there had been no process of tendering for the service. An officer present at the signing said they had searched for alternative providers of the OnSide model without success. Given the nature of the Youth Zone proposal, this is not surprising, however, it does not mean that the Youth Zone proposal represents the right policy for Haringey.

f) Location of Youth Zone

A single Youth Zone necessarily means that a substantial majority of the children or young persons attending will have to travel a significant distance, quite possibly needing to take more than one bus or mode of transport in going and returning. This will constitute a very significant barrier to the use of the Youth Zone by younger children, as well as by older children for whom post-code problems can become a barrier. In answer to questions from councillors, the W3 bus was quoted as crossing the borough and serving the Youth Zone. In fact, the W3 bus travels from Finsbury Park to Tottenham, necessitating at least one additional bus for many young people, and two additional buses for many others. All young people using the W3 bus for all or part of their journey would have up to a 10 minute walk from the nearest point of the W3 bus route to the proposed Youth Zone.

g) Equalities Impact Assessment

The EqlA states there has not been time to consult with residents including young people. The EqlA notes that earlier engagement with young people showed that they wanted more accessible activities and were worried about safety on streets. However, the EqlA is particularly inadequate in dealing with the issues important for accessibility of travel and postcode safety, which must raise the question of whether the decision itself can be valid.

h) Bruce Grove Youth Space

The document accompanying the signing does not lay out a clear proposal for the BGYS. Changes to the services or facilities provided here as a result of the Youth Zone should also have been assessed and been the subject of an EqlA, as indicated in the Cabinet Minutes of March 2017.

i) Lack of Police support

In answer to questions, the Leader suggested that a letter of support had been submitted by the Police over a year ago in another context. Given the significant change in the way in which youth services would be provided, with impacts on young people's safety, ability to take up the services proposed to be provided, and consequent impacts on diversion and broader education, the views of the police on the single location are particularly important, and should have been provided as part of the documentation for the signing.

3) Variation of Action Proposed

We propose that this decision is paused to allow proper consideration of youth strategy, evaluation of the Youth Zone proposal, and consultation by the incoming administration after 3 May.

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'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	Cabinet Member signing
DATE OF MEETING	11am Monday 19 March 2018
MINUTE No. AND TITLE OF ITEM	Item 44 CONFIRMATION OF THE SITE PROPOSED FOR A YOUTH ZONE AND APPROVAL OF CAPITAL AND REVENUE FUNDING TOWARDS THE PROJECT <input type="checkbox"/>

1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?

This decision is outside the policy framework. It flouts proper process as is demonstrated below. It is also outside the budgetary framework in that it involves taking up over 40% of the future youth work revenue budget for three years, without this ever having been discussed by elected members or evaluated through the proper channels. There is no reference to this in the MTFS.

There is no formal paperwork yet prepared in relation to this decision. We contend that since this decision is so controversial, and being squeaked through in such an unseemly last-minute manner, that a Call-In is justified regardless of the above.

**Reasons for Call In
Introduction**

We the undersigned members of the Labour Group wish to utilise the Call In procedure through the overview and scrutiny process. We ask that the O & S Committee review the decision to approve the deal to invest £3m in capital funds along with a £250k pa 3-year commitment in revenue funding from the Council to the proposed Youth Zone. The key points for the call in are: that a single site provision contradicts previous policy positions which have stated that such a model is unworkable; the proposal represents a financial risk for the council because of the location which is poorly served by transport routes, fears around safety of young people and that the provider has no experience of delivering its model within the context of a London Borough with the specific challenges this brings; and thirdly the proposal to build on metropolitan open land will be open to legal challenge. The case for the call-in is expanded in more detail below

Objections to the Process

- This controversial decision did not merit a General Exception Notice, and should have gone to Cabinet. It is not an emergency. The reason given in the Notice that the promised funding might be at risk if the

- proper 28 days notice was given is not credible.
- At the Cabinet meeting in March 2017 a draft contract was included. However, now the project is entirely different, and involves a three way arrangement with Woodside High School. This draft should have been brought to the Cabinet Signing. The report however suggests no paperwork regarding the lease or other aspects of this complex deal has been prepared. To underpin this decision.
 - The paper for the Cabinet signing referred to the necessity of varying the lease with Woodside High School to allow them to sublet to OnSide, This draft lease should have come to the meeting.
 - Para 5.1 of the Cabinet signing paper admits that there was no tender process, and that OnSide approached LBH with this niche idea, rather than being approached by LBH to deliver something within an existing strategy. The minutes state: "In relation to the waiver of the required tender process for this concessionary contract, this was agreed following service and procurement analysis, which found that there was no other credible supplier to provide a similar offer to OnSide within the London area". But if outside niche companies approach the council with a new "idea" asking for funding for their niche product, of course officers are pushed to find another company to compete. The niche product in question is unproven, and was not commissioned. Chicken Town is a case in point, whose failure should have given the Leader pause for thought. Haringey Council brings itself into disrepute pursuing these kinds of vanity projects.
 - **Missing Equalities Impact Assessment promised in the March 2017 Cabinet Minutes** - The FAQs for Labour Group councillors (written by OnSide!) included a definite statement that Bruce Grove is included in this deal. But nothing was mentioned in the formal report to this Leader's signing meeting. However the March 2017 Cabinet paper states: "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." No such EIA was brought to the Cabinet Signing. This renders the decision highly questionable.
 - The Leader signing decision is to delegate the final signing of a contract to officers, removing the earlier recommendation to do so "in consultation with the cabinet member". In taking this decision (i.e. to remove the requirement to involve the cabinet member) the relevant report did not address the issue of it being a deviation from the relevant Contract Standing Orders" (16.02* see below), i.e. explaining the reasons for recommending waiving the relevant SO (which is explicit in that, on a contract involving more than £500k, a decision can be delegated by the Cabinet to the Leader and from the Leader to the relevant Cabinet Member, with no provision for delegating it to an officer).
 - A decision of this magnitude (£3m capital and £750k revenue, involving £250k revenue per annum for 3 years) that is not currently within the

council's approved budget and representing more than 40% of the current revenue budget for the service has major implications for the future of the whole youth service - the details of which would still need to be worked out and evaluated before proceeding with any firm commitments to a 3rd party. It is essential that any such waiving of the SO requiring Cabinet authorisation must be properly considered and fully justified.

- Similarly a final decision is also dependent on the outcome of a planning application (still to be prepared and submitted) involving the loss of MOL, (and therefore involving the Mayor of London) which indicates that it would not be straightforward and may have wider policy implications. These factors all indicate the need for clear cabinet level accountability.

**16.02 Decisions reserved to members under these Contract Standing Orders will ordinarily be taken at a Cabinet meeting. Notwithstanding this, the Leader may take any such decision between meetings of the Cabinet, including decisions that have become urgent, and the Leader may also allocate any such decision whether urgent or not to the Cabinet Member having the relevant portfolio responsibilities or to a Committee of the Cabinet.*

Objections to the OnSide model, and lack of needs analysis

- The proposal is centred around the development of a single youth centre site within one school on White Hart Lane, Wood Green to serve the entire borough. There is no evidence base that this facility will serve the needs of young people across Haringey. On the contrary, the evidence points to very real fears amongst young people and parents around safety issues and travel within the borough. There is a clear risk with a centre based in a location poorly served by public transport networks that it becomes a localised service and the predominant beneficiary are students from the neighbouring Woodside High School. We need to ensure any youth service development can meet the diverse needs of Haringey young people. There is no evidence from the provider that they can achieve this in the context of a London Borough with the challenges faced by Haringey, particularly the very worrying context of youth violence and preponderance of gangs and postcode battles within the borough.
- There has been no needs analysis following recent events in the borough. If there was, it is so unlikely as to be impossible that a single location vast Youth Zone in Woodside be the preferred solution.
- There is no mention made in the EIA of the risks of giving funding and the leadership role for the delivery of youth services in the borough to OnSide, a national charity with governance of 9 white men and one white woman. This would be the governance profile of the parent company of the project, regardless of the composition of the local Board.
- Neither is there any reference to the risk of putting a City Alderman in the very powerful lead role locally, without any evidence of his suitability to this complex role. At the Cabinet signing meeting, the Leader said his appointment was the responsibility of OnSide nationally, and was not within the Council's influence.

Objections to the Finances

- The recently approved council budget does not include the costs for the proposal. The possible impact on existing expenditure commitments has not been assessed. The proposal seeks a £3 million capital investment from the council in a context where there will be huge competing demands for the council's capital investment for the next administration. The revenue commitment from Onside is for three years seeking a £250,000 annual commitment from the Council. There is however no commitment beyond the three-year period from Onside. Philanthropic funding is volatile and for example is likely to be susceptible to any stock market fluctuations. There is clearly a risk that the centre could struggle to attract long term funding particularly in the context of Onside developing Youthzones simultaneously in three other London Boroughs. There is a very real risk of overstretch on the part of the provider.

Objections to total lack of any consultation

- There has been no consultation of children and youth service providers both within the council and in the wider voluntary and community sector in Haringey. There has been no consultation with young people across the borough. Consultation with the council's own practitioners appears to have been mainly ad-hoc and informal, where it has happened at all. Several local youth practitioners have been claimed as supporters by the Lead Cabinet member, but on investigation they say they know nothing about it. Our trade unions have only been notified recently although this proposal involves transferring staff over to Onside and will impact on council employees.
- There has been no formal consultation through the borough's community safety structures and with the Police. Community Safety Partnership meetings since 2014 have not received any reports on the potential Youthzones, or discussions with Onside. The Cabinet signing minutes refer to a letter which the Leader thought had been sent about a year ago, but this has yet to be produced. The proposed location is entirely different to the one proposed at that point).
- It is in our view, detrimental that a scheme of this magnitude has had no formal public or partner agency consultation prior to being signed off by the council leader. The council has had high level contacts with Onside for more than 3 years according to our information, the proposal was only brought to the attention of Labour Group 12 months ago, and the new location within Woodside School was only communicated within recent weeks. There has been a reticence to undertake a formal comprehensive consultation exercise utilising the established channels such as the Haringey Children and Young People's Forum on this proposal.
- None of the Head teachers we have contacted have heard of this proposal. Those we have spoken with are opposed. Because day-time use is going to belong to Woodside, this is, in effect, a massive subsidy to a single school, rather than a fair spread of borough wide resources.
- The Leader claimed to have talked with young people she knows. This is not consultation and not a basis on which to make policy decisions

with such significant implications.

- Both MPs have called for a pause in this decision due to the lack of consultation, and because it has not arisen out of a strategic response to the current situation in Haringey.

Objections to timing and current context

- This is a very controversial decision by an outgoing administration – only five of those Labour councillors supporting it will be standing in the May elections. Even within Woodside Ward, which might be excused for being delighted with such a disproportionate investment on their patch, we understand the decision is opposed by two of the three Labour candidates, the Green candidate and the Libdem candidates.
- There are questions regarding any liability an incoming administration may have following this decision should it wish to reverse it. The legal adviser at the Cabinet signing meeting was unable to advise councillors or his fellow officers as to their financial liability in relation to entering into any formal relationship with OnSide at this time, a matter compounded by the fact that there appears to be no formal paperwork – either in draft or final - at the point of signing. He merely said he could not speculate.
- Having had 3 years to progress this proposal the current administration now in the final weeks of its life wants to push through a contentious deal which involves a major capital and revenue commitment on the part of the council. The provider has not delivered youth services in London with the major challenges this presents particularly with regards to community safety (consistently highlighted as the number one concern of young people in major consultations across the capital.) Although we understand Onside has a commitment to develop schemes with three other London Boroughs, there is no evidence of their success. Within this context and the recent escalation of violent incidents affecting young people in the borough a sensible course of action would be to delay any decision until a thorough review of youth services can take place under the next Haringey administration.

Objections to use of Metropolitan Open Land

- The site earmarked for this development is on metropolitan open land (MOL). This will undoubtedly invoke large scale opposition to the development. The GLA has recently reiterated its commitment to MOL, and locally this will attract challenge from Friends of Parks Groups, the Friends of Parks forum and local people who will want to see this land preserved and developed as green space. The alternative land offered as MOL swap, is an astroturfed pitch behind the school, which is already heavily used and not equivalent land.

2. Variation of Action Proposed

We propose the Overview and Scrutiny Committee makes the following decision:

- Refer the decision to approve this scheme back to the first cabinet meeting of the new administration.

Signed:

Councillor: (Please print name):

Countersigned:

1. Councillor: (Please print name):

2. Councillor: (Please print name):

3. Councillor: (Please print name):

4. Councillor: (Please print name):

Date Submitted:

Date Received :

(To be completed by the Democratic Services Manager)

Notes:

1. Please send this form to:

Michael Kay (on behalf of the Proper Officer)
Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
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Signed:

Councillor: (Please print name): Mark Blake

Countersigned:

1. Councillor: STUART MCNAMARA (Please print name): S. McNamara
2. Councillor: ZENA BRABAZON (Please print name): Zena Brabazon
3. Councillor: PERAN AHE (Please print name): Peran Ahe
4. Councillor: ANNE SPENGLER (Please print name): Anne Spengler

Date Submitted:

5. NOAH TUCKER

Date Received:

6. ISIDOROS DIARISES

(to be completed by the Democratic Services Manager)

Notes:

1. Please send this form to:
Michael Kay (on behalf of the Proper Officer)
Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.
4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.

MINUTES OF THE MEETING OF THE CABINET MEMBER SIGNING HELD ON MONDAY, 19TH MARCH, 2018, 11.00am

PRESENT: Cllr Claire Kober – Leader of the Council

Also, present – Councillors: Brabazon, Carter, Connor, Ibrahim, and Hare.

41. FILMING AT MEETINGS

The Leader referred to the notice about filming and recording at meetings and meeting participants noted this information.

42. URGENT BUSINESS

There were no items of urgent business to consider.

43. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

44. CONFIRMATION OF THE SITE PROPOSED FOR A YOUTH ZONE AND APPROVAL OF CAPITAL AND REVENUE FUNDING TOWARDS THE PROJECT

Ceri Williams put a deputation forward in relation to this report.

Ms Williams spoke against the recommendations contained in the report and with continuing the partnership with OnSide to provide a Youth Zone. In summary, the following issues were put forward to the Leader to consider:

- There was an abuse of process and misuse of a General Exception Notice (GEN). OnSide had been courting Haringey for years and in Ms Williams view, the Council could wait a further three weeks.
- The previous OnSide proposal was delayed and now an entirely new 3-way arrangement had been introduced at breakneck speed, giving nearly half the available borough-wide money to just one school in a single location, which was inaccessible in every way for most young people in the borough.
- No updated draft contract with OnSide was attached to the report to take into account the new 3-way arrangement. Nor draft to vary the current Woodside lease to allow them to lease to OnSide.
- Reference was made to recommendations 3.1f - 3.1G. In Ms William's view, if before the 3rd May, any Council officer attempted to actually pass over the £3m

capital cash, or draw up a binding contract to promise the revenue money to Woodside/OnSide, based on the inadequate supporting papers presented to date, they would be on very uncertain ground because so many key documents were missing.

- The deputation contended that Paragraphs 4.3 and 4.4 made extravagant claims that the new local Chair, Alderman King and OnSide itself would be able to lever in “unique” funds once the LBH match was confirmed. However, this was for the first 3 years as after that they could walk away. Ms Williams had spoken personally with local OnSide Board members in other towns, and with those involved in the voluntary sector in boroughs where the OnSide had been allowed in. They advised that the OnSide model brings huge problems. The vast buildings end up having to Hoover up all available local trust and private funding to cover their costs. After the initial 3 years, they were only competing for funding from the same pot. Most have to commercialise, and so you ended up with a publicly funded building operating as a semi-private sports hall.
- Ms Williams contended that the Council had been approached by Onside and questioned whether due consideration had been given to their governance profile and whether their expertise and experience was best placed to provide services for young people.
- Ms Williams concluded by stating that there were no credible strategic outcomes listed, no consultations with youth practitioners and young people in the borough to support the recommendations and this was the wrong location. This was not an emergency decision and not part of a council strategy.
- Ms Williams also claimed that both MP's were calling on the Council to pause the proposed development.
- She believed no Council working with Onside had yet agreed site on school land apart from Haringey.

In response to a question from the Leader, Ms Williams explained that all local authorities knew that building a single location youth service offer in a town or borough absolutely required a neutral and independent location. For example in Wolverhampton, it was located next to the bus station, but even this was not ideal. Locating it within just one of the borough's secondary schools, and a semi-independent Academy School at that, would be unthinkable to most Local Authorities. It would leave such a significant chunk of LA funded Youth Service offer being in effect run by just one School, in one location, with no borough wide accountability or responsiveness.

The deputation contended that, through this arrangement, the local authority would be in a weaker position to provide vital direction and input into a borough wide service, provided from the site. The deputation claimed that other local authorities, working

with OnSide, had avoided this type of position and made sure that the location was not in a school site, and not skewed to serve one part of the borough.

The deputation referred to the issues with crime in Pond Park, which was located opposite the proposed Youth Zone site. The Woodside School site was not seen as a good choice of location by local people to provide Youth facilities from.

The governance around the partnership with OnSide was also referred to. Concern was raised about how representatives on the Youth Zone board would be able to properly serve the Council and wider community as in this partnership arrangement; they would need to act in the interests of the charity and not the local authority.

The deputation also raised concern about the sustainability of the Youth Zone. Stating that other similar projects embarked upon by OnSide showed that once the 3-year funding was concluded, they ended up competing with other local services for funding opportunities and became more commercialised.

Following a response to her question, the Leader continued to respond to the issues raised in the deputation and the following was noted:

- With regard to the notification of this decision, Cabinet made the initial decision for the Youth Zone and agreement to work with OnSide on 14th March 2017.
- The use of Metropolitan Open Land was subject to separate planning application to the GLA. The proposal from Woodside High School was to include a land-swap. MOL designation was subject to this process and would be determined on its merits by the GLA. The Leader referred to agreement of the Barking and Dagenham Youth Zone site by the Mayor as an existing example of MOL land change of usage.
- In relation to the accessibility of the Youth Zone site by young people across the borough, the W3 bus stop was 5 minutes walking distance. This bus route passed through both the east and west of the borough. Therefore, the location was not seen as an issue by the Leader as it was accessible through public transport.
- With respect to the issues raised on local authority representative's position on the Youth Zone board which charity law will govern, this was not a new occurrence and local authority representatives had the experience of participating in similar charity boards.

The Leader asked the Head of Early help and Prevention to introduce the report and he outlined the following:

Cabinet on March 14th 2017 agreed to form a partnership with OnSide to take forward proposals for a Youth Zone in Haringey. This was subject to identifying a site that was agreeable to both parties; subject to planning permission and agreement of final

terms. This was to be followed by planning pre-application discussions and a planning application alongside local engagement.

This report further included details of a capital contribution required for the project of £3m by the Council and a requirement for revenue contribution of £250,000 per annum for the first three years of the operation of the facility by OnSide.

The report sought approval of the proposed site identified for the facility and the capital and revenue contributions to the project.

The Leader took questions on the report from Councillors: Carter, Brabazon, Connor, Hare and Ibrahim and the following was noted:

- In response to a question on breach of contract, should a future administration not continue the partnership with OnSide, the Deputy Monitoring Officer advised that it was not appropriate, at the meeting, for officers to advise what may or may not happen.
- The Leader reiterated that the partnership with OnSide had been agreed in March 2017 and this report took forward the next phase of the Youth Zone Project which was agreeing the site, revenue and capital costs. The principle agreement of the partnership with OnSide had already been made in March 2017 and this report took forward that decision. Following the decision on the site, this would still be subject to a further phase of decision making involving the planning appraisal and agreement of heads of terms.
- In relation to the proposed Council revenue funding of the Youth Zone over the next three years and the potential impact this had more other youth related budget areas, it was noted that the youth service budget is contained within the much wider Early Help portfolio of services. There were still 2 years until this budget was called upon for use and this would provide the service time to ensure that this was an additional service rather than a call on existing service areas. However, as there was still 2 years until the Youth Zone was established, the Early Help service could not yet be explicit about where this funding would be drawn from although re-alignment of service delivery models was not discounted. Officers were disinclined to adjust delivery models and saw the Youth Zone as an additionality, rather than a deficit.
- The Leader had visited Youth Zones in different boroughs and met with Chief Executives and borough leaders with Youth Zones in their boroughs. She had also spoken with young people about the type of Youth facilities they wanted in the borough. The common messages were that there were not enough Youth activities for young people in the borough and although there was a Youth facility at Bruce Grove, some young people did not feel safe there. The Leader had observed Youth Zones and seen that that they offered a wide range of activities. There were football clubs, Holiday clubs, as well as positive outcome orientated activities involving skills development and homework clubs. There was engagement with young people on the edge of exclusion and projects aimed at young women. The Leader had seen the Youth Zone's deal with a

spectrum of issues for young people and concluded that the young people in Haringey deserved a similar offer to other young people in the country.

- When the Leader spoke with young people about the location and provision of Youth services, her understanding was that the postcode gang issue was a significant issue for a smaller number of young people. Many schools, for example, drew young people from across the borough and therefore the fear of crime and gangs was not an issue for vast majority of young people.
- In relation to engagement with the Police, there had been a letter of support from the Police issued in early March 2017 before Cabinet agreed the decision on the partnership with OnSide. The Leader offered to locate this correspondence, if required.
- In terms of the legitimacy of the decision being taken forward, this builds on a previous decision taken by Cabinet and the next steps to agree the location and funding of the Youth Zone were legitimate.
- There was no documentation provided to the GLA yet. There would have likely been a brief conversation but there had yet to be a pre- application meeting of the Council to consider this application. However, an officer may have been assigned to this pre- application by the GLA, which may have created the impression that this planning application was more advanced than currently the case.
- The Leader challenged the view that there was a remarkable scale of opposition to the proposals as this was not demonstrated, nor had there been any correspondence from the two local MP's on this decision, as insinuated.
- In relation to the objection against the use of Metropolitan Open Land, which was understood and recognised, it was important to note that the site was currently underused and the proposal involved providing a service for the greater good of the community. Therefore, the use of the site for a Youth facility, providing a spectrum of services for young people, outweighed this objection.
- There were ideological reasons put forward for not working with OnSide and instead providing this service as a Council. Given the current climate of austerity, it was important for local Councils to work in partnership with providers to bring in skills and funding capacity. This was in order, to provide quality provision and good outcomes.
- In relation to the impact on existing local providers that funding becomes stretched. In many scenarios, there is nothing to stop new charities setting up in the borough. However, in this case, a partnership arrangement was assessed as providing quality provision and delivering outcomes for young people so, this outweighed the impact on funding accessibility for other charities.

- The Leader was satisfied with the content of the equalities impact assessment attached.
- The Leader expressed that young people travel across the borough to access both schools and services as part of their daily lives. Therefore, this site was accessible to young people in both the east and west part of the borough as previously set out.
- Noted that OnSide operates each Youth Zone board at locality level. It was OnSide's prerogative to set up a board in the Youth Zone and there was nothing untoward about this. Officers could check what the latest position was in respect of setting up a locality board and the position of the Chair elect.
- In relation to the waiver of the required tender process for this concessionary contract, this was agreed following service and procurement analysis, which found that there was no other credible supplier to provide a similar offer to OnSide within the London area. There had not been a need to formally advertise this contract offer as the value of the contract £3.75m was below the Regulatory threshold of £4.55m requiring advertisement.
- There was no decision made on the Bruce Grove provision. As set out previously, this was a pressure for the Early Help and Prevention budget as a whole to consider over the coming two years. The TUPE issue did not arise, as OnSide would not be taking over Council services.

RESOLVED

1. To approve the proposed location of the Youth Zone at Woodside High School as set out in the indicative plan in Appendix A subject to the Woodside Academy Trust, who hold for site on leasehold, obtaining the necessary consent of the Secretary of State for Education for the sublease to OnSide.
2. To agree to the Council providing consent (as Landlord) to Woodside Academy Trust for a lease to OnSide for the site to run alongside the Head Lease already in place between the Council and the trust, subject to the final terms and documentation being agreed with OnSide.
3. To approve £3m of Capital funding from the Council's Capital Programme to be put forward towards the project subject to final terms and documentation to be agreed with OnSide.
4. To agree to the virement of £3m from the Responsiveness Fund to a new capital scheme in Priority 1, Haringey Youth Zone.
5. To approve the revenue funding contribution of £250,000 per annum for the first three years that the facility is operated by OnSide, the purposes of which will be agreed and are subject to final terms and documentation.

6. To amend the Paragraph 2 of the Cabinet decision of 14th March 2017 to give delegated authority to the Director of Children & Young People Services after consultation with the Strategic Director Regeneration, Planning and Development, the Section 151 Officer and 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 and any further related agreements.
7. To approve the waiver of Contract Standing Order (CSO) 9.01.1 (contracts with an estimated value of £500,000 or above must be let following publication of an appropriate (tender) advertisement) as allowed under CSO 10.01.2 d) (the value of the contract is below the applicable threshold pursuant to the Regulations)

Reasons for decision

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, 21st 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 external funding of a further £3.5m capital and ongoing revenue investment of £950,000 per annum for the first three years of operation.

This project would also make a significant contribution to making 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.

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 chairperson 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.

OnSide can evidence clearly the significant social impact that Youth Zones have by addressing disengagement, reducing school exclusions and unhealthy lifestyles and 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 £11 for every £1 of Local Authority money spent to achieve a similar level of outcomes.

The benefits of Youth Zone extend beyond the financial and affect 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 because 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, and police reported a 40% reduction in anti-social behaviour involving young people.

Options (as considered by Cabinet, 14th March 2017)

The options in this instance were 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 were limited as indicated below.

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 and looking towards an alternative host authority. The opportunity to create sustainable Youth provision in the borough would be lost. This option was not recommended.

Option 2 - Support the proposal. Once a site has been identified and agreed by all parties, this required the scheduled transfer of £3m capital grant from the Council to OnSide (50% of the capital build) as approved by Cabinet as part of the Capital Programme, 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 was recommended and approved at Cabinet in March 2017

Since the approved Cabinet decision, OnSide have advised that their Capital contribution will now be £3.5m to reflect increased development costs, whilst Haringey’s contribution remains the same at £3m (46%). Additionally, the ongoing revenue from OnSide will be increased to £950,000 per annum for the first three years of operation, during which time the Haringey contribution remains £250,000 per annum (21%).

It should be noted that there were considered to be three key risks to the recommended option:

(i) OnSide declining any site offered and withdrawing their capital funding offer to develop the project. This was considered to be a medium risk and has since been mitigated, with OnSide having approved the site as appropriate for a Youth Zone development, the risk to the delivery of the Youth Zone now relates to the necessary planning consents being secured.

(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) 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.

45. DISPOSAL OF THE PROPOSED SHELL AND CORE FACILITY AT THE WELBOURNE SITE IN TOTTENHAM HALE FOR USE AS A NEW HEALTH CENTRE

The report sought approval to enter into an agreement for lease with Healthlink Investments Ltd for a unit at the prospective Welbourne development at Tottenham Hale in order to realise the Welbourne Health Centre.

The Leader noted that the agreement with Argent Related contained an obligation for them to deliver a health care facility to shell and core specification, of 1,500 square metres, with the Council taking a long lease back for this health care unit, subject to a further key decision on the financial and operational arrangements for the health centre.

The report now sought this key decision in order to secure the health centre. Because the financial and operational details of the Health Centre had now been resolved, it was proposed that the Council dispose of a long lease to HealthLink, the third party developer appointed by the GP practice. HealthLink would fit out the health centre once Argent Related had completed the building and have leased the unit back to the Council. The terms of the disposal to HealthLink would be as set out in the agreed Heads of Terms, as referred to in Annex C of this report.

The CCG required a commitment from the Council to support the preliminary approval in order to secure the funding of the proposed health centre. Full business approval would be needed after planning consent was granted for the development scheme to be put forward by Argent Related, which was estimated for later in 2018. It was proposed that the Council agree now to dispose of the property based on a long lease to HealthLink Investments Ltd, appointed by the CCG to fit out the health centre, as per the Heads of Terms as referred to in Annex C of this report.

In response to questions from Cllr Brabazon and Cllr Connor, the following was noted.

- Argent Related had the responsibility for providing a health centre, regardless of the type of regeneration scheme being taken forward.

- Noted that the disposal of the lease would be for a term of 125 years for the premium set out in and based on the agreed Heads of Terms attached in Annex C of this report. Therefore, the Council would be obtaining a premium receipt for the lease and HealthLink Investments Ltd would be funding the fit out of the new health centre.
- It was not yet known what the range of health facilities expected to be provided from the new health centre would be. Agreed that Cllr Connor is provided with an update on when this decision is due to be made by the CCG and Health and Wellbeing board.

Further to considering private information at item 8,

RESOLVED

1. To approve the disposal to HealthLink Investments Limited of the new health facility unit (outlined in red in the plan in Appendix A2) to be built by TH Ferry Island Limited Partnership under the Development Agreement dated 21 March 2017 on the Welbourne Centre site in Tottenham Hale subject to the Lease back to the Council; and
2. That the disposal shall be a lease for a term of 125 years for the premium set out in and based on the agreed Heads of Terms attached in Annex C of this report; and
3. To give delegated authority to the Strategic Director Regeneration Planning and Development after consultation with the Assistant Director of Corporate Governance to agree the final terms of the lease.

Reasons for decision

On 21 March 2017, the Council entered into a Strategic Development Partnership (SDP) agreement with TH Ferry Island Limited Partnership (an Argent Related entity). The agreement contains an obligation for the developer to deliver a health care facility to shell and core standard. In November 2016, Haringey CCG was awarded over £11m capital from the capital funding from the NHS Estate and Technology Transformation Fund (ETTF), made available through the Department of Health, in order to support the development of three primary care premises in the east of Haringey (Wood Green, Green Lanes and Tottenham Hale).

One of these three premises is the proposed new Welbourne Centre facility at Tottenham Hale. The CCG resolved to use this funding to engage a third party developer to fit out the new health centre, commissioned by a GP practice selected through a competitive procurement process, as detailed below.

Alternative options considered

Do Nothing – The Council could decide not to dispose of the long lease at the Welbourne site to HealthLink, or any other prospective third party developer or other body nominated by the CCG. However, the decision to secure this shell and core facility has already been made under a previous Cabinet Report, and as such this arrangement has already been included in the Council's Strategic Development Partnership (SDP) with Argent Related. The value of the unit has already been foregone and the SDP Development Agreement stipulates that the space will be used as a health centre, so its value under alternative options are limited. There are no other feasible options for operating a health centre from this facility without following the process recommended by the CCG and utilising the capital funding it is bidding for.

Delay decision – There are risks in agreeing the proposed heads of terms for the lease as the proposal does not have planning granted currently and the design has not been finalised. This will create uncertainty and could delay the project.

46. URGENT BUSINESS

None

47. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the reminder of the meeting as the items contained exempt information, as defined under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

48. DISPOSAL OF THE PROPOSED SHELL AND CORE FACILITY AT THE WELBOURNE SITE IN TOTTENHAM HALE FOR USE AS A NEW HEALTH CENTRE

As per item 45.

49. NEW EXEMPT INFORMATION

None

CHAIR:

Signed by Chair

Date

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Report for: Leader signing 19th March 2018

Title: Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project

Report

authorised by : Emma Williamson, Assistant Director Planning

Lead Officer: Gill Gibson, Assistant Director Early Help and Prevention,
Steve Carr, Interim Assistant Director Economic Regeneration
and Growth

Ward(s) affected: Woodside / All

Report for Key/

Non Key Decision:Key

1. Describe the issue under consideration

- 1.1 Cabinet on March 14th 2017 agreed to form a partnership with OnSide to take forward proposals for a Youth Zone in Haringey. This was subject to identifying a site that was agreeable to both parties; subject to planning permission and agreement of final terms. This was to be followed by planning preapplication discussions and a planning application alongside local engagement.
- 1.2 The report also included details of a capital contribution required for the project of £3m by the Council and a requirement for revenue contribution of £250,000 per annum for the first three years of the operation of the facility by OnSide.
- 1.3 This report seeks approval of the proposed site identified for the facility and the capital and revenue contributions to the project.

2. Cabinet Member Introduction

- 2.1 This is 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 external funding into Haringey which will massively increase the scale of the available youth service offer, expand its reach and scope, and make a lasting difference to young people now and for generations to come.
- 2.2 A site has now been identified at Woodside High School in White Hart Lane and the school has approached the Council in order to support the proposed Youth Zone through leasing part of its playing field which is currently under used.

- 2.3 I support this proposal which provides the opportunity to take forward the proposal agreed at Cabinet in March 2017 for a Youth Zone in partnership with OnSide.

3. Recommendations

3.1 The Leader is recommended to:

- a) Approve the proposed location of the Youth Zone at Woodside High School as set out in the indicative plan in Appendix A subject to the Woodside Academy Trust, who hold for site on leasehold, obtaining the necessary consent of the Secretary of State for Education for the sublease to OnSide.
- b) Agree to the Council providing consent (as Landlord) to Woodside Academy Trust for a lease to OnSide for the site to run alongside the Head Lease already in place between the Council and the trust, subject to the final terms and documentation being agreed with OnSide.
- c) Approve £3m of Capital funding from the Council's Capital Programme to be put forward towards the project subject to final terms and documentation to be agreed with OnSide.
- d) Agree to the virement of £3m from the Responsiveness Fund to a new capital scheme in Priority 1, Haringey Youth Zone.
- e) Approve the revenue funding contribution of £250,000 per annum for the first three years that the facility is operated by OnSide, the purposes of which will be agreed and are subject to final terms and documentation.
- f) Amend the Paragraph 2 of the Cabinet decision of 14th March 2017 to give delegated authority to the Director of Children & Young People Services after consultation with the Strategic Director Regeneration, Planning and Development, the Section 151 Officer and 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 and any further related agreements.
- g) Approve the waiver of Contract Standing Order (CSO) 9.01.1 (contracts with an estimated value of £500,000 or above must be let following publication of an appropriate (tender) advertisement) as allowed under CSO 10.01.2 d) (the value of the contract is below the applicable threshold pursuant to the Regulations).

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, 21st 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 external funding of a further £3.5m capital and ongoing revenue investment of £950,000 per annum for the first three years of operation.
- 4.2 This project would also make a significant contribution to making 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 £11 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. Options (as considered by Cabinet, 14th March 2017)

5.1 The options in this instance were 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 were limited as indicated below.

5.2 **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 and looking towards an alternative host authority. The opportunity to create sustainable youth provision in the borough would be lost.

This option was not recommended.

5.3 **Option 2 - Support the proposal.** Once a site has been identified and agreed by all parties, this required the scheduled transfer of £3m capital grant from the Council to OnSide (50% of the capital build) as approved by Cabinet as part of the Capital Programme, 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 was recommended and approved at Cabinet in March 2017

Since the approved Cabinet decision, OnSide have advised that their Capital contribution will now be £3.5m to reflect increased development costs, whilst Haringey's contribution remains the same at £3m (46%). Additionally, the ongoing revenue from OnSide will be increased to £950,000 per annum for the first three years of operation, during which time the Haringey contribution remains £250,000 per annum (21%).

5.4 It should be noted that there were considered to be three key risks to the recommended option:

- (i) OnSide declining any site offered and withdrawing their capital funding offer to develop the project. This was considered to be a medium risk and has since been mitigated, with OnSide having approved the site as appropriate for a Youth Zone development, the risk to the delivery of the Youth Zone now relates to the necessary planning consents being secured.

- (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) 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.

6. Background information

- 6.1 There has been a thorough search for a site to accommodate the Youth Zone over a long period of time. OnSide has considered other sites proposed by the Council including the Chestnuts Centre and land adjacent to the New River Sports Centre but has discounted them as not being suitable for a site which will deliver borough-wide youth provision. The Chestnuts site was discounted as it is a well used public and open and space, and the loss of this space would be impact negatively on the local community. The New River Sports Centre site was deemed unsuitable as this is Metropolitan Open Land (MOL) and there was no opportunity of allocating land in compensation.
- 6.2 OnSide has identified the playing field at Woodside High School as a suitable location for the Youth Zone. The playing field at Woodside High School is currently under-used by the academy and the two parties are in discussion for the potential provision of the Youth Zone facility on this site. The area to be leased is still yet to be agreed between Woodside High School and OnSide and the plan in Appendix A is indicative at this stage. This site is considered to be a suitable location for the facility and unlike Chestnuts Centre site, is under used. Unlike the River Sports Centre site, the land adjacent can be used to compensate for the loss of MOL.
- 6.3 The Woodside Academy Trust holds the site under an academy lease granted by the Council for a term of 125 years lease from 2011. Any subletting of part of the High School land will require the consent of the Secretary of State for Education. The Trust are discussing the opportunity to sub let the playing field to OnSide for a period which runs with the head lease. In order to do this they also require the Council's consent as Landlord.
- 6.4 The site is designated as Metropolitan Open Land (MOL) and would require a very special case in order for it to be built on. However the school are willing to designate the equivalent area of another playing area on the site (identified on the plan in Appendix B) to be designated as MOL on the basis that this will then allow the Youth Zone building to be built on the proposed site.

- 6.5 The proposed facility will require planning consent and this will include referral to the GLA. Planning Policy sets out that construction of new buildings on Metropolitan Open Land is inappropriate except in limited circumstances. However in this instance it is proposed to extend the Metropolitan Open Land to compensate for the loss of the land which will be built upon. In addition the type of usage and outdoor spaces proposed are consistent with the characteristics of a park and garden and would lead to increased use of the outside space for youth and sport activities which is a purpose of Metropolitan Open Land and would weigh in favour of the proposal. Subject to detailed consideration of the proposal, Planning Officers are of the view that the principle of this development in this location is acceptable. Because the proposal is located on Metropolitan Open Land and on playing field this application will be referable to the Mayor of London under his planning powers.
- 6.6 Sport England will also be consulted as part of this process. The Department for Education will also need to provide consent to the leasing of the land by the school to OnSide.
- 6.7 The Cabinet paper of 14th March 2017 also sets out the principle of the Council providing £3m to OnSide as a capital contribution to the proposal and also a revenue contribution of £250,000 per annum for the first three years of the operation of the facility once built. The terms on which this funding will be provided is still being discussed and will be the subject of a delegated report as per the delegated authority.

7. Contribution to strategic outcomes

- 7.1 The Youth Zone facility will provide a contribution to all the Council priorities especially Priority 1 - Enable every child and young person to have the best start in life, with high quality education. It will also support delivery of the priorities cited by the Youth Council which is a recognised mechanism for presenting the voice of young people in Haringey.

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

Finance

- 8.1 The report is recommending that the Council agree, as freeholder of the site of the Woodside High School, to the leasing of part of the site to OnSide, a charity, to establish the Haringey Youth Zone, subject to the final terms and documentation being agreed with OnSide.

- 8.2 The exact details of the contractual relationship with OnSide and the associated construction contract have yet to be agreed and these matters are as recommended to be delegated to the Director of Children & Young People Services after consultation with the Strategic Director of Regeneration, Planning and Development, the Section 151 Officer and the Cabinet member for Corporate Resources.
- 8.3 The Council at its budget setting meeting of the 26th February 2018 agreed to the establishment of a Responsiveness Fund within the capital programme. The fund is there to allow timely responses to be made to in-year requests for funding and is primarily intended to support in-year match funding requests. The report is recommending that the Responsiveness Fund is used to provide the capital funding for the Youth Zone project, subject to the final terms and documentation being agreed with OnSide.
- 8.4 The report is also recommending approval of revenue funding of £250,000 per annum for the first three years that the facility is operated by OnSide, subject to final terms and documentation being agreed.
- 8.5 In the Cabinet report of the 14th March 2017, it was noted that there was a three year £250k per annum commitment to the scheme and that in order to meet this commitment that existing budgets in this service area would be used to leverage additional third-party contributions.
- 8.6 Currently the service budget is £596k (excluding corporate overheads) and the commitment to provide £250k per annum of funding from existing budgets would represent a significant proportion (42%) of the current service budget. Dependent upon what would have to be foregone to meet this commitment, there may well be other financial implications arising from the entering into of the contractual arrangements to create the Youth Zone.

Procurement

- 8.7 The contract the Council is proposing to enter into with OnSide, is a Concession Contract as allowed within the Council's Contract Standing Orders. One of the determining factors relating to whether a contract falls within the Concessions Contract Regulations 2016 is the profiling of the financial and operational risks and with whom these lie. In the proposed contract with OnSide, the financial and operational risk primarily lies with the Contractor (OnSide), with the Council providing a Concession through initial capital funding and a low percentage of operational financial support. Onside are required to match fund the Capital funding and provide more than double the ongoing operational funding. Strategic Procurement is satisfied the proposed contract with OnSide falls within the Concessions Contract Regulations 2016.
- 8.8 These Regulations require concession contracts valued at, or in excess of £4.55m, are advertised in the Official Journal of the European Union Journal.

The Council is intending to award a 3-year contract with OnSide that has a £3m capital concession and £250k p.a. revenue concession. This is a total of £3.75m and therefore falls under the threshold that requires the Council to advertise the opportunity.

- 8.9 Strategic Procurement is satisfied the use of a waiver in respect of CSO 9.01.01 (contracts with an estimated value of £500,000 or above must be let following publication of an appropriate (tender) advertisement) is justified in accordance with CSO 10.01.2 d) (the value of the contract is below the applicable threshold pursuant to the Regulations) for the following reasons:
- I. The value of the contract £3.75m is below the Regulatory threshold of £4.55m requiring advertisement
 - II. The nature of the market was limited. Whilst the Council could have opted to advertise the opportunity, the view from Officers and Strategic Procurement was that the probability of finding a credible alternate supplier who could match -fund the Capital investment and secure additional revenue funding of £750k p.a. was minimal. Given OnSide has a demonstrable track record of delivering these services, were willing to accept the operational and funding risk, had the required infrastructure and experience, were able to work within the desired timescales of the Council, undertaking a procurement exercise would have in all probability yielded little or no additional response from the market.
 - III. It is in the Council's overall interest for reasons previously stated in this report.

Legal

- 8.10 The Council is also making a grant and revenue funding contribution towards the scheme and any sums advanced must comply with value for money. Any grant will be the subject of a grant funding agreement or other similar agreement. Where the Council is providing funding this funding must comply with State Aid rules. Aid for sport and multifunctional recreational infrastructures must comply with the General Block Exemption Regulation. Further advice will be required when the full details of the funding have been agreed on any state aid obligations and on how best to protect the Council's position in this matter.
- 8.11 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

- 8.12 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

8.13 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- 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.

8.14 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.15 The proposal will enable the progression of a Youth Zone in Haringey, as set out in the March 2017 Cabinet Report. As evidence in the Equality Impact Assessment enclosed as an appendix to this report, the Youth Zone will expand the range and quantity of activities available to young people in the borough. It will offer activities that are targeted at and accessible to those with protected characteristics, including those with disabilities, minority ethnic and religious groups. The Equality Impact Assessment outlines an action plan to ensure that: young people from protected groups are fully involved in consultation and co-production activity on the Haringey Youth Zone; the membership of the Youth Zone reflects the proportion of young people with protected characteristics in Haringey; and local providers of youth services are meaningfully engaged to ensure the Youth Zone is part of an integrated, complementary, cross-borough offer for young people.

8.16 It is notable that BAME young people are overrepresented in the populations of the ward in which the site is located and its neighbouring wards, relative to the population of Haringey as a whole. The proposal will therefore enable the Council to meet its public sector duty to eliminate discrimination, and to advance equality of opportunity, as youth activities will be accessible to all and support the attainment of improved outcomes in relation to health and wellbeing, education, and safety.

9. Use of Appendices

Appendix A – Indicative site plan

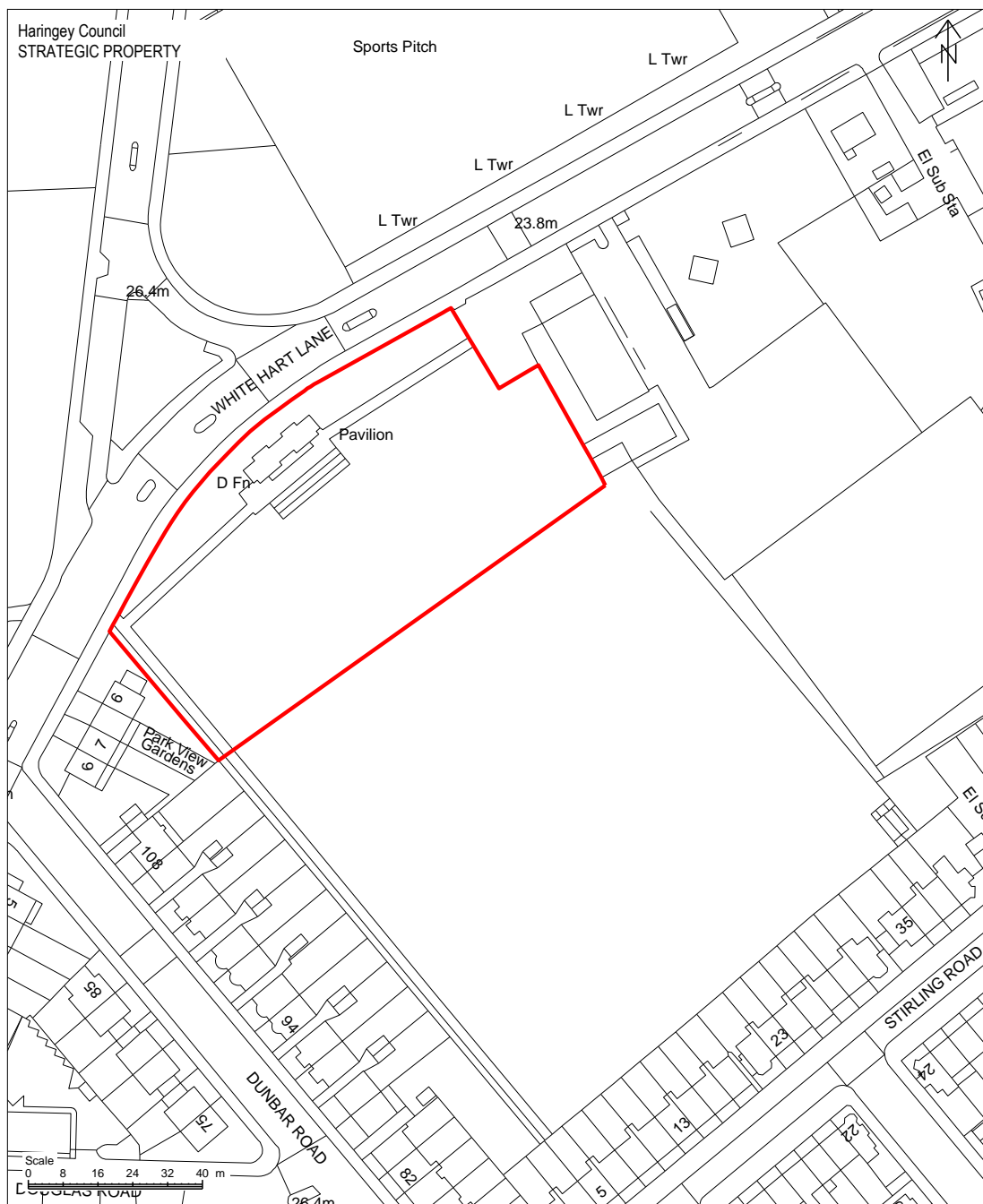
Appendix B – Site plan showing land for alternative MOL designated land

Appendix C – Equalities Impact Assessment

10. Local Government (Access to Information) Act 1985

A) Cabinet Paper March 14th 2017.

Appendix A – Indicative site plan



Youthzone letting - Indicative area only
 Woodside High Playing Field West
 White Hart Lane
 LONDON
 N22

UPRN Commercial file ref :

Overlay : Educ - misc.

Plan produced by Janice Dabinett on 07/03/2018

Deed document no. : WGUDC 181

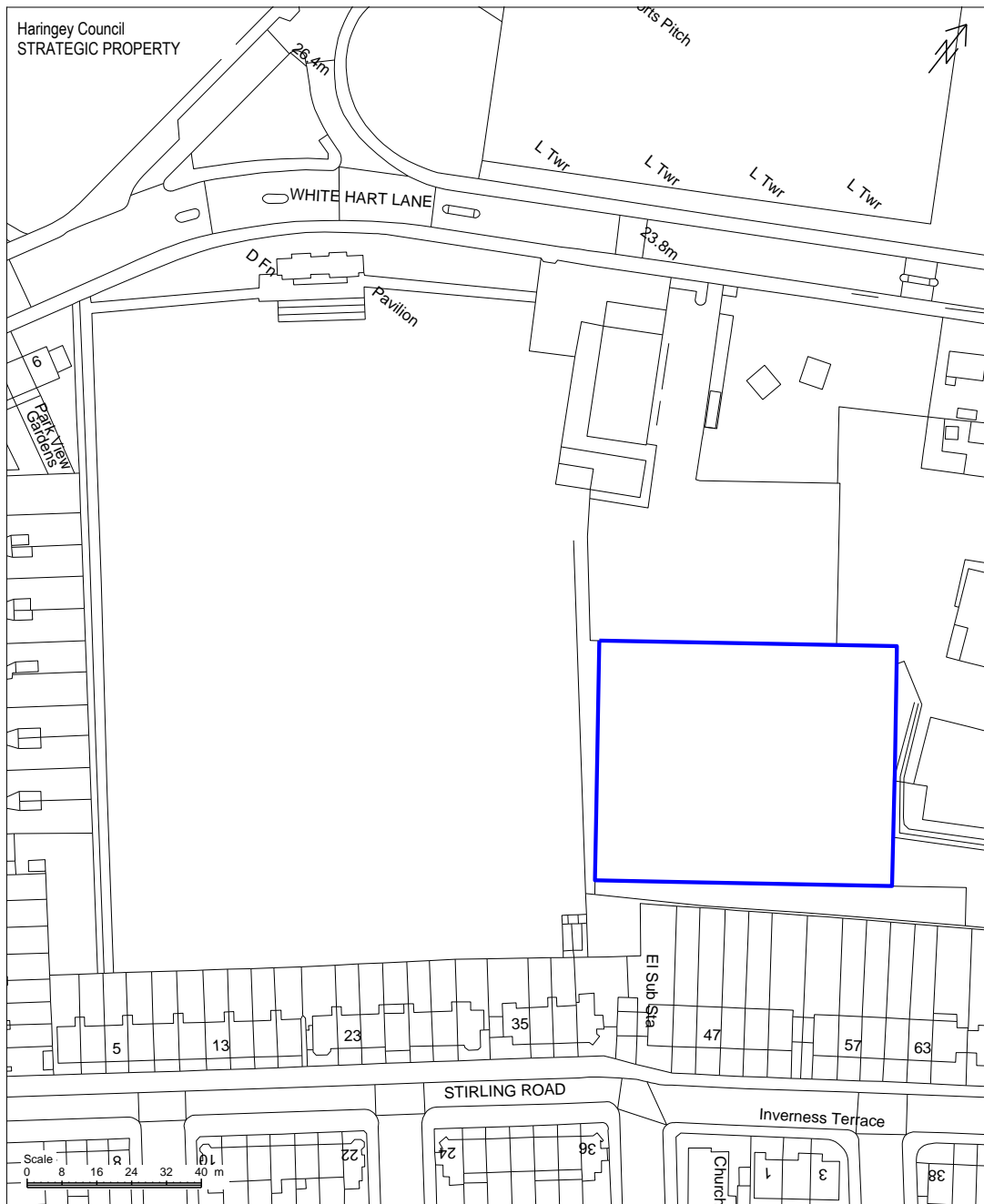
LR title no. : AGL199836

Site Area (hectares) :

Scale 1:1250

Drawing No. BVES A4 2901

Appendix B – Site plan showing land for alternative MOL designated land



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Land at Woodside High School
White Hart Lane
LONDON
N17

CPM No.

Overlay : Education - misc.

Plan produced by Janice Dabinett on 19/12/2017

Deed document no. :

LR title no. :

Site Area (hectares) : 0.3766 ha

Scale 1:1250

Drawing No. BVES A4 misc.

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a '**General Duty**' on all public bodies to have '**due regard**' to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity for those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protect characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council's commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council's Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project
Service area	Regeneration, Planning and Development
Officer completing assessment	Daisy Daventry and Hugh Smith
Equalities/ HR Advisor	Daisy Daventry and Hugh Smith
Cabinet meeting date (if applicable)	March 2018
Director/Assistant Director	AD Planning & AD Early Help and Prevention

2. Summary of the proposal

Please outline in no more than 3 paragraphs

- *The proposal which is being assessed*
- *The key stakeholders who may be affected by the policy or proposal*
- *The decision-making route being taken*

This proposal is to build a Youth Zone on an identified site within the footprint of Woodside High Academy, to provide high quality youth provision for all young people in the borough. Onside, a charity and Haringey Council will jointly fund the development. Haringey Council will contribute £3M capital towards the £6.5m capital costs and £250k revenue p/a for three years as its contribution towards the £1.2m annual operating costs. The Youth Zone will be run by an independent, newly established charity called Haringey Youth Zone.

The site on White Hart Lane is considered sufficiently accessible for young people in Haringey, benefiting from the proximity to the buses on Wolves Lane, Wood Green High Road and Lordship Lane and proximity to Wood Green underground station. Although the land is designated as Metropolitan Open Land, Woodside School are offering land within the school's footprint for MOL designation, so that there would be no overall loss of MOL on the site. The proposed site is currently not in use due to draining issues, and the Youth Zone would bring the site back into public use.

A Youth Zone provides a safe, encouraging and positive environment 7 days a week (outside school hours) in which children and young people can spend their leisure time, offering young people a wide range of at least 20 activities daily, catering to sporting, creative, artistic and social interests. Dependent on young people's needs, this could include:

- 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.

Positive impacts for young people

- Improving engagement, building confidence, supporting development into more successful adults with new friends
- Reducing social exclusions
- Improving healthy lifestyles
- Improving educational and employment outcomes; learn new skills

Positive impacts for local community

- Proven community benefits from reduced Anti-Social Behaviour (75% reduction in one previous youth zone)
- Improved community cohesion
- Facilities accessible for local community groups to use free of charge

- Local businesses will have the opportunity to participate in the construction and development phase if planning consent is secured (subject to tender)
- Parents will benefit from planning sessions
- 50 paid jobs and 100 volunteer opportunities

OnSide has committed to fully engaging with local residents and stakeholder communities during the planning and development stages. OnSide has committed, in the 9 months leading up to Youth Zone opening, to the early recruitment of specialist local workers with in-depth understanding of the local area dynamics, relationships and challenges in surrounding communities. These staff will deliver a wide-ranging programme of outreach and community engagement activity, working with local young people, youth groups and schools and building further partnerships with a wide range of other local agencies and providers. The Youth Zone will also provide a targeted outreach programme to engage young people and further refine the local offer.

Haringey Council earmarked the capital outlay for £3M in early 2016 and took the decision via Cabinet to proceed with the Youth Zone on 14th March 2017, subject to finding a suitable site. This proposal for Leader's signing in March 2018 is to match a site with the new-build Youth Zone.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
Sex	2011 census JSNA ONS Haringey Child Health Profile 2017	N/A
Gender Reassignment	EHRC	N/A
Age	2011 census JSNA ONS Haringey Child Health Profile 2017	N/A
Disability	2011 census JSNA ONS Haringey Child Health Profile 2017	N/A
Race & Ethnicity	2011 census JSNA ONS Haringey Child Health Profile 2017 MOPAC & ONS March 2015 Crime Survey	N/A

Sexual Orientation	ONS 2016 House of Commons Library	N/A
Religion or Belief (or No Belief)	ONS IMD	N/A
Pregnancy & Maternity	Census 2011 ONS	N/A
Marriage and Civil Partnership	ONS IMD	N/A

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

Age - Young People

The Borough has an increasingly young demographic: Children and Young People under the age of 20 make up 24.4% of the population of Haringey. Currently this sector of the population does not receive sufficient youth provision within the borough. Establishing the Youth Zone should serve this need.

Health: 37.8% of children in Year 6 in Haringey are overweight or obese, above the England average of 33.2%. Of particular concern is the variation between different areas of Haringey: children in the most deprived parts of the borough are two and a half times more likely to be overweight or obese compared to those in the most affluent parts. Establishing a Youth Zone with a large and varied offer for physical activities and healthy living will benefit children and young people by improving their health outcomes.

Socio-Economic Deprivation: The level of child poverty in Haringey is worse than the England average with 26.1% of children aged under 16 years living in poverty. 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. The Haringey Youth Zone will therefore benefit Haringey children living in poverty, as well as children in better off families, by providing them with activities that would be too expensive to purchase in the open market.

Sex, Girls and Young Women:

49% of the 8-19 year old population of Haringey are female; 50.5% of Haringey residents are female.

Young People undergoing Gender Reassignment:

A surveillance study examining the incidence and clinical presentation of Gender Dysphoria in children and adolescents aged 4 to 15 years suggests an incidence of 1.6 per 100,000 in the UK. A significant limitation of this surveillance study is that it only captured data for those presenting between their 4th and 16th birthdays - meaning that it is not possible to comment on the incidence of gender dysphoria among 16 and 17 year olds, which referral trends to the service suggest have significantly increased the overall incidence rate. This figure only reflects those who presented to NHS paediatric or psychological services and not those who have chosen not to, or who have been unable to access this care. The figure does not reflect the total number who may have accessed their GP regarding their gender dysphoria, or include those who have elected to seek private support.

Disabilities

Census 2011 data indicates that 14% of the population of Haringey have their day-to-day activities limited a little or a lot due to a disability or long-term health condition

Young People with Disabilities:

Census 2011 data indicates that 4% of the under-24 population in Haringey have their day-to-day activities limited a little or a lot due to a disability or long-term health condition.

Black and Minority Ethnic Communities:

Census 2011 data indicates that 65% of the population of Haringey are from BME communities

Young People who identify as Black and Minority Ethnic:

Census 2011 data indicates that BME communities form 80.3% of Haringey's school children.

LGBT Parents

A House of Commons Library briefing paper on Common Law Marriage estimates that in the UK in 2013 there were around 20,000 dependent children living in same-sex couple families. As of 14 December 2017, there had been 2,807 reported adoptions by LGBT people in Great Britain.

Lesbian, Gay and bisexual young people:

Office for National Statistics data indicates that at a national level young people are more likely to identify as LGB than the population as a whole. Within the 16 to 24 year old category 3.3% identify as LGB, compared to 1.7% of the general population. The data also indicates that London has a higher proportion of residents identifying as LGB than the national population.

Religion and Belief

The Census 2011 show 45% of Haringey residents were Christian, slightly less than 48.4% in London overall. Second most common religion stated was Muslim (14.2%) followed by Jewish (3%) and Hindu (1.8%).

Young People from Minority Religions and Beliefs:

Census 2011 data indicates that 42% of 8-19 year-olds in Haringey are Christian, 23% are Muslim, 4% are Jewish, 1% are Buddhist, 1% are Hindu, fewer than 1% are Sikh, and 19% have no religion.

Young women who are pregnant or have recently given birth:

ONS data on under 18 conception rates in the year to September show an under-18 conception rate in Haringey 2016 of 20.3 per 1000 compared to the rate for London (17.9 per 1000) and for England and Wales (19.3 per 1000).

Lone Parents

In 2011 there were 10,647 lone parent households with dependent children. 92.7% of these were led by women. 7.7% of women in Haringey were lone parents in 2011.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqlA guidance

OnSide commenced with engagement regarding the Youth Zone in 2017, including a visit to the Youth Council in Summer 2017. However, due to difficulties with finding a suitable site, it has been uncertain whether Haringey Council would be able to facilitating the building of the Youth Zone in the borough.

In order to avoid unduly raising expectations, the Council has not yet consulted formally with residents, including young people, on the option of co-funding a Youth Zone as part of a change in youth services offered in the borough. There is, however, ongoing engagement with young people in Haringey regarding provision for youth in the borough. This includes engagement for the Young People's Strategy 2015 – 18 and the Youth Council Survey 2017. In February 2018, the Children's Services and Public Health Team held a joint Hackathon on Obesity (#FixUpLookSharp) to find out more about young people's needs in the borough.

These continuous engagement activities give Haringey Council awareness of the needs and wishes of young people in Haringey, and how we should shape our offer for youth to meet these and maximise inward investment to enhance the current offer to help address these needs.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

The findings from engagement with young people during the development of the Haringey Young People's Strategy 2015 – 2018 are:

- Young People enjoy a wide range of activities but would like these to be more affordable, more accessible, better publicised, and to have greater access to arts-based activities
- The activities provided in a Youth Centre setting are valued, but young people would like to be able to access these services at weekends
- Young People felt post 16 education and training in Haringey was not as good as in other areas
- Careers advice and guidance needs to improve so young people can make effective choices about their future
- There was an over whelming, and worrying, sense that young people feel unsafe on the street from both physical and sexual harm.

The Youth Council Survey 2017 found that the key concerns for young people in Haringey are mental health, employment and careers support, crime, and the need for access to a range of activities.

In the Hackathon on Obesity in February 2018, young people were asked what project they would provide if given funding. Among their suggestions were: free and cheap gyms aimed at young people; youth boxing gym; martial arts; trampolining; community events; training on

fitness and nutrition; health food offer; cooking classes; youth club; cultural celebrations; arts-based activities, and career days.

Youth Zones elsewhere in the country have provided activities that respond to these concerns, and the Youth Zone in Haringey will be co-produced with young people and residents locally to shape the offer to ensure it meets their needs. In-depth, structured engagement with young people and the local voluntary and community sector will commence following the decision to allocate the Youth Zone this site. An action plan for this is incorporated into section 6b of this EqlA.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqlA guidance

- 1. Sex** *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

The Youth Zone offer responds to local need: for example, in Blackburn Youth Zone they have established a Girls Group available exclusively for girls and their relatives or guardians. Through engagement in the Youth Zone, girls and young women in Haringey should benefit from better health outcomes and an increased range of affordable activities in which they can participate. If they are underrepresented among the membership, Haringey Youth Zone will rectify this through outreach activity.

The proposal will also have a positive impact on lone parent households by providing affordable and accessible activities to children and young people. 92.7% of lone parent households are led by women and so the proposal will have a positive equalities impact on single mothers in Haringey.

Positive	x	Negative		Neutral impact		Unknown Impact	
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- 2. Gender reassignment** *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

We do not have local data regarding this children and young people with gender dysphoria. We do not think there will be specific impacts for this protected group: Haringey Youth Zone will ensure that this group will not be subjected to discrimination, harassment and victimisation due to their protected characteristic. If any inequity in treatment is identified, Haringey Youth Zone will take steps to rectify this and meet their needs.

Positive		Negative		Neutral impact	x	Unknown Impact	
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2. Age *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

The Youth Zone proposal should impact positively on all young people in the borough.

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 including:

- 76% of Users (Young People) said they were getting on better with family since attending the Youth Zone;
- 72% stated that they were staying out of trouble as a result of attending the Youth Zone;
- 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.

Engagement with young people through the Haringey Youth Council indicates demand for a greater range of affordable, accessible, and better publicised activities, and particular demand for arts-based activities. The Youth Zone should enable the Council to meet this demand.

There is a potential risk that young people who live further away from the Haringey Youth Zone might face greater challenge in accessing its services. While the chosen site is in a ward with high deprivation among young people and with high proportions of households identifying as BAME, the Youth Zone is for the benefit of all young people in the borough.

The youth Zone will have membership targets for every ward in the borough – not just a single global total for the whole borough. In the past, to ensure these targets are met, other Youth Zones have directed their outreach activities to under-represented areas, and put on shuttle bus services where young people have been put off visiting the Youth Zone due to barriers to them travelling there. Even where the public transport is very good, previous experience from other Youth Zones suggests there are often psychological barriers that discourage young people from travelling to an unfamiliar area and entering a new building for the first time.

Positive	x	Negative		Neutral impact		Unknown Impact	
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4. Disability *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Youth Zones undertake to provide for young people with a range of additional needs (up to the age of 25) through inclusive ability sessions alongside the mainstream offer. Sessions are adapted for young people with additional needs and are open for a wide range of young people to access; including those with mild learning difficulties, through to those with more complex needs such as visual impairment and physical disabilities. The offer includes the opportunity to access a range of activities, including boxing, trampolining, karaoke, arts and crafts, cooking and gaming. The Youth Zone will have an approach to including and integrating children and young people who have a disability that is 'person centred' and is unique to every person. Due to this approach, members with disabilities form 10% of the membership across the network of Youth Zones.

The Youth Zone offer responds to local need: for example, in Blackburn Youth Zone they have established a Diversity Club aimed at young people with disabilities aged 8 – 25. This Diversity Club is delivered by a dedicated and experienced team and includes a wide range of activities such as sports, an indoor climbing wall, dance, yoga and relaxation, arts and crafts, baking/cooking, music tuition and karaoke. Through engagement in the Youth Zone, children and young people with disabilities in Haringey should benefit from better health outcomes and an increased range of affordable activities in which they can participate. Haringey Youth Zone (and OnSide before the Youth Zone is opened) will carry out engagement and outreach to ensure that the needs of this protected group are met and that the disabled membership of the Youth Zone reflects the proportion of disabled children and young people in Haringey.

There is a risk that disabled young people will find it more difficult to travel to the Youth Zone, forming a barrier to this group accessing its services. The Youth Zones will monitor the membership to ensure that disabled young people have equal access to services. Where a problem is identified, they will take action to rectify the problem, such as putting on shuttle buses for disabled young people, and working with disabled young people, community groups serving this protected group, their parents and guardians to ensure that they receive any assistance with travel needed.

Positive	x	Negative		Neutral impact		Unknown Impact	
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5. Race and ethnicity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

80.3% of Haringey's schoolchildren are from ethnic minority backgrounds. The Haringey Youth Zone will target participation from all young people of all backgrounds and will promote a culture where young people embrace difference in an atmosphere of tolerance and respect. Youth Zones accept difference in a positive way and communicate that through our values, training and expectations in the behaviour of members that attend every session at the Youth Zone. The Youth Zone will target a membership that reflects Haringey's diversity where 65% of the population are not White British.

In other locations Youth Zones have been selected to deliver specific programmes aimed at reducing gang activity and knife crime including the Stay Safe project which targeted young people involved in, or at risk of being involved in, gangs.

Black/African/Caribbean/Black British people are more likely to be victims of violent crime than all people. 76% of young people in custody in London come from BAME backgrounds, compared to 44% across England and Wales. People from BAME backgrounds should therefore benefit from diversionary activities that will promote their wellbeing and help prevent them becoming Youth at Risk.

The Youth Zone offer is shaped around local need and therefore the needs of children and young people with this protected characteristic will be reflected in the offer. Through engagement in the Youth Zone, children and young people from an ethnic minority background in Haringey should benefit from better health outcomes and an increased range of affordable activities in which they can participate. Haringey Youth Zone (and OnSide before the Youth Zone is opened) will carry out engagement and outreach to ensure that the needs of this protected group are met and that the numbers of the membership of the Youth Zone reflects the proportion of children and young people in Haringey from an ethnic minority background.

Positive	x	Negative		Neutral impact		Unknown Impact	
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6. Sexual orientation *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

We do not have local data regarding this protected characteristic. Youth Zones currently deliver projects that seek to improve young people's mental health and prevent self-harm and substance abuse. Young LGB people are known to experience mental health issues, self-harm, and abuse drugs and alcohol at higher rates than their heterosexual peers. A Youth Zone may therefore have a positive impact for young LGB people in Haringey. The programme of activities and services available at a Youth Zone in Haringey would be co-produced with local children and young people and would be responsive to local need and demand.

Positive	x	Negative		Neutral impact		Unknown Impact	
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7. Religion or belief (or no belief) *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Minority religions and beliefs are over-represented among young people in Haringey as compared to the population of the borough as a whole. As such, those from minority religions and beliefs would be over-represented among those benefiting from a wider range of affordable and accessible youth activities. Activities currently delivered in Youth Zones are inclusive of all religions and faith groups. For example, sports teams based within Youth Zones include players from multiple religious communities.

The programme of activities and services available at a Youth Zone in Haringey would be co-produced with local children and young people and would be responsive to local need and demand. OnSide have committed to conducting outreach to all communities in the borough, including Muslim and Orthodox Jewish communities, in order to ensure equal opportunity access to the Youth Zone.

Positive	x	Negative		Neutral impact		Unknown Impact	
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8. Pregnancy and maternity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

The proposal will have a positive impact on adolescent parents through the provision of health and wellbeing support services, including sexual health advice and guidance, subject to the outcomes of engagement and co-production with young people and an assessment of local need and demand.

There is a risk that pregnant young women may not engage with the Youth Zone if the activities and services are not sufficiently accessible. Haringey Youth Zone will work with stakeholders to co-produce an offer that will take into account the needs of pregnant young women as well as young

women with newborn babies and children.

The proposal will have a positive impact on lone parent households by providing affordable and accessible activities to children and young people. Youth Zones engage with their local parent and carer groups in order to ensure that their feedback helps shape the Youth Zone's offer.

Positive	x	Negative		Neutral impact		Unknown Impact	
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9. Marriage and Civil Partnership *(Consideration is only needed to ensure there is no discrimination between people in a marriage and people in a civil partnership)*

People who are in a civil partnership will be treated the same as people who are married.

Positive		Negative		Neutral impact	x	Unknown Impact	
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10. Groups that cross two or more equality strands e.g. young black women

BME Young People

BME communities are over-represented among young people in Haringey. The proposal will benefit BME young people by providing culturally appropriate, affordable, and accessible activities and delivering associated positive health and wellbeing and educational outcomes.

Young People from Minority Religions and Beliefs

Minority Religions and Beliefs are over-represented among young people in Haringey. The proposal will positively impact these young people by providing culturally appropriate, affordable and accessible activities and delivering associated positive health and wellbeing and educational outcomes.

Disabled Young People

The proposal will positively impact young people with disabilities by providing affordable and accessible activities and delivering associated positive health and wellbeing and educational outcomes.

An action plan to ensure that these protected groups are engaged and benefit is enclosed in section 6b of this EqIA.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- Could the proposal result in any direct/indirect discrimination for any group that shares the protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a protected characteristic and those who do not?

This includes:

- a) Remove or minimise disadvantage suffered by persons protected under the Equality Act
- b) Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups
- c) Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is

disproportionately low

- Will the proposal help to foster good relations between groups who share a protected characteristic and those who do not?

The proposal will not result in any direct or indirect discrimination for any group that shares the protected characteristics.

The proposal will help to advance equality of opportunity between groups who share a protected characteristic and those who do not, by enabling young people's needs for safe places to go, a range of affordable and accessible activities, and health and wellbeing support to be met. BME communities and minority religions and faith groups are over-represented among this age group and so will be over-represented among those whose needs will be met.

The proposal will enable a greater number of young people to participate in sport and physical activity. 37.8% of children in Year 6 in Haringey are overweight or obese, above the England average of 33.2%, and a higher proportion of these children are resident in more deprived areas of the borough. The proposal will therefore advance equality of opportunity by redressing disproportionately low levels of physical activity and disproportionately high levels of obesity.

The proposal will help foster good relations between communities by establishing a facility that is open and accessible to all young people, including those with disabilities.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqIA guidance

Outcome	Y/N
No major change to the proposal: the EqIA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>	Y
Adjust the proposal: the EqIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly <u>set out below</u> the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below	N
Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.	N

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which protected characteristics are impacted?	Action	Lead officer	Timescale
<p>There is a risk that insufficient engagement and consultation with young people from across Haringey could mean the offer have a potential negative impact on those with protected characteristics</p> <p>Age; Disability; Race; Religion or belief; Sex; Sexual orientation; Pregnancy and maternity</p>	<p>Large-scale, collaborative consultation and co-production activity together with OnSide, will engage young people from areas across the borough, to include protected groups by targeting:</p> <ul style="list-style-type: none"> - community groups for disabled children and young people and carers; - children and young people with BAME backgrounds; - children and young people from minority religions, including Muslim and Orthodox Jewish community groups - community groups for LGB children and young people; - Girls and young women - Adolescent pregnant women and mothers <p>Pay due regard to consultation responses in the design of the Haringey Youth Zone</p>	<p>Director for Children's Services & Assistant Director for Early Help and Prevention</p>	<p>Commence May 2018</p>
<p>There is a risk that insufficient engagement with existing service providers, including within the voluntary and community sector, could result in duplication of services or competition between services rather than complementarity.</p> <p>This would create a lesser offer for all young people – particularly those with identify with more than one protected characteristic who have most to gain from an</p>	<p>Meaningful engagement with providers of services for young people across the borough, to ensure that the Youth Zone forms part of an integrated, complementary, cross-borough offer for young people.</p>	<p>Director for Children's Services & Assistant Director for Early Help and Prevention</p>	<p>Commence May 2018</p>

<p>enhanced offer. It would also potentially damage other services locally, which may be more likely to be run by BAME residents due to the nature of the voluntary community sector in Haringey</p> <p>Age; Disability; Race; Religion or Belief; Sex; Sexual Orientation; Pregnancy and Maternity</p>			
<p>Insufficient take up of membership of the Youth Zone by harder to reach groups, among whom young people with protected characteristics are likely to be overrepresented.</p> <p>Age; Disability; Race; Religion or Belief; Sex; Sexual Orientation; Pregnancy and Maternity</p>	<p>OnSide will deploy dedicated youth workers across the Borough, 9 months before and during YouthZone opening – to ensure that protected groups, particularly from more deprived wards, are engaged and benefit from membership of the Youth Zone.</p> <p>Action will be taken to address barriers to membership – for example, where travel is identified as a barrier for a protected group, the YouthZone will make appropriate travel arrangements to overcome this.</p>	<p>Director for Children's Services & Assistant Director for Early Help and Prevention</p>	<p>Commence 9 months before Youth Zone scheduled to open (currently predicted to be 2020)</p>
<p>Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.</p>			
<p>6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:</p>			
<p>The Assistant Director for Early Help and Prevention will have ultimate responsibility for ensuring all consultation and engagement activities set out in section 6b are undertaken, even where these are delegated to OnSide or Haringey Youth Zone as our partners in this project.</p>			

Haringey Youth Zone will have responsibility for monitoring the membership of the youth zone to ensure that children and young people with other protected characteristics benefit as much as children and young people without other protected characteristics. The Assistant Director for Early Help and Prevention will ensure that Haringey Youth Zone are doing this. This will be achieved through routine reporting and monitoring of locally collected statistics including: memberships; attendance; use of facilities and outcomes, reporting to the local Charitable Board, the Council and Onside. An annual report will provide detailed breakdown of all aspects of delivery including outcomes, demographic information and equalities data.

7. Authorisation

<p style="text-align: center;"><i>Gibson.</i></p> <p>EqlA approved by (Assistant Director/ Director)</p>	<p>Date 9 March 2018</p>
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8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EqlA process.

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Report for: Special Overview and Scrutiny Committee
29th March 2018

Title: Monitoring Officer's Report on the Call-In of a Decision taken by the Cabinet Member (Leader) on 19th March 2018 to approve the location of the Youth Zone and the capital and revenue funding.

Report authorised by : Bernie Ryan, Monitoring Officer

Lead Officer: Stephen Lawrence-Orumwense, Deputy Monitoring Officer

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

To advise the Overview and Scrutiny Committee on the call-in process and whether the decision taken by Cabinet Member (Leader) on 19th March 2018 to approve the location of the Youth Zone at Woodside High School and the capital and revenue funding is within the budget and policy framework.

2. Cabinet Member Introduction

N/A

3. Recommendations

That Members note:

- (a) The Call-In process;
- (b) The advice of the Monitoring Officer and Chief Finance Officer that the decision taken by the Cabinet Member was within the Council's budget and policy framework.

4. Reasons for decision

N/A

However, when considering what action to take in relation to the called-in decision, the Overview and Scrutiny Committee (OSC), having considered the advice of the Monitoring Officer and the Chief Finance Officer, is expected to make its own determination as to whether the called-in decision is within the budget and policy framework.

5. Alternative options considered

N/A

6. Background information

Call-in procedure rules

- 6.1 Once a validated call-in request has been notified to the Chair of OSC, the Committee must meet within 10 working days to decide what action to take. In the meantime, all action to implement the original decision is suspended.
- 6.2 If OSC Members determine that the original decision was within the policy/budget framework, the Committee has three options:
- (i) to not take any further action, in which case the original decision is implemented immediately
 - (ii) to refer the original decision back to Cabinet as the original decision-maker. If this option is followed, the Cabinet must reconsider their decision in the light of the views expressed by OSC within the next five working days, and take a final decision
 - (iii) to refer the original decision on to full Council. If this option is followed, full Council must meet within the next 10 working days to consider the call-in. Full Council can then decide:
 - to either take no further action and allow the decision to be implemented immediately, or
 - to refer the decision back to the Cabinet for reconsideration. The Cabinet's decision is final.
- 6.3 If the Overview and Scrutiny Committee (OSC) determine that the original decision was outside the budget/policy framework, the Committee must refer the matter back to the Cabinet with a request to reconsider it on the grounds that it is incompatible with the policy/budgetary framework.
- 6.4 In that event, the Cabinet would have two options:
- (i) to amend the decision in line with OSC's determination, in which case the amended decision is implemented immediately.
 - (ii) to re-affirm the original decision, in which case the matter is referred to a meeting of full Council within the next 10 working days. Full Council would have two options:
 - to amend the budget/policy framework to accommodate the called-in decision, in which case the decision is implemented immediately, or
 - to require the decision-maker to reconsider the decision again and to refer it to a meeting of the Cabinet, to be held within five working days. The Cabinet's decision is final.

The Policy Framework

- 6.5 The Policy Framework is set out in the Constitution at Article 4 of Part Two (Articles of the Constitution) which I reproduced as follows:

“Policy Framework

These are the plans and strategies that must be reserved to the full Council for approval:

- *Annual Library Plan*
- *Best Value Performance Plan*
- *Crime and Disorder Reduction (community safety) Strategy*
- *Development Plan documents*
- *Youth Justice Plan*
- *Statement of Gambling Policy*
- *Statement of Licensing Policy*
- *Treasury Management Strategy*

Any other policies the law requires must be approved by full Council.

Such other plans and strategies that the Council agrees from time to time that it should consider as part of its Policy Framework:

- *Housing Strategy”*

- 6.6 The budget framework is the 2017/18 budget and Medium Term Financial Strategy (MTFS) Report approved by Full Council at its meeting on 26th February 2018.
- 6.7 The policy and budget framework is intended to provide the general context, as set by Full Council, within which executive decision-making occurs. The general premise is that executive decisions must be within the scope of the policy and budgetary framework and should not be wholly inconsistent with it.
- 6.7 In an executive model of local authority governance, the majority of decisions are taken by the executive – in Haringey’s case this being the Cabinet/Leader/Cabinet member. It is not expected that every executive decision taken should satisfy every individual aspect of the framework, but they should not be outside the framework. Case law also makes it clear that it would not be a proper use of a full Council approved plan or strategy to seek to make it a means for full Council to micro-manage what ought to be executive decisions.

7. Current Call-In

- 7.1 On 26th March 2018, two valid call-in requests were received in relation to the Cabinet Member (Leader) decision of 19th March 2018 to approve the location of the Youth Zone at Woodside High School and the capital and revenue funding for the project (“the decision”). The first call-in was signed by Cllr Bob Hare and counter signed. The second call-in by Cllr Mark Blake and counter signed.
- 7.2 A copy of the public report to Cabinet is reproduced at Appendix 1 to this report. A copy of the published draft minutes of the Cabinet Member Signing is

reproduced at Appendix 2. A copy of the first call-in requests is reproduced at Appendix 3 and the second call-in at Appendix 4.

- 7.2 The first call-in request claims that the decision was outside the budget framework because: a) "There is no explicit allocation in the MTFS to the Youth Zone project on the £3m capital required"; and b) "There is no source identified for the annual revenue cost of the Youth Zone. Further, the decision is outside of the policy framework because; a) the use of the general exception notice procedure; b) the decision is not based on the agreed youth strategies; c) the three way arrangement between the Council, OnSide and Woodside School; d) the lack of a draft contract; e) no tender for service and strategy; f) location of the youth zone, g) equalities impact assessment; h) Bruce Grove Youth space and i) lack of police support.
- 7.3 The second call-in requests claim that the decision made is outside the budget framework because: a) "...it involves taking up over 40% of the future youth work revenue budget for three years, without this ever having being discussed by elected members ..." and b) "There is no reference to this in the MTFS". Further, that the decision is outside of the policy framework because it flouts proper process as referred to under the heading "Objections to the Process".

8. Monitoring Officer's Assessment

- 8.1 The Monitoring Officer having conferred with the Chief Finance/Section 151 Office is of the view that the Youth Zone project is within the budgetary framework. The MTFS/budget provides for a Responsiveness Fund of £3.5m over 2 years in the capital programme to respond to in year request and new initiatives. The funds are to support request for match funding. The Cabinet meeting in March 2018 approved the use of the responsiveness fund for the Youth Zone. The purpose and scope of the Responsiveness Fund is broad and can include the Youth Zone. The Monitoring Officer agrees with the Chief Finance Officer views on these points and the revenue funding and as set out in Section 9 below.
- 8.2 The notion that a decision is outside the policy framework approved by Full Council usually means outside the scope of the policy and strategy in the documents identified in Paragraph 6.5 above. It is important to note that these are broad and high level policies and strategies and within which the executive has some flexibility to deliver the identified outcomes. The relevant policy framework documents are the current - Community Safety Strategy 2013-17 (which the Community Safety Partnership has formally agreed to extend to 2018) and the Youth Justice Plan 2017-18.
- 8.2.1 The first, the Community Safety Strategy, which has as one of its principles (in Section 5 Vision) an approach of early intervention and prevention. Of the six outcomes in the current Strategy, (set out in full in Section. 6 Priorities, Outcomes and Activities), there are three with a focus on prevention and minimisation of gang related activity and victimisation, reduction of re-offending for young people and prevention and reduction of acquisitive crime and anti-social behaviour. The Strategy makes specific reference to the need to develop projects designed to prevent young people becoming involved in gangs and other anti-social behaviour and criminal activities. Extending activities in areas such as leisure

including sports, health and wellbeing and support into education, employment and training are core business for a Youth Zone and will become part of the Youth Zone offer in Haringey.

8.2.2 The current Youth Justice Plan 2017-18 key priorities include interventions to reduce levels of youth violence and knife crime in the borough as a means of increasing community safety and reducing the safety and well-being concerns relating to young people and also, to improve the mental health and emotional well-being needs of young people in the borough. The Youth Justice Plan mentions the importance of an early help and early intervention approach to youth offending. Again, Youth Zone has a clear role to play in this regard being able to ensure that a safe space for prevention through diversionary activities is delivered.

8.3 The Youth Zone gives effect to the aspirations, priorities and outcomes for young people in the borough set out in the Community Safety Strategy and the Youth Justice Plan. The provision is intended to offer various diversionary activities to young people to prevent them becoming involved in criminal activities and to improve their wellbeing and opportunities. Therefore, the decision as to the establishment, location and funding is within the policy framework documents. Alternatively, the decision is not inconsistent with the priorities and outcomes in the policy framework documents.

8.4 The call-ins also advance the following reasons why the decision is outside the policy framework – ‘the use of the general exception notice procedure’ ‘the three way arrangement between the Council’ ‘OnSide and Woodside School’ ‘the lack of a draft contract’ ‘no tender for service and strategy’ ‘location of the youth zone’ ‘equalities impact assessment’ ‘Bruce Grove Youth space’ ‘lack of police support’ and ‘it flouts proper process’. These reasons do not form part of the policy framework documents, in particular, those referred to above. The decision is therefore within policy framework.

8.5 The use of the General Exception Notice procedure as part of the decision making process is appropriate and justified. The Council was soon to enter the Purdah period and there were no Cabinet meetings until June 19th 2018. There was concern that decision sought would be subject to additional, avoidable delays due to the statutory electoral process, increasing the risk and potential loss of capital and revenue investment currently committed by Onside and funding partners. Any further delay could put this at risk and therefore jeopardise the whole project. The circumstances were such the proposed decision needs to be taken without further delays and it has not been reasonable practicable to give the usual 28 days notice.

8.5 Therefore the decision taken by the Cabinet Member is compliant with the Council’s Budget and Policy Framework as set out in Part Four Section E of the Constitution and are within the Cabinet’s powers and terms of reference.

9. The Chief Finance Officer’s Response

9.1. It is the Interim Chief Finance Officer’s view that the decision is within the budgetary framework, on the basis that the recommendations within the report

are in line with the Council's Budgetary and Policy Framework Procedure Rules set out in Part 4 Section E of the Council's Constitution.

9.2 With regard to the capital cost of the scheme, the 19 March 2018 report (using the paragraph numbering of that report) says:

8.2 *The exact details of the contractual relationship with OnSide and the associated construction contract have yet to be agreed and these matters are as recommended to be delegated to the Director of Children & Young People Services after consultation with after consultation with the Strategic Director of Regeneration, Planning and Development, the Section 151 Officer and the Cabinet member for Corporate Resources.*

8.3 *The Council at its budget setting meeting of the 26th February 2018 agreed to the establishment of a Responsiveness Fund within the capital programme. The fund is there to allow timely responses to be made to in-year requests for funding and is primarily intended to support in-year match funding requests. The report is recommending that the Responsiveness Fund is used to provide the capital funding for the Youth Zone project, subject to the final terms and documentation being agreed with OnSide.*

This is consistent with the Budget and MTFS Report presented to Cabinet in February 2018 that dealt with the proposed capital programme:

Priority X

13.19 *This priority now contains a Responsiveness Fund of £3.5m per annum for two years. The fund is there to allow timely responses to made to in year requests and new initiatives. It is primarily to support in-year bids for match funding requests. The allocation of funds from the Responsiveness Fund will be undertaken by Capital Board (in line with the current authority levels contained within Standing Orders).*

This capital budget head was subsequently approved as part of the capital programme by Full Council on 26th February 2018.

9.3 With regard to the revenue costs of the scheme the 19 March 2018 report (using the paragraph numbering of that report) says:

8.4 *The report is also recommending approval of revenue funding of £250,000 per annum for the first three years that the facility is operated by OnSide, subject to final terms and documentation being agreed.*

8.5 *In the Cabinet report of the 14th March 2017, it was noted that there was a three year £250k per annum commitment to the scheme and that in order to meet this commitment that existing budgets in this service area would be used to leverage additional third-party contributions.*

8.6 *Currently the service budget is £596k (excluding corporate overheads) and the commitment to provide £250k per annum of funding from existing budgets would represent a significant proportion (42%) of the current service budget. Dependent upon what would have to be foregone to meet this commitment, there may well be other financial implications arising from the entering into of the contractual arrangements to create the Youth Zone.*

The revenue consequences of Council's contribution to the scheme, within the existing service budget are clearly laid out

10. Contribution to strategic outcomes

N/A

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

Finance and Procurement

The Chief Finance Officer's comments are set out above.

Legal

The Monitoring Officer's comments are set out above.

Equality

N/A

12. Use of Appendices

Appendix 1 Cabinet report dated 19th March 2018

Appendix 1.1 EQIA.

Appendix 2 Published minutes of the Cabinet Member Signing

Appendix 3 Copy first call-in request

Appendix 4 Copy second call-in request

13. Local Government (Access to Information) Act 1985

N/A

Report for: Special Overview and Scrutiny Committee
Item number:

Title: Call-in of Cabinet's decision on the Youth Zone development – Confirmation of the site proposed for a Youth Zone and the approval of capital and revenue funding towards the project.

Report authorised by: Ann Graham, Director of Children's Services and Helen Fisher, Interim Strategic Director, Regeneration Planning and Development

Lead Officer: Gill Gibson, Assistant Director Early Help and Prevention
Steve Carr, interim Assistant Director Economic Regeneration and Growth

Ward(s) affected: Woodside / All

Report for Key/
Non Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 On March 14th 2017 Cabinet agreed to form a partnership with OnSide to take forward proposals for a Youth Zone in Haringey, providing accessible facilities and programmed activities for young people in Haringey. The proposal was agreed as part of a wider vision to improve youth outcomes through participation, health and wellbeing and greater use of formal and informal recreation. The decision in March 2017 was taken subject to identifying a site that was agreeable to both parties, to planning permission and to agreement of final terms. This was to be followed by planning preapplication discussions and a planning application alongside local engagement.
- 1.2 In March 2018, the Leader approved, at a Leader signing, a second report approving a site for the facility and the capital and revenue contributions required from the Council for taking forward the scheme. These contributions amounted to £3m of capital and £250,000 of revenue per annum for the first three years of the operation of the facility by OnSide, subject to final terms and documentation being agreed.
- 1.3 Following two call-ins of that decision made in accordance with Council procedures, this report provides further information to enable the Overview and Scrutiny Committee's consideration of the issues raised in the two call-ins.

2. Cabinet Member Introduction

- 2.1 My introduction to the original report considered by the Leader on 19th March 2018 set out the case as I see it for that decision. This report deals with the specific points raised in the call-in, and would simply and clearly confirm my view that nothing raised in the call-in or set out in this report changes my view that the decision taken on 19th March 2018 was the right one.

3. Recommendations

- 3.1 It is recommended that the Committee take into account the information in this report when considering its decision on this matter.

4. Background

The decision and the call-in

- 4.1 On 19th March 2018, the Leader approved the recommendations set out in the report entitled “*Confirmation of the site proposed for a Youth Zone and approval of capital and revenue funding towards the project.*” The decision and the report are available on the Council’s website, at the link given in section 10 below.
- 4.2 Following the issuing of the draft minutes from the Leaders signing, two call-ins of that decision were received and validated, in line with agreed Council procedures. Accordingly, the matter is now to be considered by the Overview and Scrutiny Committee.
- 4.3 Section 5 of this report describes and responds to each of the reasons given for the two call-ins, and the variations of action proposed.

5. Call in 1. Cllr Bob Hare

Reasons for the Call-in

a. Outside the budget framework

- i. *There is no explicit allocation in the MTFS to the Youth Zone project of the £3m capital required.*

The Council at its budget setting meeting of 26th February 2018 agreed to the establishment of a Responsiveness Fund within the capital programme. The fund is there to allow timely responses to be made to in-year requests for funding and is primarily intended to support in-year match funding requests. The March 2018 report approved the use of the Responsiveness Fund to provide the capital funding for the Youth Zone project, subject to the final terms and documentation being agreed with OnSide.

- ii. *There is no source identified for the annual revenue cost of the Youth Zone.*

The March 2018 report made clear the source for the annual revenue funding required for the Youth Zone and that there may be other financial implications arising from the entering into of the contractual arrangements to create the Youth Zone, dependent upon what would have to be foregone to meet this commitment. This reflected the March 2017 Cabinet report in which it was noted that there was a three year £250k per annum commitment to the scheme and that in order to meet this commitment existing budgets in the service area would be used to leverage additional third-party contributions.

Currently the service budget is £596k (excluding corporate overheads) and the commitment to provide £250k per annum of funding from existing budgets would represent a significant proportion (42%) of the current service budget.

With regard to revenue funding, OnSide has raised the first three years of revenue funding prior to opening each Youth Zone (c£3m in total), with local authorities generally contributed 30-40% of this total revenue funding. Whilst other charities are able to support our direct youth work in Haringey, we are not aware of any other charity working in the youth sector which has a similar track record of delivering this level of match funding for both capital and revenue investment.

OnSide has an excellent track record of raising external investment into youth services with £19.2m capital and £5.6m revenue raised towards its first three Youth Zones in London which are still over a year from opening, and with a £1m capital donation already confirmed for a Youth Zone in Haringey. Procurement have completed a credit check to assess the financial health of organisation which is positive. This clearly demonstrates the attraction that improving outcomes for young people in inner city areas holds for potential funders, including major trusts/foundations, businesses and philanthropists. OnSide's financial model for the Youth Zone builds a sustainable approach by ensuring that the first three years of operating costs are already committed before opening and by spreading this funding across a large number of 'Founder Patrons' (donors who give £25k p.a. for at least three years). The experience of all other Youth Zones across the OnSide network demonstrates that this is only the starting point, with each Youth Zone going on to increase its annual income after opening, built on the platform of a thriving, successful centre for young people. Should the Haringey Youth Zone charity prove unable to deliver the core purpose for young people, OnSide would then have the opportunity to step in and correct the issues, something it would be heavily incentivised to do in order to maintain the strength and reputation of the network.

An independent study carried out by Manchester University into the impact of Youth Zones on local charities in areas where Youth Zones are operating concluded that Youth Zone had no detrimental impact on the viability of local organisations who saw Youth Zone as a welcome addition to the youth offer in the area.

b) Outside the policy framework

i. General Exception Notice

The General Exception Notice was appropriate given the need to secure capital and revenue funding to support the establishment of a Youth Zone in Haringey.

ii. Existing strategies

The decision to move forward with work with OnSide falls within the policy framework set out in the Council's Constitution.

- a. The policy framework highlights two specific documents of relevance to the Youth Zone decision. The first is the Community Safety Strategy which has as one of its principles (in s. 5 Vision) an approach of early intervention and prevention. Of the six outcomes in the current Strategy, (set out in full in s. 6 Priorities, Outcomes and Activities) there are three with a focus on prevention and minimisation of gang related activity and victimisation, reduction of re-offending for young people and prevention and reduction of acquisitive crime and anti-social behaviour. The Strategy makes specific reference to the need to develop projects designed to prevent young people becoming involved in gangs and other anti-social behaviour and criminal activities. It also underlines the challenge of working with young people who are already involved in the criminal justice system to prevent re-offending. Extending activities in areas such as leisure including sports, health and wellbeing and support into education, employment and training are core business for a Youth Zone and will become part of the Youth Zone offer in Haringey. The second is the Youth Justice Plan, which also frequently references the importance of an early help and early intervention approach to youth offending and demonstrates that early intervention from agencies across the partnership is required if we are to prevent offending, protect the public and young people in the future. As set out in the Foreword to the Plan and in the accompanying Improvement Plan enhancing partnership working, both strategically and operationally, in order to reduce levels of vulnerability amongst young people and protect the public from the risk of harm is a priority. Again, Youth Zone has a clear role to play in this regard being able to ensure that a safe space for prevention through diversionary activities is delivered.
- b. The partnership to develop a Haringey Youth Zone is in line with Priority 1 of the current Corporate Plan to enable all children and young people to have the best start in life and with the current Young People's Strategy. A Youth Zone will provide an additionality of offer to young people in the Borough and enhance the range of sporting facilities available locally which will in itself contribute to the aspirations to improve the health and wellbeing of young people set out in the Corporate Plan. The Youth Zone offer will be developed with young people and local communities so as to be responsive to local need. It will provide an affordable, high quality and accessible offer to young people. (£5 membership and 50p per session entry fee).

iii. Three way arrangement

Cabinet in March 2017 approved the partnership with OnSide including delegating the authority to make the final decisions once a site had been identified. The site at Woodside School was subsequently identified and whilst the Council owns the

freehold of the site it is subject to a 125 year lease held by the school from 2011. Therefore the site will be subject to a lease between Woodside School and OnSide subject to the Council's consent as Landlord through which the Council can exert a number of controls. A legal agreement will be agreed between the three parties and will cover the funding, use and management arrangements as well as ensuring the building is completed and warranties available. The agreement for these documents form part of the delegated authority agreed at March 2017 Cabinet.

All councillors were invited to the youth services briefing at the Civic Centre on 12th February 2018.

iv. Draft contract

At this stage there are no documents available. The finalisation of the documentation has been delegated in terms of agreeing the final details of the project and the terms in respect of the grant funding agreement, lease, facility mix and operational detail and any further related agreements. Consultation with the Cabinet Member is required as part of this process of delegation.

v. No tender for the service and strategy

The procurement of goods and services is regulated by both internal Contract Standing Orders (CSO) and statute, The Public Contract Regulations (PCR) 2015.

OnSide's proposal falls under PCR 2015, a concession contract, as the main operating risk lies with the contractor. The PCR requires that concession contracts need not be advertised if the value is below the set threshold of £4.55m.

Under CSO 9.0.1, contracts with an estimated value between £160k and contracts under the Light Touch Regime valued up to £500k must be let following a tender process.

However, CSO 10.01 does allow for the requirement to tender to be waived by Cabinet for values of £500k and over, providing Cabinet agrees that the parameters contained in CSOs for a waiver are met. The requirement to waive CSOs was therefore instituted under CSO 10.01 2 a) and d) and duly approved.

The Council, therefore, was not required to undertake a competitive process. Whilst the Council could have chosen to advertise the opportunity, the view from Officers and Procurement was that there was a paucity of suppliers who would be able to match-fund the investment and secure additional funding of some £750k p.a.. Moreover, OnSide already has a considerable track record of delivering these services elsewhere with the infrastructure, resources and experience to assume the operational risk.

vi. Location

The location on a school site and near to a local sports centre indicates that young people will be able to travel easily to the Youth Zone. It is well situated for several local schools including Riverside which will increase the accessibility of a strong youth offer for young people with disabilities as well as a number of primary and secondary schools. The vicinity is also well served by tube and bus services and close to the transport crossroads of Wood Green. The evidence from existing Youth

Zones is that the strength and quality of their offer generates huge interest and a willingness to travel to access the wide range of provision. OnSide have committed to monitor membership and attendance and support initiatives which stimulate greater access by under-represented wards.

From a borough perspective, it is also worth noting that a central location has been sought to ensure that youth activities are accessible for young people across Haringey. Whilst it is recognised that there is significant need and demand for provision in the east of the borough, it is increasingly acknowledged that areas around Wood Green and to the west of the borough need additional activities and support, particularly as part of a wider preventative approach.

vii. Equalities Impact Assessment (EqIA)

Section 4(a) of the EqIA states that consultation with residents has not taken place to date, not for lack of time, but so as to not unduly raise expectations that a Youth Zone would be forthcoming. This is because such a consultation would not be possible prior to identification of a suitable site. However, there has been engagement with young people, through the Youth Council for example, which highlighted as far back as October 2016 that one of the three priorities for young people in the borough was Youth Clubs and Activities for young people.

Section 2 of the EqIA notes that the site is considered sufficiently accessible for young people in Haringey due to its proximity to bus stops at Wolves Lane, Wood Green High Road, and Lordship Lane as well as Wood Green underground station. However, accessibility is included as a further consideration in the assessments of impact in Section 5 on young people specifically, people with disabilities, pregnant young women, and those with young children. These assessments note that the Youth Zone operating model will include per ward engagement targets, cross-borough outreach, and the possibility of dedicated transport for young people from particular areas. Indeed, in the event of insufficient take-up among particular groups, Section 6(b) specifies that a mitigating action will be for the Youth Zone to take corrective action, including appropriate travel arrangements.

With regard to issues of safety, the EqIA sets out in Section 5 that the Youth Zone can be reasonably expected to have a positive impact on the safety of young people and those from BME communities. Moreover, the mitigating actions set out in Section 6(b) include provision for travel arrangements for those who may experience difficulty accessing the Youth Zone due to safety concerns.

viii. Lack of police support

Discussions with the police about youth provision in the borough have indicated their support in principle for the development of a Youth Zone in Haringey. Police will be a key partner in the forthcoming consultation and engagement activity to ensure that any concerns are identified and addressed/mitigated. Evidence from existing Youth Zones shows a significant reduction in anti-social behaviour around the site.

6. Call-in 2. Cllr Mark Blake

Reasons for the Call-in

a. Objections to process.

Cabinet made a decision in relation to a partnership with OnSide in March 2017 for the provision of a Youth Zone. The report requested that a report be brought to Cabinet once a site had been identified. The Woodside School site was only recently identified and discussed and a report taken for Leader signing.

The project has been in existence for some years and once a site was identified it was agreed that it should move forward immediately in order to maintain impetus. This is on the basis of moving in a timely fashion to improve provision for young people in the borough, whilst guarding against building cost inflation and building up confidence in the project in order to support funding and consultation as part of the planning and design process.

The original Cabinet report identified Council owned sites only. The Woodside School site is owned freehold by the Council but is subject to a long lease of 125 years from 2011 to the school. The school will grant a sub lease to OnSide subject to the Council's consent as landlord and through which the Council can exert a number of controls. A legal agreement will be prepared between the Council, Woodside School and OnSide in order to protect the Council's interest and investment in the building. This will cover the capital funding and revenue funding, management arrangements including schools and community use of the facility. It will also ensure the building is completed and warranties available.

The documents will be agreed and finalised subject to delegated authority as set out in the March 2017 Cabinet decision and Leader's signing on 19th March 2018. The head lease between the Council and Woodside School will not need to be varied. A new sub lease will be created between the school and OnSide and will be subject to Landlord's consent (the Council).

The procurement of goods and services is regulated by both internal Contract Standing Orders (CSO) and statute, The Public Contract Regulations (PCR) 2015.

OnSide's proposal falls under PCR 2015, a concession contract, as the main operating risk lies with the contractor. The PCR requires that concession contracts need not be advertised if the value is below the set threshold of £4.55m.

Under CSO 9.0.1, contracts with an estimated value between £160k and contracts under the Light Touch Regime valued up to £500k must be let following a tender process.

However, CSO 10.01 does allow for the requirement to tender to be waived by Cabinet for values of £500k and over, providing Cabinet agrees that the parameters contained in CSOs for a waiver are met. The requirement to waive CSOs was therefore instituted under CSO 10.01 2 a) and d) and duly approved.

The Council, therefore, was not required to undertake a competitive process. Whilst the Council could have chosen to advertise the opportunity, the view from Officers and Procurement was that there was a paucity of suppliers who would be able to match-fund the investment and secure additional funding of some £750k p.a.. Moreover, OnSide already has a considerable track record of delivering these

services elsewhere with the infrastructure, resources and experience to assume the operational risk.

An Equalities Impact Assessment (EqIA) accompanied the report at the Cabinet Member signing on Monday 19th March. The minutes for the signing state that “The Leader was satisfied with the content of the equalities impact assessment attached.” It assesses the impact of the decision on individuals and groups that share characteristics protected under the Equality Act 2010, including young people, in compliance with the Council’s Public Sector Equality Duty. The EqIA is publicly available on the Council website.

The EqIA does not address the impact of the decision on Bruce Grove Youth Space. Any future decision related to service delivery at Bruce Grove Youth Space will be accompanied by a separate EqIA.

The delegated authority is to the Director of Children’s Services in consultation with others, including the Cabinet Member.

b. Objections to the OnSide Model and lack of Needs analysis

Cabinet on 14th March 2017 decided that this model for youth provision for all young people in Haringey was appropriate and agreed to OnSide as a partner subject to site selection. OnSide are committed to work collaboratively with local young people, providers and communities to ensure that the offer is equitable and accessible to all Haringey young people and delivers high quality provision that meets local need. Evidence from Youth Zones elsewhere has shown that this offer contributes to reducing anti-social behaviour and building confidence in young people.

The decision to progress with Youth Zone was made in March 2017 by Cabinet. There is a significant amount of data to support the need for provision of this type and which forms part of the Early Help Needs Assessment, the latest information on young people, crime and gangs and the particular focus on serious youth violence referenced in the call-in. The needs assessments carried out in a number of areas of activity, support the need for approaches which focus on prevention and early intervention. Further needs assessment to support the design of the Youth Zone and its core priorities for Haringey, will be one output from the ongoing engagement and development work to be initiated by OnSide together with all stakeholders. This will help to ensure that the offer responds to local needs in order to improve outcomes for local young people.

One of the anticipated impacts of having a Youth Zone will be the reduction in demand against more specialist council provision over time, which will drive efficiency in the system and could reduce costs to the council overall. For example, a benefit of the Youth Zone approach is to identify needs earlier and to enable an appropriate response sooner, in a non-stigmatising and accessible environment. This will reduce demand on targeted support and other more specialist services, with potential impact on referrals into children’s social care also. As a borough wide provision, Youth Zone will also enable impact to be demonstrated across a range of non-Council provision also, including policing and health provision.

The EqIA is primarily concerned with the impact on individuals and groups with protected characteristics of the change in the youth services offer. It notes that the offer will be responsive to local need which will be finalised through comprehensive engagement activity. The assessment was made on the basis of what is known about a localised offer delivered within the Youth Zone model. It is not possible to infer the impact of a particular organisation's service provision on individuals and groups with protected characteristics based on the racial or gender composition of its board of trustees. A conclusion regarding the impact on individuals or groups with protected characteristics made on these grounds would expose the Council to legal challenge.

c. Objections to the Finances

The Council at its budget setting meeting of 26th February 2018 agreed to the establishment of a Responsiveness Fund within the capital programme. The fund is there to allow timely responses to be made to in-year requests for funding and is primarily intended to support in-year match funding requests. The March 2018 report approved the use of the Responsiveness Fund to provide the capital funding for the Youth Zone project, subject to the final terms and documentation being agreed with OnSide.

The March 2018 report made clear the source for the annual revenue funding required for the Youth Zone and that there may be other financial implications arising from the entering into of the contractual arrangements to create the Youth Zone, dependent upon what would have to be foregone to meet this commitment. This reflected the March 2017 Cabinet report in which it was noted that there was a three year £250k per annum commitment to the scheme and that in order to meet this commitment existing budgets in the service area would be used to leverage additional third-party contributions.

Currently the service budget is £596k (excluding corporate overheads) and the commitment to provide £250k per annum of funding from existing budgets would represent a significant proportion (42%) of the current service budget.

With regard to revenue funding, OnSide has raised the first three years of revenue funding prior to opening each Youth Zone (c£3m in total), with local authorities generally contributed 30-40% of this total revenue funding. Whilst other charities are able to support our direct youth work in Haringey, we are not aware of any other charity working in the youth sector which has a similar track record of delivering this level of match funding for both capital and revenue investment.

OnSide has an excellent track record of raising external investment into youth services with £19.2m capital and £5.6m revenue raised towards its first three Youth Zones in London which are still over a year from opening, and with a £1m capital donation already confirmed for a Youth Zone in Haringey. This clearly demonstrates the attraction that improving outcomes for young people in inner city areas holds for potential funders, including major trusts/foundations, businesses and philanthropists. OnSide's financial model for the Youth Zone builds a sustainable approach by ensuring that the first three years of operating costs are already committed before opening and by spreading this funding across a large number of 'Founder Patrons'

(donors who give £25k p.a. for at least three years). The experience of all other Youth Zones across the OnSide network demonstrates that this is only the starting point, with each Youth Zone going on to increase its annual income after opening, built on the platform of a thriving, successful centre for young people.

The building will be leased to OnSide by Woodside School on a long lease (over 100 years to run with the head lease) subject to the consent of the Council as landlord and through which the Council can exert a number of controls. The length of the lease will provide sufficient security to OnSide in order to offer confidence to potential funders regarding the long term commitment to the Youth Zone from stakeholders. The lease will restrict the building to a use reflecting the focus on youth provision for the term of the lease.

d. Objections to total lack of any consultation.

In order to avoid unduly raising expectations the Council has not yet consulted formally with residents including young people on youth service delivery in Haringey. Engagement activity is now planned to commence across all stakeholder groups to shape the Youth Zone provision to be responsive to local needs. There will be a positive impact for young people in developing the Youth Zone using a participation and co-design approach – which will get underway immediately and help to build the capability and confidence of young people in the borough.

Discussions with the police about youth provision in the borough have indicated their support in principle for the development of a Youth Zone in Haringey. Police will be a key partner in the forthcoming consultation and engagement activity to ensure that any concerns are identified and addressed/mitigated. Evidence from existing Youth Zones shows a significant reduction in anti-social behaviour around the site. It was not appropriate to take the proposal to the Community Safety Partnership prior to site identification, however they will be a key contributor during the engagement activity.

Headteachers, governors and schools, as well as other partners in the statutory and voluntary and community sectors, will be key stakeholders in the engagement going forward. Access to the Youth Zone during the day is not exclusive to Woodside school although there will be some pre-agreed and limited useage, the facilities will be made available to local voluntary and community groups as a matter of proven operation across the OnSide network.

Neither the Leader of the Council, nor any Council officer, has received any correspondence from either Catherine West MP or David Lammy MP regarding Youth Zone.

e. Objections to timing and current context

The March 2018 Cabinet decision was made in line with the March 2017 Cabinet decision which set out the proposed model in some detail and advised that should a suitable site be identified it would be considered for a Youth Zone at the appropriate time.

f. Objections to use of MOL

The National Planning Policy Framework (NPPF) sets out the following on Green Belt and the London Plan sets out that in London Green Belt policy relates to Metropolitan Open Land (MOL):

‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.’

‘Very Special Circumstances’ are not defined.

In this case the MOL in this location will be extended to compensate for the area that will be built on and consequently there will be no loss of MOL. The designation of an area that is a Multi Use Games Area as MOL is acceptable given that the use of the area of land for sport is an activity which is compatible with MOL. As such it may be possible to argue that there is no harm to the MOL.

Whether there is any harm to the MOL, by virtue of the proposed inappropriate development, and whether any potential harm is outweighed by the benefits of the current Youth Zone proposal will need to be assessed at the time of formal pre-application discussions and through the determination of the application. Current preliminary discussions suggest that it will.

London Plan policy 7.17 sets out that MOL should be protected from development having an adverse impact on its openness. This impact will need to be assessed at the time of formal pre-application discussions and through the determination of the application. Currently preliminary discussions suggest that there will not be an adverse impact.

The application will be referable to the Mayor under his planning powers. Pre-application discussion with the GLA are due to commence shortly. When the planning application is submitted it will be referred to the Mayor at Stage 1 when an application is submitted and a statement from the Mayor setting out of the application complies with London Plan policy and any changes required will be sent to the Council within 6 weeks. If the Council subsequently makes a resolution to grant planning permission then the application will be referred to the Mayor at Stage II, for him to make a decision as to whether to allow the Council’s decision to stand, to direct the Council to refuse the application or take over the application for his own determination.

7. Contribution to strategic outcomes

7.1 The contribution of the decision in question to strategic outcomes was set out in the report to Cabinet on 14th March 2017 and is incorporated into the body of this report.

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

Finance

8.1 The Chief Finance Officer has been consulted in the preparation of this report.

8.1.1 With regard to the capital cost of the scheme, the 19 March 2018 report says:

The exact details of the contractual relationship with OnSide and the associated construction contract have yet to be agreed and these matters are as recommended to be delegated to the Director of Children & Young People Services after consultation with the Strategic Director of Regeneration, Planning and Development, the Section 151 Officer and the Cabinet member for Corporate Resources.

The Council at its budget setting meeting of the 26th February 2018 agreed to the establishment of a Responsiveness Fund within the capital programme. The fund is there to allow timely responses to be made to in-year requests for funding and is primarily intended to support in-year match funding requests. The report is recommending that the Responsiveness Fund is used to provide the capital funding for the Youth Zone project, subject to the final terms and documentation being agreed with OnSide.

8.1.2 This is consistent with the Budget and MTFs Report presented to Cabinet in February 2018 that dealt with the proposed capital programme:

Priority X

This priority now contains a Responsiveness Fund of £3.5m per annum for two years. The fund is there to allow timely responses to be made to in year requests and new initiatives. It is primarily to support in-year bids for match funding requests. The allocation of funds from the Responsiveness Fund will be undertaken by Capital Board (in line with the current authority levels contained within Standing Orders).

This capital budget head was subsequently approved as part of the capital programme by Full Council on 26th February 2018.

8.1.3 With regard to the revenue cost of the scheme, the 19 March 2018 report says:

The report is also recommending approval of revenue funding of £250,000 per annum for the first three years that the facility is operated by OnSide, subject to final terms and documentation being agreed.

In the Cabinet report of the 14th March 2017, it was noted that there was a three year £250k per annum commitment to the scheme and that in order to meet this commitment that existing

budgets in this service area would be used to leverage additional third-party contributions.

Currently the service budget is £596k (excluding corporate overheads) and the commitment to provide £250k per annum of funding from existing budgets would represent a significant proportion (42%) of the current service budget. Dependent upon what would have to be foregone to meet this commitment, there may well be other financial implications arising from the entering into of the contractual arrangements to create the Youth Zone.

The revenue consequences of Council's contribution to the scheme, within the existing service budget are clearly laid out

Procurement

- 8.2 The Head of Procurement has been consulted in the preparation of this report.

Legal

- 8.3 The Assistant Director of Corporate Governance has been consulted in the preparation of this report and comments have been incorporated into the report.

Equality

- 8.4 N/A.

9 Use of Appendices

- 9.1 N/A

10 Local Government (Access to Information) Act 1985

- 10.1 Previous decisions of Cabinet relevant to the decision in question were set out in the report to 14th March 2017. They include:
- 19th March 2018 Report to leader signing.

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