

'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:

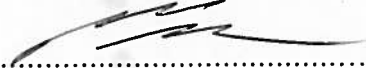
1. Please send this form to:

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.
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.


Signed:

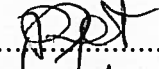
Councillor:  (Please print name): Mark Blake

Countersigned:


1. Councillor: STUART MCNAMARA (Please print name): S. McNamara

2. Councillor: ZENA BRABAZAN (Please print name): Zena Brabazan

3. Councillor: PERAM AHME (Please print name): 

4. Councillor: ANNE SPENNER (Please print name): 

Date Submitted: 5. NOAH TUCKER 

Date Received: 6. ISIDOROS DIARISES 
(to be completed by the Democratic Services Manager)

Notes:

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