

Dated **23rd** MARCH 2023

(1) THE GREATER LONDON AUTHORITY

-and-

(2) LONDON BOROUGH OF HARINGEY

**DEED OF VARIATION
IN RESPECT OF A GRANT FUNDING AGREEMENT BETWEEN THE ABOVE
PARTIES CONCERNING THE PROVISION OF FUNDING RELATING TO
ENTERPRISING TOTTENHAM HIGH ROAD**

This **DEED OF VARIATION** is agreed this

23rd March

2023

BETWEEN:

- (1) **THE GREATER LONDON AUTHORITY** of City Hall, City Hall, Kamal Chunchie Way, London, E16 1ZE (“the GLA”); and
 - (2) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HARINGEY** (“the Recipient”);
- (together the “Parties”).

Background:

- (A) This Deed is supplemental to the grant funding agreement in respect of the ENTERPRISING TOTTENHAM HIGH ROAD project entered into by the Parties on (02 APRIL 2019) (“the Agreement”).
- (B) The parties have agreed to vary the Agreement from the date of this Deed on the terms and conditions set out below.

The Deed:

1 Definitions and interpretation

1.1 Definitions

All terms used within this Deed that are defined in the Agreement will have the same meaning in this Deed, unless the context otherwise requires.

1.2 Interpretation

In this Deed, unless the context otherwise requires

- 1.2.1 headings and sub-headings are for ease of reference only and will not affect the construction of this Deed;
- 1.2.2 all references to clauses and appendices are references to clauses and appendices to this Deed;
- 1.2.3 words importing one gender will include the other gender, words in the singular will include the plural, and ‘person’ will include any individual, partnership, firm, trust, body corporate, corporation, sole agency or unincorporated body of persons or associations;

2 Variation

- 2.1 The Parties hereby agree that the Agreement shall stand as varied in accordance with clauses 2.2 to 2.5 below from the of date of this Deed.
- 2.2 We refer to the Agreement between the Recipient and the GLA in respect of the ENTERPRISING TOTTENHAM HIGH ROAD project entered into by the Parties on (02 APRIL 2019), a copy of which is attached as Schedule 1 to this Deed.
- 2.3 Clause 2A.1of the Agreement shall be deleted and replaced with the following: –
- 2A.1 The Recipient's statutory chief finance officer or someone validly authorised to act on his or her behalf shall certify on or before 31 March 2023 (using the form attached at Schedule 7) that that £0 (Zero) of the GLA Funding made available in 2018/19 financial year, £207,432 in 2019/20 financial year, £303,644 in 2020/21 financial year, £440,000 in 2021/22 financial year and £3,348,923 in 2022/23 financial year will be used solely as a contribution to capital and revenue expenditure in relation to the Project Objectives such certification being made on the basis that the Recipient's determination of capital expenditure accords fully with all laws and best practice, is estimated to deliver benefits that will accrue over a period of 10 years on average and on the basis that it will recorded in the Recipient's accounts in this manner. Schedule 1 of the Agreement shall be updated to include the Addendum to Schedule 1 set out at Appendix 1 to this Deed.
- 2.4 Schedule 1 of the Agreement shall be updated to include the Addendum to Schedule 1 set out at Appendix 1 to this Deed.
- 2.5 Schedule 2 of the Agreement shall be deleted and replaced with the schedule set out at Appendix 2 to this Deed.
- 2.6 Schedule 7 of the Agreement shall be deleted and replaced with the schedule set out at Appendix 3 to this Deed.

3 Continuation of Agreement

3.1 Except as expressly amended by the terms of this Deed, the Agreement will otherwise continue in full force and effect in accordance with its terms.

IN WITNESS OF THE ABOVE THE PARTIES HAVE EXECUTED THIS AGREEMENT AS A DEED ON THE DATE WRITTEN AT THE HEAD OF THIS DEED

EXECUTED as a Deed by the application of

the COMMON SEAL of the GREATER LONDON AUTHORITY

in the presence of:

EXECUTED as a Deed by

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HARINGEY

By affixing its Common Seal hereunto by Order

in the presence of:

APPENDIX 01 – Addendum to Schedule 1

The below Addendum to Schedule 1 sets out the project description of the 'ELC Project 2.5' 639 Tottenham High Road 'Forward Strategy and Building Repairs' milestone to reflect the increase in grant award and related additional activities.

ELC 2.5: Forward Strategy and Building Repairs

GLA contribution £2,300,000 grant

Project Description

639 High Road is an existing locally listed council asset under a long lease to the GLA that currently provides affordable office space, shared workspace, meeting spaces, a cafe, space for the borough's voluntary sector and council office space. Despite recent investment it remains underutilised and lacks the public identity befitting the building and its use.

GLA staff in collaboration with LB Haringey are developing a forward strategy for the GLA owned 639 Tottenham Community Enterprise Centre. The proposed Forward Strategy will seek to maintain the currently high levels of locally based business incubation and related economic development and explore community wealth building whilst reducing long term building maintenance costs. A project specification is being prepared to support the appointment of a new operator from March 2024 via a new fully repairing and insuring lease arrangement. This approach will be key to secure the future of the building for local economic development purposes in line with local expectations.

LB Haringey is supporting the GLA to develop the forward strategy and operating specification for the 639 Community Enterprise Centre to maximise outputs and outcomes and maximise local community wealth building. The forward strategy once agreed will allow the GLA to carry out £2.3m works to the building to deliver sustainable workspace that respond to local community needs.

Following safety concerns, significant remedial works are required to the fabric of the building to maintain its safe operation and continued service delivery, and to ensure the building and wider local economic development project can attract future operators from March 2024 in line with the proposed Forward Strategy.

Project Objectives

- Develop a Forward Strategy to maintain the currently high levels of locally based business incubation and related economic development and explore community wealth building opportunities, whilst reducing long term building maintenance costs.
- Address ongoing issues with the physical fabric of the building, to ensure safe operation and service delivery and that the asset is in a suitable condition to attract new operators and be let on a fully repairing and insuring basis.
- Commence procurement of a new tenant/operator and execution of a subsequent lease arrangement

Project Deliverables

- Develop a project specification to support the appointment of an operator from March 2024 and to inform a new fully repairing lease arrangement from that date onwards.
- Appoint and oversee the proposed remedial works that are required to the fabric of the building to maintain its safe operation and continued service delivery.
- Initiate a two-stage competitive procurement process, inviting submissions from interested workspace operators to undertake the operation of the 639 centre.

APPENDIX 02 - Schedule 2

<PDF of milestone and funding schedule to be inserted>

APPENDIX 03 - Schedule 7

Name of programme: Good Growth Fund – Enterprising Tottenham High Road
Name of applicant organisation: LB Haringey

	Total project value (GLA + Match)	Total GLA funding	GLA capital funding	GLA revenue funding	Total Match	Recipient Match	Non-Recipient Match	Recipient Match capital	Recipient Match revenue	Non-Recipient match capital	Non-Recipient match revenue
2018-19											
2019-20	£ 412,749	£207,432	£167,010	£ 40,422	£ 205,317.00	£ 100,973.00	£ 104,344.00	£ 100,973.00			£ 104,344.00
2020-21	£ 443,912.64	£303,644	£271,321	£ 32,323	£ 140,268.64	£ 140,268.64		£ 140,268.64			
2021-22	£ 588,809.77	£440,000	£440,000	£0	£ 148,809.77	£ 84,019.77	£ 64,790.00	£ 84,019.77			£ 64,790.00
2022-23	£ 4,045,546	£3,348,923	£3,221,669	£ 127,254.77	£ 696,623.18	£ 95,623.18	£ 601,000.00	£ 95,623.18		£ 601,000.00	
2023-24	£ 10,546,579.00	£0	£0	£0	£ 10,546,579.00	£ 9,032,579.00	£ 1,514,000.00	£ 9,032,579.00		£ 1,514,000.00	

I hereby certify that:

1. the organisation named above is eligible to provide public match funding

2. the match funding provided does not contain any funds which have been provided by the GLA group

Signed: _____

Name: _____

Date: _____