

Meeting: Overview and Scrutiny Board

Date: 11 April 2018

Wards Affected: All

Report Title: Parkfield

Is the decision a key decision? Yes

Executive Lead Contact Details: Julien Parrott, Executive Lead for Adults and Children, julien.parrott@torbay.gov.uk

Supporting Officer Contact Details: Andy Dempsey, Director of Children's Services, 01803 208949, andy.dempsey@torbay.gov.uk

1. Proposal and Introduction

- 1.1 The purpose of this report is to set out proposals for the future use of the Parkfield site (including Parkfield House) following the decision by Council not to approve the planning application that would have enabled the relocation of Torbay School (Brunel Academy).
- 1.2 For the purpose of this report, the Parkfield site encompasses the Parkfield youth facility (MyPlace) and Parkfield House as both remain operational delivery sites for Children's Services, whilst the latter features within the proposals recently brought forward by the Paignton Town Centre Community Partnership.
- 1.3 This report reflects the work recently undertaken by FMG Consulting Ltd to explore options for the future use of the site and further dialogue with the Education Funding Agency (Estates Team) to clarify their expectations and any constraints these place on decision making. The overall aim is to ensure that the exploration of future options proceeds from an exhaustive and accurate appreciation of the various constraints and opportunities that apply, with a particular focus on the development of youth related provision, in accordance with the funding requirements. A further consideration is how the site can support the Council in delivering its wider statutory responsibilities for the children and young people of Torbay. A copy of the Options Appraisal Completed by FMG Consulting Ltd is attached at Appendix 1.

2. Reason for Proposal

- 2.1 The Parkfield site comprises of a number of distinct elements currently supporting an eclectic range of local authority services, voluntary sector activity and open community use, with Torbay Council retaining overall responsibility for the site.

2.1.1 Parkfield Youth Centre (New Build)

Parkfield Youth Centre was developed via a Department for Education Lottery grant of £4.8m and opened in 2011. It comprises of a large recreation/performance hall, training

kitchen and café, music suite, climbing wall and IT suite. It is currently the operational base for the Youth Service and Young Carers Service and provides for 25 hours per week of delivery, of which 8 are targeted sessions for vulnerable young people, which, in total, engage around 120 individual young people. The building also hosts the Careers South West Service to benefit those young people vulnerable to becoming NEET (not engaged in education, employment or training).

A local organisation, Reach Outdoors are currently operating the climbing wall under a Tenancy at Will arrangement until the longer term future of the site is determined. They have been able to develop a viable business model working with groups of young people including schools and free sessions for the youth service.

2.1.2 Parkfield House

Parkfield House is a Grade 2 listed building and the current base for the Youth Offending Service (YOS) and Care Leavers' Service. The Crime and Disorder Act 1998 places duties on the local authority and its statutory partners (Police, Health and Probation) to co-ordinate the provision of youth justice in their local area. Torbay YOS work with some of the most complex and vulnerable young people in Torbay including those subject to custodial sentences. They are required to engage and supervise young people on an individual basis in order to address their offending behaviour and protect the wider community. The Care Leavers' Service forms part of Torbay Council's Social Care Service and aims to support young people leaving care to realise their aspirations for education and employment alongside supporting their personal and social development. Both services engage young people on site on a daily basis.

2.1.3 BMX Track

The BMX Track is a core part of the youth offer and is capable of operating as a regional and national competition track. A local club has been supported to run this and is seeking a lease to fulfil its ambitions within the site and to enable extended opening with safe supervision and training.

2.1.4 Skate Park

The Skate Park is an open access facility attracting a diverse age range and proving particularly popular for many young people who initially face barriers to engaging with mainstream services. The skate park is open when the building is not and, as such, is used from early morning to late evening.

2.1.5 Eat That Frog

This community interest company has enjoyed a longstanding partnership with Parkfield, partially maintaining the grounds through a skills and learning programme for those interested in horticulture and maintenance. Eat That Frog previously operated the training kitchen, but withdrew when the day-time alternative education offer ended on the site.

ETF has been on site and since 2013 providing a range of community based projects aimed at helping young people to get paid work. The work undertaken by ETF is funded by the Education & Skills Funding Agency (Department for Education) and Department for Work & Pensions and brings an investment into Torbay in excess of £800k annually. This work has been praised by local residents and the Herald Express in improving the site whilst linking people to paid employment.

ETF is classified by the Department for Education as a Specialist Post 16 Institution for learners with Special Educational Needs and listed as listed as an Independent Special School on section 41 of the Children and Families Act. There is an existing link with examples of learners progressing from the medical tuition service to ETF

The educational contracts held by ETF allow delivery of adult learning which may also be delivered on site and provide opportunities to run courses for “Young mums to be” and “Parenting” which will provide strength to the wider support of Torbay’s Children and Families at no cost to Torbay Council.

2.2 Since its opening in 2011 Parkfield (MyPlace) has experienced difficulties in securing and sustaining the revenue funding necessary to match the undoubted quality and scale of the facilities and deliver a comprehensive and enticing offer for young people. Parkfield is not the only youth facility developed under the MyPlace Programme which has experienced such challenges and nationally, a range of solutions have emerged:-

- An ongoing LA revenue contribution (often drawn from consolidating youth service delivery funding on to one site) matched or complemented by further private/voluntary/public sector funding. Examples: Bolton and Wigan Girls and Lads Club with a funding ratio of 40% LA, 40% donations and 20% user subs, Toxteth Fire Fit Hub which is part of ComMutual Housing Charity.
- A tapered (time limited) LA revenue contribution matched/complemented by private/voluntary/public sector funding with the aim of securing independent and sustainable youth provision after an agreed period of time. Examples: South Leeds partnership with the YMCA, Wirral Council and The Hive.
- Co-locating a range of daytime services for young people/community groups to cover premises costs and a revenue contribution to sustain/develop evening and weekend provision. Examples: Dawlish Red Rocks Centre or Bristol The Station.

2.3 A sustainable solution for Parkfield is likely to comprise of number of elements that taken together secure viability in the short term (in relation to premises operating costs), but with the potential to grow delivery and activity for young people over time. This could involve an ongoing LA financial contribution or entirely independent operation, on either a commercial or community basis, after an agreed period of time. Subscriptions from young people using the facilities are likely to be an element of the solution but only at the point the activity offer has matured to justify this. Within any future model, the Council is legally obliged under the EFA grant funding agreement and deed of dedication to facilitate youth provision for the site until 2030.

2.4 In light of the Council’s decision on the planning application for Torbay School (Brunel Academy), children’s services officers have had further dialogue with the Education Funding Agency (EFA) in order to clarify the considerations that would apply to any future proposals for use. EFA have confirmed that the Council is legally obliged under the grant funding agreement and deed of dedication to provide youth provision (as set out in the grant funding agreement) until 2030. The grant funding for the site being secured via the deed of dedication and restriction on title, with the potential for ‘claw back’ if conditions are not met. In summary, the DfE’s (via EFA) approval would be needed to dispose of the site and any such approval would not be given lightly.

2.5 Torbay Community and Customer Services recently engaged FMG Consulting Ltd. to assist with commercial development in a number of areas including the Riviera International Conference Centre. At the request of the Director of Children’s Services, this work has been extended to encompass an options appraisal for future use of the Parkfield site including:

- Do nothing (status quo)
- Co-location of Children’s Services
- Community management

- Commercial operator
- Asset transfer

- 2.6 A copy of FMG Consulting Ltd's report is attached at Appendix 1. Set out within the report is an analysis of the opportunities, challenges and implications for the options set out above. FMG do not come to a firm view on any single option as they acknowledge that any final decision will require a careful balance to be struck between best utilisation of the asset, financial considerations, community benefit and the Council's wider statutory obligations to provide services for children and young people.
- 2.7 The co-location option explored in the FMG report is for the Council's Medical Tuition Service to relocate to Parkfield (MyPlace). The Council's Medical Tuition Service (MTS) is currently located at Halswell House, Paignton and aims to meet the needs of pupils who cannot access education in a mainstream setting due to an ongoing medical condition. The MTS currently supports around 47 children from this site, a further 7 pupils in a hospital setting and around 15 children via an outreach IT based solution. There is an increasing demand for this service and Parkfield could provide for up to 60 places should the MTS relocate.
- 2.8 The criteria for access to the service is a diagnosed medical condition that continues to make access to an educational setting too challenging. A school may refer a student to the Medical Tuition Service, after a period of 15 days continuous ill absence or an admittance to a hospital. The school should include all relevant medical evidence from medical professional and supporting agencies to enable the application to be considered by the Pupil Referral Panel. It is the ethos of the service that wherever possible it will support an eventual return to a mainstream educational setting when the student is medically fit to do so. For this reason the pupil remains on the roll of both the school and the Medical Tuition Service.
- 2.9 It is important to note that the MTS is not currently registered with Ofsted although this is a legal requirement. The Halswell House site is a Grade 2 listed building would not meet the standards required to achieve registration, primarily due to poor access. Ofsted are aware of the situation and have not taken enforcement action on the understanding that the Council is working towards a solution. Dual registration has been implemented as an interim measure (maintaining pupils on the roll of their original school and MTS) to avoid pupils attending an unregistered provision. This issue is a standing item on the regular meetings between Ofsted, the DCS and Head of Education Services and a longer term solution will need to be communicated to Ofsted as soon as practicable.
- 2.10 Initial discussions with the TDA have identified that the remodelling of Parkfield (MyPlace) to accommodate MTS would be largely internal, with estimated costs set out in Table 1 below. Planning consent would be required for the external works which encompass fencing and car parking. The proposal would not involve any significant alterations to the external fabric of the existing Parkfield structure or any new build. Relocating the MTS would not interfere with the site's use on evenings and weekends for youth provision or community use.
- 2.11 The estimated capital costs would be funded from any unallocated sums from within the existing Children's Services capital programme and up to £600k of prudential borrowing to be funded from any future premises savings. Any remaining funding shortfall would need to be included in 2019/20 budget.
- 2.12 Should MTS not relocate to Parkfield it will require to be relocated to another existing site or a new build facility as soon as practicable. Table 2 below summarises the DfE guidance for alternative provision should the MTS require a new build facility. This figure excludes fees and charges and site acquisition costs.

Relocation to Parkfield would offset significant costs associated with a new build should this be required.

Table 1: Estimated Costs for remodelling Parkfield (MyPlace)

| TDA Property Services Estimate 05.02.18 | |
|--|--------------|
| Minor alterations | £ 331,200.00 |
| External works (fencing, access & car park)* | £ 110,000.00 |
| Preliminaries | £ 65,000.00 |
| Contingencies | £ 50,620.00 |
| Fees | £ 74,750.00 |
| F&E | £ 30,000.00 |
| *Excludes MUGA | |
| £ 661,570.00 | |

Table 2: DfE Recommendations for alternative provision

| DfE Recommendations (BB104) for Alternative Provision (Health) | | M ² |
|--|-----------|----------------|
| Basic Teaching | 60+4.5N | 276 |
| Halls, PE, Dining & Social | 40+0.6N | 69 |
| Learning Resources | 10+0.4N | 29 |
| Staff & Admin | 35+0.5N | 59 |
| Storage | 35+0.5N | 59 |
| Float | 70+1.1N | 123 |
| Min Net Area | 250+7.6N | 615 |
| Non-Net area | 150+2.9N | 289 |
| Min Gross Area | 400+10.5N | 904 |

DfE National benchmarking price per M² £ 2,651.00

£ 2,396,504.00

Note: Excludes statutory fees, survey costs, legal & land acquisition, loose F&E, external works and client departmental costs

2.13 Paignton Town Community Partnership (PTCP) has recently brought forward its own proposal for the future use of the whole of the Parkfield site. The proposal envisages an inter-generational approach with daily use of the centre by the over 50s and the remodelling of Parkfield House as a hostel and base for outdoor/adventure activities in order to fund the model. In May 2017, PTCP issues a further statement of intent to the Council seeking:-

- Full sign up 'in principle' to a community led solution.
- That Torbay Council provide details of premises costs, condition surveys (commissioning new surveys if more than two years old) and details of any land contamination or environmental issues
- The granting of a lease to the emerging partnership similar to that offered to Torbay School.

- That the emerging partnership be granted exclusivity – with no information being used to develop an alternative approach or passed to a third party or an open market process.

- 2.14 The Localism Act (Community Assets) provides community groups with the right to bid in the event of a relevant disposal of an asset, a relevant disposal being either sale of the freehold or awarding a lease. In addition, financial regulations require that all disposals or leases must be subject to a formal process where the market rent is over £10k per annum. There is scope for the Chief Finance Officer, in consultation with the Mayor and Monitoring Officer to waive these requirements but only where the proposed lease is in the best interests of the Council and the terms of the lease are unlikely to be bettered.
- 2.15 As one potential option is for the Council to retain the site and relocate the MTS thereby, potentially saving the Council significant capital spend, it would be difficult to justify awarding the lease to any community group without some form of processing being undertaken. A further consideration and challenge for the Local Authority is that the PTCP proposal requires the acquisition of Parkfield House which is currently the operational base for the Youth Offending Service and Care Leavers Service. Both services form part of the continuing obligations placed on Torbay Council as a unitary authority to deliver a range of statutory services for children and young people. There is no clear rationale for the relocation of either service, other than to enable PTCP to realise its aspirations for the wider Parkfield site. There would inevitably be revenue and capital costs associated with moving both services and, in the case of YOS, some challenge in finding a suitable site that provides a safe environment to engage young people open to the service whilst managing the risks they might pose to the wider community.
- 2.16 The relocation of Torbay School (Brunel Academy) was proposed as a means of sustaining, and over time, growing youth provision through a co-location model that also met the needs of some of the most vulnerable young people in our community. EFA's support for the proposal reflected their confidence in a co-location solution that combined an education setting with related youth services. The proposal to relocate the Medical Tuition Service (MTS) takes a similar approach but will not involve the physical change to the site necessary to relocate Brunel Academy. This option meets the Council's statutory requirements in addressing an urgent problem in relation to unsuitable and unregulated provision for some of the most vulnerable children and young people in Torbay. The co-located model has worked well elsewhere and represents the efficient use of a built asset, designed specifically to meet the needs of young people, against a very challenging financial background for both revenue and capital funding.
- 2.17 The previous proposal for Parkfield involved significant physical changes to the site, particularly to the MyPlace building, and raised planning concerns about the impact on the immediate locality due to their scale. Whilst the proposal to relocate MTS would require planning consent it does not require any new build or significant changes to the external fabric of the existing building associated with the previous proposal. The external works are limited to fencing and car parking and the internal remodelling would not interfere with community and youth provision at evenings and weekends.

- 2.18 It is important that the potential use of Parkfield by the Medical Tuition Service is not considered as being at the expense of the 'community' but rather the discharge by the Council of its obligations on behalf of the whole community of Torbay. The children and young people accessing that service are from across Torbay, including Paignton, and are amongst the most vulnerable in our community. Torbay Council Children's Services is currently subject to a Statutory Direction for failing to meet its obligations towards vulnerable children and young people. In such circumstances, priority must be given to ensuring its statutory services are placed on a sustainable and effective footing. Whilst the FMG report identifies clear opportunities for a community or commercial solution for Parkfield, the relocation of the MTS to Parkfield should be considered in that wider context.
- 2.19 In order to support the continued development of youth and community provision it is proposed to create a new governance structure for the site by establishing a user group comprising of representatives from Children's Services, MTS, Torbay Youth Trust, Eat That Frog, young people and Paignton Town Community Partnership to ensure provision develops in line with the original vision for the site and enable the community to have a voice within that journey. Torbay Youth Trust recently registered as a Charitable Incorporated Organisation (CIO) having dual registration with the Charities Commission and Companies House. The Trustees combine professional and academic expertise in the field of youth services and the opportunity to grow youth provision both at Parkfield and elsewhere through grant funding that would not otherwise be available to the Council. Under this option the Youth Trust would focus on the growth of youth provision both at Parkfield and elsewhere but without being directly responsible for the premises.
- 2.20 In conclusion, the FMG report highlights opportunities from commercial, community and statutory service use of the Parkfield site which could satisfy the revenue constraints and the aspiration to optimise site usage. However, any option which involved disposal or transfer of the asset would need to be carefully balanced against the proposal to relocate the MTS to Parkfield which would ensure the grant funding conditions continue to be met, off set a potential cost of around £2.4M should a new build be required, avoid the as yet unquantified cost of relocating services in Parkfield House, and meet the needs of particularly vulnerable group of Torbay children and young people. Moreover, the proposed governance arrangements to oversee the development of youth and community usage would ensure that local concerns can be accommodated whilst maintaining the Council's focus and commitment toward children and young people.

3. Recommendation(s)/Proposed Decision

- 3.1 The Overview and Scrutiny Board is asked to consider a potential recommendation to a future meeting of the Council which would include the following;
- the relocation of the Medical Tuition Service into Parkfield (MyPlace);
 - capital expenditure to be funded from any unallocated sums from within the existing children's serves capital programme and up to £600k of prudential borrowing to be funded from any future premises savings, with any remaining funding shortfall to be included in 2019/20 budget
 - the establishment of the Torbay Youth Trust, and;

- the creation of a Parkfield User Group comprising of representatives of the Youth Trust, Medical Tuition Service, young people and Paignton Town Community Partnership to develop the use of Parkfield at evenings and weekends.

Appendices

Appendix 1: FMG Consulting Ltd Options Appraisal of Parkfield Youth Centre

Background Documents

None