

Meeting: Cabinet

Date: 19th January 2021

Wards Affected: Preston

Report Title: Proposal for a 25 year lease to Eat That Frog for land at Parkfield.

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1. Purpose of Report

- 1.1 Children's Services seeks Cabinet approval for a 25 year lease to Eat That Frog C.I.C. (ETF) for land at Parkfield, Paignton.
- 1.2 ETF is commissioned by Children's Services to deliver services to some of the most vulnerable young people in the bay.
- 1.3 ETF are already based at and using the land at Parkfield. This lease will ensure that it has a long term base from which to establish itself and deliver those services.
- 1.4 A 25 year term will enable ETF to access external funding to support and subsidise its invaluable work with young people. If the longer lease is not approved then ETF will be unable to access these external grants and their work will be compromised and may not be able to continue from these facilities.

2. Reason for Proposal and its benefits

"We want Torbay and its residents to thrive."

"We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents."

- 2.1 These proposals enable Children's Services to deliver the Council's ambitions above by ensuring that young people have the opportunity to succeed. ETF is commissioned to work with some of the most vulnerable young people in the area. Their aim is to give them the life skills and experience needed to thrive. Their work supports the Council in fulfilling its statutory responsibilities as corporate parent and tackles the inequalities arising from deprivation and vulnerability.
- 2.2 Without a long term lease ETF will not be able to fully establish itself within the local area; this could negatively impact on the services it can deliver and the long term aspirations held by ETF and Children's Services for its delivery.

3. Recommendation(s) / Proposed Decision

- (i) That the Council issues a 25 year lease to Eat that Frog for land at Parkfield as outlined in the plan attached as Appendix 1; and
- (ii) That the Director of Place be given delegated authority to negotiate the terms of the lease to ensure that the Council's position is protected should Eat That Frog be unable to achieve the grant success they are hoping for.

Appendices

Appendix 1: Plan of area to be leased

Background Documents

Supporting Information

1. Introduction

1.1 ETF is a Torbay Based social enterprise (not for profit organisation). They are an award winning organisation which now employs 64 people and bring in £2m worth of funding to Torbay each year to benefit the community.

1.2 ETF has been working on the Parkfield site through the many and varied changes, and has been providing services from the site since 2013 which include:

- Provision of education and qualifications (contracted by the DfE as a Specialist Post 16 Institution, Torbay Council (SEND) and the ESFA for provision of Adult Education Budget
- Delivery of Prince's Trust Team programme
- Specialist interventions for mentoring and social justice contracted from DWP and grant funds
- Volunteering through ETF and its partners linked to social enterprise and community projects

Their services are to enable people facing barriers to life and work to overcome or manage these. Through these services they also operate social and community services which will be positively impacted by the compound at Parkfield. These include our "Community Fridge" and "Community Lunch Club" which will utilise fresh food from the community garden at Parkfield.

1.3 The services that ETF offer have grown substantially and they want to develop these further by accessing external funding grants. To support this aspiration, Children's Services are seeking to formalise its commitment and provide ETF a 25 year lease of the outbuildings and associated areas (see Appendix 1) to allow ETF to develop the site as follows:

- Providing a training centre for young and disadvantaged people to develop skills and overcome barriers
- Operate a community allotment/garden providing food for the Community Fridge
- Develop a social enterprise making and selling goods from the site, providing work experience for young and disadvantaged people on their journey to work

2 Options under consideration

2.1 ETF are seeking to invest in the outbuildings and grounds at Parkfield, and they have a track record in securing funding for this type of project, actually getting to a stage two application with the Lottery "Power to Change" for Parkfield outbuildings and grounds for £300,000 but were not able to continue without a secure lease. Funding for capital works from organisations like the lottery need a lease which covers 25 years, to protect the investment made under charitable grounds.

2.2 A shorter lease would not allow ETF to access these grants. If a 25 year lease is not granted then ETF may consider relocating to a different site. This could result in a more expensive service to access for Children's Services and it would leave the outbuildings at Parkfield vacant. Without significant funding from the Council to maintain these buildings they are likely to fall in to serious disrepair.

3 Financial Opportunities and Implications

- 3.1 The Council will be committing to a long term arrangement which would prevent the land being used for any other purpose including disposal. However, the outbuildings and grounds are in a poor state of repair and have listed building status. They are also subject to a restrictive covenant from English Heritage so are costly for Torbay Council to maintain and the options for alternative use are very limited. ETF represent one of the few uses allowed under the terms of the covenant.
- 3.2 Eat That Frog will pay rent at market value at £800 per annum.

4 Legal Implications

- 4.1 The Council would be committed to a long term arrangement. The detailed terms are to be agreed and are dependent in part on the requirements of the funders, however it is intended that unconditional break clauses will be incorporated into the lease in favour of the Council to provide flexibility to pursue alternative uses of the site in future years. In addition, the lease will include the usual terms and conditions which protect the Council as the landowner.

5 Engagement and Consultation

- 5.1 The proposal has been raised and discussed as an agenda item at various local forums, with all other interested parties and to those directly affected by the proposal.
- 5.2 This includes Children Services as the commissioner, Parkfield User Group Preston and Paignton Community Partnerships, Torbay Green spaces and the staff, young people, their families and other services users of ETF.
- 5.3 The feedback has been supportive.

6 Purchasing or Hiring of Goods and/or Services

- 6.1 No works or services will be purchased or hired as a direct result of this proposal.

7 Tackling Climate Change

- 7.1 This proposal has no differential impact on climate change.

8 Associated Risks

- 8.1 If the long term lease is not granted then ETF may not be able to deliver the services commissioned by the Children Services; this may incur additional revenue costs to the Council if the services are out sourced. If the services are not delivered then the Council would be failing in its statutory role as corporate parent and in fulfilling its duty to the most vulnerable in Torbay.
- 8.2 If the lease is granted then the Council is in a long term commitment and the land will not be available for any other purpose or for disposal. However, to date there are no alternative options for the site and the land is subject to a covenant and a deed which would prevent its disposal.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups		
	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Long term commitment to a service which directly and specifically benefits young people in the area		
People with caring Responsibilities	Long term commitment to a service which directly and specifically benefits young people in the area		
People with a disability			There is no differential impact
Women or men			There is no differential impact
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact
Religion or belief (including lack of belief)			There is no differential impact
People who are lesbian, gay or bisexual			There is no differential impact
People who are transgendered			There is no differential impact
People who are in a marriage or civil partnership			There is no differential impact

	Women who are pregnant / on maternity leave			There is no differential impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Long term commitment to ensure young people from deprived backgrounds are given the support they need and the opportunities to thrive Opportunity to break cycles of poverty		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Long term commitment to ensure vulnerable young people are given the support they need and the opportunities to thrive Service provides life skills for the future; creating a healthy and prosperous community in the bay		
10.	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	ETF and its services support the Council in its statutory role as corporate parent and in its commitment to helping and supporting the most vulnerable.		
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	Without the delivery of the services commissioned from ETF, the Council would be failing in part of its responsibilities and duty to the community.		