
| | |
|----------------|---|
| Meeting | Cabinet Resources Committee |
| Date | 24 September 2013 |
| Subject | Avenue House Estate Trust - Grant |
| Report of | Deputy Leader of the Council Cabinet Member for Customer Access and Partnerships |
| Summary | This report seeks approval to a grant of £250,000 over three years to Avenue House Estate Trust towards a programme of capital improvements to the outbuildings and grounds |

| | |
|---|--|
| Officer Contributors | Ken Argent, Grants Manager, Finance, Commissioning Group Anisa Darr, Head of Finance, Commissioning Group Jenny Warren, Head of Parks, Street Cleaning & Grounds Maintenance, Street Scene |
| Status (public or exempt) | Public |
| Wards affected | All |
| Key decision | No |
| Enclosure | None |
| For decision by | Cabinet Resources Committee |
| Function of | Executive |
| Reason for urgency / exemption from call-in | Not applicable |

Contact for further information: Ken Argent, Grants Manager, Finance, Commissioning Group, 020 8359 2020

1. RECOMMENDATION

1.1 That a grant of £250,000 be awarded to Avenue House Estate Trust, payable in three equal annual instalments in 2013/14, 2014/15 and 2015/16, towards a programme of capital improvements to the outbuildings and grounds, subject to:

- (a) the Standard Conditions of Grant Aid;
- (b) agreement of a work plan for both phases of the project, to include key milestones for monitoring and evaluation purposes;
- (c) confirmation of all statutory consents to the phase 2 works, including the council's formal consent as freeholder and corporate trustee;
- (d) confirmation of the approval of the Heritage Lottery Fund to a grant of £1,905,800 for phase 2 before the council funding earmarked for 2014/15 and 2015/16 is released;
- (e) monitoring that aligns with controls imposed by the Heritage Lottery Fund and which demonstrates progress in achieving milestones, targets and outcomes, to include the submission of monthly statements detailing expenditure against the grant and the right to undertake monthly site inspections;
- (f) officer representation on the trust's project board

2. RELEVANT PREVIOUS DECISIONS

- 2.1 CRC, June 2000: delegation of responsibility for day-to-day management of the Avenue House Estate to Avenue House Estate Trust (AHET).
- 2.2 CRC, October 2002: approval of a 125-year lease of the buildings and grounds to AHET.
- 2.3 DPR1043, March 2010: the most recent award of a grant (of £15,000) to AHET.
- 2.4 DPR1892, January 2013: approval of the budget for the London Boroughs Grants Scheme for 2013/14 and a further reduction (of £119,530) in the annual levy on Barnet.

3 CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan, 2013/14-2015/16 includes the following strategic objectives:
 - To create the right environment to promote responsible growth, development and success across the borough
 - To support families and individuals that need it – promoting independence, learning and well-being

- To improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study
- 3.2 Protecting and enhancing the natural (and built) environment, including investment in parks and open spaces to make them more attractive places for physical activity, leisure and play in support of the promotion of healthier lifestyles, is one of the ways in which the council seeks to maintain Barnet as a successful, prosperous place where an active community can thrive.

4. RISK MANAGEMENT ISSUES

- 4.1 All grants to voluntary and community organisations are made subject to the council's Standard Conditions of Grant Aid, with which applicants are required to signify their compliance by signing a written undertaking. Amongst other things, the conditions cover how awards are spent, allowing council officers a right of access to proof thereof, and requiring notification of any change in an organisation's circumstances which significantly affect its grant entitlement. The council reserves the right to withhold payment of any approved grant, or to demand full or partial repayment, if it appears that the organisation has failed to comply with any of the conditions attached to the award.
- 4.2 The grant recommended will be released in instalments linked to agreement of work plans and a monitoring regime to demonstrate progress in achieving key milestones, targets and outcomes, aligned to controls imposed by the Heritage Lottery Fund that will govern its investment in the project. In the interest of quality assurance and to ensure compliance with all technical aspects of the project, the council will seek appropriate officer representation on the trust's project board as a condition of the grant.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The core provisions of the Equality Act 2010 came into force on 1 October 2010 and the public sector equality duty (section 149 of the Act) came into force on 5 April 2011. Pursuant to section 149, the council must have due regard to the need to eliminate discrimination, harassment and victimisation prohibited under the Act and to advance equality of opportunity and foster good relations between those with protected characteristics and those without.
- 5.2 The protected characteristics are age; disability; gender reassignment; pregnancy and maternity; religion or belief; sex; and sexual orientation. They also cover marriage and civil partnership with regard to eliminating discrimination.
- 5.3 As with all projects funded by the council, AHET will be required to demonstrate recognition of the diversity of the community in Barnet and sensitivity to the needs of users, including people with protected characteristics and from different cultures, and to observe all statutory requirements, including those relating to equalities, employment practices and non-discrimination, issues that will be monitored in conjunction with payment of the recommended award.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance, Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 The recommended award of £250,000 will be payable in three equal tranches commencing in 2013/14, subject to compliance with the special conditions proposed, which, in the case of the sums payable in 2014/15 and 2015/16, include confirmation of the award to AHET of a phase 2 grant by the Heritage Lottery Fund as explained below.
- 6.2 The award will be defrayed from savings that have accrued to the council from the reduced annual levy payable to London Councils since 2011/12 in support of the London Boroughs Grants Scheme (under section 74 of the Local Government Act 1988) following decisions to scale down the scheme.
- 6.3 A sum equivalent to the three-year grant to AHET will be credited to the corporate grants budget in three equal tranches (rounded to £83,333 pa) in 2013/14, 2014/15 and 2015/16.
- 6.4 The grant will serve to secure substantial external investment in a valuable asset to the borough at a time of financial constraint when the council is unable itself to invest significantly in parks and open spaces, by virtue of which it represents good value for money to the Barnet taxpayer, a key consideration in the award of all grants.
- 6.5 No procurement or staffing issues arise.

7. LEGAL ISSUES

- 7.1 The council's investment in the project will be protected by the Standard Conditions of Grant Aid and implementation of the additional conditions set out in paragraph 1.1 above.

8. CONSTITUTIONAL POWERS

- 8.1 Council Constitution, Part 3, Responsibility for Functions - paragraph 4.6, as amended, reserves to the Cabinet Resources Committee the power to approve grants to voluntary and community organisations to the value of £20,000 or more.

9. BACKGROUND INFORMATION

- 9.1 The Avenue House Estate is a registered charity which derives from the will of Henry ('Inky') Stephens dated 16 May 1918. The will bequeathed Avenue House (now a grade 2 listed building), its grounds and outbuildings to the former Finchley Urban District Council "for the use and enjoyment always of the public". Responsibility for administration of the estate subsequently passed to successor authorities, latterly the London Borough of Barnet.
- 9.2 In June 2000, the council, as corporate trustee, agreed to delegate responsibility for day-to-day management of the estate to AHET, a registered charity and

company limited by guarantee, subject to compliance with certain conditions. Following approval by the Charity Commission of AHET's charitable objects and a new scheme governing the management of the estate, the council in October 2002 granted AHET a 125-year lease of the buildings and grounds at an annual peppercorn rent.

- 9.3 The estate offers a selection of rooms available for public hire; leased office accommodation used by voluntary and community groups; kitchen and catering facilities; a public museum run by an independent charity dedicated to the life of Henry Stephens; a ten-acre publicly accessible park including grassed areas, woodland walkways, water features and a children's playground, used also for public entertainment events; and a refreshment kiosk and tea room in the grounds.
- 9.4 The council awarded AHET a grant of £30,000 towards creating a working balance and further grants totalling £64,000 towards remedial repairs and restoration works between 2002 and 2004 on the basis that it sought no further assistance from the council for five years. In 2010, AHET was awarded a grant of £15,000 towards the rectification of dry rot in parts of the house.
- 9.5 Management of the estate is guided by a business and marketing plan which seeks to balance the generation of income at commercial rates for private and business functions against its use for voluntary, community and charitable purposes, for which discounted rates apply. There has been substantial investment in improving the fabric of the house, bolstering its marketability and attracting new customers, and preventing vandalism in the grounds, which has been essential in gaining the support of the community.
- 9.6 Over 10,000 people a year visit the house for weddings, other social functions, educational classes and meetings (excluding those who visit its permanent tenants). The grounds attract 55,000 visitors annually, situated, as they are, in an area of the borough with a shortage of public open space provision and in proximity to a significant pocket of social deprivation.

Restoration of Estate

- 9.7 AHET is about to launch a major capital restoration project to address a general physical decline in the overall condition of the estate, which includes several listed structures; preserve its heritage; expand its audience; and fulfil the estate's potential as a multi-faceted local resource. The project will:
- restore the landscape in the grounds, including the crown lifting of trees (to re-create views); the re-opening of pathways; the thinning of planting; and work on the open lawns, pond and cascade, rockery and 'The Bothy' garden;
 - restore the grade 2 water tower, at risk of demolition for health and safety reasons given its proximity to a major road unless its weakened structural integrity is preserved, and the irrigation system;
 - restore the grade 2 stable block, which has a major dry rot problem that threatens its long-term viability, for adaptation, together with the adjoining garage and yard, into a new café space and activity centre;

- re-furbish the children's playground;
 - improve the entrances, gates, hard surfaces and accessibility to people with disabilities
- 9.8 The project has been drawn up in consultation with the council, the Friends of Avenue House, other key stakeholders and members of the public. The council is in the process of signifying its formal consent as freeholder and corporate trustee. The work, for which all requisite statutory consents will be sought in advance of phase 2, will be carried out by professional contractors guided by English Heritage and other external agencies and in the context of an environmental management plan to protect the existing environmental assets of the site and minimise the impact on such. It will be overseen by a project board, supported by a new management structure created to guide the future development of the estate.
- 9.9 The management and maintenance of the site will be enhanced post-works by the adoption of a new ten-year management and maintenance plan; the provision of a full-time gardening assistant; the recruitment of two horticultural apprentices; and horticultural training for an expanded cohort of estate volunteers. AHET plans to apply for a 'Green Flag' for the estate within one year of completion of the capital works programme. The heritage of the site will be promoted in a number of ways including on-site interpretation linked a new smartphone 'app' and new Avenue House Estate web pages and on-site tours by trained volunteers.
- 9.10 An activity plan is to be commissioned to build on the legacy of the project, in particular the development of new audiences for the estate amongst children and young people; parents; members of black and minority ethnic communities; local residents with no access to private open space; and people with disabilities, as identified through a series of focus groups.

Cost / Funding

- 9.11 The total cost of the project is shown as £3,100,117, of which £213,864 is for development (phase 1) and £2,886,253 for implementation (phase 2).
- 9.12 The budget for phase 1 (£213,864) mainly comprises professional fees (project management, architects, surveyors, engineers, other consultants) (£161,078); recruitment costs; consultation; and other preparatory work, including in applying for planning permission and (listed) building consent. Phase one is due to be completed by February 2014.
- 9.13 The Heritage Lottery Fund has awarded AHET a ('Parks for People') grant of £101,800 towards this phase, leaving a shortfall of £112,064. A grant of £83,333 is sought from the council towards this sum on the basis that the balance (£28,731) will be met through the use of volunteers; in-kind support; and other fundraising.
- 9.14 The budget for phase 2 is in the sum of £2,886,253, of which capital costs account for £1,900,886 (mainly building materials and equipment (£1,526,171)

and professional fees (£195,698)). The balance (£985,367) includes estate management and maintenance costs over five years (£509,550); staff and volunteer training; publicity and promotion; and a contingency provision.

- 9.15 The Heritage Lottery Fund has signified its approval in principle to a further grant of £1,905,800 towards the delivery phase. A final decision on the award will be made in June 2014 following receipt of a detailed action plan; a management and maintenance plan; a conservation plan showing how the outcomes of the project will be sustained; and confirmation of how the shortfall of £980,453 will be met.
- 9.16 A council grant of £166,667 is sought towards the phase 2 shortfall on the basis that the balance (£813,786, including some costs spread over five years) will primarily be met through annual fundraising and in-kind (non-cash) contributions by AHET and volunteers.
- 9.17 The total grant sought from the council is therefore £250,000 over three years (£83,333 in 2013/14 for phase 1 and £166,667 over two years in 2014/15 and 2015/116 for phase 2).
- 9.18 Assuming that the phase 2 bid to the Heritage Lottery Trust is successful, the trust will prepare final designs and let contracts for the work between July 2014 and February 2015. The work on site will then be carried out over the following twelve months up to February 2016.
- 9.19 The request for a three-year grant of £250,000 is recommended for support, subject to the conditions set out above, having regard to the trust's achievements in regenerating Avenue House; its ambitious future plans for upgrading the estate for the benefit of the community; and the significance of the grant in helping secure Heritage Lottery funding of £2,007,600 (as part of a total investment of £23m in eleven parks across the UK) for this purpose.

10. LIST OF BACKGROUND PAPERS

- 10.1 Grant application by Avenue House Estate Trust and supporting documents.
- 10.2 Anyone wishing to inspect the background papers should telephone 020 8359 2020.

| | |
|--|-------------|
| Cleared by Finance (Officer's initials) | AO'B |
| Cleared by Legal (Officer's initials) | SD |