

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 89

Brighton & Hove City Council

Subject: Assignment of Lease at 13 Hollingbury Place
Date of Meeting: 2 March 2009
Report of: Director of Children's Services
Contact Officer: Name: Philip Ward Tel: 294270
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Key Decision: No
Wards Affected: Hollingbury & Stanmer

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The Youth and Connexions Service has occupied the ground floor of 13 Hollingbury Place on an informal basis since April 2008 providing a Connexions Plus Access Point, offering services to young people in the community. The tenant, The Hollingdean Development Trust, now wishes to formalise the arrangement by assigning their lease to the council.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member approves the proposal to take an assignment of the lease for the ground floor of 13 Hollingbury Place.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 In October 2004 The Hollingdean Development Trust took a 7 year lease of the ground floor of 13 Hollingbury Place at a rent of £7,500 pa. The lease has the benefit of security of tenure and a tenant only rolling break clause.

3.2 In April 2008 The Hollingdean Development Trust vacated the property and the Youth and Connexions Service (YCS) of the CYPT took occupation as a Connexions Plus Access Point. This was an informal arrangement and the council paid The Trust £10,500 to cover the cost of rent, rates and cleaning for one year. (The Trust and YCS have a close working relationship and a Youth Worker based at the property previously employed by The Hollingdean Development Trust is now an employee of BHCC, providing continuity of service).

3.3 Since the YCS's occupation of the premises it has become one of the most successful community based access points for young people. This supports the

CYPT's broader strategy for providing services to young people in the community where they live.

- 3.4 In September 2008 The Trust offered to formalise the arrangement with YCS and asked the council to enter into a sub-lease. At the same time, in order to protect their position, The Trust actioned their break clause to terminate the lease in April 2009 allowing them to vacate the property in the event that the YCS did not wish to remain in occupation.
- 3.5 Because of the success of the Connexions Plus Access Point the YCS are keen to remain in occupation and sought advice as to how this is best achieved. Following discussions with both The Trust and the landlord all parties are satisfied with the proposal for the council to take an assignment of the lease from The Trust.
- 3.6 The lease has less than 3 years remaining expiring October 2011. It has the benefit of security of tenure and also a tenant only rolling break clause. The initial rent was £7,500 pa and there is an outstanding rent review dated June 2008. It is the intention to agree the reviewed rent at a market level prior to completing an assignment. Under the lease the council will be responsible for rates, repairs and outgoings.

4. CONSULTATION

- 4.1 The Youth and Connexions Board has been kept informed of proposals.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The report deals with the formal assignment of the lease of 13 Hollingbury Place. The paper indicates that the current lease has an annual rent of £7500 for which there is currently an outstanding rent review dated June 2008. As well as the annual rent the council will also be responsible for rates, repairs and outgoings.

It should be stressed that all additional costs will need to be met from the youth and connexions service budget. It is therefore important that the position is reviewed regularly to ensure that there are no additional costs above the overall funding received.

Finance Officer consulted: Paul Brinkhurst

Date: 13/01/2009

Legal Implications:

- 5.2 S120 LGA 1972 enables the council to take an assignment of the lease of this property. It is not considered that any individual's Human Rights Act rights will be adversely affected by the recommendation in this report.

Lawyer Consulted: Anna MacKenzie

Date: 16/01/2009

Equalities Implications:

- 5.3 The use of 13 Hollingbury Place as a community-based access point for young people supports the CYPT's Equalities principles. It will address the needs of some of the most socially excluded young people in Brighton and Hove by providing access to integrated support services in the locality in which they live.

Sustainability Implications:

- 5.4 The use of 13 Hollingdean Place will allow for the sustainability of services to young people in the Hollingdean area. The lease has security of tenure and will allow the CYPT to deliver a locally-based Integrated Youth Support Service in line with Department for Children, Schools and Families (DCSF) strategic objectives.

Crime & Disorder Implications:

- 5.5 The proposals in this paper will fully support the prevention of crime and disorder as set out in the Children & Young People's Plan. The integrated team working out of 13 Hollingbury Place includes a Youth Crime Prevention Worker who works with young people at risk of offending or being involved in anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 In order to ensure we identify the full extent of the council's liabilities it is the intention to agree the outstanding rent review prior to completing the assignment.

Corporate / Citywide Implications:

- 5.7 The use of 13 Hollingbury Place as a community-based access point for young people supports the council priorities for community engagement and for working with at risk and vulnerable young people.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The council could take a sublease from The Trust but this would not have the benefit of security of tenure. In addition communication with the head landlord would be more difficult as the direct landlord would be The Trust and all communication would be via them.
- 6.2 The council could allow the Trust's lease to end and negotiate a new lease directly with the landlord. This is more time consuming than an assignment as the council would have to negotiate new heads of terms and agree the form of lease. As the existing lease terms are acceptable, this would not necessarily provide an additional benefit.
- 6.3 The council could seek alternative premises but officers have searched the market and supply is limited in the locality. In addition the subject premises are now established as a community facility.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The YCS have been in occupation of the property since April 2008 and consider it to be the best location for their Connexions Plus Access Point which is now established and successful.
- 7.2 The provision of services from this location supports the wider CYPT integrated youth support service strategy
- 7.3 The terms of the lease are considered to be reasonable, affordable and value for money.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

None