

CABINET

13 July 2021

Title: Delivery of Barking Riverside Health and Wellbeing Hub	
Report of the Cabinet Members for Regeneration and Economic Development and Social Care and Health Integration	
Open Report with Exempt Appendix 3 (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972)	For Decision
Wards Affected: Thames	Key Decision: Yes
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Accountable Strategic Leadership Director: Claire Symonds, Managing Director; and Elaine Allegretti, Strategic Director, Children and Adults	
Summary	
<p>Barking Riverside is one of the largest regeneration schemes in the Borough delivering a new community of over 10,000 homes with associated facilities on 2km of River Thames frontage. The London Overground extension is currently under construction which will provide an approx. 6-minute journey to Barking Town centre. The station forms a key part of the proposed District Centre at the heart of the development.</p>	
<p>Barking Riverside has been identified as one of the NHS's Healthy New Towns showcasing how new development can embed improved health and wellbeing from the outset. A key feature of the District Centre is a proposed Health and Wellbeing hub combining a new leisure centre with pool together with health and community facilities. Co-location of these facilities aims to embed the Healthy New Town principles encouraging physical activity and social interaction with others as key preventative measures encouraging healthy lives. This would be a new citizen focussed model of care for the local community. The hub will be a central point for the community to come together, maximise their wellbeing, and access a range of care and support services when they need them. The New Model of Care will see statutory and community partners working together to empower residents and facilitate activation of the Barking Riverside community, alongside making sure services are accessible and appropriate for maximising health outcomes for residents.</p>	
<p>As part of the outline planning permission, the Section 106 agreement sets out a number of obligations and commitments. At the time a combined facility was not envisaged therefore the S106 refers separately to leisure, health and community facilities. One obligation on Barking Riverside Limited (BRL) was to carry out a 'Leisure Centre Feasibility Study' prior to the occupation of 2000 homes to design and determine whether a facility is viable and if so enabling a financial contribution to be made.</p>	

A team of consultants appointed by BRL, working with a steering group including the Clinical Commissioning Group (CCG) and the Council, have produced the feasibility study in draft with the design worked up in consultation with a group of residents. As well as offering an innovative mix of uses, the hub will provide facilities that are not available elsewhere in the region (a “destinational” facility).

The proposed hub would be a centre piece of a new district centre attracting people to this hidden part of the borough and benefitting all residents in the Borough through a range of new facilities. Appendix 1 shows the site location in relation to the new station, the Riverside school, the jetty and the rest of the District Centre.

The feasibility study shows that the hub cannot be built by BRL for just the S106 funding available. There is an option for the Council to lead on the delivery and management of the hub borrowing to address the funding gap with repayment via the rental income. The Council would take a long lease (999 years) of the serviced plot from Barking Riverside at nil cost together with a total BRL contribution (including S106 obligations) of £22,253,328. This would be paid on completion of the hub.

As part of the Council’s procurement of [the leisure centre management], the option of the winning bidder (Everyone Active) to manage a future Barking Riverside Leisure Centre was included. Everyone Active are keen to manage the leisure element of the hub and have been involved in the design and demand assessments producing a business plan showing a guaranteed rent (Covid exemption). Their figures have been independently assessed. The Council would sublet the health space to NELFT at a market rent set by the District Valuer. The community space would be let at a peppercorn rent to the Barking Riverside Community Interest Company (if fully established by Practical completion, if not then temporarily then to BRL).

Separately the CCG have requested loan funding for the fit-out costs of the health space which would be repaid via an enhanced rent.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the development by the Council of the Barking Riverside Health and Wellbeing Hub on the terms set out in the report, which include the Council taking a long leasehold interest of the site shown edged red in Appendix 1 to the report at nil cost and entering into a Land and Works agreement with Barking Riverside Limited for the development;
- (ii) Approve the borrowing of up to £39.95m within the General Fund, subject to satisfactory due diligence and receiving confirmation of BRL’s contribution of £22.253m, as detailed in paragraph 2.2 of the report, being paid to the Council on Practical Completion;
- (iii) Support the proposed variation of the current Section 106 Agreement with relevant parties in respect of the Barking Riverside Development to reflect the changing circumstances and delivery of the Health and Wellbeing Hub, which shall be subject to the necessary approvals via the planning regime; and

- (iv) Delegate authority to the Managing Director, in consultation with the Strategic Director, Law and Governance, to agree and execute any agreements and contract documents to fully implement the project.

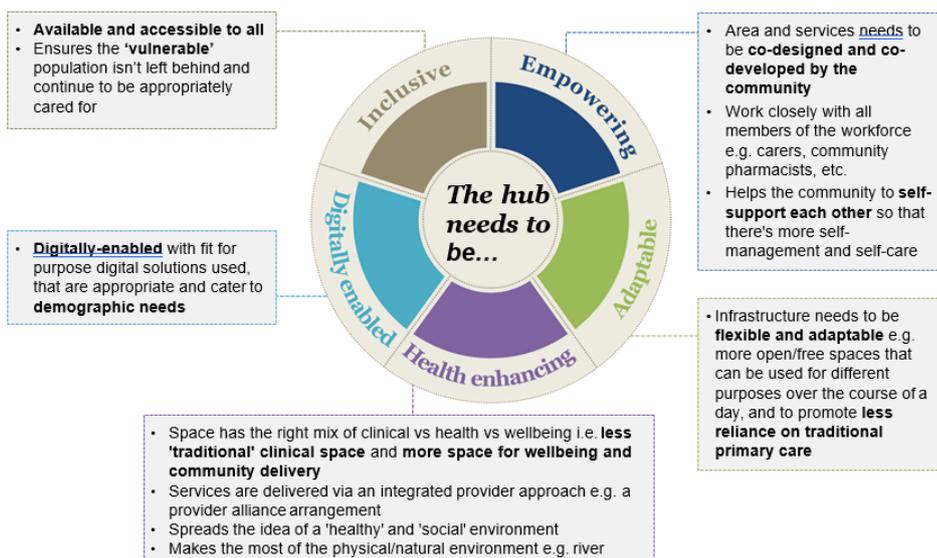
Reason(s)

Barking Riverside is a key part of the Borough's growth agenda and this proposal aligns to numerous Borough Manifesto objectives.

1. Introduction and Background

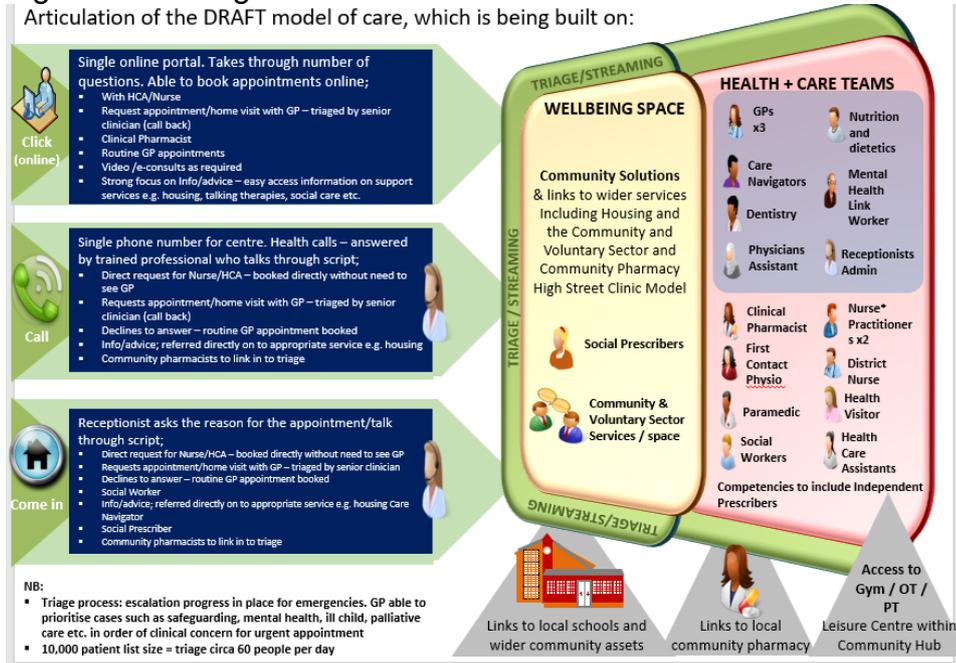
- 1.1 Barking Riverside is one of the largest regeneration schemes in the Borough, planning delivery of over 10,000 homes as part of a new community. This will bring around 30,000 people into the area (a population about the size of Windsor). The London Overground extension is under construction and will provide an approx. 6-minute journey time to Barking Town Centre once the line is operational next year. The station forms a key part of the proposed District Centre for Barking Riverside including a jetty for Thames Clipper Services. A key element of the District Centre is a proposed hub where leisure, health and community facilities are combined into a single building helping deliver the 'Healthy New Town' aspirations of the development.
- 1.2 Barking Riverside is the only site in a London borough to be selected as an NHS 'Healthy New Town'. The Healthy New Towns programme worked with 10 demonstrator sites across England to explore how the development of new places could create healthier and connected communities with integrated and high-quality services. This sought to address the so called 'social determinants of health' (the circumstances in which people are born, grow, live, work, and age) to improve health outcomes for these communities by addressing the following objectives: planning and designing a healthier built environment; enabling strong, connected communities; and creating new ways of providing integrated health and care services. As part of the Healthy New Towns journey, 10 principles were drawn up in Barking and Dagenham (Appendix 2).
- 1.3 Barking Riverside is situated in Thames Ward – one of the most deprived wards in the borough. Access to services (especially health services) is low and health outcomes are poor. Thames Ward has a higher rate of deaths from respiratory diseases, cancer, coronary heart disease and preventable diseases than the England average. Thames Ward also has high levels of domestic abuse and childhood obesity, high crime rates, and lower male and female healthy life expectancies than the borough average.
- 1.4 Thames Ward Locality has a relatively young population, even compared to the rest of the borough, with the highest proportion of under 16s in the borough and a higher birth rate than the borough average. Three quarters of the residents are from black, minority and ethnic groups, compared to the borough average of 63.6%. Thames Ward is a community with high social, health and financial needs – it is one of the 10% most deprived wards in England and has the second highest rate of unemployment in Barking and Dagenham (which has the highest rate in London). Financial deprivation is high in Thames Ward and this, along with language barriers are cited by residents as two of the main barriers to accessing the opportunities and support.

- 1.5 In relation to barriers to housing and services, Thames Ward is the most deprived Ward in England according to the Index of Multiple Deprivation 2019 (a series of statistics produced to measure multiple forms of deprivation at the small spatial scale). The Barriers to Housing and Services Domain measures the physical and financial accessibility of housing and local services, looking at 'geographical barriers', relating to the physical proximity of local services such as a supermarket, a GP surgery or a primary school, and 'wider barriers' including issues relating to access to housing, such as overcrowding, homelessness affordability. It is an area cut off from rest of borough by a main road (the A13), with very little service provision in the area, and challenges with public transport to reach other services in the borough. Thames ward has seen significant population increases in recent years with the construction of Barking Riverside. This influx of new residents brings new challenges for residents and services, and the need for residents to build connections in their new community.
- 1.6 Thames Ward is currently served by one medical centre – Thames View Medical Centre. By 2023 it is estimated that the resident population will have grown by 45.1%, and by 2033 it will have grown by 240.1% (the 2nd largest growth projection in London). This means that Thames View Medical centre will no longer have capacity to serve the whole population. The agreement with BRL was therefore that a new health facility would be provided as part of the new development to service the health needs of the new residents. This agreement was secured through the section 106 agreement linked to the development. The aspiration is to go beyond just providing a stand-alone health facility, and provide a facility which embodies the Healthy New Town principles, including using innovative models of healthcare, encouraging community participation and social inclusion, and promoting community participation in design to reduce health inequalities.
- 1.7 The aspiration for a combined health, leisure and community facility is underpinned by many of the Health New Towns principles, which have been incorporated into the aspirations visualised in Figure 1 below. The CCG, LBB and BRL have committed to these principles and have been working towards integrating them into the design of the built environment, and design and improvement of projects and services in Thames Ward (and beyond). They have also been incorporated into the emerging Local Plan and draft new Section 106 Supplementary Planning Documents.



- 1.8 The Clinical Commissioning Group (CCG) and the London Borough of Barking and Dagenham (LBBB) and Barking Riverside (BRL) have spent over two years developing a bespoke integrated model of care specifically targeted to improve the health outcomes for people living in Thames Ward. The model relies on the principle of integrating health, leisure and community services into one facility to build a holistic, future proofed model of wellbeing. It is agreed that the continued use of separate facilities will continue to promote reactive, siloed care whereas an integrated facility would provide collaborative and innovative delivery models focussed on prevention. The combined facility is referred to as the Health and Leisure Hub.
- 1.9 A New Model of Care for Barking Riverside been developed, led by the CCG and supported by LBBB, other NHS providers, the community and voluntary sector, local residents, and other local providers. This model of care puts care back into the heart of the community, aspires to empower the community to be part of care delivery, and puts strong emphasis on prevention of illness and promotion of wellbeing. The combined facility is central to this New Model of Care.

Figure 2: Barking Riverside New Model of Care



- 1.10 Much work is already underway in Thames View to pilot aspects of this New Model of Care, ahead of the Health and Wellbeing Hub being built. This work centres around activating the community and local assets to be key parts of the wellbeing journey for residents.
- 1.11 The intention is that the Barking Riverside hub will be the ‘community hub’ for Barking Riverside residents. This aligns with the ‘community hubs’ programme being led by ComSol, and discussions will be held as this project develops about how the council’s programme can integrate with the new facility. The CIC will co-ordinate a programme of activities and events and make space available for local groups to use the space.

2. Proposal and Issues

2.1 As part of the Barking Riverside Section 106 there was an obligation on Barking Riverside Limited to carry out a 'Leisure Centre Feasibility Study' prior to the occupation of 2,000 homes. A Leisure Centre contribution of £13.5m was identified towards the cost provided that the feasibility study confirmed the centre was viable for construction and operation with all funding secured. Barking Riverside Limited has produced a draft Feasibility study following extensive public and stakeholder engagement. The design team included consultants with experience of health and leisure facilities. The study was required to set out an initial design concept and estimated cost. After various reiterations which sought to reduce the construction costs, the final study cost exceeded £35m. This means BRL are not able to proceed with delivering the hub. The Council shares BRL's and the CCG's vision for the site and is proposing to take on delivery of the hub. This been assessed as a project for delivery by Be First.

2.2 LBBD would take a 999 year lease of the remediated, serviced, 0.88 acre site (shown in appendix 1) from BRL at nil cost and construct the facility. The BRL financial contribution, to be paid at Practical Completion (as per initial plan this will be towards the end of 2024), consists of:

Leisure Centre S106 contribution (less c.£55K spent on the feasibility study)	£13,433,046
Health Centre S106 contribution	£5,375,000
Community facilities S106 contribution	£2,100,000
Further monies for CIC space	£545,282
Further sum (subject to BRL Board approval July 21)	£800,000
TOTAL	£22,253,328

2.3 Appendix 3 sets out a financial appraisal of the scheme utilising these figures (this document is in the exempt section of the agenda as it contains commercially confidential information (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information). The first three years make a loss but as the 20-year cashflow shows the cumulative surplus builds across the period.

2.4 As part of the Barking Riverside Section 106, a Community Interest Company (CIC) with community leadership will manage community space across the development. The BR CIC would be offered a 125-year lease at peppercorn rent for the community space – if the BR CIC is not in place by practical completion BRL would maintain an end user position until it is. The Council would lease the leisure space to Everyone Active via the existing contract with its 5-year extension and lease the health space to NELFT for a minimum of 25 years with a market rent set by the District Valuer. The headline accommodation schedule the Council would need to deliver is as follows:

Community	572 m2 (inc café)
Health	1,756 m2
Leisure	4,128 m2
Toilets	63 m2
Plant	77 m2

- 2.5 A key feature of the leisure centre element is making the facility a destination which attracts people and secures regular visitors. The Council will need to agree with BRL a definition of 'destinational' facility. This is achieved by delivering something which is not available sub-regionally. Whilst this costs more it is essential to drive usage numbers especially whilst Barking Riverside is only in its initial phases.
- 2.6 In short, the proposal aims to appeal to the widest range of potential users across the day/week and critically to encourage regular return visits. It does this through the innovative use of technology and the facilities. The former includes digital walls/ceiling (projections) where images and themes change to suit different times of day, seasons, celebrations/festivals, audiences and trends compared to a set theme/look which limits the offer considerably. The latter consists of a range of slides, flumes, rides, splash desk, hydrosphere waterpark as well as standard swimming space again in order to maximise the number of people wanting to use the centre including provision for all ages. Everyone Active have produced an assessment which has been independently reviewed. This includes a guarantee rent (covid exemption) which has been included in the financial model. Everyone Active are in the fourth year of the 10 year agreement which has the option of extending for a further 5 years which would be beneficial for this scheme.
- 2.7 The Waterpark Design aspirations are:
- Thoughtful innovative design – seamless integration of architecture, landscape and water.
 - Variety of high calibre rides and activities – thrills, speed and competitive challenges.
 - Water based leisure with friends and family, floating, lounging, relaxing, social interaction.
 - Cater for all demographics, create memorable moments, unforgettable experiences.
 - Innovative, imaginative, creative interactive, latest technology and next breakthrough.
- 2.8 As well as extensive swimming provision, the leisure element will include a fitness suite (gym) with external views and views over the pool. Level 2 will have two studios which can be joined to create a combined event space – again with internal and external views. The facility will include a community garden for activities like yoga and an activity terrace with planting and potentially food/herb growing. The community facilities will include a large hall. The café has been designed to have a 'dry side' and 'wetside' which will help increase dwell time and capture spend from all the different uses as well as being a focal point.
- 2.9 Leisure and health facilities by the nature of the plant and equipment required are complicated schemes. Be First asked Wilmott Dixon (one of Be First's framework contractors) who have extensive experience of delivering leisure and health facilities (including Abbey Leisure Centre) to review the designs and costings carried out to date. They have made sensible recommendations but broadly think the facility could be delivered in line with the budget set out. Clearly more detailed design through a PCSA is required. Subject to Cabinet approval this would follow standard Investment Panel approval whereby at Gateway 4 a confirmed contract price would be agreed.

- 2.10 Various design 'red lines' have been set by BRL and the CCG following the design process and public engagement. These largely follow principles which are not a problem and are supported by the Council. A change management process will be established which will give BRL and the CCG some control over changes that materially impact on the Employers requirements. Given the importance of the building as a focal point of the new District Centre, it is important that its external appearance reflects the investment made – this is shared across the parties.
- 2.11 Barking Riverside Limited are due to provide a detailed pack of information about the plot and the servicing. This is not available yet but BRL have confirmed "BRL will provide a serviced plot prepared and remediated in accordance with the remediation strategy approved by the Council under the Outline Planning Consent. The land pack will include ground investigation reports, interim verification reports and other documentation, such as utilities plans, in support of this. This is consistent with the information provided for other serviced land plots across the site." There is a change of levels across the site - which generates threats but also opportunities - but it will be important to understand any retaining wall requirements and impact on construction cost. BRL have also highlighted the potential for a fee-free licence for a site compound to facilitate construction given the development utilised the whole of the development site. The Council would enter into a Land and Works agreement setting out the standard BRL expect from contractors within Barking Riverside – this should fall within Be First's standards.
- 2.12 Service charges would be shared between the leisure use and health use – no service charge will be levied on the community facilities. The service charge would recover the full costs of the facility with no further revenue from the Council required.
- 2.13 In relation to Planning, BRL are responsible for submitting the District Centre Sub Framework Plan (SFP) and discharge of associated conditions. Be First/LBBD would lead on the RIBA Stage 3 planning approval process and submit a Reserved Matters planning application for the hub and for the discharge of conditions. Given the S106 agreement did not fully envisage the proposed recommendation there will be a requirement to seek an amendment/Deed of Variation to the S106 to reflect the revised arrangement, which could also include confirmation of the revised funding arrangements.
- 2.14 Legal advice will be required on Stamp Duty Land Tax and State Aid implications to confirm there are no problems with the recommendation.
- 2.15 The building will link into the District Heating network being established by L&Q Energy at Barking Riverside.

3. Options Appraisal

- 3.1 **Do Nothing** - The Council is not obliged to do anything. If the recommendations were not agreed, it would likely result in Barking Riverside Limited submitting the feasibility study confirming the hub could not be built for the available S106 funding. This would mean the £13.4m contribution would not be made. It would mean that the opportunity for a trail blazing health/leisure/community facility would be lost.
- 3.2 **A Reduced cost facility** - Part of the reason for higher construction costs relates to the enhanced leisure centre offer however this is identified as critical to achieving

the usage required to generate the rental income so reducing construction costs may not result in improved viability if rental levels decreased.

- 3.3 **Separate uses** - Whilst there are some additional costs due to collocation of facilities, there are also some savings. Whilst in theory health and community uses could form part of other Barking Riverside buildings, this would fail to deliver the benefits of an integrated facility reflecting the Healthy New Town principles and how the health agenda will increasingly focus on encouraging physical and social activity to prevent poor health.
- 3.4 **Recommended** – The option of the Council building the Health and Wellbeing hub. This option is recommended as it maximises the use of the BRL financial and land contribution to facilitate delivery of a facility which will be an innovative mix of uses delivering a wide range of Council priorities and securing a ‘destinational’ facility at the heart of the District Centre.

4. Consultation

- 4.1 Consultation regarding the outline planning approval identified support for the different facilities and work on the Healthy New Towns has generated support for co-located facilities. There has been active engagement with a group of 7 local residents in the design process for the hub – this will continue as part of the process.
- 4.2 There will be more detailed public consultation as part of a Reserved matters planning application for the facility.

5. Commissioning Implications

Implications completed by: Darren Mackin, Head of Commissioning and Place, Inclusive Growth

- 5.1 The Council’s corporate plan sets out our approach to commitment to delivering inclusive growth in Barking and Dagenham. The most critical aspect of our approach is that growth in the borough must benefit those who live here and make an impact on a range of outcomes for residents, which we know are not where we need them to be. The proposal set out in this paper for the Council, via Be First to intervene to enable and accelerate the delivery of this innovative project exemplifies these aims.
- 5.2 As the paper sets out not only is the community in Thames ward growing community, it is also one that faces similar, if not more complex challenges, to those experienced in other parts of the borough. The delivery of this facility in this part of the borough will provide residents with access to a high-quality facility that will enable them to access services, as well as a comprehensive health and fitness offer, in the heart of their community.
- 5.3 The Council, BRL and the CCG have worked alongside the community in developing these proposals. We have committed to continuing this dialogue with the community as the detailed plans for the centre develop over the coming year.

6. Financial Implications

Implications completed by: David Dickinson, Investment Fund Manager

- 6.1 The report covers the delivery of the Barking Riverside Health and Wellbeing hub. The hub will include a leisure centre and pool and will be part funded from a Section 106 agreement.
- 6.2 The detailed financial information is set out at **Appendix 3**, which is in the exempt section of the agenda as it contains commercially confidential information (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 6.3 Whilst Barking Riverside Limited have committed to the contributions set out in paragraph 2.2 (subject to a July Board approval) given these will be paid at Practical Completion it will be important to ensure the variations to the S106 give the Council strong leverage to ensure payment.

7. Commercial Implications

Implications completed by: Hilary Morris, Commercial Director

- 7.1 As set out in the report, in order to progress delivery of the health and leisure hub as part of the vision for Barking Riverside to be an NHS 'Healthy New Town', this proposal is requesting permission for the Council to take a long leasehold interest in the new district centre at nil cost, facilitate the delivery of the build via Be First and then subsequently sub-lease the site at practical completion.
- 7.2 The Council is in advance discussions with the Clinical Commissioning Group and Everyone Active, with whom the Council has an existing contractual relationship, to ensure the proposals for the design and fit out of the facility will meet their respective needs and provide the site with facilities that are not available within the sub-region to enhance its attractiveness to visitors. It is worth noting that Barking and Dagenham has some of the highest rates of attendance at swim lessons in the Country and the opportunity to add capacity for additional swimming provision within the Borough is positive.
- 7.3 As part of discussions Everyone Active have proposed a financial model that is based on a number of assumptions including; the number of people within Everyone Active's existing London customer base which will be the main target market, swim lesson take-up is based on the size of the pool and benchmarked on other single tank pools in the Everyone Active portfolio and standard assumptions have been input around maturity level of usage for new sites. These assumptions have been independently verified by an external leisure consultant, but they are assumptions and actual usage and financial performance cannot be guaranteed.
- 7.4 The potential for new leisure facilities to be developed was anticipated within the procurement of our leisure operator and therefore subject to approval of this proposal it would be intended to formalise the legal agreements with the respective parties.

8. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance & Standards Lawyer

- 8.1 As set out in the main body of the report the section 106 Town and Country Planning Act Agreement for the Barking Riverside development obligations envisaged that the Developer BRL would provide the leisure and health hub.
- 8.2 For reasons set out in the report it appears the BRL are not able to finance the delivery as their calculations lead them to believe the cost would be in excess of their ability to fund.
- 8.3 Instead a proposed option is that the Council would take over the delivery of the leisure and health hub and with the funding it is understood would be forthcoming from BRL then it would be feasible. At present the agreement does not cater for this arrangement so a deed of variation to the section 106 agreement would need to be executed to reflect the Councils lead in the delivery and ensure that BRL would provide the funding. As these agreements are binding on the land and a requirement for the planning permission an application will need to be made to the Local Planning Authority for agreement to a deed of variation.
- 8.4 The Council has the power to enter an agreement for the construction of the health and leisure hub by virtue of the general power of competence under section 1 of the Localism Act 2011, which provides the Council with the power to do anything that individuals generally may do. Section 1(5) of the Localism Act provides that the general power of competence under section 1 is not limited by the existence of any other power of the authority which (to any extent) overlaps with the general power of competence. The use of the power in section 1 of the Localism Act 2011 is, akin to the use of any other powers, subject to Wednesbury reasonableness constraints and must be used for a proper purpose.
- 8.5 Notably, the purpose of this proposal is to drive regeneration, further support is available under Section 111 of the Local Government Act 1972 (1972 Act) which enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions, whether or not involving expenditure, borrowing or lending money, or the acquisition or disposal of any rights or property.
- 8.6 The Council has capacity under section 120 the Local Government Act 1972 to acquire the interest in land for the benefit improvement an development of its area and in due course under section 123 of said Act to grant a lease to the Heath and Leisure Services Occupiers.
- 8.7 Since the UK has left the EU and signed the Trade and Cooperation Agreement, and the European Union (Future Relationship) Act 2020 legislation has been passed. It has not liberalised abilities for Local Authorities to set favourable loans or support enterprises. The final regime at time of writing has yet to emerge. The UK still has World Trade Organisation obligations. Nevertheless, until there is a general enabling power for the public sector to provide assistance, the existing principle that to avoid challenges of "State Aid" or subsidies, then transactions should be at market and economic operator terms still applies. Thus, any loan or finance passed to the project must be at market terms. Furthermore, even if there were latitude, there remains an overriding principle of fiduciary duty on the Council in its

stewardship of its assets and to manages its finances prudently and obtain best consideration in its endeavours. In the present case the preferred option is to deliver the hub rather than to benefit BRL.

- 8.8 This arrangement will be on a commercial footing and the current indication is that the contract award is over the threshold for works contracts under the Public Contracts Regulations 2015 (PCR) and is thus subject to the requirements regarding tendering and transparency of award.
- 8.9 Taking account of the site's history (near the River Thames) there will be the imperative to ensure that all land, development and environmental risks are identified and managed through feasibility studies to ensure the preferred development option is deliverable before significant expenditure, and mitigation strategies put in place. Potential risk arising include, but are not limited to, any third-party rights or restrictions or incumbrances which may frustrate or prevent the development of the land. Also, care will be needed to ensure understanding of the risks of and presence of historical land contamination and potentially as being close to the Thames the presence of live WW2 ordinance. If so, any remedial action and the costs of such remediation would need to be factored into the feasibility and viability considerations to ensure that the site is suitable for the construction of the development that any contamination is capable of being remedied and that BRL do carry the necessary remedial works.
- 8.10 As there are no persons detrimentally affected by the development such as existing residents that would be displaced there are no specific human rights issues. Nevertheless, the situation will be monitored and should any points or issues occur they will be addressed.

9. Other Implications

9.1 **Risk Management** - A detailed Risk Register has been established and will be a key part of the project delivery moving forward. It is clear that BRL's contribution is capped at the figure in paragraph 2.2 and that the Council would be taking on the construction risks. Key risks include:

- Materials prices – These have risen considerably in the last 6 months due to increased global demand and are expected to remain high throughout the rest of the year. It is anticipated that prices will fall as of 2022 but this needs to be monitored.
- Material delays – Due to the above, lead in times have increased for several elements which again is expected to improve in 2022.
- Remediated site – The site is to be handed over serviced and remediated by BRL. The correct warranties will need to be in place before a main contractor takes possession.
- Proximity to Railway – New Overground extension due to commence August 2022. Use of Cranes, etc may be restricted.
- Pool Design – Careful design and placement of backwash and balance tanks to ensure scheme stays within cost parameters.

9.2 **Contractual Issues** - It is proposed to utilise Be First's Contractors framework to appoint the principal contractor.

- 9.3 **Staffing Issues** – Given the cross-cutting nature of the project a number of Council officers have been involved in the development of the project. They will continue to have oversight whilst the delivery stage will be managed by Be First funded through the project capital costs in the same way as other Council investment projects.
- 9.4 **Corporate Policy and Equality Impact** – The scheme aligns to a significant number of Council priorities including cross cutting themes. An EQIA has been produced and will be developed as the project moves through the planning and design stages.
- 9.5 **Safeguarding Adults and Children** - The proposal will improve the wellbeing of children and vulnerable adults in the borough and reduce inequalities through the provision of a wider range of leisure/health and community facilities in an integrated manner.
- 9.6 **Health Issues** – This scheme is critical to a new model of health – a key feature of the Healthy New Town as set out in the body of the report.
- 9.7 **Crime and Disorder Issues** - Providing a wide range of facilities at Barking Riverside will increase activity and help deter crime and ASB. As part of the planning process crime and disorder issues will be specifically considered.
- 9.8 **Property / Asset Issues** – The proposal will result in the council gaining a long lease of the site and subsequent building. As set out in the report there will be a number of shorter leases to partners for different elements of the space.

Public Background Papers Used in the Preparation of the Report: None.

List of appendices:

- Appendix 1: Plan of site for Health and Wellbeing hub
Appendix 2: Healthy New Town Principles
Appendix 3: Financial Summary (exempt document)