

**Report for:** Leader Signing, 14<sup>th</sup> February 2017

**Item number:** 4

**Title:** Tottenham Housing Zone: funding agreements with third parties to undertake Housing Zone interventions and enabling works

**Report authorised by:** Helen Fisher, Tottenham Programme Director or Lyn Garner, Director of Regeneration, Planning and Development

**Lead Officer:** Peter O'Brien, Area Regeneration Manager, Tottenham Hale & South Tottenham, x4371, [Peter.OBrien@haringey.gov.uk](mailto:Peter.OBrien@haringey.gov.uk)

**Ward(s) affected:** Tottenham Hale

**Report for Key/  
Non Key Decision:** Key Decision

## **1. Describe the issue under consideration**

- 1.1. Previous Cabinet Reports on the Tottenham Housing Zone programme (Tottenham Hale Regeneration Programme 15<sup>th</sup> July 2014, Tottenham Hale Strategic Development Partnership 12<sup>th</sup> July 2016, Tottenham Housing Zone Phase 2 13<sup>th</sup> September 2016) have noted a proposed delivery approach in detail, including allocations of funding to individual interventions and proposed delivery models.
- 1.2. On 15<sup>th</sup> July 2014 Cabinet agreed to enter into the Overarching Borough Agreement with Greater London Authority ("GLA") for Housing Zone funding for Tottenham Hale. The Housing Zone programme includes over £44m for Tottenham Hale alone and £100m in funding across Tottenham, and it is recognised that individual funding amounts and allocations within this will evolve as the programme develops. However, authority has never formally been granted for the Council to enter into funding agreements with third parties which is required in order to achieve enabling and supporting works that unlock the delivery of Housing Zone sites.
- 1.3. A portion of the Housing Zone funding of £44.115m from the GLA for Tottenham Hale will be used to provide grant funding agreements to relevant third parties.
- 1.4. This report seeks approval for the Council to provide the grant fundings to these third parties, as per the interventions and funding packages agreed with the GLA

## **2. Cabinet Member Introduction**

N/A

### **3. Recommendations**

The Leader agrees:

- 3.1.** To the Council providing grant agreements to third parties, from the Housing Zone monies received from the GLA, up to the maximum amount of grant fundings and to the recipients as set out in the table attached in the exempt Part B of this report and that this authority is subject to the Council entering into the relevant Borough Intervention Agreements with the GLA for these funding amounts.
- 3.2.** To give delegated authority to the Director of Regeneration, Planning and Development after consultation with the Cabinet Member for Housing, Regeneration and Planning, the Chief Operating Officer and the Assistant Director of Corporate Governance to agree the final amount, the terms and conditions for providing the grant funding.

### **4. Reasons for decision**

- 4.1.** Cabinet has already decided to enter into an Overarching Borough Agreement (OBA) with the Greater London Authority (GLA) for Phase 1 of the Tottenham Housing Zone, and to agree and vary any further funding agreements with the GLA. This OBA provides detailed descriptions of targets for funding and proposed delivery models, however it is recognised that allocations of funding as well as precise sums on individual interventions may vary in line with existing delegations.
- 4.2.** The package of interventions funded through the Tottenham Housing Zone for Tottenham Hale includes utilities diversions, site enabling and infrastructural works. It was always assumed that third party funding agreements would be necessary to achieve these interventions as the Council is not in a position to deliver development of this scale. Developer partners can be best placed to achieve the enabling works needed to unlock housing sites and deliver much-needed housing, including affordable housing. The table in the exempt Part B of the report sets out the maximum amounts, the recipients and the purpose for which the grant fundings will be provided.

### **5. Alternative options considered**

- 5.1.** Option 1 – do nothing: A do nothing option would entail separate Cabinet approval for each funding agreement, which would significantly delay funding packages needed to bring forward the delivery of sites within the Tottenham Housing Zone and therefore greatly reduce operational effectiveness.
- 5.2.** Option 2 – enter into funding agreements with third parties under delegated authority, according the funding programme agreed under existing delegation with the GLA and detailed in previous reports, secures the effective delivery of sites within the Tottenham Housing Zone and ensures resources are targeted at interventions with the clearest delivery potential.

**5.3.** Option 2 was identified as the preferred option for reasons of supporting the effective regeneration of Tottenham through the delivery of the Tottenham Housing Zone and in line with the Council's established strategies.

## **6. Background information**

**6.1.** On 1st September 2015, the Council became the first authority to enter into a Housing Zone Overarching Borough Agreement (OBA) with the Greater London Authority (GLA). This OBA focused on South Tottenham and resulted in an agreed GLA programme of investment into Tottenham Hale and Seven Sisters, amounting to £44.115m of funding for affordable housing cashflow, infrastructural and site enabling costs and public realm improvements.

**6.2.** The Council and its partners subsequently progressed a significant amount of development work to further refine delivery plans, including the adoption by Cabinet in February 2016 of the Tottenham Hale District Centre Framework and the decision by Cabinet in July 2016 to enter into a Strategic Development Partnership with Argent Related. As a result the Council proposed a revised set of interventions to the GLA which were incorporated into a new Phase 1 OBA.

**6.3.** The Council is required to enter into Borough Intervention Agreements (BIAs), which sit under agreed OBAs and which include scheme details, conditions precedent and monitoring requirements, with the GLA before passing funding to third parties as agreed.

**6.4.** Housing Zone funding is conditional on direct and indirect outputs in terms of housing units delivered. Housing Zone funding impacts positively on the viability of sites where interventions are to take place, allowing the Council to ensure an increased portion of affordable housing and unlocking the delivery of much-needed housing in a key opportunity area.

**6.5.** Wherever possible and where there are transactional costs to the Council in entering into funding agreements or where fees have already been incurred by the Council relating to a specific intervention, these will be recouped before funding is passed to third parties. Transactional costs which cannot be recouped through Housing Zone funding will be contained to existing revenue budgets.

**6.6.** As an example, one intervention will require the reorientation of a road in order to unlock a site which can deliver a significant amount of affordable housing. The Council will enter into a BIA with the GLA and, after recovering transactional costs and any other reasonable fees incurred on design work or otherwise, will enter into a funding agreement with a developer partner delivering the agreed enabling works.

**6.7.** In order to minimise risk to the Council, funding agreements with third parties will, wherever possible, include conditions precedent and monitoring requirements directly from BIAs agreed with the GLA. In the example above, this would include a requirement to progress design, cost schedules, housing delivery details and management and maintenance regimes. Third parties subject to funding agreements will also be required to provide due diligence

information prior to signing and will continue to provide monitoring information as schemes are delivered.

## **7. Contribution to strategic outcomes**

**7.1.** The Housing Zone will bring benefits across a range of the Council's strategic objectives, but in particular:

- Priority 4: Drive growth and employment from which everyone can benefit
- Priority 5: Create homes and communities where people choose to live and are able to thrive

## **8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

### **Finance**

**8.1.** Finance can confirm that proposed spend is within current budget and will be delivered within budgets already approved. This covers full recovery of any transactional costs, if needed, and controlling any other costs within revenue budgets approved to date.

### **Procurement**

**8.2.** There are no procurement implications relating to the recommendations stated in this report.

### **Legal**

**8.3.** The Council will be relying upon the General Power of Competence ("general power") contained in Section 1 of the Localism Act 2011 to provide the grant fundings.

**8.4.** This report seeks authority to provide grant fundings for the maximum amounts, for the purposes and to the recipients set out in the exempt version of this report. The Leader should note that the Borough Intervention Agreements for the Housing Zone fundings for Tottenham Hale have not as yet been entered into and as such the Council is not in a position to draw down any of the grant fundings mentioned in this report.

**8.5.** Legal advice will be required prior to any funding agreement being entered into to ensure that the funding agreements comply with the requirements of the Borough Intervention Agreements and that they comply with all statutory provisions.

### **Equality**

**8.6.** The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
  - advance equality of opportunity between people who share those protected characteristics and people who do not;
  - foster good relations between people who share those characteristics and people who do not
- 8.7.** An EqlA informed the Cabinet’s [decision on the 9th February 2016](#) to adopt the Tottenham Hale District Centre Framework and accompanying strategies. This EqlA was in turn considered in conjunction with the [July 2016 Cabinet decision](#) to enter into the proposed Strategic Development Partnership, as it proposed arrangements to be tasked with the delivery of key parts of the Tottenham Hale District Centre in line with these strategies. The EqlA identified that all groups of residents should benefit from the proposals set out, including improved transport links and the local network of streets, improvements in access to green open spaces and new public spaces, a mixture of new housing developments and plans to increase jobs and training opportunities in the area.
- 8.8.** High Road West is a key focus of Tottenham Housing Zone Phase 2. An EqlA was completed for the High Road West Masterplan, which was [agreed at Cabinet in 2014](#). The EqlA describes the proposals; identifies the impacts on the “protected groups”, i.e. those with protected characteristics under the legislation (age, sex, ethnic origin, sexual orientation, disability, etc); and explains how those impacts which are negative (for example, the need for disabled and old people to move home) can be mitigated, where this is possible.
- 8.9.** High Road West is a key focus of Tottenham Housing Zone Phase 2. An EqlA was completed for the High Road West Masterplan, which was agreed at Cabinet in 2014. The EqlA describes the proposals; identifies the impacts on the “protected groups”, i.e. those with protected characteristics under the legislation (age, sex, ethnic origin, sexual orientation, disability, etc); and explains how those impacts which are negative (for example, the need for disabled and old people to move home) can be mitigated, where this is possible.
- 8.10.** A further EqlA for the High Road West Regeneration Scheme was completed in December 2015, to assess the impact of the Council initiating the rehousing process for tenants living in Phase 2 of the Love Lane Estate.
- 8.11.** Going forward, as the details and delivery plans for the individual projects under Tottenham Hale’s strategic framework are further developed, decision makers need to ensure that the potential impact on different groups of residents is duly considered specific to each major project.

## **9. Use of Appendices**

- N/A

## 10. Local Government (Access to Information) Act 1985

### 10.1 Background Papers:

- Cabinet Report, "Tottenham Hale Regeneration Programme" 15<sup>th</sup> July 2014
- Cabinet Report, "Tottenham Hale Strategic Development Partnership" 12<sup>th</sup> July 2016
- Cabinet Report, "Tottenham Housing Zone Phase 2" 13<sup>th</sup> September 2016

10.2 Part B - Funding Purpose, Maximum Funding and Recipient by Housing Zone intervention. This information is exempt as it contains information relating to the financial or business affairs of any particular person (including the authority holding the information).