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11 March 2022

To: All Members of the Overview and Scrutiny Committee

Dear Member,

Overview and Scrutiny Committee - Thursday, 17th March, 2022

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

**11. SCRUTINY REVIEW ON THE FUTURE OF SEVEN SISTERS MARKET
(WARDS CORNER) (PAGES 1 - 36)**

Yours sincerely

Philip Slawther, Principal Committee Co-ordinator
Principal Committee Co-Ordinator

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Report for: Overview and Scrutiny Committee – 17th March 2022

Item number: 11

Title: Scrutiny Review – The Future of Seven Sisters Market (Wards Corner)

Report authorised by: Cllr Matt White, Chair of Housing and Regeneration Scrutiny Panel

Lead Officer: Philip Slawther, 020 8489 2957 philip.slawther2@haringey.gov.uk

Ward(s) affected:

Report for Key/

Non Key Decision: Non Key

1. Describe the issue under consideration

1.1 Under the agreed terms of reference, the Overview and Scrutiny Committee (OSC) can assist the Council and the Cabinet in its budgetary and policy framework through conducting in-depth analysis of local policy issues and can make recommendations for service development or improvement. The Committee may:

- (a) Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (b) Conduct research to assist in specific investigations. This may involve surveys, focus groups, public meetings and/or site visits;
- (c) Make reports and recommendations, on issues affecting the authority's area, or its inhabitants, to Full Council, its Committees or Sub-Committees, the Executive, or to other appropriate external bodies.

1.2 In this context, the Overview and Scrutiny Committee on 29 November 2021 agreed to set up a review project to look at the future of Seven Sisters Market.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That the Committee approve the report and its recommendations and that it be submitted to Cabinet for a response.

4. Reasons for decision

4.1 The Committee is requested to approve the report and the recommendations within it so that it may be submitted to Cabinet for response.

5. Alternative options considered

- 5.1 The Committee could decide not to agree the report and its recommendations, which would mean that it could not be referred to Cabinet for response.

6. Background information

- 6.1 The rationale for the setting up of the review, including the scope and terms of reference, is outlined in paragraphs 3.13 to 3.18 of the report.

7. Contribution to strategic outcomes

- 7.1 This review relates to the Economy priority of the Borough Plan - A growing economy and thriving local businesses, supported by a community wealth building approach; and Regeneration with social and economic renewal at its heart, focused on Tottenham and Wood Green

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

Finance and Procurement

- 8.1 There are no financial implications arising from the recommendations of this report. If there are any future action by the Cabinet in relation to the recommendations of this report, Cabinet will be advised accordingly at that time.

Legal

- 8.2 Under Section 9F Local Government Act 2000 ("The Act"), Overview and Scrutiny Committee have the powers to review or scrutinise decisions made or other action taken in connection with the discharge of any executive and non-executive functions and to make reports or recommendations to the executive or to the authority with respect to the discharge of those functions. Overview and Scrutiny Committee also have the powers to make reports or recommendations to the executive or to the authority on matters which affect the authority's area or the inhabitants of its area. Under Section 9FA of the Act, Overview and Scrutiny Committee has the power to appoint a sub-committee to assist with the discharge of its scrutiny functions. Such sub-committee may not discharge any functions other than those conferred on it.
- 8.3 Pursuant to the above provisions, Overview and Scrutiny Committee has established Scrutiny Review Panels of which the Housing and Regeneration Scrutiny Panel is one, to discharge on its behalf, defined scrutiny functions. On the request from Overview and Scrutiny Committee, Housing and Regeneration Scrutiny Panel has undertaken a review on the future of Seven Sisters Market. In accordance with the Council's Constitution, the Panel must refer the outcome of its review to Overview and Scrutiny Committee for consideration and approval.

- 8.4 The remit of the Scrutiny Panel's review is defined in the terms of reference set out in the review report. The Scrutiny Panel should keep to the terms of reference and ensure that its findings and recommendations are based on good evidence, accord with good practice and are reasonable and rational

Equality

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

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- 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.

- 8.6 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 8.7 The Panel has aimed to consider these duties within this review and, in particular;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to services and fair representation of all groups within Haringey;
- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

9. Use of Appendices

Appendix A: Draft report of Scrutiny Review – The Future of Seven Sisters Market (Wards Corner)

10. Local Government (Access to Information) Act 1985

Link to 2019 Scrutiny Review into Wards Corner:

[scrutiny_review - wards_corner_final.pdf \(haringey.gov.uk\)](#)

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Scrutiny Review: The Future of the Seven Sisters Market Site (Wards Corner)

**A Scrutiny Review by the Housing and Regeneration Scrutiny Panel
2021/22**

Panel Membership	Cllr Matt White (Chair)
	Cllr Charles Adje
	Cllr Kirsten Hearn
	Cllr Ermine Ibrahim
	Cllr Noah Tucker
	Cllr Dawn Barnes
	Cllr Bob Hare

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1. Chair's Foreword

- 1.1 The starting point for this review was the Panel's September meeting, which took place shortly after Grainger withdrew from the Wards Corner development scheme and the Council expressed support for the Community Plan. The meeting was addressed by two deputations from parties interested in the future of the Wards Corner Market site with differing views over what the Council's role in the future of the market should be and the form the pledged support should take. The panel noted that there are deep-seated divisions among traders and were concerned that the Council's expression of support for the Community Plan could be seen as privileging the interests of one group of traders over another.
- 1.2 The Panel therefore decided to run a review focussed on the future of the Wards Corner market site and the role of the Council in facilitating a solution that works for all the traders and the wider community, as well as helping to heal the divisions among traders.
- 1.3 The Panel has heard evidence from two groups representing market traders, TfL, the West Green & Seven Sisters Development Trust and Council officers and has put questions in writing to the Cabinet Member, who unfortunately was unable to provide evidence in person.
- 1.4 This report sets out the evidence we have heard and the conclusions we have drawn and provides a set of recommendations that we hope can help to bring about a secure future for the Wards Corner Market site that works for the benefit of all the existing market traders as well as the wider community.

Cllr Matt White

Chair of Housing & Regeneration Scrutiny Panel

2. Recommendations

1. That the Council has representation on the partnership board and that the role of the Council's representative should be clear in respect of its safeguarding and fiduciary responsibilities. The administration should actively engage all sides and ensure that the Council is part of any future governance arrangements both in the immediate and long term. The Panel notes that TfL have advised that the Council will be excluded from the decision making process around the award of the lease.
2. That the Cabinet seek assurances about how the Community Benefit Society (CBS), or any other organisation that gets the leasehold of the market, will work to bring the different groups of traders together in the hope that, whatever the outcome of the bidding process and the establishment of the temporary market, the ongoing and future arrangements for the development and management of the market and the site are not seen as being at the expense of one group over another. The way forward for Seven Sisters Market should be through consensus between the two groups of traders.
3. That the Council seeks assurances from TfL that the terms of any lease to a third party explicitly and completely prohibit that lease being transferred to a party that is neither a community organisation nor a public body, or used as collateral in any future sale or development of the site.
4. That, prior to committing any financial resources or other forms of material assistance, Cabinet should conduct due diligence, including reference to external expertise, regarding the viability of the Community Plan (or other similar proposals), in potential future financial climates and the indicative costs attached to any proposal. Of particular concern to the Panel is the impact external financial shocks could have on the borrowing assumptions in the Community Plan, particularly regarding the need to pay interest, principal and returns on loans and investments.
5. That the Council uses its influence and explores what action it can take to ensure that the governance and ownership arrangements for the Seven Sisters Market will keep the site, including the long leasehold on the site, in public ownership.
6. In the eventuality that the Council decides to provide funding to the CBS via a loan, investment or grant, the Council should ensure that it has direct representation on the CBS. In the case of a grant that representation should be permanent. In the case of a loan or an investment, the representation should last at least until the loan or investment is repaid or recovered.
7. In the event that the Council wishes to support the project financially, whether through a loan, an investment, a grant or a gift, that the advice of both the Council's Director of Finance and the Head of Legal & Governance Services form part of a public report to Cabinet. We note that the provision of support to commercial

concerns, whether market traders or any other businesses operating in the Wards Corner buildings, is not a primary role of the Council, and that investment must be justified in terms of wider community and social benefit.

8. That the Council is clear about what its role in the governance process would be in the eventuality that a decision is made by TfL and the partnership board to grant the CBS as the leaseholder of the market. The Panel notes that the Cabinet has already publicly backed the Community Plan and that the Council needs to be seen as above any conflicts of interest.

3. History of Wards Corner and Background to the Review

- 3.1 The Wards Corner building at Seven Sisters was originally a department store, Wards Department Store, open from 1901 until 1972. Next to the former department store is an adjoining terrace of retail units, including a market hall to the rear. TfL's predecessors acquired the site by compulsory purchase in 1973, after the opening of the Victoria line. Since the mid-1980s TfL have leased out the terrace of retail units and market hall, with the tenants operating an indoor market. The market became home to a large number of African and Caribbean and then Latin American traders. It is also known by some as Latin Village.
- 3.2 The Wards Corner Development, near Seven Sisters underground station in Tottenham Green ward, was intended to deliver 196 new homes and commercial space. The scheme led by Grainger PLC was enabled through a Development Agreement with the Council signed in 2007 and updated in 2015. A separate Development Agreement was in place with Transport for London (TfL) / London Underground Limited (LUL) [a subsidiary of TfL] for lands in public ownership.
- 3.3 One of the main elements of the Wards Corner redevelopment scheme was a new market to replace the existing Seven Sisters Market (SSM). The indoor market hosted around 40 businesses of mainly Latin American origin. The businesses affected by the scheme were to be offered a temporary space to use in Apex Gardens while the redevelopment of the Wards Corner site went ahead. The temporary market was intended to operate until a new market space was built as part of the redevelopment. The SSM site is owned by LUL and managed by TfL. The Council is not party to the lease arrangements between TfL and the SSM traders.
- 3.4 Many businesses in the market were concerned about the disruption that moving to temporary market would cause and were also concerned that they would be unable to afford higher levels of rent. A number of local campaign groups, businesses and local residents were opposed to the development proposals and have been active in opposing the redevelopment for a number of years.

History of the Wards Corner Redevelopment.

- 3.5 Plans for regeneration of the site date back to 2002, with planning permission for the site first granted in 2008 and then planning permission for a revised application granted in 2012. A Compulsory Purchase Order (CPO) was issued by Haringey Council in September 2016 to enable the acquisition of the remaining properties required for Grainger to go ahead with the redevelopment. Objections to the CPO led to the establishment of a Public Local Inquiry heard by a Planning Inspector which was held in July 2017. The Planning Inspector recommended that the CPO should go ahead, and, in January 2019, the Secretary of State for Housing, Communities and Local Government (MHCLG) confirmed the Planning Inspector's recommendation. In April 2019, a claim was lodged in the High Court bringing a case for a Statutory Review of the Secretary of State's decision to confirm the CPO. The case was dismissed in the High

Court in October 2019. In December 2019, an application was filed at the Court of Appeal requesting permission to lodge an appeal against the High Court judgement. On 17th March 2020, the Court of Appeal confirmed their decision not to grant permission for an appeal to be lodged.

Previous Scrutiny Review on Wards Corner

- 3.6 At its meeting on 19th November 2018, the Overview and Scrutiny Committee agreed the scoping document for a Scrutiny Review of the Wards Corner regeneration proposals by the Housing and Regeneration Scrutiny Panel. Due to a change in membership of the Overview & Scrutiny Committee and the Housing Scrutiny Panel, it was agreed at the meeting of the Overview & Scrutiny Committee on 3rd June 2019, that the Review would be transferred from the workplan of the Housing & Regeneration Scrutiny Panel to that of the Overview & Scrutiny Committee. The review was then overseen by the Overview & Scrutiny Committee in consultation with the previous (2018/19) membership of the Housing & Regeneration Scrutiny Panel. The recommendations from the Scrutiny Review were agreed by the Overview and Scrutiny Committee on 25th November 2019. The recommendations covered a number of different areas in relation to Wards Corner, such as the Seven Sisters Market Steering Group, Market Facilitator role, future options for the site, evictions, maintenance and the Section 106 Agreement. Cabinet considered and responded to the recommendations from the Scrutiny Review at its meeting on 21st January 2020.

The End of the Council's Development Agreement with Grainger

- 3.7 In March 2020, Seven Sisters Market (SSM) closed due the main power supply being disconnected as it was deemed unsafe, this was immediately followed by the introduction of Government Covid-19 restrictions requiring all non-essential retail premises to close. The SSM did not reopen when Covid-19 restrictions were lifted in June 2020 as TfL identified serious Health & Safety issues and the risks were too high to safely reopen the market hall.¹ TfL took over control of SSM from the previous Market Operator, Market Asset Management (MAM) in July 2020.
- 3.8 On 7th April 2021, Grainger issued a notification to Seven Sisters Market traders indicating that they were unable to instruct the works to open the Apex Gardens temporary SSM. The reason Grainger cited was viability challenges being encountered with the main Wards Corner development scheme. On 12th April 2021, TfL wrote to SSM traders advising that they were accelerating a review of options for a temporary SSM and assessing the work required to restore the market hall and wider buildings.
- 3.9 On 5th August 2021, Grainger made a public statement and wrote to the Council confirming that, due to viability issues they were not progressing with the Wards Corner development scheme including the Apex House temporary SSM. On 6th August 2021, TfL and the Council made a joint public statement

¹ Six retail units on the High Road were subsequently opened.

[\(Click here\)](#) in response to Grainger's statement confirming their agreement to work collaboratively alongside traders to explore the vision of delivering a new community-led development and work as quickly as possible to identify appropriate short and long-term solutions for SSM.

- 3.10 Following Grainger's notification that the Wards Corner development scheme had viability challenges, the Council commissioned an independent viability review, which has concluded that the scheme is not viable under the terms of the development agreement with Grainger. The Council is continuing to work with Grainger to ensure an orderly exit from the development agreement which has been in place since 2007 and exploring overall options for the Wards Corner site. The Council are engaging with TfL and the GLA throughout this process.
- 3.11 The current and immediate responsibility for SSM remains with TfL as the landlord and owner of the SSM site. The withdrawal of Grainger resulted in TfL missing a capital receipt of £4m. This has left TfL in a challenging position due to their current financial position. TfL advised the Panel that, with a complex backdrop of poor relationships and a lack of strategic presence over the years to shape the site, TfL were left in a precarious position and that the options for TfL to progress the site in a more commercial way were very limited. TfL were also under a degree of political pressure to move forward with the site at pace, especially with traders not able to work as the building had been closed.
- 3.12 In response to this challenge, TfL began a review of the short and long-term solutions for market beginning in November 2021 and as part of this exercise they undertook a consultation and engagement work on these proposals with key stakeholders, including the Council, the market traders and community groups. TfL is due to publish its final proposals for the site later in Spring 2022.

A short follow-up Scrutiny Review on the future of the Seven Sisters Market site

- 3.13 At the Housing and Regeneration Scrutiny Panel meeting on 13th September, the Panel received an update on the recommendations from the 2019 Scrutiny Review and also received two deputations from some of the market traders and from the West Green Road & Seven Sisters Development Trust. In light of the information put to the Panel at this meeting, it agreed to do a short, focused follow-up piece of work on Wards Corner, centred on the future of the market site. The scoping document and terms of reference for the Scrutiny Review were agreed by Overview and Scrutiny Committee on 29th November 2021. In focusing on the future of the market site, the Panel hoped to be able to pull together some relevant recommendations within a short space of time. The review was considered timely given the events that have unfolded since the previous Scrutiny Review was undertaken in 2018/19, and in light of TfL drawing up plans for the future of the site at the same time as the review was taking place.
- 3.14 In focusing on the future of the market, the Panel is aware that this is only part of the picture for the overall site and that there are a number of other issues involved in the wider redevelopment, such as the constrained timetable for the Council to exercise its CPO powers. The decision to focus on the market site

was done in the interests of time and in order to review and make recommendations on TfL proposals as they are being developed, so that the panel has an opportunity to influence them. A broader review into the wider Wards Corner site would have required more time and would be unlikely to have been completed before the end of the municipal year. The next iteration of the panel may wish to build on the work done as part of this review and examine the wider Wards Corner development.

- 3.15 In light of the outcome of the independent viability review, the Housing and Regeneration Scrutiny Panel believes that there are a number of different possible options for taking this site forward. The N15/West Green Road Seven Sisters Development Trust, with the support of some of the traders and community representatives have promoted an alternative Community Plan for the site. They are seeking to set up a Community Benefit Society to manage the future market and market building. However, some of the other market traders and interested groups are concerned with this proposal and would like to see the Council take a leading role in the future of the site. It is worth noting that the site put forward in the Community Plan is not the same as the Grainger site, it is a smaller portion of the overall site, focussing on the TfL owned properties, including the former Wards department store and also the neighbouring row of terraced housing within which Seven Sisters Market is housed on the ground floor.

Scope/Terms of Reference

- 3.16 The Scrutiny Panel sought to have a better understanding of the position of the key stakeholders on the future of the Seven Sisters Market, the options being considered, the role the Council could play and to comment on possible next steps for the Seven Sisters market. The terms of reference for the review were as follows:

“To better understand the proposals put forward for the site and the views of key stakeholders on these. The Panel will put forward recommendations on the future of Seven Sisters Market and how the council can continue to work with interested groups to achieve the best outcome for the community”.

Sources of Evidence:

- 3.17 Sources of evidence were:

- Experience of traders, residents and the Development Trust
- Guidance, research and policy documents;
- Interviews with Council officers
- Written responses to questions from the Cabinet Member.
- Interviews with TfL, along with written information and data.

- 3.18 A full list of all those who provided evidence is attached as Appendix A.

Membership

3.19 The membership of the Panel is as follows:

Councillors: Matt White (Chair), Dawn Barnes, Bob Hare, Noah Tucker, Charles Adje, Ermine Ibrahim and Kirsten Hearn.

Evidence Gathering

4. Transport for London (TfL).

- 4.1. TfL have given evidence to the Panel on their emerging plans for the future of the SSM and on the outcome of their consultation and engagement work with interested groups, including the traders. During the course of the evidence gathering process, TfL have given evidence in person and also submitted further evidence in writing.
- 4.2 TfL advised that they are not able to sell the site because it is just above an operational asset (Seven Sisters Underground Station). So, instead, they are seeking to lease it on a long lease and have it run in such a way as to enshrine its continued use as a community asset. TfL will be looking to the traders in the first instance to see if they are able to manage the site, whether that is through the Development Trust or through some other trader-led organisational model. If no group of traders can fulfil the criteria required to take on the lease, then TfL will go out to open market, albeit any successful bidder would need to ensure it remained a social value led asset, creating both a commercial and social return for the community. This would be enshrined in the terms of any future lease agreement.
- 4.3 TfL's strategy for the future of the site covers three key principles: Stabilise the livelihoods of the traders; adopting a unified approach in order to realise the opportunity for Seven Sisters market, in an inclusive and professional manner; and supporting the development of the existing site into a community led asset creating both commercial and social returns for the wider community, and to create local wealth. These principles are titled Stabilise, Reform and Looking to the Long Term.

Stabilise

- 4.3 TfL acknowledges that it needs to stabilise the livelihoods of the traders and provide safe space and facilities for a temporary market and improve safety conditions of existing traders. Step one involves the creation of short term space by vacating 245-249 High Road to give small indoor 'dry' market and community hub on upper floor. Step two is letting out the land at 249 High Road and creating space for outdoor market for food production. Step three of the plan was to develop a medium term market on Westerfield Road. However, subsequent to the evidence session with the Panel, TfL has reviewed the cost and value of the medium-term market and discounted that option. Instead, traders in the High Road units that are currently open will move to the outdoor market, when TfL commences the wider building safety works on the main market building.
- 4.4 TfL will look to appoint a market operator to manage the site on a day to day basis. The partnership board, with its independent chair, will be responsible for choosing that operator who will be funded by, and contracted to, TfL. The latest timescales for the new markets are that the indoor market would be in place for October 2022 and the outdoor market would be opened in December 2022. It

is worth noting that any temporary space will need support from the traders in order to facilitate it opening to these timescales. Hence, the need for engagement and mediation with the market traders as a central part of these proposals.

- 4.4. The Panel received evidence that the current SSM site is unsafe after years of neglect and the main power supply has been disconnected as it was deemed dangerous. Furthermore, the steel frame of the building is unprotected and constitutes a significant fire risk. As a result of this the SSM site has been closed since March 2020. TfL have advised the Panel that one of their key tasks is to make the site safe before it can be leased out as a community asset. This will require funding in order to undertake the work and TfL are facing long-term funding pressures as a result of the Covid-19 pandemic. TfL are in ongoing negotiations with the government about their future funding settlement and TfL's capacity to invest significant sums of money into the site is limited by its current financial outlook. Nevertheless, TfL have advised the Panel that they will do what is needed in order to make the site safe.
- 4.5 There was illegal subletting of market stalls taking place onsite when TfL took over management of the site, both within the main market stall and at 247-249 High Road. 247-249 High Road is, at the time of writing this report, being illegally occupied by previous sub-tenants. TfL are taking legal action to recover the site, but this has set back timescales for the project, including the opening of an indoor and outdoor temporary market, by several months. Significant ongoing delays could impact the opening of the temporary markets further. TfL have very recently obtained a court order to reoccupy this site and are attempting to engage with those occupying the site to leave peacefully and reiterating their offer of compensation.
- 4.6 Initial outline costings put forward by TfL are that the costs for putting the temporary market in place are approximately £1m. TfL have advised the panel that they have been able to secure the funding for the temporary market and the Panel welcomes this. The establishment of a temporary indoor market is a crucial step towards reopening of the market and the traders being able to return to their businesses. The long-term costs for subsequent steps and investment in the existing site are estimated to be £10m plus. It is apparent that the site will need significant investment up-front before a long-term solution is in place. TfL are not able to provide that funding and the Panel queries the extent to which some or all of this funding may need to come from the Council.
- 4.7 Licenses to secure occupancy in the temporary market were issued to traders in October 2021. To date, a number of these licences remain unsigned by the traders. TfL have not had any feedback or explanation from the traders about the reasons for this. The Panel is keen to see the temporary market up and running as soon as possible and encourages the traders to engage in the process of acquiring a market license

Reform

- 4.8 TfL gave evidence that, after years of fractious relationships, a unified approach was needed; to get the Seven Sisters market back up and running, and to do so in an inclusive and professional manner. As part of this, TfL will establish a partnership board comprised of traders, the Council, community groups and TfL as members. The partnership board will steer the decision making for the site in the short and long term.
- 4.9 Phase one of this will be based around mediation which has involved the development of a lessons learned review, so that lessons can be learnt from the past and that parties can share and take on board each other's opinions in safe space. A key element of the mediation will be to create a set of principles in which the partnership will work to mediate the disputes between traders and seek to build a coalition between the two main trader groups. Mediation also provides TfL with an opportunity to explore the traders' views on the future of the market, including, a temporary market, and to work with the traders to establish the parameters of the partnership board.
- 4.10 TfL have brought in a mediating expert to help them, with the aim of finding common ground between the two groups. TfL acknowledge that this will be difficult but have been clear that they don't want one group to be the successful bidder at the expense of excluding traders from the other group. A unified group of traders and an agreed way forward would be the preferred outcome for everyone involved.
- 4.11 Central to the TfL proposals, is the establishment of a partnership board to steer the decisions made about the site. The board will be representative of the parties involved with the SSM. The partnership board will have an independent chair and will be responsible for appointing the market operator.
- 4.12 At the time of writing this report, TfL's latest project timescales were that the independent chair would be appointed in April 2022 and the board would be in place in June 2022. Some of the decisions for the partnership board to take forward include; communications about the site, temporary market operational set up, ongoing management of the market, parameters for a long leasehold and management of the long leasehold process.
- 4.13 The Panel believes that the partnership board model is a good way forward and will hopefully allow the various interested groups and parties to come together and work collaboratively. As a key stakeholder in the market and the wider Wards Corner site, the Council needs to sit on the partnership board to ensure that the board represents the interests of the Council and the wider community. In the eventuality that the Council contributes some form of funding to the market site, it will be crucial that a representative of the Council sits on the partnership board to safeguard any financial commitments made by the Council. It is suggested that the Council should be represented by elected members to ensure that it has democratic accountability, as councillors are ultimately accountable to the local electorate.

Recommendation - That the Council has representation on the partnership board and that the role of the Council's representative should be clear in respect of its safeguarding and fiduciary responsibilities. The administration should actively engage all sides and ensure that the Council is part of any future governance arrangements both in the immediate and long term. The Panel notes that TfL have advised that the Council will be excluded from the decision making process around the award of the lease.

Looking to the Long Term

4.14 TfL advised the Panel that, in the long term, they are committed to the development of the existing site into a community and social value-led asset, creating both commercial and social returns for the wider community. Step one of this process will involve opening up a 6 month window for any trader based interested parties to bid for a long leasehold on the site. It is anticipated that this will take place in the first half of 2022. Step Two will involve opening up a long leasehold option to the market to find a community interest company to take on the site (in 2023). TfL advised the Panel that social value and commercial output would be enshrined through a concession agreement and the usual rigor required for a deal like this would be in place. The partnership board would create the parameters for a successful bid, and these would be publicly available. The partnership board would ultimately select the winning long-term leaseholder for the site. It is likely that whoever wins the lease would need to be able to demonstrate the ability to manage a market site of this size.

Supporting the long-term leaseholder

4.15 TfL have been explicit when engaging with the Panel about the need to provide support to the bidders, in order to both support the existing traders to have an opportunity of bidding for the site and to ensure the ongoing viability of the site as a community-led asset, as well as a source of local wealth. TfL have given assurances that this will be managed neutrally, in recognition that things need to be done differently and in order to ensure that there is a viable community-led asset at the end of this process. A GLA team will support this phase with TfL funding support. TfL have advised that the initial stage will be to create a matrix of support for each group to assess what they require. The support required will then be procured. Initial suggestions for likely areas of support include:

- Support with governance
- Property and legal advice
- Business plan advice
- Strategy design, factoring in community engagement
- Understanding of the London and local plan
- Scrutiny/testing of design
- Help with dealing with an operational asset
- Set up of an operating strategy

Issues/Areas of Concern

- 4.16 The Panel are concerned that prioritising trader groups for a long term lease, whilst desirable, has the potential to exacerbate existing divisions between the traders. Given the mistrust between the different group of traders, it seems unlikely that any group would fairly represent the other. However, it is also crucial that, given the history of the site, public bodies such as TfL and the Council seek to put the traders at the heart of plans for the development of SSM and prioritise their input. TfL set out that they hoped that mediation would help in terms of ensuring that all the traders can be involved with the winning bid and that there is agreed outcomes between the different trader groups.
- 4.17 The Panel acknowledge and support the efforts of TfL trying to bring people together through mediation, and the work that has taken place to date to try and develop the partnership board. The partnership board will need to be established in such a way as to have broad representation and to protect one group from dominating the other. The Panel believes that every effort should be made to facilitate further mediation and ensure that both the partnership board and whoever ends up as the long leaseholder of the market, prioritises bringing the traders together. The future market site must be for the benefit of all the traders and the wider community not just one section of traders.

Recommendation

That the Cabinet seek assurances about how the Community Benefit Society (CBS), or any other organisation that gets the leasehold of the market, will work to bring the different groups of traders together in the hope that, whatever the outcome of the bidding process and the establishment of the temporary market, the ongoing and future arrangements for the development and management of the market and the site are not seen as being at the expense of one group over another. The way forward for Seven Sisters market should be through consensus between the two groups of traders.

- 4.18 The Panel were advised that TfL were not offering the freehold for the market site; they are offering a long leasehold. As a result, the winning leaseholder would not own the site, it would be retained by TfL. The length of that lease was still to be determined but the terms of the leasehold were considered a point of control which TfL could use to ensure that the site's remained a community-led asset. The terms of any future lease with TfL would stipulate whether or not the lease could be assigned to a third party. It is also anticipated that there will be some sort of service level agreement between TfL and whoever is the winning bidder around the community and social value that the leaseholder would deliver for TfL.
- 4.19 The Panel were pleased to receive these assurances but believe that it is absolutely vital that the community interest for this site is maintained going forwards. Under the TfL proposals, if none of the traders are able to secure the

long leasehold, then a second stage of the process would be opened up for other community organisations or social enterprises to bid for the lease. Although TfL have advised that the terms of the lease would be constructed in such a way as to ensure its continued use as a community asset, the Council needs to assure itself that that this is the case. It is envisaged that proposals put forward will be long term and there is an inherent risk that nobody can predict what will happen in five, ten or even twenty years' time. Consequently, the panel feels it is crucial that the terms of the lease prevent the market transferring out of the hands of the community. The lease may need to be assigned in future due to poor performance or in the eventuality that the leaseholder is no longer operating. Similarly, it is conceivable that the lease could be used as collateral in any future sale of the wider site. This also highlights the importance of the Council being on the partnership board, in order to safeguard the continued community interest and to hold any future leaseholder to account.

Recommendation

That the Council seeks assurances from TfL that the terms of any lease to a third party explicitly and completely prohibit that lease being transferred to a party that is neither a community organisation nor a public body or used as collateral in any future sale or development of the site

5. The Market Traders

Market Traders and Workers Union for Seven Sisters.

- 5.1 The Panel received evidence from the Market Traders and Workers Union for Seven Sisters (MTWUSS). The traders from MTWUSS advised the Panel that Seven Sisters Market (SSM) was a community asset and functioned as a meeting point and social space. SSM had also been used as a focal point for crowd funding a number of legal challenges over the years. The continued existence of a vibrant community market space was seen as crucial. The vision of the MTWUSS was for a market where all were welcome and included social and cultural activities.
- 5.2 A number of the traders from MTWUSS gave evidence that they had initially been supportive of the proposals in the Community Plan and had even been involved in the development and fundraising for it. Unfortunately, towards the end of 2017, internal relations between traders in the market broke down. Some of the traders said that since then they had been excluded from further involvement and they had concerns about transparency and accountability of some aspects of the Community Plan. In particular they voiced concerns about where the money had been spent that was collected through donations and fundraising, and how this had been accounted for.
- 5.3 MTWUSS expressed concerns about the fact that the Development Trust had no experience of working in a market and did not understand how to manage such an enterprise, particularly one of this size and given the complexity and history of the site. The MTWUSS gave evidence that they were concerned about the viability of the Community Plan, given that the Trust would have to leverage significant investment to purchase the site, at least some of which would be from private banks, given the figures involved. The MTWUSS were concerned about the impact of debt leverage on profitability of the site and the need for rent rises as a result. Fears were expressed that the Community Plan could lead to eventual privatisation. Concerns were also raised about how robust the financial costings for the Community Plan were given that they were a couple of years old and that there had been a significant rise in the costs of materials recently, alongside rising inflation costs.
- 5.4 The MTWUSS advised the Panel that they did not see how they could reconcile with a number of other traders due to years of deteriorating relations. The MTWUSS traders also advised that they did not want to see a situation where a small group of people ran the market and excluded others. The MTWUSS' preferred option was that Haringey Council step up as the democratically accountable public body to ensure fair treatment of the traders.
- 5.6 The Panel was advised that MTWUSS would like to see the Council take a leading role on the management of the market and appoint a market operator to take over the lease. It was felt that having an experienced market operator in place, which was managed by an accountable local public body, to run the

premises would ensure fairness and transparency.

- 5.7 The traders advised that TfL had historically been very much hands-off and had managed the site at arm's length. It was suggested that the running of a market seemed to be much more suitable to an organisation such as the Council rather than TfL, who were primarily a transport operator. However, following questioning, MWTUSS also agreed that they would be happy to engage with TfL further and explore the possibility of a TfL managing the market.
- 5.8 The Panel notes that the report that was produced by an independent consultant on behalf of the Wards Corner Policy Group in 2019, ruled out the model of having a local authority ran market. The report stated that "The council is not currently adequately set up to run and manage markets. In order to do this, they would need to recruit a team of experienced market professionals to help establish a team that would be specifically responsible for Seven Sisters Market".² However, the Panel notes that it is also the case that a number of other local authorities do successfully run markets and that this is something that could conceivably be done in the future.
- 5.8 The Panel believes that there is, understandably, a degree of confusion of the respective roles of the Council and TfL and that the Council needed to work with TfL to better communicate and publicise the proposals once they were finalised. The Council also needs to be clear that this is a TfL owned and managed site and that the Council is therefore limited in how much agency it has at this stage.

Seven Sisters Market Traders Association

- 5.9 The Panel received evidence from the Seven Sisters Market Traders Association (SSMTA). SSMTA advised the panel that the organisation was created to represent the interests of the majority of Seven Sisters traders and to safeguard and champion those interests. Their aim is to maintain and improve the market for now and for future generations, for the benefit of traders and the public alike. The association was incorporated in 2018 in order to have a collective organisation that could speak on the traders' behalf when dealing with a number of stakeholders such as Grainger and TfL.
- 5.9 The SSMTA gave evidence that working at SSM had been very difficult and that they were deeply concerned that Grainger and MAM seemed to be primarily interested in making money rather than looking after the market itself or the wellbeing of the traders. As a result, the building ran into a state of neglect. The Panel were concerned to hear the traders describe how the market operator and Grainger seemed to create division and effectively play the traders off

²https://www.haringey.gov.uk/sites/haringeygovuk/files/seven_sisters_market_possible_future_management_models_final_report.pdf

See paragraph 7.5.2, pp49.

against each other. The SSMTA felt that they did not respect the traders and failed to provide adequate support. This resulted in a long struggle over many years for a lot of the market traders. The SSMTA set out that they welcomed the fact that Grainger had pulled out and that the focus should now be on delivery of the Community Plan and the restoration of SSM.

- 5.10 The Panel were interested to hear from the SSMTA about what role they thought the Council could play moving forwards. Whilst the SSMTA did not feel able to comment on the extent of any financial support that may be required in implementing the Community Plan, they advised that they saw a role for the Council in helping them to develop the association further and providing support, particularly in terms of negotiating with TfL and engagement on the partnership board going forwards. In response to further questions after they gave evidence, the SSMTA clarified that the support that they required was more about capacity building, as opposed to financial remuneration, this could be done through providing space for meetings or workshops. Another idea put forward by the SSMTA was assistance to further develop their association through the Council's in-house expertise in community development.
- 5.11 The SSMTA acknowledged that there had been divisions amongst the traders in the past but emphasised that it was important to move forward and to understand the stresses that everyone involved was going through and the impact that it had on traders' lives, over what was a very long period of time. The SSMTA advised that they were keen to try and remedy some of the divisions of the past. In light of this, the Panel wanted to hear how trust could be rebuilt and how the market could be run for the benefit of all in the future. In response, SSMTA were clear that the key element was the need for a proper market operator to be brought in, someone who had the experience and the ability to build trust and confidence amongst traders. Key to this, it was suggested was that the market operator had to be open, transparent and to treat all the traders fairly. The SSMTA also gave evidence that they saw the TfL partnership board as the main forum for the traders to get together and be able to reconcile. It was felt that if the market operator was independent, this would contribute to a sense of equality amongst traders and being able to work together.
- 5.12 A key line of questioning for the Panel was around whether there was scope for the Council to play a bigger role in the market going forwards. The Panel heard evidence from SSMTA that there was fundamentally a lack of trust and a lack of faith in the Council and other bodies, given years of underinvestment in the market and a feeling that they had been let down at every turn by a number of different organisations that should have been helping them. Indeed, the SSMTA contended that the traders had ran the market for twenty years, with very little help from others, so why should they want the Council's help now. It was suggested that the market operator would be running the site (who would be better suited to the job than the Council) and the Traders would have a say in how the operator was run and that operator would be accountable to the partnership board. The SSMTA stressed that proposals were still being finalised and that they did not have a definitive position as yet. However, it was felt that the partnership board would be the key governance and facilitative body and that the Council would likely have a role in that.

6. West Green Road/Seven Sisters Development Trust

6.1 The Panel received evidence from Trustees of the West Green Road/Seven Sisters Development Trust, (referred to as the Development Trust or the Trust here after) along with supporters of the Trust, a consultant working with the Trust on forming a Community Benefit Society and Unit 38, the architectural designers working to develop the Wards Corner Community Plan. The Development Trust was established as a not for profit company limited by guarantee in order to function as a vehicle for the community and business- led development of the West Green Road/Seven Sisters town centre. The Trust is currently in the process of registering as a charity. The Trustees outlined that they saw themselves as the guardian of the Community Plan, while the Grainger development plans were in place, acting as an interim development vehicle until a separate dedicated organisation could be established (a Community Benefit Society).

The Community Plan

6.2 The Panel received evidence that the Community Plan seeks an alternative model of urban development, which is centred on community wealth building and prioritises the retention of the existing traders and communities served by the Wards Corner site. Unit 38 and the Trust advised that the market was a platform for social activity and Latin American identity that was not replicated anywhere else. Its ongoing existence was considered of great importance to the local area and the wider community it served. The Trust advised the Panel that 28 out of the 38 licensed indoor market traders supported the Community Plan.

6.3 The area that the Community Plan has received planning permission for is smaller than the Wards Corner development site identified in the Council's Local Plan. The Community Plan is focused on the historic corner building and the neighbouring row of terraced housing, within which Seven Sisters Market is housed on the ground floor. Unit 38 gave evidence that there remained the potential to deliver housing, specifically either council housing or community- led housing, on the wider Wards Corner site.

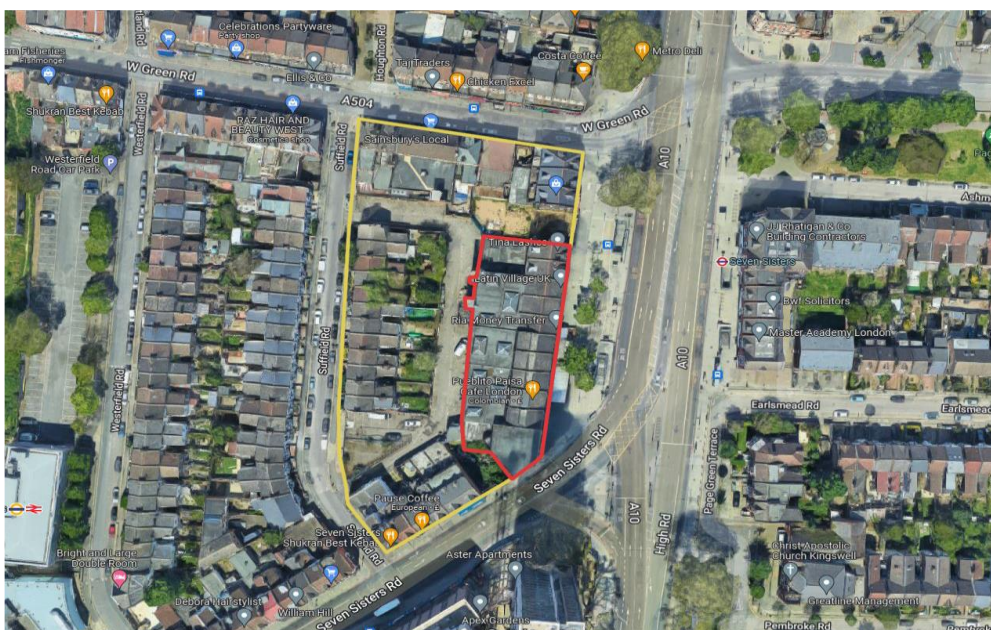


Image 1 – Shows the wider Wards Corner Site in yellow and the area that the Trust has received planning permission for the Wards Corner Community Plan in red (Image supplied by WGSST).

6.4 The Panel were advised that the Community Plan was the result of 15 years of organising in local neighbourhoods, with dozens of workshops, panels and public discussions feeding into the current proposals. The Community Plan is currently on its fourth iteration, which received planning permission in 2019. The key themes of the Community Plan are:

- Retention and expansion of the existing market
- Provision of new space for a community market
- Provision of low-cost space for business start-ups and community organisations within Tottenham
- A generalised wider ambition to see council or community-led housing delivered on the rest of the Wards Corner site

6.5 The Community Plan involves a comprehensive refurbishment of the corner building (formerly the Wards Corner department store) and the neighbouring row of terraced housing, including the existing SSM. The Panel received evidence that, under the plan, the ground floor space of the market building would be used as a restaurant or some other anchor business, which would be used to help subsidise affordable rents for small businesses and community groups in the rest of the restored building. A ground floor expansion would be done through removal of the existing partition. The rest of the ground floor and the first floor would be given over to market stalls. All market tenants would be offered the same sized floor space as they had previously at existing rent rates. The primary space and corner building would be given over community use, as determined by community members.

6.6 It was commented that the principle underpinning the development of the market was that there would be the lowest possible rents for all traders. The

model developed by the Development Trust includes a community fund of up to £1m per year (depending on the level of external funding received). A minimum balance would be built up within this community fund before repayments on any loans needed to finance the restoration project were made. This community fund would be used for reinvestment in other community initiatives and projects in Tottenham. The Trust gave evidence that they hoped that the community fund could total £84m over a 60-year period (depending on the length of the lease). It was emphasized that this was, therefore, not a one-off project but the beginning of a series of further cycles of re-investment in community- and business-led initiatives in the town centre.

Costings/Financial Viability of the Community Plan

- 6.7 The Trust gave evidence to the Panel that they had engaged Robert Lombardelli Partnership, a quantity surveying firm, to undertake a professional construction cost estimate for the proposals set out in the Community Plan. The upper cost estimate was £12.9m. The funding breakdown for this cost estimate was made up of a £0.5m-£1m community share issue, up to £6m in identified grant funding, a significant investment from TfL – the value and scope of the initial investment is yet to be clarified by TfL. Other funding options were also being looked at to meet any funding gap, including social and ethical investment. The Trust advised that they were working to agree heads of terms with a number of investors.
- 6.8 As part of the questions put to the Trust by the Panel, the Trust advised that they saw a role for the Council as being able to provide financial support to deliver the Community Plan. The Panel notes that the extent of this funding and whether this would be a loan or was a one-off investment would obviously have to be determined by the Council and informed by its wider financial commitments and its fiduciary duties. In terms of loan funding, the Trust advised that their preference was for the Council to access funding from the Public Works Loan Board on behalf of the Trust, as the PLWB tended to offer very low borrowing costs. The Trust advised that they were hoping to pursue further dialogue with the Council about possible funding options and to develop an ongoing working relationship around further development of the town centre site.
- 6.9 Subsequent to the evidence session with the Trust, the Panel has received advice from officers in the Council's finance team that the Council is not able to borrow money from the Public Works Loan Board on behalf of third parties.
- 6.10 The Trust gave evidence to the Panel that they had commissioned a company called Altair to produce a bespoke financial modelling report, which assessed a number of funding models for the Wards Corner Community Plan. The Altair model showed that with 0% grant funding and 100% debt funding, the loans would be paid back after 42 years. With 25% grant funding and 75% debt funding, the loans would be repaid after 28 years and with 50% grant funding and 50% debt funding, the loans would be paid back after 17 years.

Recommendation

That, prior to committing any financial resources or other forms of material assistance, Cabinet should conduct due diligence, including reference to external expertise, regarding the viability of the Community Plan (or other similar proposals), in potential future financial climates and the indicative costs attached to any proposal. Of particular concern to the Panel is the impact external financial shocks could have on the borrowing assumptions in the Community Plan, particularly regarding the need to pay interest, principal and returns on loans and investments.

Community Benefit Society

- 6.11 The Trust gave evidence to the Panel that a Community Benefit Society (CBS) is being set up to deliver the Community Plan. The Wards Corner Community Benefit Society (WCCBS) will bid for the long leasehold of the Wards building, including SSM. TfL have said there will be a 6 month window to bid for the lease which, due to delays, is expected to begin around October 2022. Community Benefit Societies are registered under the Co-operative and Community Benefit Societies Act 2014 and are legal entities that are collectively owned by their members and exist for the benefit of a defined community. In a CBS, the Members directly elect the directors. Community shares are different to company shares as no matter the value of a member's shareholding; they only have one vote. Therefore, CBSs are governed by a one member one vote system. An asset lock is usually introduced with a CBS to ensure that any surplus is used for the benefit of the defined community and that its assets cannot be transferred.
- 6.12 The Panel received evidence that the Wards Corner CBS would be a democratic and community owned body whose purpose was the restoration and management of the Wards building, for the benefit of the community. A number of workshops have taken place with traders and community members as well as presentations with TfL and the Council, in order to develop the CBS and agree how it will be constituted. The founding members of the Trust are in the process of finalising the governing rules for the CBS, following workshops and having received a draft report and recommendations from CMS, a consultant that provides the Trust with advice on setting up the Wards Corner CBS. The CBS will be registered with the Financial Conduct Authority once the report and governing rules are agreed by the founding members.
- 6.13 The Trust advised that the CBS would work with traders to explore options for managing the new SSM. The Trust stressed that all management options were being considered and that none were precluded by a CBS model. Ultimately, the traders would decide this themselves through discussions with the CBS. The Panel were keen to understand the possible role of the Council in the proposals put forward. In response to this, the Trust advised that the CBS could, subject to the decision of traders, decide to appoint a third party market

operator. This operator could be the Council in theory. However, the Trust noted that the Council has no experience of running markets, that this option had been ruled out by a previous independent review commissioned by the Council, and that trust levels between the traders and the Council were low.

Issues/Areas of Concern

- 6.14 One of the main concerns raised by the Panel was around how the community that the CBS is seeking to benefit would and should be defined. The Panel received evidence from different parties to the review around the lack of trust between the different groups of traders. This is something that seems has been exacerbated by the development of a Community Plan and a sense that one side feels increasingly marginalised, whilst another is actively engaging with Council on the Community Plan. The Panel is very aware that whatever happens with the future site of SSM, it is imperative that everything possible is done to try and heal some of the divisions that exist in order that the Market can be of benefit to all of the traders. The Panel believes that the Council has to avoid a situation where it effectively chooses one side at the expense of the other. No one group should have an effective veto over another group, and it is imperative that the future market works for all.
- 6.15 In response to these concerns, the Trust set out that defining the community had been a main topic of discussion in the many workshops and events that they held, and this remains an ongoing area of focus. The Trust advised that at present, the founding members of the CBS were considering its draft terms of reference, with a view to formally establishing the CBS at the earliest opportunity. Exactly who that community is, was one of the key questions to be resolved as part of the process of formally establishing the CBS. However, the Panel did receive assurances that anyone who supported the CBS would be able to become a member of it and that the community of benefit will be drawn very broadly, to ensure that it benefited the people who use, work and live near Wards Corner.
- 6.16 Another key area of concern for the Panel was transferring the site away from public ownership and a strong sense that this was a community asset that was publicly owned and that it needed to remain so. Of particular concern, is what would happen if the CBS became insolvent in the future and the possibility that the public asset could then end up in private hands. The example of Hastings Pier was a source of concern for the Panel. This site ended up being sold to a private company by receivers for a fraction of its value following the charitable society, which owned the site, going into administration and subsequently being wound up.³ Given the example of what happened to Hastings Pier, the Panel is not convinced that the asset lock proposed as part of the CBS provides cast iron guarantees that the site cannot be transferred in future, under any circumstances, to another organisation that does not represent or respect the community and social value of the site.

³ Hastings Pier - <https://www.thirdsector.co.uk/hastings-pier-sold-charity-owner-went-administration/finance/article/1485301>

For further information: <https://www.theguardian.com/artanddesign/2019/mar/24/end-of-pier-hastings-drmm-abid-gulzar-bust-closed>

- 6.17 The Panel believes that the only guarantee that the site will remain in the hands of the public and will remain operating in the interests of the community in perpetuity, is for that site to be publicly owned and to be accountable to a public body. The Panel is sympathetic to the points raised by the Trust about the site having being neglected whilst in public ownership and that fact that the Council has a lot to do to rebuild trust with the traders and the wider community, given its partnership with Grainger. However, the Council's hands were tied by the development agreement with Grainger, which is no longer the case. The Council, working in conjunction with TfL, is well placed to ensure continued community access and control over the site, in the long term. The Panel believes that public ownership provides the best and surest safeguards against SSM falling into private or commercial hands.

Recommendation

That the Council uses its influence and explores what action it can take to ensure that the governance and ownership arrangements for the Seven Sisters Market will keep the site, including the long leasehold on the site, in public ownership

- 6.18 The Panel is very aware that the existing SSM site is not accessible, and we sought assurances that, under the Community Plan, the refurbished market would be. The Trust provided assurances that the refurbished market will be fully compliant with Disability Discrimination Act (DDA) 1995 regulations and would also go above and beyond the regulations set out in the legislation. The key elements of this were accessible bathrooms, accessible lifts to every floor, accessible lighting and wide access points and corridors to allow wheelchair user and buggies to be used in the market.
- 6.19 The Panel were keen to receive assurances that the Trust had adequate processes in place to manage the risks involved in project of this size and one that would, by the Trust's own costings, require £13m worth of funding. The Trust advised that the project was working according to the Royal Institute of British Architects (RIBA) Plan of Work to manage and progress through the stages of construction the project, and that stage 1 (preparation and briefing) was completed, and RIBA stage 2 (concept design) was almost completed. At the end of each of stage in this model, a detailed analysis of the key risks and how to manage them was undertaken. Furthermore, the Trust advised that the CBS was being supported by specialist financial consultants and has undertaken robust business and financial planning to ensure the viability of the project. It was suggested that the scheme was seeking millions of pounds worth of grant funding from a range of investors and that none of those investors would loan the CBS money unless adequate financial and governance procedures were in place.
- 6.20 The Panel believes that if, in future any Council funding is given to the CBS, then it should have direct representation on that organisation to ensure that it has oversight of how that money was spent and that the CBS was acting in line

with the Council's interests. It is acknowledged that multiple governance options were possible and that no final decisions had been taken. Nevertheless, the Panel feels that any funding decisions taken by the Council need to be properly assessed and that any future public investment is protected.

Recommendation

In the eventuality that the Council decides to provide funding to the CBS via a loan, investment or grant, the Council should ensure that it has direct representation on the CBS. In the case of a grant that representation should be permanent. In the case of a loan or an investment, the representation should last at least until the loan or investment is repaid or recovered.

7. The Council

- 7.1 The Panel received evidence from officers from the Regeneration and Economic Development team. Officers advised the Panel that they had met with the Development Trust on a number of occasions and that this had included political meetings to understand their views about the future of SSM. The Council agreed with the Trust that, in line with the support available to any community organisation, the most appropriate support they could offer in the short term would be through the Council's Voluntary and Community Sector Coordinator, who provides information, advice and guidance to third party VCS organisations. This support was aimed towards developing the Trust's community development goals and interim projects.
- 7.2 The Panel was also advised that the Council officers meet regularly with TfL to discuss their proposals for taking forward proposals for SSM. The Panel also noted that TfL had also had meetings with the Cabinet Member for House Building, Place Making and Development on this scheme. Officers advised the Panel that during these meetings, the Council had consistently been pushing three main themes: Securing financial compensation for the traders in the interim; advocating for TfL to open an interim market at the earliest possible opportunity; and the need to establish and communicate a transparent process to secure a community partner for the Wards Corner Site.
- 7.3 A key question for the Panel to understand was what kind of support the Council was looking to provide to the Development Trust in their push for the implementation of the Community Plan. It was noted that the Council was broadly supportive of the partnership board but that the Council's involvement with the board would, to a large extent, be shaped by the terms of reference for the board. The terms of reference were still being developed by TfL as this was an iterative process. Officers were clear that until TfL had put forward agreed proposals and more clarity on the leaseholder bidding process, it was very premature for the Council to agree the support it could offer. To emphasise this point, officers commented that the temporary market was not in place and who the leaseholder would be was still to be determined.
- 7.4 The Panel wanted to understand whether the Council was planning to offer financial assistance to the CBS as part of its support for the Community Plan. We received evidence from the Trust that it would be seeking a range of funding options, from a range of different providers, one of which could be Haringey Council. The Panel received evidence that the Trust had held discussions with the Council about possible funding. Officers clarified that this was not an approach in the sense that no request was made, and neither were any specific figures discussed. Instead, this was characterised as being part of a wider avenue of discussions with the Trust to explore different ways in which the Council could offer assistance.
- 7.5 Officers reiterated that TfL were in the process of undertaking an exercise and that there were still a lot of unknowns, including who the leaseholder would be and the extent of TfL grant funding that would be available. It was suggested that there was a significant timing question in terms of tying the Council's hands

to avenues that it may or may not wish to explore in future. It would be very premature of the Council to consider providing any funding at this stage when they did not even know who the successful bidder would be. Instead, the Council would need to adapt its approach to whatever eventualities unfold.

7.6 Officers gave evidence that the responsibility for investing money to bring the site back up to use sat squarely with TfL, as it was their building. Whilst the Panel recognises this, we are also aware that TfL are in a very difficult financial position and that they have only committed to an initial tranche of funding to make the site safe and establish a temporary market. The Panel notes that there is still around £10m of funding to be found and that at some point, the Council will need to be explicitly clear about whether it is prepared to contribute funding and the extent and nature of that funding. Furthermore, the Council will need to be clear in terms of justifying the wider community and social benefits of providing any funding.

7.7 The Panel believes any investment into supporting the Community Plan, or any other long term options for the market site, must be mindful of the Council's fiduciary responsibilities. Members need to know whether the form of financial support would be a grant, a loan or an investment. The Panel believes that this should also include a clear understanding of at what interest rate the Council was loaning money. The Panel assumes that there is scope for the Council to make an investment into the Community Plan, even if this is on a commercial basis with an agreed rate of return.

Recommendation

In the event that the Council wishes to support the project financially, whether through a loan, an investment, a grant or a gift, that the advice of both the Council's Director of Finance and the Head of Legal Services form part of a public report to Cabinet. We note that the provision of support to commercial concerns, whether market traders or any other businesses operating in the Wards Corner buildings, is not a primary role of the Council, and that investment must be justified in terms of wider community and social benefit.

7.8 Throughout the evidence gathering process, the Panel have been keen to understand the role of the Council and one aspect of this is the extent to which the Council will be able to influence the outcome of the long leasehold bidding process. The Panel notes that Cabinet has effectively given its support to the community plan and that, given the Cabinet Member's previous role in chairing a previous Scrutiny Review on Wards Corner, the Council must ensure that it is seen as acting in a fair minded and open manner. The Panel believes that the Council needs the trust of all sides in this issue and any accusations that support for the community plan being any sort of fait accompli should be avoided. This is especially the case, given the lack of trust in the Council from both groups of traders. The Council should be working with TfL to build

relationships with the traders and the wider community. Whoever gets the leasehold for the long term SSM will need to work to bring everyone together.

- 7.9 During the evidence gathering process, officers indicated that the Council would not be seeking to have any say in the outcome of the bidding process for the long leasehold of SSM. TfL also advised that it was their understanding that the Council would not have voting rights on who was awarded the market site on a lease. The Panel were not able to follow up on this point with the Cabinet Member directly.

Recommendation

That the Council is clear about what its role in the governance process would be in the eventuality that a decision is made by TfL and the partnership board to grant the CBS as the leaseholder of the market. The Panel notes that the Cabinet has already publicly backed the Community Plan and that the Council needs to be seen as above any conflicts of interest.

- 7.10 The Panel notes evidence from officers that the Council is reviewing options for the wider site including securing the future land interests within the wider Wards Corner site. It is the Panel's understanding that there is a hard deadline to acquire the land in question and that a Cabinet report which makes recommendations relating to the future land interest and regeneration of wider the site, is being developed. This topic is outside the scope of this Scrutiny Review. However, it is felt that this it is important just to note this information for the sake of completeness and by way of background information on the wider Wards Corner site.

The Cabinet Member

- 7.11 The majority of the evidence gathering process for this review was done in a fairly short space of time and was organised around competing demands on Member's and officer's time in the run up to the Purdah pre-election period in March 2022. The Panel were not able to have an evidence session with the Cabinet Member for House Building, Placemaking and Development as she was unwell on the day of the scheduled evidence session and we were unable to reschedule, due to time constraints. Instead, the Panel put a number of questions to the Cabinet Member in writing. As the Panel did not have the opportunity to discuss the responses in a group setting or to ask follow-up questions prior to the report being published, the questions and responses are set out in Appendix A, for information purposes. One of the questions has been omitted from this report as it was outside the terms of reference for the Scrutiny Review.

Appendix A – Responses from the Cabinet Member to written questions submitted as part of the evidence gathering for the Scrutiny Review.

Question 1

The Panel have asked for a statement from the Cabinet Member on what the Council Leadership's political position is in relation to the future of the Seven Sisters Market and the Community Plan. What are the views of the Cabinet Member and her Cabinet colleagues on how this goes forward?

Response:

- The council's leadership position is set out in the Leader statement of 6th August 2021 following Grainger's announcement that they would not be progressing with the Wards Corner Development. The Leader of the council expressed concern about the plight of the traders who haven't been able to trade since March 2020 and called on TfL to set out their plans for a temporary market asap. The Leader expressed support for the Community Plan led by West Green Road/Seven Sisters Development Trust to bring the existing market building into use as a community-led development. The leader further called on TfL to work with the Trust to co-produce the long term future of the market.
- [Leader statement of 6th August 2021 in support of the Community Plan](#)
- [Joint statement from the Leader and TfL](#)

Question 2

Given that the administration has effectively declared its position is to back the community plan -how does the Cabinet Member think this will impact relations between the traders and the ongoing lack of trust between the two groups? What can the Council do to mitigate some of these tensions? Particularly given the mistrust that exists between the some of the traders and the Council.

Response:

- The council is supportive of TfL's approach to set up a Partnership Board with an Independent Chair to lead on the process to grant the long term TfL community asset lease for the market. The Cabinet notes that over very many years there has been widespread support from all traders and from a broad section of the community in Seven Sisters for the Community Plan and welcomes TfL's commitment to provide a community asset lease for the market.
- The council is currently offering Information, Advice and Guidance to the Trust through the VCS Coordinator within the council's Commissioning service. This is advice that is available and can be provided to any other community organisation.
- The council has not been approached by the Community Interest Company [Market Traders and Workers Union for Seven Sisters] with their own requirement for similar advice but would equally provide it.

Question 3.

What is being proposed is a structure (the community plan) that one group is enthusiastically supportive of, but the other group are worried will exacerbate an existing lack of representation and will add to their sense that they are being marginalised. How can we make sure this doesn't happen?

Response:

- As above.

Question 4.

The Panel believes that there is a political awareness that some suggestion has been put forward by the Development Trust about the possibility of the Council making a contribution to the funding for the community plan. What is the latest position in regard to this and have any discussions been had around whether this would be a grant, loan or a one off investment and possibly even seeking funds from the Public Works Loan Board? On what terms would a loan be offered?

Response:

- No formal approach for funding has been made by the Trust to the council.
- The council has been clear on its funding position in the response to OSC Budget session in the lead up to February Full Council: "The financial responsibility for the Market resides with TFL. With regard to the market building (and adjacent TfL premises), TfL have signalled that they are to run a process to secure a community partner to take forward the development of their interests. It is understood that TFL will also undertake as yet unspecified works to the building."

Question 5.

Have any discussions been had by Cabinet colleagues about whether any financial help in support of the community plan could be linked to a proviso that the Council would like direct representation, or a degree of control within the CBS, in order to ensure that any such a financial contribution was used in the best interests of the Council and wider community.

Response:

No.

Appendix BA list of contributors who gave evidence to the Scrutiny Review

Contributor	Organisation	Date
Marta Hinestroza	Director, MTWUSS & Market trader	27 th October 2021
Matthew Stiles	Secretary, MTWUSS & Market trader	27 th October 2021
Chan Seenandan	Director, MTWUSS & Market trader	27 th October 2021
Lita Kawajigashi	Director, MTWUSS & Market trader	27 th October 2021
Sanday Patrick Nyerende	Director, MTWUSS & Market trader	27 th October 2021
Claudia Turbet-Delof	Translator for MTWUSS	27 th October 2021
Graeme Craig	Director of Commercial Development - TfL	7 th December 2021
Siobhan Jared	Commercial Development - TfL	7 th December 2021
Stephen Mann	Communications - TfL	7 th December 2021
Victoria Alvarez	Chair of SSMTA & Market trader	10 th Feb 2022
Nicholas Amayo	Deputy Chair of SSMTA & Market trader	10 th Feb 2022
Yesenia Cuevas Ramirez	Market trader	10 th Feb 2022
Maria	Market trader	10 th Feb 2022
Johanna Delgado Varon	Market trader	10 th Feb 2022
Dave Hollings	CBS advisor to WGSSDT	22 nd Feb 2022
Susan Penny	Local resident	22 nd Feb 2022
Carlos Burgos	Chair of WGSSDT	22 nd Feb 2022
Dr Myfanwy Taylor	Trustee of WGSSDT & Research Fellow at Bartlett School of Planning - UCL.	22 nd Feb 2022
Elara Shurety	Local resident and Development Manager for WGSSDT	22 nd Feb 2022
Ben Beach	Architect –Unit 38	22 nd Feb 2022
David McEwen	Architect –Unit 38	22 nd Feb 2022
Peter O'Brien	Assistant Director for Regeneration – Haringey Council	25 th Feb 2022
Reba Toussainte	Head of Area Regeneration – Haringey Council	25 th Feb 2022
Neil Taylor	Programme Officer, Regeneration & Economic Development – Haringey Council	25 th Feb 2022
Cllr Ruth Gordon	Cabinet Member for House Building, Placemaking and Development	Written evidence