

MINUTES OF THE MEETING OF THE HOUSING AND REGENERATION SCRUTINY PANEL HELD ON MONDAY, 2ND OCTOBER, 2017, 6.30 - 9.35 pm

PRESENT:

Councillors: Emine Ibrahim (Chair), John Bevan, Zena Brabazon, Gail Engert, Martin Newton and Ann Waters

ALSO PRESENT:

Councillors: Peray Ahmet, Mark Blake, Vincent Carroll, Kirsten Hearn, Noah Tucker and Elin Weston

15. FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein.

16. APOLOGIES FOR ABSENCE

None.

17. URGENT BUSINESS

None.

18. DECLARATIONS OF INTEREST

None.

19. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

The Chair informed the Panel that Paul Burnham, from Haringey Defend Council Housing, had made a request to speak in relation to agenda item 8, Haringey Development Vehicle – Verbal Update. It was noted that this request would be taken as part of agenda item 8.

20. MINUTES - 7 MARCH 2017

AGREED: That the minutes of the meeting held on 7 March 2017 be approved as a correct record.

21. MINUTES - 22 JUNE 2017

AGREED: That the minutes of the meeting held on 22 June 2017 be approved as a correct record.

22. HARINGEY DEVELOPMENT VEHICLE - VERBAL UPDATE

The Chair welcomed Cllr Elin Weston, Cabinet Member for Children and Families, Lyn Garner, Strategic Director of Regeneration, Planning and Development, and Richard Grice, Interim Director of Transformation and Resources, to the meeting. It was explained that the Leader of the Council, on 31 August 2017, had made a decision to nominate these individuals to represent the Council on the Haringey Development Vehicle Board.

It was also noted that Cllr Weston, Ms Garner and Mr Grice had participated in shadow HDV board meetings during the summer of 2017. The Chair stated that, despite ongoing scrutiny of the HDV, the Panel had not been made aware of the shadow board.

In response to questions, Ms Garner explained arrangements for the shadow board had been outlined in a report to Cabinet, in February 2017, to approve the selection of Lendlease as preferred bidder. Ms Garner went on to highlight section 6.44 of the Cabinet report, outlined below:

“It is intended that shadow board arrangements will be put in place with the preferred bidder ahead of financial close to enable the board to form, establish itself and begin to function in an informal way (though the board cannot take any formal decisions until the HDV is formally incorporated).”

The Panel was informed that during the summer the shadow HDV board had met informally on three occasions: 22 June; 2 August; and 30 August. However, due to a legal challenge, it was explained that the Council and Lendlease had agreed to suspend these meetings. The Panel was also informed of a HDV Shadow Board Dinner, held on 24 April.

It was noted that the shadow board meetings had been informal and did not have the power to make any decisions or give directions to staff, nor to otherwise exercise any of the functions defined for the HDV Board in the legal agreements. Following a discussion about the role of the HDV Board and the importance of its effective functioning, Cllr Weston and Ms Garner both explained that it had been worth investing time in the preparatory stages in order to build the relationships on which the formal functioning would depend.

The Panel was informed that council officers and members nominated to the HDV Board would owe general fiduciary duties to the Board, when sitting on the Board. The Panel was informed that it was normal for such obligations to be imposed on the members, via the Members' Agreement, to act in the best interest of the LLP and not to act in conflict with its interests. However, the Panel was asked to note that these principles did not apply to the shadow HDV board as these would only apply upon the establishment of the LLP and creation of the HDV Board.

In response to questions about the 3 July 2017 Cabinet meeting, concerning the approval of the legal documentation to establish the joint venture, the HDV Board and its first set of business plans, Cllr Weston advised she had been acting in her capacity as member of the local authority. The Panel was also asked to note that Cllr Weston

had taken advice from the Monitoring Officer, before the Cabinet meeting, who advised attendance at shadow board meetings did not amount to either a disclosable pecuniary interest nor prejudicial interest requiring disclosure.

During the discussion, the process for approving a revised Estate Renewal Rehousing and Payments Policy was considered. It was noted that the policy would set out rehousing commitments for secure and assured tenants, and for leaseholders required to move due to regeneration. The Panel was informed that the policy would be considered by Cabinet in October 2017 and that it would take precedence over the HDV legal agreements i.e. the Right to Return was paramount over a single move.

Paul Burnham, from Haringey Defend Council Housing, asked a number of questions in relation to RSL tenants in the Northumberland Park regeneration area. Mr Burnham stated there was no mention of RSL tenants in the HDV legal documents and asked what the arrangements were for their rehousing. In order to provide clarity, Ms Garner agreed to provide the Panel with a written response on these issues. **ACTION**

The Panel raised a number of issues concerning service charges and asked whether these would be affordable to returning social housing tenants or whether any increases would effectively render the promise to return as meaningless. In response to questions, Ms Garner explained it was likely services charges would increase from current levels. However, it was acknowledged costs associated with services charges were complex. This was because they related to the level of service provided and would differ from block to block. In order to provide clarity, Ms Garner agreed to provide the Panel with a written response on these issues. **ACTION**

In addition, the Panel asked to receive further information on the following:

- An update on how and when minutes from shadow board meetings would be published. **ACTION**
- Further information in relation to the preparatory work that had been undertaken, in relation to branding, to ensure the HDV could go live in a timely fashion. Details and dates were requested in relation to the pitches and what had been paid for, when, and by who. **ACTION**
- Further information concerning the transfer of land to Duke's Aldridge Academy formerly Northumberland Park Community School. **ACTION**
- Once updated, the Panel asked to receive a copy of the revised Members' Agreement. **ACTION**

Ms Garner agreed to provide the Panel with a written response on each of these issues. **ACTION**

AGREED:

- (a) That the update concerning the Haringey Development Vehicle be noted.

(b) That the Strategic Director of Regeneration, Planning and Development be asked to provide the Panel with a written response to the issues highlighted above.

Clerk's Note - The response from the Strategic Director of Regeneration, Planning and Development is attached as an annex to the minutes

23. MOVING TOWARDS GOOD GROWTH IN HARINGEY

Helen Fisher, Director of Regeneration, introduced the report as set out, concerning emerging ideas and ideas about good and inclusive growth.

The Panel was informed that these ideas and concepts had gained increased prevalence over recent years, with growing evidence that the proceeds of national and regional growth had predominately benefited a small section of the population. It was noted that researchers and practitioners had recently begun to coalesce around the umbrella term “Inclusive Growth” to describe policies and programmes with the central objective of generating shared prosperity where no one was left behind.

In response to questions about defining inclusive growth, Ms Fisher explained that the most prominent definition of inclusive growth had been established by the Royal Society of Arts. It was noted that their Inclusive Growth Commission (2017) had cited some key principles for delivering inclusive growth:

- Develop a shared vision for the place, owned by leaders in government, business, the VCS and local communities
- Establish a whole system endeavour, integrating social and economic policy and infrastructure investment around measurable outcomes for individuals.
- Develop a whole life-cycle approach, recognising that individuals require different types of support at different stages of life.

Ms Fisher went on to explain that prominent research and evidence from early practitioners had outlined a number of changes that were needed to ensure growth was inclusive. These included:

- The fact that outright economic growth was no longer enough. With income inequality and rising costs of living it was recognised that there must be a focus on the quality of growth.
- Economic and technological changes required more holistic, place-based leadership involving public and private sector leaders and the communities they served.
- A recognition that investing in education, training and health and wellbeing for the whole population generates greater and more sustainable economic growth while ensuring now one was left behind.

In response to questions, the Panel was informed that the ideas underpinning inclusive growth had influenced the Mayor of London and GLA's adoption of three

“Good Growth” principles: Empowering People; Making Better Places; and Growing Prosperity. Ms Fisher explained that these themes would underpin the next London Plan and the GLA’s overall approach to regeneration, as set out in sections 6.21 – 6.27 of the report. It was noted that Haringey had committed to playing its part in meeting London’s challenges through the significant regeneration programmes underway across the borough.

During discussion, it was noted that inclusive growth had emerged as a key theme over recent years and had been adopted and championed by international organisations. Case studies from across the world were also considered, including lessons learnt from:

- Louisville, USA: America’s “Compassionate City”
- New York City, USA: Career Pathways Framework
- Rotterdam, Netherlands: National Programme Rotterdam South
- Bristol, UK: Bristol City Office

The Panel agreed that proactively empowering and investing in communities and people was key in helping to ensure the benefits of growth were translated into meaningful outcomes for all.

In conclusion, it was highlighted that Haringey was home to some of London’s most significant regeneration initiatives, often located in areas where the population was affected by high deprivation. Building on work Haringey had already done, the Panel agreed the Council needed to include proactive policy and project work to ensure all residents were able to participate in shaping the future of their area and to benefit from the investment in their communities.

The Chair thanked officers for their comprehensive report and suggested its contents be used when scrutinising other issues, including in-depth project work, set out in the Panel’s work programme report (agenda item 12).

AGREED: That the update concerning emerging ideas about good and inclusive growth be noted.

24. PROPERTY LICENSING - UPDATE

The Chair welcomed Cllr Peray Ahmet, Cabinet Member for the Environment, and Alison Crowe, Programme Manager, to the meeting and Cllr Ahmet introduced the report.

The Panel was informed the report provided information on the progress that had been made to date in respect of extending the Additional Licensing scheme and introducing a Selective Licensing scheme for single dwelling houses.

In response to questions, the Panel was advised that in order to bring forward either an additional or selective licensing scheme the Council needed to satisfy legislative

criteria. It was noted that this was particularly important when presenting a case for selective licensing, as set out in section 6.2 of the report.

The Panel was asked to note that both schemes needed to be supported by a robust evidence base and that a full public consultation exercise was required before a scheme could be introduced.

In response to questions, Ms Crowe explained various data sets (from within the Council and the Metropolitan Police) had been brought together and analysed, as set out in section 6.3 of the report.

In terms of consultation, the following points were noted:

- Public consultation would take place between November 2017 – February 2018.
- The consultation would go beyond borough boundaries.
- Information would be provided to explain why the Council was proposing a licensing scheme and why alternative remedies were insufficient.
- Information would be provided to demonstrate how the schemes would tackle specific problems and how they would relate to other measures.

In response to questions, Ms Crowe explained the consultation was likely to attract a negative response from landlords and the Council needed to look at what support could be provided to support landlords.

The Panel was informed that work was ongoing to analyse data and to meet requirements set out by the Department for Communities and Local Government (DCLG). It was noted that officers had met with colleagues from DCLG to discuss initial proposals for licensing across Haringey and to seek further guidance on how best to present the evidence base. It was noted that feedback from the DCLG had included:

- The need for selective licensing to address problems in individual streets/areas.
- Ward based schemes offered a blanket approach and it was unlikely problems relating to the private sector dwellings existed across the ward.
- Clarity was needed in terms of the problems that were trying to be addressed and the desired outcomes.

From the analysis to date, the following points were noted:

- There were pockets of problematic single family private sector dwellings in the borough.
- HMOs were problematic and required blanket regulation.

- Using various data sets, officers had estimated an increase in the private sector stock (overall) to 35,000. It was noted HMOs could be as high as 50% of this total.
- Previous national studies, and findings from Haringey, highlighted many HMOs: Operated under the radar, unregulated; Increased the risk of fire; Were owned by absent or rogue landlords; Were unsafe and often occupied by vulnerable tenants.
- An additional licensing scheme could cover up to 50% of the borough's private sector stock.
- Evidence suggested that a selective licensing scheme was needed in some areas, as outlined in section 6.3 of the report.

In conclusion, the Panel was informed that a borough wide scheme would go some way to improving the lives of residents and would increase the Council's powers to act. In addition, the Panel was informed that it was likely officers would recommend a selective licensing scheme that would fall within the 20% threshold. It was noted that desired outcomes from the selective licensing scheme would include: improved housing conditions and ASB, crime and environmental crime associated with private sector dwellings. The Panel was informed that a report on these issues would be presented to Cabinet in November 2017.

AGREED: That the update on property licensing be noted.

25. VIABILITY ASSESSMENTS - SCRUTINY PROJECT UPDATE

Emma Williamson, Assistant Director for Planning, introduced the report as set out.

Ms Williamson commented that during 2015/16 the Housing and Regeneration Scrutiny Panel had conducted a review of the viability assessment process in Haringey. It was noted that the Panel had made a number of recommendations and that the Council's response to the report had been considered by Regulatory Committee on 17 January 2017 and agreed by Cabinet on 25 January 2017.

In response to questions, Ms Williamson stated the majority of the Panel's recommendations had been agreed and went on to provide an update in terms of the progress that had been made in implementing them. As part of this, the Panel was asked to note the recommendations and subsequent action taken, set out in Appendix 1 to the report.

During the discussion it was noted that the Panel's recommendations had been put forward to improve the consistency and transparency of the viability assessment process. Ms Williamson explained that the development of a London Wide Viability Protocol would also improve the consistency of the process across London.

The Panel thanked officers for their work in helping to ensure the Planning Service was doing all it could to ensure processes used in Haringey were as rigorous as possible.

AGREED: That the actions being taken, as a result of the Panel's recommendations relating to the viability assessment process in Haringey, be noted.

26. WORK PROGRAMME UPDATE

Christian Scade, Principal Scrutiny Officer, provided an update on the proposed work programme for the remainder of the 2017/18 municipal year.

During the discussion, it was agreed an update on temporary accommodation should be considered by the Panel in November 2017. In addition, the Panel queried why the Community Infrastructure Levy rate was lower in north Tottenham compared to the south of Tottenham and suggested further scrutiny was required during 2017/18.

AGREED:

- (a) That subject to the additions and comments above, the areas of inquiry outlined in Appendix A of the Work Programme Update be approved and recommended for endorsement by the Overview and Scrutiny Committee.
- (b) That the scoping document for the Social Housing Scrutiny Project, outlined in Appendix B of the Work Programme Update be approved and recommended for endorsement by the Overview and Scrutiny Committee.

27. NEW ITEMS OF URGENT BUSINESS

None.

28. DATES OF FUTURE MEETINGS

The Chair referred Members present to item 14 as shown on the agenda in respect of future meeting dates, and Members noted the information contained therein'.

CHAIR: Councillor Emine Ibrahim

Signed by Chair

Date

SCRUTINY RESPONSES -final

- (1) During the discussion, the process for approving a revised Estate Renewal Rehousing and Payments Policy was considered. It was noted that the policy would set out rehousing commitments for secure and assured tenants, and for leaseholders required to move due to regeneration. The Panel was informed that the policy would be considered by Cabinet in October 2017 and that it would take precedence over the HDV legal agreements i.e. the Right to Return was paramount over a single move.

Schemes led by the Haringey Development Vehicle are fully covered by this policy. This question only arises because the draft revised Estate Renewal Rehousing and Payments Policy, placing priority on the right of return, was published towards the very end of the HDV business plan preparation process. The Right of Return is an absolute right for every tenant as set out in the ERRPP, and as agreed at Cabinet on 20 July 2017 wording in the Land Assembly Agreement is being reviewed to ensure there is no ambiguity on this point. You can view the revised ERRPP Cabinet report on the council's website here: <https://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=118&MId=8290&Ver=4>

- (2) Paul Burnham, from Haringey Defend Council Housing, asked a number of questions in relation to RSL tenants in the Northumberland Park regeneration area. Mr Burnham stated there was no mention of RSL tenants in the HDV legal documents and asked what the arrangements were for their rehousing. In order to provide clarity, Ms Garner agreed to provide the Panel with a written response on these issues.

The Estate Renewal Rehousing and Payments Policy enables the Council to extend the commitments made to Council tenants to Housing Association tenants "where the Council has a strategic interest" in the scheme. This has been included in the policy specifically to capture schemes like Northumberland Park, where the Council is promoting the regeneration scheme. As above, this would not have been in the HDV business plans because the draft revised Estate Renewal Rehousing and Payments Policy was only published towards the very end of the HDV business plan preparation process. Arrangements for meeting any additional costs of rehousing residents that need to be rehoused under the policy will need to be part of the business plan for each regeneration scheme. With particular regard to any scheme at Northumberland Park, there are currently no firm plans at all and so it would be premature to assume that RSL tenants will be included until further work and engagement has been carried out.

- (3) The Panel raised a number of issues concerning service charges and asked whether these would be affordable to returning social housing tenants or whether any increases would effectively render the promise to return as meaningless. In order to provide clarity, Ms Garner agreed to provide the Panel with a written response on these issues.

Service charges will be levied on a non-profit basis and therefore will be directly related to the level of service provided. Enhanced management and design of the scheme will help to minimise service charges but with the enhancement in the level of service compared to that currently provided, there may be an increase. This level of service charges will be benchmarked to make sure that it is fair and affordable as well as considering other mechanisms to minimise costs, particularly for those living in affordable homes. Management of homes is an issue addressed through the Section 105 consultation and so further detail will be developed as residents provide feedback.

- (4) An update on when and how minutes from the shadow board meetings will be published.

The minutes from the Board meetings are currently in the process of being approved by Board members. The minutes will be published on the Council website.

- (5) Further information in relation to the preparatory work that had been undertaken, in relation to branding, to ensure the HDV could go live in a timely fashion. Details and dates were requested in relation to the pitches and what had been paid for, when, and by who.

As part of the HDV communications strategy (as identified on the published council risk register), some preparatory work has been undertaken to explore the purpose, values and brand of the new organisation and Lendlease have appointed a branding agency to take this work forward in the future. It is common practice when setting up a new organisation for this kind of preparatory work to be done. Pitches took place on 11 May, 18 May and 07 June 2017. Whilst the council has taken a public decision to establish the HDV, the new organisation – including any name or brand – will of course not be fully developed or launched prior to the HDV being formally established, and would be a decision for the board of the new organisation.

- (6) Please provide further information concerning the transfer of land to Duke's Aldridge Academy, formerly Northumberland Park Community School

When a school becomes an academy under the Academies Act 2010, local authorities are required to reach an arrangement with the school concerned to grant the academy a long leasehold interest in the land occupied by the school using a "model lease". This is in accordance with the guidance issued by the Secretary of State: "Academy conversion: land transfer advice". In instances where arrangements cannot be reached the Secretary of State can compel local authorities to transfer the land under schedule 1 of the Academy Act 2010. In the case of Northumberland Park Community School (which became part Duke's Aldridge Academy), the school became an Academy on 01 September 2017, and a long lease for a term of 125 years was granted for the school site on 01 September 2017.

- (7) Once updated, the Panel asked to receive a copy of the revised Members' Agreement.

This will be included in the delegated decision report to approve the agreement to establish the HDV, which will be published in the normal fashion.