

NOTICE OF MEETING

OVERVIEW AND SCRUTINY COMMITTEE

**Tuesday, 15th October, 2019, 7.00 pm - Civic Centre, High Road,
Wood Green, N22 8LE**

Members: Councillors Lucia das Neves (Chair), Pippa Connor (Vice-Chair), Erdal Dogan, Adam Jogee and Khaled Moyeed

Co-optees/Non Voting Members: Mark Chapman (Parent Governor representative), Luci Davin (Parent Governor representative) and Yvonne Denny (Co-opted Member - Church Representative (CofE))

Quorum: 3

1. **FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES FOR ABSENCE**

3. **URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item below).

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. MINUTES (PAGES 1 - 16)

To agree the minutes of the meeting on 22nd July.

7. MINUTES OF SCRUTINY PANEL MEETINGS (PAGES 17 - 24)

To receive and note the minutes of the following Scrutiny Panels and to approve any recommendations contained within:

Children and Young People Panel – 19th September

8. CABINET MEMBER QUESTIONS - CABINET MEMBER FOR LOCAL INVESTMENT AND ECONOMIC GROWTH

Verbal update

9. QUARTER 1 (PERIOD 3) BUDGET MONITORING FOR 2019/20 (PAGES 25 - 60)

10. BOROUGH PLAN 2019-23 PRIORITY PERFORMANCE UPDATE QUARTER 1 (PAGES 61 - 68)

11. FRONT OFFICE, BACK OFFICE TRANSFORMATION PROGRAMME (PAGES 69 - 84)

12. SCRUTINY REVIEW OF WARDS CORNER (PAGES 85 - 170)

13. WORK PROGRAMME UPDATE (PAGES 171 - 200)

Work programmes for the Adults and Health and Housing and Regeneration Panels are to follow.

14. NEW ITEMS OF URGENT BUSINESS

15. EXCLUSION OF THE PRESS AND PUBLIC

Item 16 is likely to be subject to a motion to exclude the press and public from the meeting as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 & 5.

16. EXEMPT LEGAL ADVICE ON ITEM 12 (PAGES 201 - 204)

17. ITEMS OF EXEMPT URGENT BUSINESS

To consider any items of exempt urgent business as identified at item 3.

18. FUTURE MEETINGS

25 November 2019
14 January 2020 (Priority X)
23 January 2020 (Budget Scrutiny)
12 March 2020

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Monday, 07 October 2019

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MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON MONDAY, 22ND JULY, 2019, 7:00.

PRESENT:

Councillors: Lucia das Neves (Chair), Pippa Connor (Vice-Chair), Erdal Dogan, Adam Jogee, Khaled Moyeed,

Also Present: Luci Chapman, Luci Davin and Yvonne Denny

36. 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.

37. APOLOGIES FOR ABSENCE

There were no apologies for absence.

38. URGENT BUSINESS

There were no items of urgent business.

39. DECLARATIONS OF INTEREST

None.

40. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None.

41. MINUTES

The Chair of the Adults and Health Panel advised that in relation to Item 25 in the minutes, the key point was that client information from the social care system was aligned other medical information held by the NHS to ensure continuity and that access to all information was available in one location, through the patient portal.

RESOLVED

That the minutes of the meetings on 3rd June and 4th July were agreed as a correct record.

42. MINUTES OF SCRUTINY PANEL MEETINGS

The Chair of the Housing and Regen Panel set out that the Panel minutes from 10th June were still draft.

RESOLVED

That the Committee received and noted the minutes of the following Scrutiny Panels and approved any recommendations contained within:

- Children and Young People – 13th June 2019
- Environment and Community Safety – 11th June 2019
- Housing and Regeneration – 10th June 2019
- Adults and Health – 20th June 2019

43. UNIVERSAL CREDIT

The Committee received a report on Universal Credit, which provided an update from the verbal briefing received in January. The report was introduced by Jim Brady, Service Manager for SSC – Benefits, Training & Quality as set out in the report pack at pages 37-54. Also in attendance at the meeting were Daniel Blake - CEO at Haringey CAB, Phylis Fealy from the DWP and Julie Stevens, also from the DWP, and who was the overall manager for the Tottenham Job Centre. Cllr Amin, the Cabinet Member for Corporate and Civic Services was also present, along with Andy Briggs the AD For Customer Services and Libraries. The following was noted in discussion of the report:

- a. Haringey CAB advised that Universal Credit required a lot more interactions and engagement from his organisation with members of the public than any of the previous benefits that it was designed to replace, resulting in significant resource implications. The DWP set out that that relationships were a key factor in administering Universal Credit and that it required the development of clear pathways for support.
- b. In relation to a question around the number of landlords that had asked for rent payments to be made to them directly, officers advised that the introduction of Universal Credit had increased overall rent arrears and that it was likely to be a significant number of landlords. Officers agreed to come back to the Committee with the number of landlords in Haringey that had asked for rent payments to be made to them directly, following rent arrears. **(Action: Jim Brady).**
- c. In response to a question around the training and support offered to staff to help them assist claimants, officers advised that DWP staff had been sent into libraries to talk to staff and to go through all of the information that staff members needed to know. Officers acknowledged that the library staff were not experts and that their role was largely to assist those people to make a claim.
- d. In response to a request for feedback from frontline staff, officers advised that there had been very few problem claims or significant issues so far and that on the odd occasion were a problem had arisen, they had been able to speak to the Job Centre quickly and get the problem resolved. Haringey CAB advised that the biggest issue they had come across was that it required much more access to IT and online services. The DWP had provided public access computers to CAB for this purpose. The Committee noted that Haringey CAB

- staff provided a dedicated advice service in Marcus Garvey Library on a Monday.
- e. In relation to staff resources available, Haringey CAB advised that they had a dedicated service to support people up to the point of their first successful claim. The service comprised of six staff and any queries outside of this would be picked up by generalist help and advice staff. Daniel Blake advised that since the introduction of Help to Claim, the number of queries had gone down. The DWP advised that they had around 58 staff working on claims in Tottenham, with 48 working on Universal Credit and 10 on legacy benefits. There were 45 staff in Wood Green, with a similar split in relation to Universal Credit and legacy benefits.
 - f. In response to a question, respondees advised that there were no major language barrier issues and that both libraries and CAB had adequate existing resources in place to deal with language and translation issues that arose.
 - g. The Committee sought further information in relation to the national timeframe. Officers responded that Haringey would be subject to the national rollout and could well see further drift in relation to the implementation date. Phylis Fealy advised that the rollout was heavily dependent upon the outcome of a pilot scheme and that they were hoping to have 100 people migrate across to the system by December. Further rollout was dependent upon whether any issues were identified as part of the pilot.
 - h. The Committee sought assurance about whether there was an IT system in place that was able to track people throughout the benefits process and that could be used to flag up residents who got in trouble when they migrated to Universal Credit. In response, officers advised that there was no dedicated benefits IT system that fulfilled that role, however the team did do some work to pull together a number of different data sources to try and identify people who were likely to have problems and try to proactively engage with them. The Committee also noted that the Community First programme was in place and was set up to track those people at risk of falling into debt. Officers agreed to bring back some further information around the Community First programme. **(Action: Andy Briggs).**
 - i. The Committee raised concerns about the impact of delays causing rent arrears to HfH and questioned what mechanisms were in place to coordinate this. The Chair sought details of how the impact of Universal Credit was being monitored across the Council, including its impact across Council services. In response, officers suggested that HfH were on top of Universal Credit and closely monitored cases internally. It was suggested that the majority of issues and arrears occurred due to the 5 week delay in receiving the first payment. Officers advised that there was no coordinated approach across the Council and that main access point for information for people who were financially vulnerable was likely to be Community First. The Committee highlighted information that set out that there was around £636k worth of arrears to HfH as a result of Universal Credit. The Chair agreed to follow up the issue of arrears with HfH directly. **(Action: Chair).**
 - j. In response to a request for further information about some of the key issues from a CAB perspective, the Committee was advised that the service had multiple points of entry and could occur as a result of walk-in or a referral by Job Centre Plus. Overall, CAB advised that the system tended to work quite well once the claimant had been in touch with, and supported by, CAB. One of

the main advantages in relation to using CAB, was that it offered other wraparound services and could signpost claimants to a variety of other services. The key concerns from CAB related to IT access and the level of engagement required to complete a claim. CAB also highlighted issues around being able to satisfactorily evidence child care costs.

- k. In response to a question about whether the process was online only, the DWP advised that although people were encouraged to use the online system, there was also telephone system available.
- l. The Committee questioned whether the deferred payment system had led to an increase in evictions. In response, it was noted that although advance payments were available to people, officers advised that they were not aware of many cases of people being evicted as a result. The DWP advised that they prioritised first claims, which had a five week delay, specifically to prevent evictions. In response to a further question the DWP advised that although a 100% advance was available, they dissuaded people from taking the full amount due to the risk of falling into debt.
- m. The Committee requested some further information in relation to ward level mapping data for Universal Credit claimants. **(Action: Phylis Fealy).**
- n. The Committee sought clarification around the 10-14% of claims that were not paid in full, as set out in the report. In response, the Committee was advised that the majority of cases was as a result of not having enough information to verify the claim. The DWP assured the Committee that if the payment was not made in full, they would at least process the personal allowance payment and would then seek to resolve the rest of the claim as quickly as possible. In response to a further question, the Committee noted that the amount of the personal allowance payment would depend on the household in question.
- o. The Committee sought clarification around whether the different partners met regularly to resolve issues and develop a coordinated approach. In response, officers advised that there was a Haringey welfare reform forum that met to discuss a range of issues, including Universal Credit. The Committee commented that this forum needed to meet more regularly than at its current frequency of every four to six months.
- p. In summary, the Chair commented that two of the main issues that had arisen were: The need for coordination and visibility within the Council, so that the impact, over time, on a variety of Council services was better understood; as well as the need for connectivity between different IT systems to help identify and coordinate responses better over the medium to long term.

RESOLVED

That the Committee noted the report.

44. PROVISIONAL FINANCIAL OUTTURN 2018/19

Jon Warlow, Director of Finance, introduced the report which set out the Council's provisional budget outturn for the last financial year of 2018/19. It was noted that there were some service overspends, which totalled about £9 million. The Director of Finance highlighted that the reserves position of the authority had improved slightly, as evident in the reserve statement section of Appendix 1 of the report.

The following was noted in response to questions from the Committee:

- a. Regarding a query around capital underspend and whether there was a missed opportunity to get going earlier on some issues, the Director of Finance mentioned that while everybody wanted the capital spend to be higher, there were positive results from this, namely in 2017/18 the outturn represented 37% of the capital budget and in 2018/19 it was 53%, which meant a 16% improvement in the year. It was noted that there was a continual focus to improve upon the 53% outturn. It was added that in relation to individual capital schemes, in many instances reasonable and explicable reasons were provided as to why there was not a full delivery. The Director of Finance highlighted that there were no resources lost in trying to minimise some slippage.
- b. The Director of Finance confirmed that road maintenance and infrastructure came under the capital budget. The Director of Finance noted that the degree of underspend on capital projects was variable depending on which project was viewed. The Director of Finance then referred to the Borough Roads scheme - scheme reference number 302 at page 80 of the report - which had a capital programme of £4,164 million and an outturn of £4,172 million. In terms of addressing road pothole issues speedily, Cllr Chandwani -the Cabinet Member for Neighbourhoods – clarified that there were two types of maintenance, planned and reactive maintenance, and noted that the type of maintenance referred by Cllr Jogee was reactive maintenance. The Cabinet Member further mentioned that an email that was sent to all Councillors about problems with the LOHAC contract that was managed by TFL. Regarding the LOHAC contract, the Cabinet Member acknowledged concerns with this contract and advised that a report to Cabinet had gone up in July around its retender.
- c. Regarding a query as to whether priority areas could be moved around within the capital budget, the Director of Finance explained that the budget was set based on the expectations at that point. During the course of the year there were some circumstances in which money was transferred through virement, but that was done through a proper decision-making process. The Director of Finance noted that in relation to the scheme headings shown on the Capital Programme, those resources had been allocated for the stated purposes, and the schemes would continue to be delivered in the next year for their stated purposes when the schemes were carried forward.
- d. Regarding a query as to whether the remaining amount of the Dedicated Schools Grant (DSG) would be carried over as the Early Years block was underspent, the Director of Finance highlighted that the DSG section of the report, set out at section 7 of Appendix 1 of the report, showed the demand problems faced by the High Needs block. It was noted that there was an underspend on the Early Years block by £0.71 million. The Director of Finance referred to Table 2 on the DSG Reserve at section 7.6 of Appendix 1 of the report, which showed an agreed transfer during the course of the year between the Schools block and Early Years to the High Needs block. The transfer was made with agreement of the Schools Forum in recognition of the need to help improve the High Needs block. Despite this, the High Needs block was struggling and had put the DSG in negative position at £2.2 million at the end of the financial year. The Director of Finance agreed that what was happening with the DSG was not sustainable and confirmed that there were limitations on how much could be moved around. A recovery plan had been started as a

degree of negative reserve in excess of the threshold had been forecasted by the end of the year.

- e. In terms of savings, the Director of Finance noted that the aim for 2019/20 was to deliver savings of £13 million. The delivery of the savings agenda for 2019/20 was stronger than last year due to several reasons which were set out as part of the MTFS. Firstly, a lot of difficult savings were taken out of the budget; and secondly, both Adult and Children Services had additional budget provisions made. A £7 million resilience factor had been built into the budget to help deal with problems that arose. In terms of the reserves position, at the close of 2018/19, some work had been done that made it as strong as it could be, which included a review of the grants. The upshot of the review was that three things were done with the reserves: firstly, more money was put into the transformation agenda; secondly, more money was put into the ICT reserve; and thirdly, £2 million more was put into a resilience reserve to deal with the negative £2 million balance with DSG at the close of last year.
- f. The Director of Finance stressed that as an organisation it was important to focus on delivering the £13 million savings because there would be a legacy problem if the savings target were not delivered. The Director of Finance confirmed that reserves could only be used once. Regarding the limited opportunities that had been utilised in 2018/19 to improve the reserves position, it was noted that the business rates improvement was used to offset the service overspend during the course of the year.
- g. The Chair requested clarification on the Business Rates section of the report at section 8.3 of Appendix 1. In response, the Director of Finance explained that performance on Business Rates were not at the point where the authority wanted it to be. The target of 98% was in the ballpark of what was expected to be collected year on year. However, it was noted that the money was still collectable, and the department had worked to catch up with that money from last year to ensure a better performance for this year. The department were aware that the shortfall needed to be collected from last year because the business risk was that if the money was outstanding for longer, then there would be an increased likelihood of difficulty in collection and bad debt costs.
- h. In relation to section 9.7 of the report at Appendix 1 regarding Broadwater Farm, the Director of Finance clarified that the information provided was in respect of the level of spend on the existing scheme, and underspend on the level of spend on the existing scheme.

RESOLVED

- I. That the Committee noted the contents of the report and considered how it could be used to inform future scrutiny work and overview of the financial monitoring and planning process during 2019/20.

45. CABINET MEMBER QUESTIONS - CABINET MEMBER FOR FINANCE AND STRATEGIC REGENERATION

Councillor Adjé, Cabinet Member for Finance and Strategic Regeneration, responded to questions from the Committee:

- a. The Cabinet Member noted that his main concerns were to ensure there was adequate funding for services to be provided for the people of the Borough, to ensure the Borough was secure, and that there was a balanced budget.
- b. In terms of the Council's finances, the Cabinet Member noted that everything was being done to ensure the Council had a balanced budget. Regarding the expected position of the Council's finances in 2022, the Cabinet Member foresaw the Council's finances being in a balanced position.
- c. Regarding possible virements to high road works, the Cabinet Member explained that if the fund was ring-fenced then it would be difficult to vire the funds; however, if a case was made where there was a grant that was not ring-fenced, then it would be looked at whether that could be used to assist.
- d. In terms of whether the budget was aligned with the manifesto, the Cabinet Member acknowledged that the two were aligned and were reflected in the Council's Borough Plan.
- e. Regarding a query on funding for a nursery, the Cabinet Member advised that normally the school would have a maintenance budget, and if the maintenance had not been dealt with or there were insufficient funds, then the teacher or the finance subgroup of the governing body needed to raise the issues to the Governors, and also appeal to the Director and Cabinet Member on how the service could assist. In terms of the repairs for the nursery, it was advised that an analysis of the repairs needed to be made and a business case prepared. The Chair suggested that the issues with the nursery could be picked up and discussed at the Children's and Young People's Scrutiny Panel, especially around budgeting. **(Action: Cllr Dogan).**
- f. In terms of making Council Tax fairer, the Cabinet Member referred to the CTRS, which was part of the Borough Plan. Regarding raising funds, the Cabinet Member explained that the Council had to collect funds from small business through business rates, however, to assist small businesses, the Council provided a three-month discount or rent-free period when businesses started. The Cabinet Member understood that Council Tax payment was difficult for some people and highlighted that everything was being done to apply discounts for residents who were unable to meet their needs, for instance there were single persons discounts to assist those that lived alone. He noted that Council Tax was a statutory payment, and therefore, the Council had a responsibility to collect the money, and in some cases, bailiffs were used as enforcement.
- g. Regarding a query on invest to save proposals in other portfolios, the Cabinet Member clarified that the term 'invest to save' should not be used loosely. Although there would be an input into the service, there would also be revenue costs, therefore consideration need to be made of whether there would be a yield on the return. The Cabinet Member mentioned that he had regular monthly meetings with officers within Adults and Social Care, and had held conversations with officers around invest to save proposals.
- h. In terms of encouraging new businesses to invest in the Borough, the Cabinet Member noted that for instance, the Council encouraged businesses to use their shop as a meanwhile traded opportunity rather than be left vacant; and there were also three-month rent free periods and conversations around discounts on business rates for new business. The Cabinet Member positively highlighted the Business Improvement Districts (BIDs) on Wood Green High Road. Regarding Tottenham High Road, the Cabinet Member noted that there

was a Tottenham High Road Strategy, which started from the Tottenham Spurs Stadium to Seven Sisters. The Cabinet Member offered to provide Cllr Dogan a copy of the Tottenham High Road Strategy. **(Action: Cllr Adje).**

- i. The Committee raised concerns regarding funding issues faced by voluntary sector nurseries. In response the Cabinet Member reiterated that those matters should be referred to the relevant Director and Cabinet Member as there were possibly funds available in the service. The Cabinet Member suggested that if there were no funds available, then a conversation with the Director of Finance would be required, and possibly a political discussion would be required on the matter.
- j. The Committee suggested that it would be useful to assist struggling businesses in the Borough by having finance for Town Centre managers. In response, the Cabinet Member noted that he was pleased Cllr Connor was due to meet Cllr Gideon Bull, the Cabinet Member for Local Investment and Economic Growth, and he trusted that Cllr Bull would address the matter.
- k. Regarding the query around the St Ann's site, the Cabinet Member noted that the site did not belong to the Council. In terms of the amount of social housing that could be asked for the site, the Cabinet Member clarified that it was a planning matter. The Cabinet Member mentioned that when he had a conversation with Mr James Murray, GLA Deputy Mayor of Housing and Residential Development, he understood that 50% affordable housing was wanted because it was a GLA site. The Cabinet Member noted that the Council could use its influence to have conversations with the GLA regarding social or keyworker housing on that site; however, it was something that would arise during the Planning Permission process. The Chair suggested that this discussion could be picked up at the Housing and Regeneration Panel **(Action: Cllr Moyeed).**
- l. Regarding the Council developing the capacity to build its own homes, the Cabinet Member noted that recruitment of key specialist officers was underway and that Homes for Haringey were involved in this process.

The Cabinet Member thanked the Committee for inviting him and commended the Overview and Scrutiny Committee's involvement in the proposed Invest to Save programme in Children's Services. The Cabinet Member suggested that in future the Overview and Scrutiny Committee should also look at underperforming contracts. The Chair noted that this would be picked up as part of a separate conversation **(Action: Chair & Cabinet Member for Finance and Strategic Regeneration).**

46. FOBO - ENGAGEMENT AND COMMUNICATION

The Committee received a report which provided an update on the Front Office Back Office Transformation Programme, following a previous update provided to the Committee on 30th April 2019. The report was introduced by The Cabinet Member for Neighbourhoods. Andy Briggs, AD for Customers Services and Libraries, was present along with Helen Gaffney (HR Business Partner) and Belinda Black (FOBO Programme Director). Maggie Smith and Gerard McGrath from Unison were also in attendance. The following was noted in discussion of the report:

- a. The Cabinet Member advised that her primary concern around implementing the FOBO programme was around ensuring that undue stress and excessive workloads were not placed on staff as a result. There had been significant

consultation undertaken with trade unions and their concerns had been incorporated into the proposals as they developed. The Committee was advised that the formal staff consultation did not end until 25th July but that the information given during the meeting was the latest that was available. The Cabinet Member set out that she recognised that the Council needed to offer a 21st Century technology-based customer service solution to residents, whilst ensuring that services worked for everyone.

- b. In response to a question, officers advised that there were around 2000 calls and 300/400 emails per day to Haringey Customer Services.
- c. In response to a question, officers advised that there were nine staff engagement sessions held, including a number of pre-engagement sessions and that as a result, there were no surprises for staff in respect of these proposals. Officers advised that Committee that they had been able to have an open and constructive dialogue with staff and to ensure that the numbers of compulsory redundancies were kept to an absolute minimum. Officers advised that the number of expected redundancies had been reduced since last coming to the Committee and that through a series of mitigations they were able to advise that there would be no compulsory redundancies for staff.
- d. In response to a request for their comments, the Unison reps advised that engagement with management had improved since the previous update and that they were satisfied that a positive way forward had been found overall. The Committee noted a number of concerns from the unions which included:
 - i. The process felt overly rushed and the unions felt that back-office jobs had been taken before management were able to demonstrate adequate technological solutions.
 - ii. There was a lack of clear evidence to justify the level of posts deleted within the Revenue and Benefits service.
 - iii. The unions raised concerns from staff that those left behind would be dealing with increased stress levels and workloads from backlogs.
 - iv. Concerns were raised about gaps in service and that Customer Service staff would be asked to attend Liability Order hearings without the proper training or accreditation.
 - v. The Committee was advised that the unions remained concerned about whether the IT programme needed to run this programme was fit for purpose and the level of IT support that would be available for staff.
 - vi. That staff had raised concerns about a lack of training within the team entrusted within the new roles and that the training courses only took place once a month. Staff were also concerned about the impact on existing roles and having to effectively do two people's jobs.
 - vii. The Committee noted that the technology in question was not working as effectively as hoped within the DWP, who were much further advanced in the process. This would have a significant impact on existing staff.
 - viii. Given the issues around the technology, concerns were raised about deadlines being revised and implementation being delayed.
 - ix. The unions set out that whilst they welcomed having no compulsory redundancies, they did not want to see redundancies of any kind as this they represented job losses. Rather, the unions wanted to see their members in work in secure employment.

- x. The formal response to the consultation of behalf of the unions would be submitted to management on 24th July.
- e. The Chair directed the Committee to focus its questions around the communications with staff. The Chair acknowledged that officers were due to bring a follow-up report back to the Committee in October and requested that the report set out some of the concerns raised here including; whether what had been implemented to date was working effectively, what the impact of those changes had been and further information about the impact on staff undertaking Liability Order hearings. **(Action: Andy Briggs/Clerk).**
- f. The Committee sought clarification about whether the decision to transfer the business support function back to Children's Services from the corporate centre had been considered for other services, and whether adequate consideration had been given to the loss of specialism arising from adopting a centralised model. In response, officers advised a series of workshops were held with representatives of all services around 18 months ago and the business support function was not raised as an issue at that time. Subsequent to these workshops, a new Director for Children's Services had been appointed and it was decided, following significant discussions, that those functions would be better placed within CYPS. Following further questions, officers advised that there had been no desire to go back to services and actively seek reconsideration of the discussions that took place 18 months ago. However, officers emphasised that the FOBO programme was fully communicated and that the FOBO Board consisted of representation from across the Council and met monthly. There were also a variety of sub-boards which met regularly.
- g. In response to the discussion outlined above, Unison advised that in their opinion the shared service model had never worked and questioned the implementation of an additional level of management as a result of the model. Unison welcomed the return of the shared service functions back to Children's Services and suggested that this should be replicated for services across the Council.
- h. The Committee enquired what level or grade the Change Champions were within the organisation. In response, officers advised that they ranged from PO2 to Scale 5. Of the around 30 Change Champions, the majority were at the Scale 5 or Scale 6 Level.
- i. The Committee requested that the Change Champion newsletters be shared with all Members. **(Action: Andy Briggs).**
- j. The Chair highlighted some of the information contained in the newsletters and emphasised staff feelings of negativity, frustration and poor IT systems. The Chair suggested that there was a lot of learning for the Council in this around the culture of the organisation and asked the Cabinet Member how this information might be used to bring about positive change to the organisation's culture. In response, the Cabinet Member set out that the newsletter demonstrated that the organisation was serious about culture change and acknowledged that staff across the organisation were feeling some of the pressures outlined therein. The Committee was advised that the FOBO programme would play a central role in updating and improving IT systems, which was one of the main concerns highlighted. The Cabinet Member acknowledged the concerns outlined and advised the Committee that she would be taking the issue of culture change to Cabinet.

- k. The Committee enquired about how officers were going to ensure that there was a continuous level of service given the staff losses outlined and the fact that the demand of answering 2000 phone calls and 300 emails a day would still be there. In response, officers reiterated that they acknowledged the concerns about overloading staff and emphasised that the purpose of the programme was not just a cost cutting exercise, but rather a transformative approach which would, as a consequence, allow the Council to provide a more focused and responsive service to residents with higher needs. The AD for Customer Services and Libraries advised that resources would not be released until officers knew that what was being implemented would work. In addition, significant work had, and would continue to be, done around tracking this programme and its impact on staff.

RESOLVED

- I. The Committee noted the report.

47. LIBRARY UPDATE

The Chair asked the representatives from the Friends of Libraries groups to introduce themselves.

Mr David Bennie, Chair of For the Friends of Reading and Education in Haringey - which was an umbrella group for the various friends' groups at different libraries in the Borough - and he was also Chair of St. Ann's Library Friends. Firstly, Mr Bennie mentioned that he was pleased the Council kept nine libraries open and that the hours were not cut. Secondly, in terms of the Enhancement programme for the branch libraries, Mr Bennie was concerned that it had taken a long time and felt that it would be instructive to follow that back to understand how it took so long for a relatively small programme. Mr Bennie stressed that libraries had become crucial providers of Council services, for example the Council's Customer Service Centre introduced at Wood Green library and Marcus Garvey library; however, libraries had become less welcoming and acted as a security operation to control people that were out of order. Lastly, Mr Bennie raised concerns on the uncertainty and long-term plans of Wood Green library and Coombes Croft library in Tottenham. It was further noted that Muswell Hill Library had access issues as the mechanical lift had not worked properly for a substantial period, and it was suggested that it would be ideal to have lift access for the upper floor of the Library.

Ms Jasmine Taylor, representative of Friends of Marcus Garvey Library, briefly referred to the email response from the Friends of Marcus Garvey Library that was sent to the Councillors regarding the inaccuracies in parts of the report. Ms Taylor raised concerns that issues that related to Marcus Garvey Library were kicked down the road. Ms Taylor explained that when Marcus Garvey Library re-opened following refurbishment, the Friends of Marcus Garvey Library and other residents carried out a community audit and had meetings with library management about issues with the library. It was acknowledged that some

issues at the Library that were resolved, such as additional shelving, the youth section was returned, and the back door was no longer used as an entrance. Nonetheless, it was noted there was an agreement to reconfigure the lower floor to ensure there was better use of the Library space; however, it was felt that officers were hanging back on the agreement. It was highlighted that the £3 million that was meant to be spent on the Library was rather spent on customer service provision within the Library. Consequently, there were still various problems at the Library, particularly the lack of space. Ms Taylor put forward the following requirements for Marcus Garvey Library:

- The reconfiguration of the Library to allow more space;
- A Librarian within the children's library and children's desk in the Library to ensure children were provided support; and
- The removal of light boxes, which took a lot of space and had no useful function.

Ms Joanna Bornat, representative of Stroud Green and Harringay library, acknowledged that in the last year there was good support from Council officers, and the Library was about to go through a refurbishment. However, Ms Bornat raised concerns for the future of the library service as she felt afraid that the library service would be run by volunteers rather than existing library staff. Ms Bornat noted that the Library catered for a wide age range of people and also crossed the Borough boundary. Ms Bornat highlighted that she was delighted that Haringey had 9 libraries, a book budget and refurbished the new IT; however, the whole library building could not be used and accessed due to health and safety reasons Ms Bornat subsequently requested help to fundraise to open up the top level and for a lift to be installed. Ms Bornat noted that the Friends group had ideas on raising money for the Library and that the Friends group would be happy to discuss them with the Council, as the library was an important asset.

The Chair thanked the library representatives for sharing their observations and acknowledged receipt of the email. The Chair welcomed discussion on the Library representations.

The following was noted in response to the discussion:

- a. Regarding a query on the effectiveness of the relationship between the Friends groups and the Council, Mr Bennie mentioned that generally the relationship was good, but described it as patchy at times, particularly when there was a proposal 2 to 3 years ago to cut branch library hours which came as a surprise because the Friends group were not informed of it in advance. However, he explained that there had been improvements since then, for instance the Friends group had regular meetings with the Head of Service, and also, they had a good relationship with the branch Librarian. Mr Bennie raised a concern on dedicated library staff as they had become less attached to individual libraries. It was stressed that the relationship

between established librarians and the people who used libraries were crucial.

- b. Regarding a query on the capturing of concerns and conversations, Ms Taylor noted that the situation with Marcus Garvey Library was complicated as they not only had to deal with the library service but also the Council's Regeneration team. Besides communication issues with officers, another major issue were deadlines that were not met, for instance, similar issues continued to be discussed at meetings three to four months later.
- c. Judith Walker, Head of Libraries and Customer Services, noted that the capital allocation was initially for Library enhancement, for an internal fit-out. There had been a lot of work to fully identify the critical maintenance requirements and the ongoing 5-year plan, which had taken time to solidify. It was highlighted that engagement with the wider public around the internal designs had been completed and the aim of the programme was to develop a five-year maintenance plan. Ms Walker acknowledged the Friends groups representatives' frustrations of not being provided dates, but hoped they felt communicated with.
- d. The Cabinet Member for Corporate and Civic Services agreed that all the Borough's libraries were important for the residents of the Borough. The Cabinet Member highlighted that despite the challenges in the budget, the Council maintained the Borough libraries, which showed that the Council cared about its libraries. The Cabinet Member stressed that the Borough libraries should be promoted to ensure everyone used the libraries. It was noted that since the redevelopment of Marcus Garvey Library into a Customer Service Centre, the challenge was that any new developments at the Library would require a strong business case. It was further added that consideration would need to be made as to how the Customer Service Centre and libraries were kept as two separate spaces. The Cabinet Member mentioned that she would be attending the next meeting around libraries and the issues raised would be picked up to ensure the libraries worked. The Cabinet Member further noted that in relation to Muswell Hill Library she would pick up on the lift accessibility issue as there needed to be a decent lift, and also the children's library accessibility issues. The Cabinet Member also acknowledged that she would pick up on the lift at Stroud Green library, and would be glad to work with the Friends group around fundraising. **(Action: Cllr Amin).**
- e. The Cabinet Member highlighted that she would be glad to work with the Friends group on fundraising for libraries as income for libraries was an issue. The Cabinet Member concluded that she cared about libraries and she was glad the representatives of the Friends groups attended and raised the issues to ensure a way forward in the future.
- f. The Chair suggested that comments be provided on progress and timings, ideas for fundraising and income for libraries, and for some of the issues to be teased out. It was recommended written responses be provided on some of the matters that were raised. The Chair also suggested for visits to libraries be organised in the next 6 months for the Overview and Scrutiny

Committee Members, and feedback be provided on the progress of libraries and progress on building up the partnership relationship. **(Action: Cllr Amin/ Judith Walker).**

- g. In addition, a Committee Member requested a response on the role of the Librarian, impact on the dedicated staff and what the allocation of staff looked like. The Chair requested that the feedback and responses be provided in writing. **(Action: Cllr Amin/Judith Walker).**
- h. Regarding a query on the impact on the public of the Customer Service Centre in libraries, the Cabinet Member explained that there was a dedicated feedback process in libraries, that was separate from Customer Services

The Chair concluded that responses to further questions, feedback on libraries and the library peer review be provided to a future meeting. **(Action: Cllr Amin/Judith Walker/Andy Briggs).**

RESOLVED

- I. That the Committee noted the information provided in the report.

48. WORK PROGRAMME UPDATE

The Committee considered the Work Programme Update report as set out at pages 121-153 of the agenda pack.

Following a discussion, the Committee agreed to postpone the recommended appointment of Cllr Diakides to the Housing and Regeneration panel in response to concerns that Cllr Stone did not feel that he had received adequate notification of the decision to replace him. The Chair commented that she had spoken to him in person about the decision.

RESOLVED

That the Committee noted the work programmes for the main Committee and Scrutiny Panels at Appendix A of the report and agreed any amendments as appropriate.

49. NEW ITEMS OF URGENT BUSINESS

N/A

50. FUTURE MEETINGS

The Committee noted the remaining scheduled meeting dates for 2019-2020:

- 1 October 2019
- 25 November 2019
- 14 January 2020 (Priority X)
- 23 January 2020 (Budget Scrutiny)
- 12 March 2020

CHAIR: Councillor Lucia das Neves

Signed by Chair

Date

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MINUTES OF THE MEETING OF THE CHILDREN AND YOUNG PEOPLE'S SCRUTINY PANEL HELD ON THURSDAY 19TH SEPTEMBER 2019

PRESENT:

Councillors: Erdal Dogan (Chair), Dana Carlin, Julie Davies, Mike Hakata, Tammy Palmer, Luci Davin and Yvonne Denny

Co-opted Members: Luci Davin (Parent Governor representative) and Yvonne Denny (Church representative)

6. FILMING AT MEETINGS

The Chair referred Members present to item 1 on the agenda in respect of filming at the meeting and Members noted the information contained therein.

7. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chiriyankandath and Dixon, Mr Chapman and Ms Davin.

8. ITEMS OF URGENT BUSINESS

None.

9. DECLARATIONS OF INTEREST

None.

10. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None.

11. MINUTES

AGREED:

That the minutes of the meeting of 13th June 2019 be approved.

12. CABINET MEMBER QUESTIONS - CHILDREN AND FAMILIES

The Cabinet Member for Children and Families, Councillor Zena Brabazon, reported on recent developments within her portfolio:

- Good progress had been made in setting the new multi-agency safeguarding arrangements for the borough, which were due to be launched next week. The

arrangements made the local authority, Clinical Commissioning Group (CCG) and the Police equal partners;

- She had recently attended a conference on Black and Minority Ethnic (BAME) achievement in education. This was an issue of particular relevance to Haringey and she was proposing to hold an all Member event to consider the issue further once the data on summer exam results had been finalised;
- In response to the Youth at Risk strategy, a review was taking place of Alternative Provision (AP);
- There had been publicity recently regarding unregulated children's homes. She was aware that there were some of these within the borough. This was an important issue and she felt that the government should be lobbied to take action regarding it. In the meantime, she had asked the Children and Young People's Service to find out the location of any such homes in Haringey;
- The implementation of the Invest to Save programme that had been approved recently by Cabinet was proceeding. This included action to improve Special Educational Need and Disability (SEND) transport which she acknowledged required improvement;
- She was undertaking a programme of visits to schools and had recently visited Gladesmore School with Councillor Mark Blake as part of this.

The Panel noted that exam data from the summer was still being validated. Eveleen Riordan, Assistant Director for Schools and Learning, reported that schools would be contacted regarding their results, especially where there had been under performance.

In answer to a question, Councillor Brabazon reported that she would report back to the Panel on proposals for capital expenditure on schools, including clarification of the position regarding Fortismere School. In answer to another question, she said that she was not aware of any proposals to close schools in the borough due to declining levels of intake. She nevertheless felt that there needed to be discussion about the decline in pupil numbers, which was being experienced across the whole of London. The borough now had additional school places that had been provided by free schools and these had taken pupils from community schools. There were issues arising from churn and, in addition, housing also had a major impact. She reported that there had been a useful meeting recently with schools and they would get some budgetary uplift as a result of the recent government announcement. Haringey nevertheless already funded its schools well. There would also be an increase of £4 million to the high needs block of funding. In addition, an increase of 10p per hour had been agreed by the government for providers of the two-year-old early nursery care offer. She noted the concerns that had been raised about the disproportionately large salaries that had been paid to senior executives of the Tri Borough Alternative Provision (TBAP) Multi Academy Trust, who were commissioned to run the Octagon Pupil Referral Unit and felt that this was something that should be looked at further.

In answer to a question regarding concerns about SEND transport, she agreed that there were problems that needed addressing. The Panel noted that a report had been submitted to Cabinet regarding the transformation of the service. Changes had been made to the service in 2013 which included the setting up of pick up points but these had not proven popular with parents. There had also been concerns expressed about the application process. In addition, there had also been issues regarding service

providers which had caused disruption. Work was proceeding to implement improvements. Consideration was being given to how communication with parents could be improved as part of this. The Cabinet Member stated that improving SEND transport was a high priority for the Council.

In answer to a question regarding the waiting time for Education, Health and Care (EHC) plans, Ms Riordan reported that it was acknowledged that these were too long. During the last six months, action had been taken to reduce them and compliance with the 20 week time limit had improved. The majority of cases were now dealt with within this and it was expected to hit 100% later in the year. Support could be provided ahead of receipt of the formal plan though, if necessary. The Cabinet Member commented that the funding for SEN was complex. Schools were responsible for paying the first £6,000 of support and there was a disincentive for them to take pupils with SEN. Schools were facing funding challenges and staff who provided support for pupils with SEN had been let go in some cases. In addition, the high needs funding block was currently overspent by £4 million.

Panel Members expressed concern regarding the future of Blanche Neville School due to the decline in pupil numbers. Ms Riordan reported that the Children and Young People's Service was aware of the falling numbers and she had met with the Interim Head Teacher to discuss planning for the future.

In answer to a question, Ann Graham – the Director of Children's Services - reported that the views of parents had been listened to in developing the Invest to Save transformation programme, which would provide additional support and capacity so improvements could be made. The proposals had been subject to challenge at the Overview and Scrutiny Committee and the comments made had helped to inform the subsequent Cabinet decision. The programme included improvements to SEND services and, in particular, SEND transport. In answer to a question regarding outsourcing and insourcing, she reported that a hybrid model had been adopted. Services were commissioned externally if there was not the necessary expertise in-house.

In answer to a question regarding the proposed amalgamation of Stamford Hill and Tiverton schools, Ms Riordan reported that the final decision would take place in January. She was not aware of any school years at Stamford Hill school with only two pupils but they would still have a class teacher should this be the case.

13. FINANCE UPDATE - CHILDREN AND YOUNG PEOPLE

Paul Durrant, Head of Finance and Business Partnering, reported that the budget for Children and Young, reported that there was predicted to be an underspend in the budget for children and young people of £246k. This included provision for the £1.6m savings that had been agreed, which were currently mostly on track. Safeguarding and Social Care showed an underspend of £72k whilst the figure of Prevention and Early was £131k. In the event of an underspend, all Directors were able to make bids for the unused funds.

Ms Graham commented that the current projected underspend contrasted markedly with the overspend that took place last year. There were a list of priority items within

Children and Young People's Services on which the underspend could potentially be used. The intention was that the funding was kept within the service.

The Cabinet Member commented that placements and staff provided the biggest pressures on funding. Part of the Invest to Save programme included action to try and reduce the cost of placements. In terms of social worker staffing, it was critical that more permanent staff were recruited as this could save a lot of money.

14. NEW MULTI AGENCY SAFEGUARDING ARRANGEMENTS

Fatmir Deda, Strategic Safeguarding Partnership Manager, reported on the development in Haringey of new arrangements for multi-agency safeguarding following the abolition of local safeguarding children committees (LSCBs). These were now the joint responsibility of the Director Children and Young People's Services, the Police Borough Commander and the Chief Operation Officer of Haringey Clinical Commissioning Group (CCG). The new arrangements were to be implemented on 29 September and transition was currently under way. Funding had so far been the biggest challenge as there was no standard formula for how the costs would be shared.

In answer to a question regarding early intervention, Ms Graham stated that multi-agency safeguarding might provide an area for further Invest to Save proposals. In particular, the Cabinet Member was of the view that there would be benefit in focussing on the needs of those children in early years who were on the edge of care. There was also a need to look at the top-up of the rate paid to providers of the two-year-old early entitlement offer. In respect of the Youth at Risk strategy, alternative additional sources of funding were being sought. In particular, it was hoped that health colleagues would be able to contribute.

The Cabinet Member commented that there was a need to pay providers of the two-year-old offer sufficient amounts to make it viable for them. In addition, creative bids to provide young children on the edge of care with further support would also be welcome. Schools would be central to any such scheme.

In answer to a question, Ms Riordan reported that there were about 250 children in the borough who were home schooled and numbers were growing. Such arrangements were monitored regularly to ensure that they were adequate.

15. THE ROLE OF THE LOCAL AUTHORITY DESIGNATED OFFICER (LADO) AND ANNUAL REPORT

Sunita Khattra, Head of Service for Safeguarding, Quality Assurance and Improvement, reported that the recent OFSTED report on the Children and Young People's Service had commented that the LADO service was effective and credible and that parents and professionals had confidence in it. Sarah Roberts, the borough's LADO, was considered to be a national expert in her field.

In answer to a question, Ms Khattra reported that there was no national benchmarking for performance but Haringey was receiving considerably more contacts than some neighbouring boroughs. The largest number of contacts concerned those working in

the education sector, followed by foster parents. The response to reports was intended to be proportionate. All allegations were subject to a risk assessment. The service did not only seek to safeguard children but to also protect professionals against malicious allegations.

Panel Members welcome the more measured approach to allegations against professionals as people's careers could be damaged severely ones that were malicious.

16. INDEPENDENT REVIEW OFFICER (IRO) - ANNUAL REPORT 2018-19

The Panel noted that the role of the IRO involved testing plans for children that had been put together by social workers and team managers. They also monitored implementation of plans and they had been encouraged to be challenging.

Ms Khattra reported that the recent OFSTED inspection had highlighted some areas where it was felt that the IRO service needed to be improved and these were currently being addressed. Greater rigour and challenge were being developed in its approach, particularly in addressing drift and delay and ensuring that placements were appropriate. Improvements were also being made to the MOSAIC IT system.

17. UPDATE ON THE ALTERNATIVE PROVISION REVIEW

Charlotte Pomery, Assistant Director for Commissioning, reported on the review of Alternative Provision (AP) that was currently taking place. AP was used for pupils who, because of exclusion, illness or other reasons would not otherwise receive suitable education. It could play an important role in enabling children and young people to remain in mainstream schools. Schools and AP providers had been visited as part of the review. Processes and interventions had also been looked at as well as the reasons why school pupils might come to be excluded from school.

She reported that the borough currently had 16 AP providers, some of which were within Haringey and some that were elsewhere. In 2018/19, there had been 19 pupils who were placed in AP. In addition, there were 50 pupils who attended the Octagon Pupil Referral Unit and the Council's Tuition Service also provided for 55 pupils.

The review had been timely as the National Review of Exclusions, led by Sir Edward Timpson, had recently been published. In addition, the Council had also recently agreed its "Young People at Risk" strategy, which adopted a Public Health approach to improving outcomes. Disproportionality was a particular concern and it had been noted that all of the young people currently at the Octagon Pupil Referral Unit (PRU) were from Black and Minority Ethnic (BAME) communities. Best practice from London and elsewhere had been looked at as part of the review. The aspiration was for fewer children and young people to go through to the PRU. A set of principles were being worked on and these would focus on needs rather than behaviour, although this was still important. AP needed to be part of an overall support system.

There was a long list of findings from the review to date. Amongst these were the following:

- Schools could move pupils to other schools to avoid exclusions. There was nevertheless more that schools to do to avoid exclusions, such as reviewing behaviour policies and the use of restorative justice. Inequalities also needed further consideration, including how unconscious bias could be avoided;
- Some schools had adopted whole school approaches to autism, mental health and wellbeing and disability, but this was not consistent;
- It was noted that a grant of £1m had been receded from NHS England to develop and test mental health support. In addition, action had been taken to address waiting times for Child and Adolescent Mental Health Services (CAMHS);
- The primary outreach service was very well regarded and provided good advice and support to schools and staff teams. However, there was no outreach service for secondary schools;
- Gaps had been identified in AP for primary school children but the number of children requiring it was small; and
- More could be done to obtain and listen to the voices of parents and carers.

Information and data on the numbers and circumstances of managed moves or activities which could be seen as “off rolling” in the borough were not available although it was understood that both might occur. The Timson review had recommended that the practice be discouraged.

Ms Pomery reported that the recommendations of the review were currently being worked upon and a report would be submitted to Cabinet before the end of the year, including an action plan.

Panel Members suggested that Councillors would benefit from receiving a presentation on school exclusions, including their impact on BAME communities and the influence of social class. Officers indicated that they would welcome the opportunity to share the information to date with all Councillors.

Ms Graham commented that school governors had an important role as they were involved in decisions to exclude. It was important that they were well informed and were able to provide effective challenge to Headteachers. Parents also needed to be supported effectively and consideration could be given to funding additional amounts.

AGREED:

That a briefing be arranged for all Councillors on school exclusions and that this include equalities issues, such as their impact on BAME communities and social class.

18. OFSTED ACTION PLAN - PROGRESS

Ms Graham reported that significant progress had been made and nearly all items had either been completed or were on track to be completed. There were only two items that were not progressing as anticipated and both of these were national issues that were beyond the Council's control.

The Panel congratulated officers on the progress that had been made. Ms Graham stated that the challenge now was to ensure that progress was maintained and there was no slippage.

19. WORK PROGRAMME UPDATE

The Panel discussed its work plan and, in particular, potential issues for future scrutiny reviews. The following suggestions were made:

- Looked after children;
- The High Needs Block;
- School structures;
- SEND transport;
- Engagement with parents; and
- County lines.

It was agreed that Panel Members would meet separately to discuss further the work plan.

AGREED:

That an informal meeting of the Panel be arranged to discuss further the work plan.

CHAIR: Councillor Erdal Dogan

Signed by Chair

Date

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Report for: Overview & Scrutiny Committee 15 October 2019

Item number: 9

Title: Quarter 1 (Period 3) Budget Monitoring for 2019/20

Report

authorised by: Jon Warlow – Director of Finance & Section 151 Officer

Lead Officer: Frances Palopoli - Head of Corporate Financial Strategy & Monitoring

Ward(s) affected: All

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

- 1.1 This budget monitoring report covers the position at Quarter 1 (Period 3) of the 2019/20 financial year including General Fund (GF) Revenue, Capital, Housing Revenue Account (HRA) and Dedicated Schools Grant (DSG) budgets. The report focuses on significant budget variances including those arising as a result of the forecast non-achievement of Cabinet approved MTFS savings.
- 1.2. The 2019/20 Budget/Medium Term Financial Strategy (MTFS) 2019/20-2023/24 report agreed by Cabinet and subsequently Full Council in February 2019 took actions to de-risk the base budget position. This mainly focussed on addressing the budget pressures in the two People related services. When including new grants, additional council funding and write off of some previous savings proposals, an additional £7m for Adults and £7.6m for Children's was built in before application of the newly proposed budget reduction proposals.
- 1.3 These actions were intended to provide greater confidence of managing within the agreed budget as well as delivering agreed budget reduction proposals.
- 1.4 The GF revenue forecast presented now still forecasts a budget pressure of £5.2m but compared to the same period in 2018/19 which was forecasting £13.4m, demonstrates that this approach has had the intended impact.
- 1.5 The Live Budgeting agenda is also being progressed and is most apparent in the capital programme where a number of budget adjustments, virements and rephasing to the capital programme have been proposed to enable the authority to take advantage of opportunities that have arisen and react to changes outside our control. This has the advantage of improving multi-year capital programming and supports more accurate budgeting for MRP and interest costs both in-year and for the MTFS period.

2. Cabinet Member Introduction

N/A

3. Recommendations

Overview & Scrutiny are recommended to note the contents of the report attached in Appendix 1 and consider how this can be used to inform future scrutiny work and overview of the financial monitoring and planning process during 2019/20.

4. Reasons for decision

This report is for information only.

5. Alternative options considered

N/A

6. Background information

One of the critical roles of the Overview and Scrutiny Committee and their panels is in reviewing and scrutinising the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas. It should then be able to question members of the Cabinet and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects. Also, the Committee can assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues.

The scrutiny of the Quarter 1 Budget Monitoring report for 2019/20 presented to Cabinet on 10th September 2019 and attached as Appendix 1 provides the Committee with an important opportunity to discharge their responsibilities in relation to scrutinising financial performance, planning and the budgetary framework.

7. Contribution to strategic outcomes

- 7.1 Adherence to strong and effective financial management will enable the Council to deliver all of its stated objectives and priorities.

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

Finance

There are no additional financial implications not already included in the report attached as Appendix 1.

Procurement

There are no additional procurement implications not already included in the report attached as Appendix 1.

Legal

There are no additional equalities implications not already included in the report attached as Appendix 1.

Equality

There are no additional equalities implications not already included in the report attached as Appendix 1.

9. Use of Appendices

Appendix 1 - Quarter 1 Budget Monitoring report for 2019/20 presented to Cabinet on 10th September 2019

10. Local Government (Access to Information) Act 1985

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Report for: Cabinet – 10 September 2019

Title: Quarter 1 (Period 3) Budget Monitoring for 2019/20

Report

Authorised by: Jon Warlow – Chief Finance Officer & Section 151 Officer

Lead Officer: Frances Palopoli – Head of Corporate Financial Strategy & Monitoring

Ward(s) Affected: N/A

Report for Key/

Non Key Decision Key

1. Introduction

- 1.1 This budget monitoring report covers the position at Quarter 1 (Period 3) of the 2019/20 financial year including General Fund (GF) Revenue, Capital, Housing Revenue Account (HRA) and Dedicated Schools Grant (DSG) budgets. The report focuses on significant budget variances including those arising as a result of the forecast non-achievement of Cabinet approved MTFS savings.
- 1.2 The 2019/20 Budget/Medium Term Financial Strategy (MTFS) 2019/20-2023/24 report agreed by Cabinet and subsequently Full Council in February 2019 took actions to de-risk the base budget position. This mainly focussed on addressing the budget pressures in the two People related services. When including new grants, additional council funding and write off of some previous savings proposals, an additional £7m for Adults and £7.6m for Children's was built in before application of the newly proposed budget reduction proposals.
- 1.3 These actions were intended to provide greater confidence of managing within the agreed budget as well as delivering agreed budget reduction proposals.
- 1.4 The GF revenue forecast presented now still forecasts a budget pressure of £5.2m but compared to the same period in 2018/19 which was forecasting £13.4m, demonstrates that this approach has had the intended impact.

2. Cabinet Member Introduction

- 2.1 I am pleased to be able to report an improved budgetary position at Quarter 1 this financial year compared to the same period in 2018/19. This, I believe, is as a direct consequence of the actions we took in the lead up to February this year in de-risking the base budgets and providing greater confidence that officers could manage within their agreed budgets. The forecast delivery of the agreed savings is also testament to this with 91.9% on target to deliver with the remainder being flagged as slippage in timeframe rather than not achievable.
- 2.2 We are also progressing with our Live Budgeting agenda which looks to work more agilely and enable us to take advantage of opportunities that arise and react to changes outside our control. This has the advantage of improving multi-year capital

programming and supports more accurate budgeting for MRP and interest costs both in-year and for the MTFS period.

- 2.3 The financial pressure on the Dedicated Schools Budgets, predominately in the High Needs Block, has not abated and, despite a concerted effort to contain this, the year end forecast is a significant overspend. It should be recognised that this is a national issue and is one of the more significant budget pressures facing the entire local government sector. Much lobbying for adequate central Government funding has already happened but the issue must continue to be highlighted.

3. **Recommendations**

Cabinet is recommended to:

- 3.1. Note the forecast revenue outturn for the General Fund (GF), including savings pressures, of **£5.2m overspend** (£13.4m Qtr1 18/19) (Section 6, Table 1, and Appendix 1).
- 3.2. Note the net HRA forecast of **£0.2m underspend** (Section 6, Table 2, and Appendix 2).
- 3.3. Note the net DSG forecast of **£1.8m overspend**, the actions being taken to seek to address this and the potential implications for the GF (Section 7 and Table 3).
- 3.4. Note the forecast budget savings position in 2019/20 which indicates that 8.1% (£1.1m) will not be achieved. (Section 8, Table 4 and Appendix 3). This is incorporated into the GF budget pressure in recommendation 3.1.
- 3.5. Approve the proposed budget adjustments, virements and rephasing to the capital programme as set out in table 5 and Appendix 4 and note the forecast expenditure of £208.45 in 2019/20 which equates to 75.5% of the revised capital budget (Section 9, Table 5 and Appendix 4).
- 3.6. To approve the revenue budget virements as set out in Appendix 5.

4. **Reason for Decision**

- 4.1 A strong financial management framework, including oversight by Members and senior management, is an essential part of delivering the council's priorities and statutory duties.

5. **Alternative Options Considered**

- 5.1 The report of the management of the Council's financial resources is a key part of the role of the Director of Finance (Section 151 Officer) in helping members to exercise their role and no other options have therefore been considered.

6. **Revenue Outturn**

- 6.1. The Council's Quarter 1 finance position (including HRA and DSG) is a projected overspend of £6.83m for the year. The General Fund element is £5.2m which includes any non-delivery of savings as planned.

- 6.2. This represents a more robust assessment of the Council's budget position than was able to be provided in the Period 2 high level review included in the 9 July Finance report.
- 6.3. Table 1 below sets out full year projections at priority level. A detailed analysis at directorate level is attached in Appendix 1.

Table 1 – Revenue Budget Monitoring Forecast for Quarter 1 2019/20

Priority	Revised 2019/20 Budget	Base Budget Pressures	2019/20 Savings Challenges	Q1 Forecast Outturn	Q1 Forecast to Budget Variance
	£'000	£'000	£'000	£'000	£'000
Housing	19,591	0	0	19,591	0
People - Children's & Schools	60,527	(246)	0	60,281	(246)
People - Adults & Public Health	92,268	3,577	0	95,845	3,577
Place	29,102	563	800	30,465	1,363
Economy	5,081	(16)	0	5,065	(16)
Your Council	34,613	277	290	35,180	567
General Fund Total (before funding & DSG)	241,182	4,155	1,090	246,427	5,245
DSG	0	1,791	0	1,791	1,791
External Finance	(241,182)	0	0	(241,182)	0
General Fund Total	0	5,946	1,090	7,036	7,036
HRA	0	(208)	0	(208)	(208)
Haringey Total	0	5,738	1,090	6,828	6,828

Brief explanations of the forecast variances for each priority are outlined below. These variances include the impact of the forecast non-delivery of MTFS savings which are further discussed in section 8.

PEOPLE : CHILDREN'S & SCHOOLS £0.246m

Underspend

- 6.4. The budget for Children's & Schools is £60.5m and at the end of Quarter 1 a small underspend of £0.246m is being forecast.
- 6.5. This is a significant change compared to the same period last year when the service was forecasting a £4.5m overspend which reached £7.1m at year end even after applying £2m of resilience reserve. This underlines the impact that re-balancing the Children's budget for 2019/20 has had coupled with a clear operational strategy.
- 6.6. This is a net position and the areas with material variances are detailed below.

- 6.7. There is an underspend of £0.18m in the Director's Budget as a result of Transformation Funding being released for programme management support to deliver the Invest to Save Programme. There are also other smaller underspends of £0.04m.
- 6.8. There is a £0.1m pressure in Prevention and Early Intervention arising from challenges in generating income through the three Children's Centres managed by the service. It is particularly challenging to generate income through the childcare offer in order to cover the significant running costs, as a significant proportion of the income generated is from the free entitlement which is far less compared to fee paying parents. Actions being taken to address this include additional income generation through opening rooms for under 2's and reviewing contracts for catering.
- 6.9. The Schools and Learning budget is forecasting an underspend of £0.1m as a result of improved income.
- 6.10. Overall the £1.6m savings are on track to be delivered with any risk of slippage being mitigated. The Invest to Save proposals approved by Cabinet in July will be added to the savings tracker for the Qtr2 report.

PEOPLE : ADULTS & PUBLIC HEALTH

Overspend £3.58m

- 6.11. Adults & Public Health is forecasting to spend £95.8m against an approved budget of £92.27m resulting in a projected overspend of £3.58m at Quarter 1.
- 6.12. **Care packages (£2.7m overspend)** account for the majority of the forecast overspend. It is expected that the demand pressures for care packages will be maintained at £2.7m. This is based upon the assumptions at this stage that the agreed savings plans for £3.1m will be made in full. The key areas of pressure reporting an overspend are as follows:
- Adults Placements £1.7m.
 - Learning Disabilities Placements £0.6m.
 - Mental Health Placements £0.4m.

Whilst these pressures are reported, the Services have mitigation plans in place which are designed to drive down demand numbers and unit costs. It should also be noted that the allocation of growth for London Living Wage (LLW) provided as part of the 2019/20 budget is currently forecast as unspent as these costs have not yet materialised; should they do so, it could push the care package overspend up to £4.2m.

- 6.13. **Osborne Grove Nursing Home (0.15m overspend).** Whilst additional funding of £0.3m was allocated to the service in this financial year, delays in consultation regarding the review of the staffing structure, have caused a forecast overspend of £0.15m.
- 6.14. **Commissioning (£0.4m overspend).** Reported pressures on the Commissioning budget are being explored to ensure all relevant income has been assigned to the budget and plans are being developed to reduce these pressures in-year.

6.15. **Public Health** (£0.3m overspend). The Public Health Budget is currently forecasting an overspend of £0.3m as a result of service charges being higher than anticipated when this year's budget was set. However, we will endeavour to deliver in year mitigations to eliminate the current deficit position, which will be reported upon in subsequent budget monitor reports.

PLACE

Overspend £1.36m

6.16. The service is forecasting a £1.36m overspend at Quarter 1. The main variance is the £800k pressure on decanting Alexander house. The other variances are highlighted below. Mitigating strategies are in place to address these and will continue to be developed.

- There is an overall overspend in Commissioning & Client of £260k, which is mainly due to Waste Services reporting a £281k overspend. This is largely relating to the under achieved income on chargeable waste services: bulk refuse container £100k; green waste £200k; and bulky household waste £200k. These are being partly off-set by over achieved income from schools traded services as well as contractor and efficiency savings.
- Community Safety & Enforcement are reporting a £377k overspend, arising from the costs of TUPE'd staff within the CCTV team. A review is currently being undertaken to mitigate this and additional TMO licensing of £50k is partly off-setting the overspend. Reduced income in pest control particularly regarding block treatments, marketing techniques, are amongst the mitigation strategies to try and increase income.
- There is a small underspend of £61k in the Bruce Castle budget due to staffing vacancies with a further £13k of minor underspends in the Archives and Arts development.

ECONOMY £16k

Underspend

6.17. Economy is reporting a small underspend of £16k in Quarter 1. This variance is mainly attributable to lease renewals within Strategic property. There are a few risks / opportunities currently being monitored closely in order to mitigate against potential overspends that may arise as a result of not achieving the income targets.

6.18. **Strategic Property:** A more detailed exercise is being carried out on the backlog of lease renewals and rent reviews and we anticipate that at we will be able to give a more realistic position in the next report.

- 6.19. **Planning:** Risks of a potential loss of pre-app and application income (due to market, Brexit and loss of confidence in Haringey). However, this might be mitigated over the year if the Council house-building programme accelerates.

HOUSING (General Fund)

Breakeven

- 6.20. The Housing General Fund budget position is breakeven however, this is a net position with an £1.189m overspend in the temporary accommodation (TA) / homelessness services due to increased costs of procuring emergency accommodation. The activities and budgets in this area are being closely monitored in order to bring down these costs. TA reduction initiatives, such as the CBS, will have a positive impact in reducing these costs. The full £1.189m overspend is currently being offset by Flexible Housing Support Grant.

HOUSING (HRA)

Underspend £0.2m

- 6.21. The HRA budget is projecting an underspend of £208k for the year ending March 2020. The HRA outturn summary is set out in Table 2 below.

Table 2 – HRA Budget Forecast (Quarter 1)

HRA Budget (2019/20)	2019/20 Revised Budget	Q1 Forecast Outturn	Q1 Forecast to Budget Variance
	£'000	£'000	£'000
Managed Services Income	-98,533	-99,058	-525
Managed Services Expenditure	7,259	7,576	317
Retained Services Expenditure	74,913	74,913	0
Surplus HRA Services (within retained)	16,361	16,361	0
Balance of HRA Account	0	-208	-208

- 6.22. The current underspend position is a result of better than anticipated HRA income and is due to improved voids rate and less than expected right to buy sales. The properties within Tangmere and Northolt blocks on the BWF estate are due to be demolished and thus not included in the rental income budgets.

YOUR COUNCIL

Overspend £0.57m

Your Council is projecting an overspend of £567k at Quarter 1 against a total budget of £34.6m.

- 6.23. **Corporate Finance (£142k overspend)** on staffing costs in the Business Partnering Team due to continuing reliance on agency staff to fill vacancies.

- 6.24. **Corporate Governance (£123k overspend)** in Electoral Services due to a structural salary deficit and the cost of printing and distributing UC1.EC6 forms for registration in relation to the European Parliamentary election.
- 6.25. **Corporate & Customer Services (£205k overspend)** mainly due to forecast overspends on staffing costs and shortfall in libraries income where only 50% of the in year saving target is now forecast to be achieved and is flagged as red.
- 6.26. **Strategy & Communication (£242k underspend)** mainly due to forecast underspend in salaries.
- 6.27. **HR (£286k overspend)** mainly due pressures on Schools traded services income and the legacy impact of an old maternity insurance scheme for schools. Mitigations totalling £0.2m have been identified and have been built into the projections.
- 6.28. **Transformation & Resources (£70k overspend)** due to the budget being insufficient to meet staffing costs.
- 6.29. **Other minor variances (£17k underspend).**

7. Dedicated Schools Grant (DSG)

Overspend £1.79m

- 7.1. The DSG estimated overspend is primarily due to the expected on-going pressures in the High Needs Block (HNB). The expansion of age ranges for EHCP eligibility is still impacting budgets, many 16+ placements are costly independent special schools. The gross overspend is £4.1m mitigated down to £1.79m as the service currently assume the achievement of £2.37m saving via their HNB reduction in costs strategy. The strategy includes the SEND team concentrating on identifying children and young people who can transition into a cost-effective local setting, supported internships, &/or supported into employment. This is a challenging target to achieve and will need to be kept under close review.
- 7.2. Based on the Quarter1 forecast, the 2019/20 closing position on the DSG balances will be a deficit of £4.020m. The pressures on the HNB is a national issue and is one of the more significant budget pressures facing the entire local government sector. The Presidents of the societies of County, London and Municipal Treasurers wrote to the Secretary of State for Education at the end of June requesting the injection of further funding into the system whilst it carries out a post-implementation review of The Children and Families Act 2014 to assess the impact both on proposed policy objective but also against forecast spend.
- 7.3. This matter presents a significant risk to the Authority however, due to the summer recess, there is no further update on Government's response to the issue. This is being closely monitored and an update on progress will be included in future reports.

Table 3 – DSG Position Quarter 1

Blocks	Opening DSG at 01/04/19	Rebalancing between blocks agreed by Schools Forum	Revised Block Balances	Q1 Year End Forecast	Drawn Down from Reserves	Q1 Forecast Closing DSG Balance
	<i>a</i>	<i>b</i>	<i>c = a+b</i>	<i>d</i>	<i>e</i>	<i>=c+d+e</i>
	£'000	£'000	£'000	£'000	£'000	£'000
Schools Block	(785)	785	0	0	0	0
Central Block	13	(13)	0	0	0	0
Early Years Block	(1,265)	1,265	0	(405)	0	(405)
High Needs Block	4,266	(2,037)	2,229	2,196	0	4,425
Total	2,229	0	2,229	1,791	0	4,020

8. MTFS Savings 2019/20 & 2020/21-2023/24

2019/20

- 8.1. The MTFS savings target for 2019/20 is £12.876m. As at Quarter 1 of the financial year, it is projected that £11.836m (91.9%) of the target will be achieved (Qtr1 2018/19 33%).
- 8.2. The main pressure relates to the Alexandra House decant (£1m target) which aims to vacate floors in the building and let them to external tenants to generate an income. To date only £200k of the total has been achieved and officers are now looking at alternative Council owned assets to bridge the gap. Table 4 below summarises the current savings position at priority level.
- 8.3. This is a more positive position than at the same time last year. The £1.090m forecast variance is largely slippage rather than non-delivery and Directors will continue to look for one-off or permanent mitigations to offset the impact and to ensure that the balance remains on track.

Table 4 – Summary – 2019/20 MTFS Savings Delivery by Priority

Priority	2019/20 Savings Target	Period 3 Forecast	P3 Variance	Commentary
	£'000	£'000	£'000	
People : Childrens	1,602	1,602	0	13.4% currently at risk but action being taken to address.
People : Adults	4,390	4,390	0	£0.5m have no concrete savings plans but AD's have been tasked with identifying resolution.
Place	2,415	1,665	800	£800k pressure against decanting Alex Hse
Economy	910	910	0	
Housing	1,190	1,190	0	
Your Council	2,369	2,079	290	£240k pressure on FOBO savings, & £50k pressure on achieving growth in libraries income.
TOTAL	12,876	11,836	1,090	

2021/22 – 2023/24

- 8.4. Agreed savings across this period total £16.8m following Cabinet approval in July to write off £740k against the 2020/21 FOBO programme total. These savings are also being monitored to mitigate the risk of any slippage or non-delivery. The current forecast is that £3.213m (19%) is green, on schedule to deliver the agreed objectives, outcomes and benefits. The remainder, £13.275m (81%) is ragged Amber with only an intermediate level of confidence in delivery. This is because the detailed modelling and profiling has yet to be completed thus highlighting a risk either against delivery in full or according to the planned profile. The Qtr2 report will provide an update at least on the 2020/21 delivery confidence.
- 8.5. Appendix 3 provides progress on savings delivery on a more detailed level.

9. Capital Expenditure Forecast at Quarter 1

- 9.1. The 2019/20 budget (£255.087m) as set by Council in February 2019 has been revised to reflect the carry forwards (£107.9m) agreed by Cabinet and the net effect of the proposed budget adjustments (-£86.83m) as set out in paragraphs 9.2 – 9.20 below. This results in a 2019/20 revised budget total of £276.18m as shown in Table 5 below.
- 9.2. This is the first time that substantial in-year re-profiling has been undertaken and is consistent with live budgeting. It has the advantage of improving multi-year capital programming and supports more accurate budgeting for MRP and interest costs both in-year and for the MTFS period. Appendix 4 provides a revised multi-year capital programme based on the re-profiling contained within this report.

Table 5 – Capital Expenditure (Quarter 1)

Priority	2019/20 Original Budget £'000	2018/19 Budget B/F £'000	2019/20 Budget Adjustment £'000	2019/20 Revised Budget £'000	2019/20 Forecast Outturn @ Quarter 1 £'000	2019/20 Outturn vs Budget Variance £'000
People (Children's)	11,752	6,457	195	18,404	17,374	-1,030
People (Adults)	5,720	2,905	34	8,659	5,581	-3,078
Place	22,850	6,311	-998	28,164	27,943	-221
Economy	118,110	39,875	-86,239	71,746	28,047	-43,699
Housing (GF)	34,332	16,842	0	51,174	33,105	-18,069
Your Council	8,140	11,963	175	20,278	18,643	-1,635
General Fund Total	200,904	84,353	-86,833	198,425	130,693	-67,732
Housing (HRA)	54,183	23,574	0	77,757	77,757	0
Total	255,087	107,927	-86,833	276,182	208,450	-67,732

- 9.3. At quarter 1 the capital programme is forecasting an under spend of £67.732m. The current actual spend is low, which is normal for capital programmes at this stage of the cycle. Services are projecting an outturn position as follows:
- 9.4. **People – Children's** is reporting an underspend of £1.03m. The budget for 2019/20 is made up of a brought forward of £6.457m and an MTFs allocation of £11.752m. Since last year the service have been undertaking extensive surveys of the condition and suitability of the school estate. The outcome of these surveys has prompted some urgent works, which are scheduled for commencement during this summer break. The forecast outturn is seen as challenging in the light of previous experience and is assessed as a medium to high risk of not being achieved.
- 9.5. The council has been awarded £0.2m of funding from the DfE for special educational need provision that is aimed at improving the quality and range of provision for children and young people with SEN and disabilities and it is recommended for inclusion within the Children's capital programme.
- 9.6. **People - Adults** is projecting an underspend £3.078m. The largest underspend, £1.941m, relates to the Supported Living budget. This budget is included in the capital programme as self-financing, so the underspending has no effect on the capital financing budget. Once schemes are identified as being suitable for this programme, then allocations will be made from this budget to the individual schemes, an example of which is Linden House.
- 9.7. The next largest underspend, £0.567m, relates to the Assistive Technology programme. Recent procurement exercises should accelerate the spend on this budget during 2019/20. The Canning Crescent scheme to create 21 supported living

units as well as other facilities on the site is proceeding and it is anticipated that the current forecast underspend of £0.482m will be reduced as the design and development of the scheme proceeds. Once the scheme is developed and is considered viable it will be transferred to the HRA and the General Fund will be reimbursed it's costs incurred on the development. The forecast outturn is assessed as a low to medium risk of not being achieved.

- 9.8. An additional £0.168m of disabled facilities grant (over and above that assumed for planning purposes) has been received and this is recommended for inclusion into the budget. At its meeting of the 9th July, Cabinet agreed to vire £0.420m from the Supported Living budget to the Linden House budget. A further examination of the cost plan identified that £0.116m of the works in the scheme should be met from the Corporate Landlord budget. Therefore, the virement required is £0.304m with the balance, £0.116m, being met by a contribution from the Corporate Landlord Asset Management budget.
- 9.9. **Place** is projecting an underspend of £0.22m after re-profiling. There are five schemes that need to be re-profiled. The Parkland Walk bridges scheme is delayed owing to traffic network timings meaning that even though the procurement of a contractor will be concluded this year only two of the four bridges will be completed this year and that only £1m will be spent. This means that there will be an underspend by £1.2m. The Structures (Highways) scheme has been re-programmed to cause less disruption around Christmas 2019 period and it is recommended that £0.8m is re-profiled. The Selby Centre feasibility study now includes the Bull Lane playing fields within its scope. Therefore, there will not be any spend this financial year on this budget, and it is proposed to reprofile £2.52m into 2020/21.
- 9.10. The Park Vehicles budget of £0.72m is proposed for re-profiling to 2020/21 as the vehicles will not be available this financial year. The Parking Strategy budget for 2019/20 is £1m with a further £1m budgeted in 2020/21. The implementation of the strategy requires expenditure of £2m in this financial year. It is recommended that £1m of the underspend on the Parkland Walk Bridges scheme is vired into this budget to enable the scheme to proceed. .
- 9.11. In Place, the following budget adjustments are being proposed. Budget transfer of £0.116m from Corporate Landlord to Linden House. There is also a Crime and Disorder grant award from MOPAC of £0.1m and £3.036m additional LIP funding from TfL to be added. The Parks Service have been allocated S106 funding of £0.085m for Duckett Common Park works and £0.047m of Government grant for Parks improvement which are recommended for inclusion within the budget. The forecast outturn is assessed as low risk of not being achieved.
- 9.12. **Economy** is was projecting an underspend of £130m before the budgets were re-profiled. The re-profiling exercise has reduced that projected underspend by £86m to £43.7m. A significant proportion of the budgets within Economy are driven by third parties and as such it makes it very difficult to control or forecast expenditure with great certainty. The forecast outturn is assessed as having a medium to high risk of not being achieved. A commentary is provided in the following paragraphs.

9.13. Budgets that have been re-profiled are:

- the Tottenham Hale green spaces and streets budgets were forecasting an underspend of £23.1m. The budget has been re-profiled in the light of progress on the overall scheme and £23.1m has been reprofiled into future years;
- the High Road West acquisitions budget, which was forecasting an underspend of £45.5m, due to property owners not wishing to sell at this point. Under the terms of the agreement with Lend Lease, the Council is required to acquire properties so the budget will be required at some point in the future. It is proposed to re-profile £45.5m into future years and leave a 2019/20 budget of £10m;
- the Wards Corner CPO budget, which needs to be re-profiled with £7.5m being transferred to 2020/21 and £2.5m transferred to 2021/22, as estimated spend for this year is £0.0m. The spend profile is still subject to some uncertainty given the current judicial review process;
- the Bruce Castle scheme budget needs to be reprofiled with £0.9m being transferred into 2020/21 as this expenditure is dependent on a successful bid to the Heritage Lottery Fund which will not be made until October this year (in line with HLF timescales), so expenditure will not be incurred;
- the decentralised energy network (DEN) scheme is currently recruiting its professional advisory team. Once the team are on board it is anticipated that the scheme will progress. It is necessary to reprofile £1.46m into 2020/21;
- the Wood Green HQ, library and customer service centre project is current in the second stage of feasibility. It is forecast that £0.4m will be spent this year so £0.54m needs to be reprofiled into 2020/21;
- the 54 Muswell Hill scheme, which is delayed due to not agreeing terms with the NHS; therefore £1m is proposed for re-profiling into 2020/21;

There several budgets that are projecting to underspend at this point in the financial year but there are no proposals to reprofile for the reasons set out below:

- the strategic acquisitions budget (which is used to fund acquisitions in the Wood Green and Tottenham regeneration areas), is forecast to underspend by £13.24m as no properties have been identified for acquisition. However, given the need to be able to react quickly to opportunities it is not recommended that this budget is re-profiled.
- the Strategic Regeneration and Community Assets budget (which is to enable the Council to respond to emerging regeneration and community asset issues), is currently forecasting an underspend of £5m but it is not proposed for re-profiling at this stage to retain flexibility to respond to in-year issues.

- the Strategic Property budget (which is used to fund the acquisition of new industrial estates and/or the expansion and upgrading of existing industrial estates), is forecasting to underspend by £19.6m. It is not proposed to re-profile at this stage to enable the service to respond quickly to opportunities and develop its industrial unit upgrade programme.
- In addition to the above, there is £0.075m proposed budget transfer to the Keston Road (Maya Angelou Contact Centre) project from the contingency budget for a retention payment. A downward adjustment of £1.183m is required for the White Hart Lane LIP budget to reflect the fact that the expenditure was incurred in 2018/19 but the grant is due this year.

Housing (GF) is projecting an underspend of £18.069m. The majority of the underspend, £13.6m, relates to the Temporary Accommodation Acquisition budget. This budget is to fund acquisitions for the CBS leasing programme.

In addition there is an underspend of £5m on the WOC budget. There are no immediate plans for this budget in the light of the lifting of the HRA borrowing cap.

- 9.14. **Priority 5 (HRA)** is projecting a balanced budget for 2019/20 after allowing for adjustments to reflect the physical progress of the in-year programme overall and reprofiling between years.
- 9.15. **Your Council** is projecting an underspend of £1.6m. The changes to the shared digital service mean that these budgets are being reviewed. A review of the accounting arrangements for the FOBO scheme is underway and should there be virements required this will be reported in the next budget monitoring report to Cabinet.
- 9.16. The proposed budget changes include budget transfer of £0.2m from contingency budget to the newly created Accommodation Move budget line, which was separated from the existing Ways of Working budget scheme and a transfer of £2m from the Responsiveness Fund to the approved capital programme contingency. There is also a transfer of £2m from the approved capital programme contingency to the Temporary Accommodation Acquisition Programme.

Capital receipts

- 9.17. The Council has agreed a policy for the flexible use of capital receipts at its budget setting meeting in February 2019. As part of the budget setting process, it was agreed to use £7.8m of capital receipts flexibly to support the transformation of services. At the close of the 2018/19 financial year there was a balance on the capital receipts account of £4.407m. In-year capital receipts are estimated at £4.7m. The most significant receipt is the overage payable on the Hornsey Depot disposal which has generated £4.16m. The total capital receipts of £9.107m are enough to meet the budgeted expenditure, of which the FOBO programme is the most significant single element. As mentioned above, the accounting arrangements for the FOBO

programme are being reviewed to ensure that the expenditure is funded appropriately and may well conclude that some of the expenditure should be capitalised.

10. Contributions to Strategic Outcomes

- 10.1 Adherence to strong and effective financial management will enable the Council to deliver it's stated objectives and priorities.

11. Statutory Officers Comments

Finance

- 11.1 This is a report of the Director of Finance and therefore all finance implications have been highlighted in the body of the report.

Strategic Procurement: PC

- 11.2 Strategic Procurement notes the contents of this report and will continue to work with services to enable cost reductions.

Legal

- 11.3 The Assistant Director of Corporate Governance has been consulted on this report.
- 11.4 Section 28 of the Local Government Act 2003 imposes a statutory duty on the Council to monitor during the financial year its expenditure and income against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the Council must take such action as it considers necessary to deal with the situation. This could include, as set out in the report, action to reduce spending in the rest of the year.
- 11.5 The Council must act reasonably and in accordance with its statutory duties and responsibilities when taking the necessary action to reduce the overspend.
- 11.6 The Cabinet is responsible for approving virements in excess of certain limits as laid down in the Financial Regulations at Part 4 Section I, and within the Executive's functions at Part 3 Section C, of the Constitution.

Equalities

- 11.7 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.

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 apply to the first part of the duty.

- 11.8 The report provides an update on the Council's financial position in relation to planned MTFS savings and mitigating actions to address current budget overspends.
- 11.9 With a challenging financial environment and increasing demand for services, it is becoming more difficult to mitigate against negative equality impacts. Ensuring a fair and equal borough is a priority for the Council and this is reflected in the objectives and performance targets set out in the 2019-23 Borough Plan.
- 11.10 With this in mind, and given the impact on services of savings targets, all MTFS savings were subject to equality impact assessments as part of the report to Full Council in February 2019.
- 11.11 Any new initiatives or planned mitigating actions that may have an impact beyond that identified within the MTFS impact assessment process should be subject to new equality impact assessments.

12. Use of Appendices

- Appendix 1 – Directorate Level Forecast
- Appendix 2 – HRA Forecast
- Appendix 3 – MTFS Savings Delivery
- Appendix 4 – Capital Programme Level Forecast
- Appendix 5 – Virements

13. Local Government (Access to Information) Act 1985

- 13.1. For access to the background papers or any further information, please contact Frances Palopoli – Head of Corporate Financial Strategy & Monitoring extn 3896

Directorate Level Forecast Q1 (P3)

Appendix 1

PRIORITY	2019/20 Revised Budget	Q1 (P3) Outturn Forecast	Q1 (P3) Forecast to Budget Variance
PEOPLE : CHILDREN'S & SCHOOLS	60,526,756	60,280,535	-246,221
PEO_CY.PR Childrens	54,337,372	54,216,604	-120,768
PEO_COMSIN.PR Commissioning	3,238,030	3,228,300	-9,730
PEO_SL.PR Schools & Learning	2,951,354	2,835,631	-115,723
PEOPLE : ADULTS & PUBLIC HEALTH	92,268,066	95,845,495	3,577,429
PEO_AS.PR Adults	70,647,806	73,496,543	2,848,737
PEO_COMSIN.PR Commissioning	4,591,710	5,023,950	432,240
PEO_PH.PR Public Health	17,028,550	17,325,002	296,452
PLACE	29,102,082	30,464,782	1,362,700
PLA_COM.PR Environment & Neighbourhood	26,435,822	27,872,202	1,436,380
PLA_COMSIN.PR Commissioning (Culture Museum & Archives)	716,260	642,580	-73,680
PLA_CFO.PR Chief Finance Officer (Alexandra Palace)	1,950,000	1,950,000	0
ECONOMY	5,080,840	5,064,652	-16,188
ECO_PRD.PR Regeneration, Planning & Development	239,785	239,785	0
ECO_HSEGWT.PR Housing & Growth	-242,080	-258,268	-16,188
ECO_PLAN.PR Planning	1,890,015	1,890,015	0
ECO_PCP.PR Property & Capital Projects	194,620	194,620	0
ECO_REGEN.PR Regeneration	2,998,500	2,998,500	0
HOUSING	19,591,163	19,591,163	0
AH03.PR Housing Demand	9,885,303	11,088,715	1,203,412
AH05.PR Housing Commissioned Services	442,006	-761,406	-1,203,412
HOU_COMSIN.PR Commissioning	8,464,464	8,464,464	0
HOU_DEN.PR Environment & Neighbourhood	799,390	799,390	0
YOUR COUNCIL	34,613,093	35,180,543	567,450
COU_CFO.PR Chief Finance Officer	21,544,948	21,687,252	142,304
COU_CG.PR Corporate Governance	2,416,600	2,539,600	123,000
COU_CCS.PR Corporate & Customer Services	10,073,733	10,278,649	204,916
COU_CE.PR Chief Executive	285,740	269,256	-16,484
COU_SCO.PR Strategy & Communication	212,195	-29,901	-242,096
COU_HR.PR Human Resources	-561,694	-275,731	285,963
COU_IT.PR IT Digital Services	210,063	210,063	0
COU_TR.PR Transformation & Resources	644,378	714,769	70,391
COU_SP.PR Strategic Procurement	-212,870	-213,414	-544
PRIORITY TOTAL	241,182,000	246,427,170	5,245,170

HRA Forecast Q1 (P3)

Appendix 2

HRA BUDGET 2019/20	2019/20 Revised Budget	p.3 2019/19 Actual Spend	p.3 2018/19 Forecast	p.3 2018/19 Forecast Variance	p.2 2018/19 Forecast Variance	Forecast Variance Movement p.3 v p.2
	£000's	£000's	£000's	£000's	£000's	£000's
UE0721 Managed Services Income						
H39001 Rent - Dwellings	(79,091)	(18,326)	(79,294)	(203)		(203)
H39101 Rent - Garages	(740)	(173)	(842)	(102)		(102)
H39102 Rent - Commercial	(738)	(358)	(738)			
H39201 Income - Heating	(294)	(136)	(526)	(232)		(232)
H39202 Income - Light and Power	(1,098)	(249)	(1,081)	17		17
H39301 Service Charge Income - Leasehold	(6,842)	(6,978)	(6,978)	(136)	(317)	181
H39401 ServChgInc SuppHousg	(1,495)	(345)	(1,495)	()		()
H39402 Service Charge Income - Concierge	(1,668)	(361)	(1,571)	97		97
H39405 Grounds Maintenance	(2,525)	(573)	(2,483)	42		42
H39406 Caretaking	(1,874)	(392)	(1,804)	70		70
H39407 Street Sweeping	(2,187)	(523)	(2,264)	(77)		(77)
H40102 Water Rates Receivable		(1)				
H40404 Bad Debt Provision - Leaseholders	18		18			
UE0721 Managed Services Income TOTAL	(98,533)	(28,415)	(99,058)	(526)	(317)	(209)
	£000's	£000's	£000's	£000's	£000's	£000's
UE0722 Managed Services Expenditure						
H31300 Housing Management WG	23	2	23			
H32300 Housing Management NT	28	2	28			
H33400 TA Hostels	246	20	246			
H34300 Housing Management ST	9	1	9			
H35300 Housing Management BWF	11	1	11			
H37210 Under Occupation	167	14	133	(34)	(34)	
H39002 Rent - Hostels	(1,967)	(151)	(1,855)	112	112	
H39404 Service Charge Income - Hostels	(332)	(25)	(324)	8	8	
H40001 Repairs - Central Recharges	2		2			
H40004 Responsive Repairs - Hostels	378	31	292	(86)	(86)	
H40104 HousMgmtRechg Central	107		107			
H40111 Other RentCollection	135	11	135			
H40206 HousMgmtRechg Energ	731	31	731			
H40208 Special Services Cleaning	2,789		2,789			
H40209 Special Services Ground Maint	1,838		1,838			
H40212 HRA Pest Control	290	24	290			
H40213 Estate Controlled Parking	116	10	116			
H40303 Supporting People Payments	1,816	139	1,816			
H40401 Bad Debt Provision - Dwellings	656		656			
H40406 Bad Debt Provisions - Hostels	68		68			
H40801 HRA - Council Tax	150	13	467	317	317	
UE0722 Managed Services Expenditure TOTAL	7,259	123	7,576	318	317	1
	£000's	£000's	£000's	£000's	£000's	£000's
UE0731 Retained Services Expenditure						
H38002 Anti Social Behaviour Service	778		778			
H39601 Interest Receivable	(296)		(296)			
H40112 Corporate democratic Core	586	557	586			
H40301 Leasehold Payments	(139)	1	(139)			
H40305 Landlords Insurance - Tenanted	318		318			
H40306 Landlords - NNDR	135		135			
H40308 Landlords Insurance - Leasehold	1,530		1,530			
H40501 Capital Financing Costs	11,872		11,872			
H40601 Depreciation - Dwellings	15,506		15,506			
H40805 ALMO HRA Management Fee	40,482	124	40,482			
H49000 Housing Revenue Account	16,361		16,361			
H60002 GF to HRA Recharges	2,973		2,973			
H60003 Estate Renewal		16				
H60004 HIERS/ Regeneration Team	884		884			
S14400 Supported Housing Central	284	29	284			
UE0731 Retained Services Expenditure TOTAL	91,274	726	91,274			
(Surplus) for the year on HRA Services		(27,566)	(208)	(208)		(208)

								APPENDIX 3					
MTFS Savings Tracker 2019/20							Green	Saving met in full and on time					
Priority: People (Childrens & Schools)							Amber	Saving will slip but in year mitigation identified					
Period: 3							Red	Saving fully/partially unachievable - no mitigation					
MTFS Saving s Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s				
PC1	12-Feb-19	Reduce the number of agency staff	Reduce the the number of agency staff through delivering an effective recruitment and retention strategy.	196	196	0	Green	0					
PC2	12-Feb-19	Reduce operational costs	Reduce operational costs through streamlining management and staffing and improving efficiency in teams	69	69	0	Green	0					
				248	214	34	Green	34					
				30	30	0	Green	0					
PC3	12-Feb-19	Reduce the costs of placements	Reduce the costs of placements through an effective inhouse foster carer recruitment and retention strategy and through effective brokerage and negotiation of placements	90	90	0	Amber	0	0				
			Timely adaptation of properties for children with disabilities	175	0	175	Red	175	0				
			Commission a range of supported housing services for young care leavers	136	136	0	Green	0					
			Commission respite care following the agreed closure of Haslemere	145	145	0	Green	0					
			Enhance the brokerage teams to improve negotiation of packages and management of direct payments	75	75	0	Green	0					
			Ensure that children with Special Education Needs and Disabilities placed in out-of-borough schools are receiving independent travel training to encourage independence where appropriate	125	100	25	Amber	25	0				
PC4	12-Feb-19	Safeguarding and Social Care and Early intervention and preventing demand	Prevent demand and costs through an effective prevention and intervention approach that means children and families are supported to avoid the care system and that where children are in care (particularly young adolescents) they are supported to return home safely wherever possible.	290	290	0	Green	0					
PC5	12-Feb-19	Increase income generation	Increase income through delivering services to schools and work with partners to ensure fair contributions to services for children.	23	23	0	Green	0					
Total: People (Childrens & Schools)				1,602	1,368	234		200	34				

MTFS Savings Tracker 2019/20								APPENDIX 3				
Priority: People - Adults & Health								Red	Saving fully/partially unachievable			
Period: 3								Amber	Saving achievable but full/partial slippage required			
								Green	Saving met in full and on time			
MTFS Savings Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s			
People (Adults)												
B2.7	13-Feb-18	Haringey Learning Disability Partnership	The Haringey Learning Disability Partnership, working jointly with Children's Services and with key partners such as the Clinical Commissioning Group and the London Borough of Islington, will implement a coherent strategy that aims to bring Haringey's demand and spending on adults with learning disabilities in line with our statistical neighbours and limit growth in spending in line with population growth.	1,140	1,140	0	Amber		0			
B2.8	13-Feb-18	Mental Health	Working with our delivery partner, Barnet, Enfield & Haringey Mental Health Trust, the Clinical Commissioning Group and our communities to strengthen the prevention and 'enablement' pathways for mental health and to ensure the support we provide minimises the long-run dependency of adults with mental health issues. For those whose needs require a social care intervention, we will develop the market and look at new commissioning arrangements to improve value for money as well as promoting choice and control for the service user.	390	390	0	Amber		0			
B2.9	13-Feb-18	Physical Support	Working with the CCG, acute providers and primary care to extend independence, choice and control to those with physical support needs and further strengthen the pathways that prevent, reduce and delay the need for social care.	860	860	0	Amber		0			
PA1	12-Feb-19	Charging for Managed Accounts	Introduce an administration fee for setting up and maintenance of care packages for Appointeeships and Self Funders. the fee would be comparable to existing charges levied for Deputyship clients.	120	120	0	Amber					
PA2	12-Feb-19	Fast tracking financial assessments	Speed up the process of financial assessment so that charging starts as soon after the start of services as possible. The saving lies largely in reducing levels of debt and the costs of recovering overpayments rather than any additional costs to the user of this approach.	140	140	0	Green		0			
PA3	12-Feb-19	Capitalisation of CAS	Capitalise the majority of the operating and equipment costs of the Community Alarms Service. Because installation of a CAS solution can be considered the provision or adaptation of fixed assets for the benefit of our residents, there is scope for capitalisation of associated spending within financial regulations	177	177	0	Green		0			
PA4	12-Feb-19	Housing Related support	Fund housing advice and support currently provided from Adult Social Care budgets through the Flexible Homelessness Support Grant whilst we transform these services and create longer term, more sustainable funding routes over the next 3 years.	600	600	0	Amber		0			
PA5	12-Feb-19	In-House Negotiator	Expand in house Care Negotiator capacity to work with providers on reducing the cost of care packages in relation to overcharging against service user needs.	116	116	0	Amber		0			
PA6	12-Feb-19	Transfer of High Cost Day Opps	Lease three ex-day centre premises to a local provider to support 15-20 service users at reduced cost, and closer to their existing support networks.									
PA7	12-Feb-19	Public Health (Sexual Health)	Realise savings based on efficiencies already achieved in the provision of open access sexual health services	267	267	0	Green		0			
PA8	12-Feb-19	Investment of drug and alcohol savings in preventative services for adults and families, targeting health inequalities	Retendering of the three core substance misuse adult contracts has created savings, available from January 2019. Use these savings for investment in areas to improve health and wellbeing, with a split between cashable savings and investments in preventative services that reduce health inequalities	400	400	0	Green		0			
PA9	12-Feb-19	Further savings to be delivered by Adults Services	Further action by service to reduce cost of adult social care over the next 5 years (<i>re-profiled existing savings</i>)	180	180	0	Amber		0			
Total: People (Adults & Health)				4,390	4,390	0		0	0			

APPENDIX 3									
MTFS Savings Tracker 2019/20				Saving met in full and on time			Green		
Priority: Place				Saving will slip but in year mitigation identified			Amber		
Period: 3				Saving fully/partially unachievable - no mitigation			Red		
MTFS Savings Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s
Place									
PL1	12-Feb-19	Additional HMO Licensing Scheme for HMO	Extend the current Additional Licensing scheme for HMOs not governed by Mandatory Licensing and introduce a Selective Licensing scheme to 20% of its geographical area for all other private sector dwellings covered by the Housing Act 2004. All licensing schemes are intended to address the impact of poor quality housing, rogue landlords and anti-social tenants.						
PL2	12-Feb-19	Review and Extension of CPZ coverage	The proposal is an accelerated programme this year to 'catch up', which will allow us to deliver to residents and Member expectations, make appropriate provision for running costs , dealing with current budget gaps , while generating a surplus to be treated as new savings.	500	500	0	Green		0
PL3	12-Feb-19	Waste, CS & Enforcement: Efficiency Savings on Veolia Contract	Efficiency savings secured in recent contract negotiations with Veolia. Will be delivered with no impact on services or performance.	100	100	0	Green		0
PL4	12-Feb-19	Increase in Moving Traffic Enforcement	The parking and traffic enforcement service enforces moving traffic contraventions at a number of locations. Moving traffic enforcement is undertaken by CCTV camera. Capital investment £40k - Infrastructure measures	260	260	0	Green		0
PL5	12-Feb-19	Healthmatic Toilets	Savings accruing from removal of two automated WCs (already agreed and achieved)	30	30	0	Green		0
PL6	12-Feb-19	Extending parking enforcement	This is an invest to save bid. The parking on-street, off street and CCTV enforcement operations are run in-house. Additional staffing , including management is required. This will increase enforcement capacity , and associated income which will cover staffing costs and mitigate some of the current income deficit.	350	350	0	Green		0
PL7	12-Feb-19	Litter Enforcement	The proposal is to consider the option for an in-house service provision based on a pilot with an external contractor, Kingdom, from November 2016 to September 2017. An in-house litter enforcement provision would enable the Council to retain 100% of all Fixed Penalty Notice (FPN) income received.						
PL8	12-Feb-19	Soft FM Efficiency	Re-commissioning of soft FM services and services delivered through Amey contract (e.g. efficiencies in postage & franking, front of house, security).	25	25	0	Green		0
PL9	12-Feb-19	Leisure centre concessions	Reduce the number of people eligible for concessionary rates at Fusion Leisure Centres.						
PL10	12-Feb-19	London Construction Programme Revenue	Over-achieved income from subscriptions to the new Dynamic Purchasing System for the London Construction Company, managed by Haringey's Procurement service.	200	200	0	Green		0
PL11	12-Feb-19	Flexible Police Resourcing	The proposal is to not extend the current contract for Flexible Police Resourcing beyond March 2019. The funding for the team enables the tasking of police officers along with the wider partnership i.e. trading standards, CCTV, ASB enforcement to hotspots in the borough. The service also uses the team to deal with Travellers and to support partnership enforcement activities.	200	200	0	Green		0
PL12	12-Feb-19	Waste Service Programme	Review of all waste and street cleansing services to identify potential savings						
PL13	12-Feb-19	Parking Transformation Programme	Parking Transformation Programme to deliver significant improvements to this service over the coming three years. Includes a CPZ rollout programme taking the borough to 100% coverage, and extending parking permit charging models to tackle emissions from Diesel vehicles						
A6.8	13-Feb-18	Alexandra House Decant	The proposal is to vacate 5 floors of Alexandra House in 2017 and the remaining floors in the following twelve months. Realisation of savings will depend on renegotiation of rent as we vacate the building or our ability to sub-let those floors we do vacate. Hence, the cost/benefit model assumes savings appearing in 2018/19 and 2019/20.	750	0	750	Red	0	800
Total: Place				2,415	1,665	750		0	0

							APPENDIX 3		
MTFS Savings Tracker 2019/20							Green	Saving met in full and on time	
Priority: Economy							Amber	Saving will slip but in year mitigation identified	
Period: 3							Red	Saving fully/partially unachievable - no mitigation	
MTFS Savings Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s
EC1	12-Feb-19	Carbon Management	Saving £60k from the Carbon Management Service's base budget, replacing this with an income of the same amount from Planning Service. The Carbon Management Service will increase its support to the Planning Service through advice and technical specification on planning applications and issues related to carbon reduction, energy and sustainability.	60	60		Green		0
EC2	12-Feb-19	Reduction in consultancy budget	Saving £75k from central budget typically allocated to cover large contracts and project delivery requirements. As some Tottenham Regeneration activities shift from a focus on initial strategies and feasibility work to delivery stage, there is increasing scope to explore funding these types of contracts from other sources, including but not limited to capitalisation of costs, utilising both internal and external funding sources.	75	75		Green		0
EC3	12-Feb-19	Deletion of senior post	The Strategic Director of Regeneration, Planning & Development was re-designated as Director of Housing, Regeneration and Planning, and along with this, it was proposed to delete the Director of Regeneration post.	225	225		Amber		0
EC4	12-Feb-19	Tackling uncrystallised debt	This proposal comprises an opportunity to achieve new income potential by starting a process of tackling the uncrystallised debt in the commercial portfolio	50	50		Green		0
EC5	12-Feb-19	Outdoor media advertising	Proposal to generate new income from outdoor media, utilising the council's landholdings by identifying sites suitable for outdoor installations. It is estimated that net income in 2019/20 would be at least £100k, and increasing significantly over future years.						
EC7	12-Feb-19	Strategic Property Services	This proposal comprises a number of activities to drive out efficiencies in the service, including; better management of Homsey Town Hall,	500	500		Green		0
Total: Economy				910	910	0		0	0

								APPENDIX 3	
MTFS Savings Tracker 2019/20							Red	Saving fully/partially unachievable	
Priority: Housing							Amber	Saving achievable but full/partial slippage required	
Period: 3							Green	Saving met in full and on time	
MTFS Savings Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s
Housing									
B5.1	13-Feb-18	Housing	Additional savings in 19/20 by recommissioning community based homelessness prevention work.	120	120	0	Green		0
H01	12-Feb-19	Temporary accommodation reduction plan	Reduce TA costs, as detailed in the TA Reduction Plan. Proposals include initiatives to prevent homelessness, improve economic position of those in TA, and help support those in TA to move on. Revenue costs covered by the Flexible Homelessness Support Grant. Plan also includes proposals to increase supply of low cost TA through new purchase, repair and management joint venture partnership, and capital investment in new Community Benefit Society. Please note that due to the additional costs incurred due to unforeseen works at BWF, it may not be possible to meet the projected savings.	920	920	0	Green		0
EC6	12-Feb-19	Explore opportunities to capitalise development team costs	Proposal to charge salaries of staff within housing development and enabling team to the Housing Revenue Account, as their work is now focused on bringing forward sites for direct housing development. Approximately 40% of salaries are currently funded by the HRA, and it's proposed to increase this to 100%.	150	150	0	Green		0
Total: Housing				1,190	1,190	0		0	0

							APPENDIX 3		
MTFS Savings Tracker 2019/20							Red	Saving fully/partially unachievable	
Priority: Your Council							Amber	Saving achievable but full/partial slippage required	
Period: 3							Green	Saving met in full and on time	
MTFS Savings Ref	Cabinet Decision Date	Saving proposal	Description	2019/20 £'000s	2019/20 Projected Full Year Savings £'000s	2019/20 Savings (surplus)/ shortfall £'000s	RAG Status (Delivery of 2019/20 Saving)	Value of Mitigation £'000s	Net impact on 2019/20 Budget Monitoring £'000s
Your Council (incl Council-Wide)									
A6.4 & A6.3	13-Feb-18	FOBO - Customer Services & SSC	A series of individual service improvement / efficiency opportunities within Customer Services and the SSC.	1,500	1260	240	Amber		240
A6.1	13-Feb-18	Legal Services	Reduction in staffing and other related expenditure - dependent on a reduction in demand for Legal Services in particular in Adult Services, Children Services, Regeneration and Property	150	150	0	Green		0
A6.8	13-Feb-18	Alexandra House Decant	The proposal is to vacate 5 floors of Alexandra House in 2017 and the remaining floors in the following twelve months. Realisation of savings will depend on renegotiation of rent as we vacate the building or our ability to sub-let those floors we do vacate. Hence, the cost/benefit model assumes savings appearing in 2018/19 and 2019/20.	750	0	750	Red	0	800
A6.2	13-Feb-18	Audit and Risk Management	Reduction in the value of the externally procured internal audit contract; potentially changing the assurance model, or reducing the number of audits completed.						
YC1	12-Feb-19	Out of home advertising income generation	The proposal is to recommission the street furnishing advertising contract. Moving to digital display to ensure communication messages can be updated quickly, and to remove printing costs.	129	129	0	Green		0
YC2	12-Feb-19	Remove ward budgets	Remove existing provision for Ward Budgets to fund community projects	190	190	0	Green		0
YC3	12-Feb-19	Growing Libraries Income	To grow the level of income from libraries estate as part of a developing libraries strategy.	100	50	50	Red		50
		Reduction in SAP Costs	Identify contractual savings in licensing, support and hosting	300	189	111	Amber	111	0
Total: Your Council				3,119	1,968	1,151		111	1,090

							APPENDIX 4:				
Priority	Scheme Ref	Scheme Description	2019/20 Original Budget (£'000)	2018/19 Capital Slippage (£'000)	Budget Adjustments (£'000)	2019/20 Revised Budget after Adjustments (£'000)	2020/21 Budget (£'000)	2021/22 Budget (£'000)	2022/23 Budget (£'000)	2023/24 Budget (£'000)	Total (£'000)
People - Children's	101	Primary Sch - repairs & maintenance	1,030	767	0	1,797	1,000	1,000	1,000	1,000	5,797
People - Children's	102	Primary Sch - mod & enhance (Inc SEN)	5,970	4,408	0	10,378	4,800	5,355	1,525	1,480	23,538
People - Children's	103	Primary Sch - new places	162	203	0	365	39	0	0	0	404
People - Children's	104	Early years	93	19	0	112	93	0	0	0	206
People - Children's	109	Youth Services	14	110	0	124	0	0	0	0	124
People - Children's	110	Devolved Sch Capital	531	0	(18)	513	531	531	531	531	2,637
People - Children's	114	Secondary Sch - mod & enhance (Inc SEN)	3,552	200	0	3,752	4,200	750	110	0	8,812
People - Children's	115	Secondary Estate Mixed Development	400	0	0	400	10,050	10,050	5,400	10,000	35,900
People - Children's	117	Children Safeguarding & Social Care	0	170	0	170	0	0	0	0	170
People - Children's	118	Special Educational Needs Fund (New Provision Fund)	0	10	213	223	0	0	0	0	223
People - Children's	199	P1 Other (inc Con't & Social care)	0	571	0	571	0	0	0	0	571
People - Children's			11,752	6,457	195	18,404	20,713	17,686	8,566	13,011	78,380
People - Adults	201	Aids, Adap's & Assistive Tech -Home Owners (DFG)	2,193	0	168	2,361	2,193	2,193	2,193	2,193	11,133
People - Adults	207	New Day Opp's Offer	0	27	0	27	0	0	0	0	27
People - Adults	208	Supported Living Schemes	1,500	745	(304)	1,941	1,500	1,500	1,500	0	6,441
People - Adults	209	Assistive Technology	500	620	0	1,120	500	500	500	0	2,620
People - Adults	211	Community Alarm Service	177	0	0	177	177	177	177	177	885
People - Adults	212	Linden House Assisted Living Development	0	756	420	1,176	0	0	0	0	1,176
People - Adults	213	Canning Crescent Assisted Living	500	342	0	842	4,200	1,750	250	0	7,042
People - Adults	214	Osborne Grove Nursing Home	500	156	0	656	1,500	6,000	2,250	500	10,906
People - Adults	215	Hornsey Town Hall Supported Living	250	0	(250)	0	1,750	0	0	0	1,750
People - Adults	216	Homelessness Hub	100	259	0	359	0	0	0	0	359
People - Adults			5,720	2,905	34	8,659	11,820	12,120	6,870	2,870	42,339

							APPENDIX 4:				
Priority	Scheme Ref	Scheme Description	2019/20 Original Budget (£'000)	2018/19 Capital Slippage (£'000)	Budget Adjustments (£'000)	2019/20 Revised Budget after Adjustments (£'000)	2020/21 Budget (£'000)	2021/22 Budget (£'000)	2022/23 Budget (£'000)	2023/24 Budget (£'000)	Total (£'000)
Place	301	Street Lighting	1,300	(29)	0	1,271	1,300	1,300	1,300	1,300	6,471
Place	302	Borough Roads	4,189	(8)	0	4,181	3,689	3,689	3,689	3,689	18,937
Place	303	Structures(Highways)	394	1,180	(800)	774	800	0	0	0	1,574
Place	304	Flood Water Management	590	48	0	638	620	650	680	710	3,298
Place	305	Borough Parking Plan	322	310	(200)	431	0	0	0	0	431
Place	307	CCTV	2,109	(2)	0	2,107	0	830	1,000	200	4,137
Place	309	Local Implementation Plan(LIP)	2,500	717	3,036	6,253	2,500	2,500	2,500	2,500	16,253
Place	310	Developer S106/S278	750	264	0	1,014	750	750	750	750	4,014
Place	311	Parks Asset Management	300	(74)	132	358	300	300	300	300	1,558
Place	313	Active Life in Parks:	230	170	0	400	230	230	230	230	1,320
Place	314	Parkland Walk Bridges	1,000	1,258	(1,200)	1,058	2,200	0	0	0	3,258
Place	316	Asset Management of Council Buildings	4,326	1,218	(116)	5,428	1,991	651	331	381	8,782
Place	317	Down Lane MUGA	0	415	0	415	0	0	0	0	415
Place	319	Bull Lane MUGA	2,520	0	(2,520)	0	1,080	2,520	0	0	3,600
Place	320	LCP - Dynamic Purchasing System	0	157	0	157	0	0	0	0	157
Place	321	MOPAC - Crime & Disorder Reduction	0	121	90	211	0	0	0	0	211
Place	322	Finsbury Park Over 8 Play Space	600	566	100	1,266	600	600	600	600	3,666
Place	323	Parking Strategy	1,000	0	1,200	2,200	0	0	0	0	2,200
Place	325	Parks Vehicles	720	0	(720)	0	720	0	0	0	720
		Place	22,850	6,311	(998)	28,164	16,780	14,020	11,380	10,660	81,004

							APPENDIX 4:				
Priority	Scheme Ref	Scheme Description	2019/20 Original Budget (£'000)	2018/19 Capital Slippage (£'000)	Budget Adjustments (£'000)	2019/20 Revised Budget after Adjustments (£'000)	2020/21 Budget (£'000)	2021/22 Budget (£'000)	2022/23 Budget (£'000)	2023/24 Budget (£'000)	Total (£'000)
Economy	401	Tottenham Hale Green Space	0	5,625	(3,289)	2,336	9,235	900	2,680	600	15,751
Economy	402	Tottenham Hale Streets	14,007	10,357	(19,812)	4,552	27,495	5,097	1,363	450	38,956
Economy	406	Opportunity Investment Fund	0	1,093	0	1,093	0	0	0	0	1,093
Economy	407	Growth on the High Road	0	(32)	0	(32)	0	0	0	0	(32)
Economy	411	Tott High Rd & Bruce Grove stn	150	419	0	569	0	0	0	0	569
Economy	415	North Tott Heritage Initiative	0	826	0	826	0	0	0	0	826
Economy	418	Heritage building improvements	0	2,500	0	2,500	0	0	0	0	2,500
Economy	421	HRW business acquisition	54,580	2,564	(45,500)	11,644	15,521	61,170	12,770	32,830	133,935
Economy	427	White Hart Lane Public Realm (LIP)	500	1,058	(1,183)	375	0	0	0	0	375
Economy	429	Site Acq (Tott & Wood Green)	10,000	3,235	0	13,235	8,867	0	0	0	22,102
Economy	430	Wards Corner CPO	5,000	5,000	(10,000)	0	6,500	3,500	0	0	10,000
Economy	434	Wood Green Regeneration	100	163	0	263	0	0	0	0	263
Economy	435	Wood Green Station Road	120	(88)	0	32	0	0	0	0	32
Economy	438	Vacant possession Civic Centre (Woodside House Refurbishment)	72	347	0	419	0	0	0	0	419
Economy	444	Marsh Lane	821	163	0	984	9,323	4,700	266	0	15,273
Economy	447	Alexandra Palace -maintenance	470	0	0	470	470	470	470	470	2,350
Economy	450	Family Contact Centre Relocation (Winkfield Road)	0	63	0	63	0	0	0	0	63
Economy	452	Low Carbon Zones	15	174	0	189	0	0	0	0	189
Economy	464	Bruce Castle	1,000	119	(900)	219	1,400	4,000	6,000	8,500	20,119
Economy	465	District Energy Network (DEN)	800	1,096	(1,460)	436	1,460	1,500	6,500	3,500	13,396
Economy	468	Keston Road (Community Centre Reprovision)	0	0	75	75	0	0	0	0	75
Economy	470	Wood Green HQ, Library & Customer Service Centre	950	0	(540)	410	2,940	6,000	8,400	10,000	27,750
Economy	471	Tailoring Academy Project	0	241	0	241	0	0	0	0	241
Economy	472	JLAC Match Fund	1,750	0	(1,250)	500	500	0	0	0	1,000
Economy	474	Tottenham High Road Strategy	1,638	800	0	2,438	5,402	3,980	1,027	1,027	13,874
Economy	475	Tottenham Green Public Realm Scheme Phase 2	0	979	0	979	156	0	0	0	1,135
Economy	477	Strategic Regeneration Initiatives	3,000	2,000	0	5,000	3,000	0	0	0	8,000
Economy	478	Wood Green Good Growth Fund	0	73	0	73	0	0	0	0	73
Economy	479	54 Muswell Hill Health Centre	0	1,100	(1,000)	100	1,000	0	0	0	1,100
Economy	480	Wood Green Regen (2)	500	0	(133)	367	7,262	5,901	12,141	13,610	39,280
Economy	481	Strategic Investment Pot	2,997	0	(1,247)	1,750	1,400	2,650	0	0	5,800
Economy	482	Strategic Property	19,640	0	0	19,640	680	1,273	254	3	21,850
Economy			118,110	39,875	(86,239)	71,746	102,611	101,140	51,870	70,990	398,357

							APPENDIX 4:				
Priority	Scheme Ref	Scheme Description	2019/20 Original Budget (£'000)	2018/19 Capital Slippage (£'000)	Budget Adjustments (£'000)	2019/20 Revised Budget after Adjustments (£'000)	2020/21 Budget (£'000)	2021/22 Budget (£'000)	2022/23 Budget (£'000)	2023/24 Budget (£'000)	Total (£'000)
Housing (GF)	506	TA Property Acquisitions Scheme	0	2,416	(2,416)	0	0	0	0	0	0
Housing (GF)	509	CPO - Empty Homes	650	400	0	1,050	1,000	1,000	1,000	1,000	5,050
Housing (GF)	510	Temporary Accommodation Acquisition Programme	25,000	14,027	2,416	41,442	4,409	0	0	0	45,851
Housing (GF)	512	Wholly Owned Company	5,000	0	0	5,000	8,000	8,000	8,000	8,000	37,000
Housing (GF)	513	54 Muswell Hill Flats	712	0	0	712	0	0	0	0	712
Housing (GF)	514	Notting Hill Housing Group (4 Ashley Road)	2,970	0	0	2,970	0	0	0	0	2,970
		Housing (GF)	34,332	16,842	0	51,174	13,409	9,000	9,000	9,000	91,583
Housing (HRA)		Existing Stock Investment (Haringey Standard)	52,293	17,202	(6,683)	62,812	63,215	57,663	58,816	59,992	302,498
Housing (HRA)		New Homes Build Programme	1,890	6,373	(5,323)	2,940	16,569	180,590	27,714	26,036	253,849
Housing (HRA)		New Homes Acquisitions	0	0	12,006	12,006	39,473	126,962	149,784	104,812	433,037
		Housing (HRA)	54,183	23,575	0	77,758	119,257	365,215	236,314	190,840	989,384

				0									
Priority	Scheme Ref	Scheme Description	2019/20 Original Budget (£'000)	2018/19 Capital Slippage (£'000)	Budget Adjustments (£'000)	2019/20 Revised Budget after Adjustments (£'000)	2020/21 Budget (£'000)	2021/22 Budget (£'000)	2022/23 Budget (£'000)	2023/24 Budget (£'000)	Total (£'000)		
Your Council	601	Business Imp Programme	0	155	0	155	0	0	0	0	155		
Your Council	602	Corporate IT Board	0	3,546	0	3,546	0	0	0	0	3,546		
Your Council	603	ICT Shared Service - Set up / Seed Money	0	1,684	0	1,684	0	0	0	0	1,684		
Your Council	604	Continuous Improvement	950	2,381	(81)	3,250	950	950	950	950	7,050		
Your Council	605	Customer Services (Digital Transformation)	0	965	0	965	0	0	0	0	965		
Your Council	606	Hornsey Library Refurbishment	1,882	844	0	2,726	0	0	0	0	2,726		
Your Council	607	Financial Management System Replacement	0	0	0	0	350	2,000	650	0	3,000		
Your Council	621	Libraries IT and buildings upgrade	1,056	386	0	1,442	25	85	0	0	1,552		
Your Council	622	FOBO Programme	500	0	0	500	500	500	0	0	1,500		
Your Council	639	New Ways of Working	252	0	0	252	255	255	0	0	762		
Your Council	698	Responsiveness Fund	2,000	2,000	(2,000)	2,000	0	0	0	0	2,000		
Your Council	699	P6 - Approved Capital Programme Contingency	1,500	1	2,056	3,557	0	0	0	0	3,558		
Your Council	640	Accommodation Move	0	0	200	200	0	0	0	0	200		
		Your Council	8,140	11,963	175	20,278	2,080	3,790	1,600	950	28,698		
		TOTAL GENERAL FUND ACCOUNT	200,904	84,354	(86,834)	198,425	167,413	157,756	89,286	107,481	720,361		
		TOTAL HRA ACCOUNT	54,183	23,575	0	77,758	119,257	365,215	236,314	190,840	989,384		
		OVERALL TOTAL	255,087	107,929	(86,834)	276,183	286,670	522,971	325,600	298,321	1,709,745		

Revenue Virements for Cabinet Approval

Appendix 5

Transfers from Reserves & Contingencies (2019/20) - for noting

Period	Priority	Service/AD Area	Rev/ Cap	In year	Next year	Reason for budget changes	Description
3	Place	Environment & Neighbourhood	Revenue	887,100		Transfer from Reserves	Drawdown from Transformation Reserve to fund Strategic Procurement, Parking and the Waste Management Transformation Programmes
4	Housing	Commissioning	Revenue	272,900		Transfer from Reserves	Drawdown from Unspent Grants Reserve to support the Rough Sleepers Programme and other initiatives
4	Place	Environment & Neighbourhood	Revenue	413,000		Transfer from Reserves	Drawdown from Transformation Fund Reserve to fund the in-house transition of Facilities Management and the Waste Services Transformation Programme
4	Place	Environment & Neighbourhood	Revenue	726,003		Transfer from Reserves	Drawdown from Service Reserve to fund delivery of the HMO Licensing Scheme, CPZ Parking Strategy and Parking Transformation Programme
5	People	Adults	Revenue	527,000		Transfer from Reserves	Drawdown from Transformation Reserve to fund the delivery of Adult Social Care Package efficiencies
5	People	Children's	Revenue	337,840		Transfer from Reserves	Drawdown from Transformation Reserve to fund saving initiatives for the Better Start in Life programme

Virements for Approval (2019/20)

Period	Priority	Service/AD Area	Rev/ Cap	In year	Next year	Reason for budget changes	Description
3	Place	Environment & Neighbourhood	Revenue	580,581		Grant Allocation	Allocation of 2019-20 MOPAC Grant income and expenditure budgets
3	All	Council-wide	Revenue	2,500,000	2,500,000	Budget Realignment	Allocation of budgeted pay inflation for 2019-20
3	People	Children's	Revenue	3,081,000		Budget Realignment	Realignment of Children's Centre in year budget to reflect 2019-20 funding allocation
3	Place	Environment & Neighbourhood	Revenue	383,029	383,029	Budget Realignment	Anti Social Behaviour staffing budget realignment for 2019-20
3	People	Children's	Revenue	491,600		Grant Allocation	2019-20 Youth Justice Board - Youth Justice Grant
4	All	Council-wide	Revenue	964,700	964,700	Budget Realignment	Allocation of budgeted contractual inflation for 2019-20
4	Place	Environment & Neighbourhood	Revenue	1,587,835	1,587,835	Budget Realignment	Realignment of the Highways Private Contractor, Parking Operations staffing and Waste Management income budgets to reflect expected expenditure and income
4	Place	Environment & Neighbourhood	Revenue	459,000		Grant Allocation	Allocation of LIP Grant funding for Mayoral Air Quality and Smarter Travel initiatives
4	People	Children's & Adults	Revenue	716,120	716,120	Budget Realignment	Realignment of Substance Misuse and Voluntary Sector budgets within Commissioning to reflect expected spend.
4	People	Adults	Revenue	2,127,500		Grant Allocation	Winter Funding and Social Care Grant income allocation to aid seasonal pressure within Adult placements
4	Your Council	Information Technology	Revenue	888,760	888,760	Budget Realignment	Realignment of the IT salary budgets to reflect the transition back to an in-house service
4	People	Adults	Revenue	5,675,678		Grant Allocation	Grant allocation of the Better Care Fund Pathway
5	Your Council	Strategy and Communications	Revenue	560,766		Grant Allocation	Allocation of 2019-20 Controlling Migration Grant income and expenditure budgets
5	Place/Economy	Housing, Regeneration & Planning/Environment & Neighbourhood	Revenue	355,440	6,303,040	Budget Transfer	Transfer of Operational Resilience budgets from Environment and Neighbourhoods to form part of newly created Strategic Property area under the Regeneration, Planning & Housing Directorate.
5	Place	Environment & Neighbourhoods	Revenue	720,000	720,000	Budget Realignment	Realignment of Highways budgets in-line with proposed restructure and funding of staffing
5	People	Adults	Revenue	3,580,586	3,580,586	Budget Realignment	Realignment of Adults 2019-20 MTFS funding growth
5	People	Adults	Revenue	305,500	305,500	Budget Realignment	Realignment of salary and grant budgets within the First Response and Adaptations Team
		Total 2019/20		28,141,938	17,949,570		

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Report for: Overview and Scrutiny Committee: 15th October 2019

Item number: 10

Title: Borough Plan 2019-23 Priority performance update Quarter 1

Report authorised by: Charlotte Pomery, Assistant Director, Commissioning

Lead Officer: Margaret Gallagher, Performance & Business Intelligence Manager
margaret.gallagher@haringey.gov.uk

Ward(s) affected: All

Report for Key/

Non Key Decision: Non key

1. Background

- 1.1. When the Corporate Plan (predecessor to the Borough Plan) was first established, the Council introduced an approach to performance management, which allowed residents and others to easily track the Council's performance against five core areas of the Plan and hold it to account. This approach has now been applied to the new priorities in the Borough Plan.
- 1.2. This report is the first update relating to the new Borough Plan priorities, outcomes and indicators, but the fourteenth relating to the priority dashboards. The report reflects the latest data available as at June 2019 and so effectively opens the reporting against the Borough Plan with a first quarter report for 2019/20. It provides an overview of key performance trends and an assessment of progress against targets and objectives on an exception basis.
- 1.3. The Overview and Scrutiny Committee and Panels use the updates as part of their role in scrutinising and supporting performance improvement and to inform the Overview and Scrutiny work programme. Scrutiny Panels have an opportunity to review performance using the latest data as published in the Priority dashboards.
- 1.4. The timely publication of the priority dashboards on the Council's website has created greater transparency about the Council's performance, enabling accountability directly to residents. This is one way of working with communities to make the borough an even better place to live.
- 1.5. As part of the recently approved Borough Plan, there is a performance framework to track progress against the objectives and targets set out in the delivery plans. Outcome measures and key performance indicators have been agreed for each Priority – a number of the indicators reflect outcomes and measures used to measure progress in the Corporate Plan. The agreed indicators form the basis of a monitoring framework for the Borough Plan (i.e. a new version of the performance outcome wheels) and are the primary means of

measuring progress in delivering the new Borough priorities over the coming four years.

- 1.6. Progress against the outcomes and measures set out in the new framework start from a baseline, as at April 2019. The principles of the performance framework have been adopted in reporting on the measures set out in the Borough Plan. This means a continued role for the Overview and Scrutiny Committee to use the updates as part of their role in scrutinising and supporting performance improvement and in agreeing their work programmes. It also ensures the continuation of a transparent approach with the public in publishing data on progress and impact.

2. Recommendations

- 2.1 Overview and Scrutiny Committee is asked to:

- Note the high-level progress made against the delivery of the strategic priorities and targets in the Borough Plan as at the end of June 2019, launching the first update on progress against specified outcomes in the Borough Plan 2019-2023.
- Note that measuring progress will continue with quarterly reporting to the Overview and Scrutiny Committee against the new measures via the creation of new Priority Dashboards to be published on Haringey's website.

3. Evidence based performance management

- 3.1. Public organisations need reliable, accurate and timely information with which to manage services, keep residents well informed and account for spend and performance. Good quality data is an essential ingredient for reliable activity and financial information. Effective organisations measure their performance against priorities and targets in order to determine how well they are performing and to identify opportunities for improvement. Therefore, the data used to report on performance must be fit for the purpose, representing the Authority's activity in an accurate and timely manner.
- 3.2. The Borough Plan and performance framework seek to address inequalities and focus on what people need to thrive. Data and insight, based on demographic and demand pressures, inform service strategies and improvement plans which may include building resilience, enabling earlier intervention and targeting to reach households before they reach crisis point. The State of the Borough profile is the Council's key document in this regard: <https://www.haringey.gov.uk/local-democracy/about-council/state-of-the-borough> and provides a comprehensive overview of Haringey in relation to a number of key themes including demographics, employment and skills, children and young people, vulnerable adults and health, place, crime and safety and housing. The most recent version, available on Haringey's website, has been updated with the latest available data.

4. Performance

Overview

4.1. Overall, this first update of the new Borough Plan dashboards illustrates early progress against the strategic objectives set out in the Borough Plan 2019-2023 as at June 2019. In light of this, there are some gaps in this preliminary picture. As is to be anticipated at the start of the performance period, there is work underway to meet the challenging targets which reflect the Council's ambitions.

4.2. There are 5 priorities in the Borough Plan:

Housing: a safe, stable and affordable home for everyone, whatever their circumstances

People: our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential

Place: a place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green

Economy: a growing economy which provides opportunities for all our residents and supports our businesses to thrive

Your Council: the way the council works

The associated delivery plans for each Priority can be found on the intranet <http://intranet/about-council/borough-plan-2019-23>

4.3. The following areas are showing good progress and performance as illustrated by the indicators and updates below:

Priority 1 **Housing** – There has been recruitment to the housing delivery team and development of the process and procedures and design guide along with land and funding identified to deliver the 1000 homes target. There has also been progress on setting up the Community Benefit Society (CBS) by 9th September, with tenants due to move into properties from the 23rd, and joining Capital Letters to deliver additional, more cost effective and better quality, temporary accommodation. Housing schemes are progressing through the gateway processes, with 165 units having planning permission and 23 starts on site. In addition, the first quarter has seen progress on the development of the new Housing Strategy, including initial engagement with members.

Priority 1 Housing (Outcome 2) **Reduce Homelessness**. The number of households in temporary accommodation continues to reduce, but expenditure remains high. Progress is being made to develop an updated Temporary Accommodation forecasting model. A key concern is the long-term funding in this area as the Flexible Homelessness Support Grant (FHSG) for 20/21 has yet to be confirmed.

Priority 2 People (Outcome 5) **Happy childhood- Improving the quality of social work practice** Three measures that are closely monitored help to give an indication of how effective social work practice is. If social practice is good and if partners understand the thresholds in relation to safeguarding, then children should not be being referred multiple times to social care (% of repeat referrals) – currently, performance is better than the national average and slightly above similar authorities. Additionally, if social work practice is good, children would be unlikely to have a second or third child protection plan or to be on a plan for more than 2 years. Both

measures are showing good performance. 13.5% of children are being re-registered with a child protection plan at the end of June, this is better than both the national average and similar authorities. There were no children on a child protection plan for longer than two years, which is good performance.

The aim is to improve towards an Ofsted rating of good. The Ofsted inspectors recognised the progress Haringey has made – and continues to make – in delivering children's social care. An improvement plan is in place and it sets out the full range of actions being taken to improve the quality of social work practice. Based on the above the quality of practice indicator has been rated Amber Green at this point.

Priority 2 People (Outcome 7)- **Healthy & fulfilling lives- Residents being physically active** – In Haringey, 65% of residents aged 16 and above reported being physically active by doing at least 150 minutes of physical activity a week. Haringey's performance is better than the London rate of 63.6%. The target is to increase physical activity by an average of 0.4 percentage points year on year to 2022.

Priority 2 People (Outcome 7) – **Healthy & fulfilling lives-The rate of Delayed Transfers of Care** (DTC) has reduced and the Better Care Fund 11% reduction target surpassed. In the first two months of 2019/20 the rate of DTC Delayed days per 100,000 population was 373. This is a 23% reduction in the rate per 100,000 population compared to the same period in 2018/19.

Priority 3 Place (Outcome 9)- **A healthier, active, greener place**. The four performance indicators related to this outcome are all either green or green amber. The indicator for parks & open spaces has been rated green for Haringey's 22 parks with green flag status, and for 80% satisfaction with park cleanliness captured in the satisfaction survey commissioned by Veolia. Physical activity, also an indicator in the People Priority, is green for a positive direction of travel and for Haringey's good performance compared to our statistical neighbours and to London as a whole.

Air quality scores have been rated green amber due to good performance in supporting indicators such as secure cycle parking and several electric vehicles charging points. Finally, a steady decline in the borough's carbon emissions, significantly below the London average, puts the CO₂ emissions target in green for this quarter.

Priority 4 **Economy** - It should be noted that some of the indicators in the Economy Priority are macro (e.g. gross value added and number of jobs in Haringey) and were selected to track wider economic trends.

Following on from the reporting against the previous Corporate Plan indicator on apprenticeships (Red rated), significant work is underway to further define the Council's approach to apprenticeships. As the performance data notes, work is underway with organisations across the borough to collect accurate data on the numbers of people starting apprenticeships and full performance figures will be published in the quarter 2 reporting cycle that will include both the Council's and partners' figures.

Priority 4 Economy **Support growth in business and jobs**. This objective translates into an ambition for a Borough with more quality jobs and opportunities for progression in the Borough Plan (outcome 15). In 2017/18 28.6% of Haringey's jobs were earning

below the London living wage (LLW) against a London position of just over 20% albeit that the trend has been slightly positive with an average reduction of the percentage of jobs below LLW of approx. 1 percentage point per year since 2016.

Priority 4 Economy (Outcome 14) – **Residents supported into employment.** The contributing programmes to this indicator are: Haringey Works (formerly known as HEST), Section 106, Homes for Haringey's Project 2020, The Work and Health Programme (also known as Central London Works and delivered by Ingeus), Work Routes Haringey (delivered by Reed) and Haringey Higher Levels Skills. Haringey Higher Levels Skills has only recently commenced delivery so has not contributed to Quarter 1 outcomes but will be included in Quarter 2 reporting. Performance is on target to exceed 500 individuals supported into work in this financial year.

Priority 5 Your Council (Outcome 19) – **Being an able, positive workforce.** The number of BAME staff members in the top 5% of Haringey earners has been on the increase, to its current level of **26.7%**, comfortably above the target of 17.2%. It should be noted that the top 5% of earners is a relatively small pool (around 90 staff) so any movement will have a pronounced effect on the percentage figure. Initiatives, such including Leadership Development Training, Equality Training and mentor programmes have had a positive impact in this area.

Based on exceptions the following objectives may be worthy of further consideration as these present some current challenges:

Priority 1 Housing (Outcome 3)- **A safe and stable affordable home** - Customer satisfaction with Homes for Haringey has dropped 2% points in the 2018/19 annual survey. Homes for Haringey have put in place an improvement programme to address the issues raised in the survey and as the data for this indicator is only available annually, additional milestones are being set to demonstrate progress.

Priority 1 Housing (Outcomes 1 & 3)- **New Homes.** In the context of a challenged housing market, there are some concerns relating to the delivery of net additional homes and the overall target as the Mayor is likely to raise Haringey's target from 1502 to 1958. Although the key elements of land, capacity and finance have been put in place, the 1000 council homes programme is a fundamentally new area of work in which the council has limited experience. The recent sprint identified key areas of development for the immediate housing delivery team, and wider council.

Funding has been identified for delivering the decent homes programme, but the, as yet un-costed, impact of retrofit and safety requirements, as well as Broadwater Farm remain a key concern. A full review of the HRA business plan is underway to account for these.

Priority 2 People (Outcome 6) – **Pathway to success** – 99% of Haringey schools are good and outstanding, with two measures that require improvement: Attainment 8 and Progress 8. The Council is working closely with Haringey Education Partnership in their work with Haringey secondary schools to drive up outcomes at Key Stage 3 and at GCSE/A level. A second Black Asian and Minority Ethnic (BAME) conference was held in July 2019 focused on closing and eventually eradicating the attainment gap for BAME pupils, with the support of all schools. The Science, Technology, Engineering and Mathematics (STEM) strategy is also seeking to close attainment and gender gaps.

Priority 2 People (Outcome 7) – **Healthy and fulfilling lives** The target for **healthy life expectancy** is an ambitious one that will not only require action to improve health and care services but also long term commitment to improvements in the wider factors that affect people's lives, such as incomes, jobs, housing quality and stability of tenure, health promoting high streets and the built environment. Data is also only available with a significant time delay and only updated on an annual basis, so action that is taking place now will only affect this outcome towards the end of the Borough Plan period.

The Amber green status for the overall outcome of wellbeing is based on performance against a suite of related indicators; Successful completion of drug treatment, successful completion of Alcohol treatment, physical activity and smoking prevalence. Parental alcohol treatment indicators will also be included in the suite and reported from October 2019.

Priority 3 Place (Outcome 10) – **A cleaner, accessible and more attractive place: the number of people killed or seriously injured (KSI)** on Haringey's roads rose between 2016 and 2017, the most recent figure available. London Councils' data on the rate of KSI casualties on roads per 100,000 population over a 3-year rolling average period from 2015-2017 show that Haringey's rate of 33 is the 11th highest rate in London although only slightly above the average rate for London of 31.9. 92 people were killed or seriously injured in 2017, compared to 73 KSI casualties in 2016, which is the highest reported figure since 2011 after two years of reduction. Further information can be found at <http://www.haringey.gov.uk/parking-roads-and-travel/roads-and-streets/road-safety>. This indicator will be updated once more recent data becomes available, however in the meantime it has been rated red for negative direction of travel, and for being above the London average.

Priority 3 Place (Outcome 12)- **A safer borough**. The remaining red indicator in the Place dashboard relates to the percentage of **residents who feel safe in their local area**. The most recent figures, from the ORC satisfaction survey commissioned by Veolia, show that Haringey residents feel less safe both during the daytime and after dark than the national average. There are strong variations in the perception of safety in different parts of the borough, and by protected characteristics such as gender. Due to the direction of travel this indicator has been rated as red, although work is underway to identify and deal with hotspots of violence across the borough which it is hoped will have a positive impact on the perception of safety for future reports.

Priority 4 Economy (Outcome 15)- **Opportunities for progression- Reduction in the proportion of Haringey workers paid below the London Living Wage (LLW)** has also been rated Red-Amber this period: Haringey's trend since 2016 is slightly positive with an average reduction in the percentage of jobs below London Living Wage of about 1 percentage point per year. The work that is being done around Gross Value Added, employment floor space and Haringey's Economic Development Strategy will all have positive influences on the number of jobs that pay the LLW.

Priority 5 Your Council (Outcome 18)- **Residents get the right information and advice- Customer Feedback on easy to get information:** This indicator measures the ease with which customers can get the information and help they need when they contact Haringey Council. Using the prescribed and industry standard formula, to enable benchmarking, our Net Easy score is -27% (the number of people who said

that it was difficult (either fairly, very or extremely) to get the help they wanted is subtracted from the number who said that it was easy (either very or extremely). A minus score means that we get more dissatisfied responses than we do satisfied ones based on this methodology incorporating all the current channels that we are tracking.

In summary, this picture provides a useful baseline after one quarter of reporting on the Borough Plan, identifying where the Council, working with partners and local residents, can make progress towards the targets in its most important strategic plan.

5. Contribution to strategic outcomes

- 5.1. Effective performance monitoring of the Council and partners' progress towards achieving the outcomes in the Borough Plan is fundamental to understanding impact.

6. Use of Appendices

- 6.1 Priority dashboards and performance packs

<http://www.haringey.gov.uk/local-democracy/policies-and-strategies/building-stronger-haringey-together>

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Report for: Overview and Scrutiny Committee 15-10-19

Item number: 11

Title: Front Office, Back Office Transformation Programme

Report authorised by: Andy Briggs – Assistant Director Corporate & Customer Services

Lead Officer: Belinda Black
Tel: 07976 077149
Email: belinda.black@haringey.gov.uk

Ward(s) affected: All

Report for Non Key Decision

1. Purpose of this report

The intention of this report is to provide the committee with an update on the Front Office, Back Office Transformation Programme since the reports brought to Overview and Scrutiny Committee on the 30-04-19 and 22-07-19.

The report is also intended to provide the committee with reassurance that the programme is achieving its objectives and delivering positive outcomes as well as a deeper understanding of how the programme has benefited from a new collaborative approach to delivery.

The programme welcomes any comments and recommendations from the committee.

2. Content

The report provides the committee with an update of what the programme has achieved in terms of opportunities delivered so far, those being delivered in the next couple of months, and savings realised. It describes some of the challenges that have arisen and what has been learned as a result.

Finally the report explains what will happen next within the programme.

3. Opportunities delivered / being delivered

The programme started with over 100 opportunities that were identified as being possible. The opportunities were then evaluated and prioritised resulting in 70 taken forward for stage 1. The opportunities were then grouped into 6 projects. Each project has both financial and non-financial benefits assigned to

it. Below is a summary of the programme opportunities either delivered already, or to be delivered in the current stage 1, by the end of October 19:

Project	Opportunity Delivered	Opportunity to be delivered
Business Support	<ul style="list-style-type: none"> • New process and eForm for travel requests • New process and eForm for clinical waste requests • New process for paperless Child Protection conferences • New process for paperless information requests 	
Feedback & Information Governance	<ul style="list-style-type: none"> • New internet page and decision tree for Complaints 	<ul style="list-style-type: none"> • Upgraded formal enquiry system for complaints • Improved process for Member's enquiries and freedom & information requests
Revenues & Benefits	<ul style="list-style-type: none"> • New look customer letters re: Council Tax • New document bundling solution for Benefit Appeals Service • New Landlord Portal • New Risk Based Verification policy approved at Corporate Committee (awaiting October Cabinet) • New bulk printing solution 	<ul style="list-style-type: none"> • New Revenues & Benefits automated system • eBilling • New document management system
HR & Finance	<ul style="list-style-type: none"> • New look intranet Recruitment pages • New Disclosure & Barring process 	<ul style="list-style-type: none"> • New staff portal for Finance and HR requests • New HR case management system • New look HR intranet pages and eForms • New Purchase Card process
Digital Customer	<ul style="list-style-type: none"> • New Council Interactive Voice Response (IVR) telephony system • New Council Contact Us pages and online decision trees • New SMS capability • Queue Call Back option for customers • Telephone wrap up codes • New switchboard approach • New customer PCs in service centres • New email management system (emails removed, contact form only) 	<ul style="list-style-type: none"> • New email management (reporting) • Self-scanners in service centres
Housing & Parking	<ul style="list-style-type: none"> • New look rent letters 	<ul style="list-style-type: none"> • New look parking web pages for key contact areas • New look application and

Project	Opportunity Delivered	Opportunity to be delivered
		payment for some permit licences <ul style="list-style-type: none"> • New skip licence process • New mobile App for Estates to submit repairs requests

Appendix 1 provides 5 case studies to show how some of these opportunities have been delivered and the impact and feedback that has been received so far.

In line with our Borough Plan Priorities, specifically “Your Council”, two key outcomes that the programme is aiming to achieve are:

1. An overall reduction in the volume of contacts from customers, and
2. A voluntary move by customers to the more cost effective channels i.e. from face to face, post/email and telephone contacts to online contacts.

These outcomes will enable the reduction in staffing resources that is required to achieve the savings, but also indicates that our customers are having their enquiries resolved in a more efficient way and are not having to contact us multiple times, thereby supporting the Your Council objective of making contact easy for our residents and businesses.

The following table shows the volumes of customer contacts into customer services across the five main channels for last year and the projection for the current year:

Year	Online - My Account	Online - Contact Us	Email and Post	Tel	Face To face	Total
2018-19	479,203	127,620	161,859	354,929	182,738	1,393,971
2019-20	506,786	184,752	131,297	338,187	140,026	1,372,121

This confirms that, even though the changes the programme is making have only been implemented in the last couple of months, the overall number of contacts is reducing and customers are increasingly using online services rather than phone or visit customer services.

Also being delivered within the programme is a new customer platform and ‘Writing for Haringey’ workshops:

a) Customer Platform

As part of the Front Office, Back Office (FOBO) Transformation Programme, a procurement exercise is currently underway to replace the current Customer Platform (My Account) which will fully expire in March 2020.

Background

The Council currently uses the Agilisys Digital system (My Account) to manage its main online customer accounts, dealing with over 110,000 registered users transacting on several services including revenues and benefits. Although there are approximately 16,000 customer transactions through the platform per month, the breadth and depth of services available is limited. The current contract ends on 27th March 2020.

The new platform will significantly improve the digital offering for customers (including Citizens, Businesses, Landlords and other groups), making more council services accessible online, providing customers with better access to services at their convenience, and will fully enable identified savings of circa £300k in Corporate & Customer Services to be delivered with scope for future savings across the Council.

Following a pre-market engagement exercise with a number of suppliers, the project team identified the CCS G-Cloud 11 framework as the best method for procurement of a new Customer Platform. G-Cloud contract length is for a 2 year period with options to extend for up to 2 further 1-year periods.

Four suppliers were initially identified on a shortlist on G-Cloud and attended clarification meetings with the Council.

Current status and timescales

The project team have completed the evaluation of the shortlist suppliers and have identified a preferred supplier. This is being considered by Cabinet on the 8 October. The timescales going forward are as follows (although maybe subject to some minor variation):

- Cabinet meeting (8 October)
- Supplier on site (November)
- Initial phase 1 implementation to replace My Account (January 2020).

b) Writing for Haringey

The Writing for Haringey Workshops have been developed to help staff who regularly write letters or documents to external customers on behalf of the council, or content for the website and intranet, to think about the audience they are communicating with.

They will learn techniques on how to set the tone for each audience and to ensure all content is written in plain English. The training course will be facilitated initially by an external partner and can accommodate up to 60 selected staff members. Eventually the intention is to be able to utilise internal resources to run future workshops.

The first workshop was delivered on 26 September 2019 and the other 3 workshops will be completed by the end of October. Initial feedback from participants has been very positive, both about the trainer and content of the workshop and also about the difference they feel it will make to their approach

to writing reports, internet content and other communications. Some have already recommended attendance to their colleagues.

On completion of these workshops within the programme, an evaluation and recommendation about continuing them will be completed.

4. Savings delivered

The total saving target for the FOBO programme was £4,250k. This was reduced by £740k to reflect a restructure of the finance team which moved them outside of the directorate, and therefore out of scope of the programme.

In 18/19 £250k savings were made through non-staffing reductions. The latest forecast is that opportunities being delivered in stage 1 of the programme for 19/20 will deliver £2,487k savings from staffing reductions and a further £148k savings from non-staffing reductions. This leaves a balance of £625k to be achieved in stage 2 of the programme for 20/21.

Year	£'000	Description
2018 to 2021	4,250	FOBO savings target
2018/19	-250	Non staffing savings
2019/20	-740	Adjustment to savings target
	-2,487	Staffing savings
	-148	Non staffing savings
2020/21	625	Remaining savings target

Some of the savings delivered so far include:

- Customer Services queue call back – providing customers with the option of receiving a direct call back, reducing waiting times to speak to an agent and a reduction in call length has delivered 3-4 FTE savings
- Simplifying layout and rationalising the Contact Us pages on our website to support customers in using digital channels. This includes pages for parking PCNs, Council Tax, Housing Benefits and Customer Services. This has reduced calls and emails to Customer Services resulting in FTE savings.

The previous report to this committee included a verbal update on the staff consultation activities that were underway at the time of the meeting. All consultation has now been completed and the restructures are underway. One issue that was raised during the consultation was in relation to the proposal to delete 2 court officer posts within the revenues service and for the responsibilities to be re-allocated to team leaders within the service. In light of concerns expressed by officers and trade union colleagues an exercise is now underway to review in detail the processes involved and the workloads of both the court officers and the team leaders to ascertain if this proposal is still feasible. The results of the review will be shared with all parties and the proposal revised if necessary.

Work has begun to identify how the remaining savings target will be delivered, and this is explained in section 7 below.

5. Changing the way we change

The approach to programme and project delivery is changing the way the council approaches complex transformation programmes that involve a number of services areas and require many staff to support. While the programme continues to learn and adapt, the key features of the approach include:

- A true collaboration between the programme and receiving services so that all parties have a shared ownership of the success – from officer to AD level
- Fostering a ‘can do’ culture and not being afraid to try things and move on if they don’t succeed
- Using Agile project delivery techniques alongside more traditional methods
- Adopting a rigorous approach to review the benefits of the opportunities being delivered.

6. Challenges and lessons learned

The programme is continually learning and adapting as challenges arise. During the recent sprint (outlined in section 7. below) a ‘retrospective’ or ‘lessons learned’ exercise was conducted taking programme team, service and board feedback on what has worked well, what hasn’t and what needs to be done differently going forward. Some examples of challenges and lessons learned so far include:

- Baseline data – as the programme has moved from opportunity delivery into benefit tracking it has become clear that we would have profited from spending more time at the beginning of the programme to ensure we had all of the baseline data required to be able to identify changes (in volumes, quality etc.) once opportunities were delivered. This thinking is now part of the early planning for any opportunity i.e. the question is asked ‘how will we know and be able to prove that it is successful?’
- Customer engagement – the programme has always taken into account any available information about customer views and satisfaction, but has not been as proactive as it should be to talk to customers about the experience and changes we propose, what is working and what needs to be improved. This would provide access to data and insight from customers to evidence the work we have done. There are many valid reasons for why this hasn’t been done, like the speed of change required, the capacity of the available resources or the expertise required to do this properly. But it is openly acknowledged that it would have been beneficial to spend more time and effort to engage and involve users (residents and staff) in the programme. As part of the planning for stage 2 of the programme discussions were held

about how we could resolve this perceived gap and more detailed plans will be included in the programme definition document being produced in October.

- Roles and responsibilities – feedback from those involved in the programme has highlighted the need for more clarity of roles and responsibilities within programme teams and between the services and the programme. Overall things have worked but we recognise we can continue to strengthen the approach/model to delivering and sustaining change.
- Communication – as always this could also be improved. How, when and who we communicate to. Being more proactive in our communications internally and externally and finding a shared language is particularly important for stage 2 of the programme.

7. Equalities Impact Assessment

The programme completed an EqlA screening tool for residents, with the result being that a full EqlA would not be required at this time for the following reasons:

- The proposal is likely to have no impact on groups that share the protected characteristics or other disadvantaged groups
- We anticipate the proposal to have a positive impact on the service received by service users including residents and visitors to the borough, as the service is being enhanced not reduced
- Should the screening responses change in the future with new proposals, a new screening tool will be completed that may require a full EqlA to be carried out.

A copy of the EqlA for residents screening tool is in Appendix 2

8. Next Steps

As stage 1 of the programme comes to a close (due to complete in November 2019, roadmap included as Appendix 3), planning is underway to develop the opportunities that will form part of stage 2 and deliver the remaining savings target of £625k in 2020/21 as well as further improve the customer and staff experience.

The programme has been collecting potential ideas and, using Agile methodology, has run a 'sprint' to plan the stage 2 roadmap.

The 2.5 day sprint was held in September 2019 and the stage 2 roadmap was drafted. Further work will lead to a programme definition document being produced in October detailing how stage 2 of the programme will be shaped and delivered. This will be presented to the FOBO Programme Board for sign off in November 2019. Following sign off the programme will provide a Members briefing on FOBO.

As well as the planning for Front Office, Back Office stage 2, the sprint explored two other areas of work that will need further investigation:

- Innovation Expansion – to roll out the programme’s successes to other parts of the Council, for example:
 - Web page decision trees – user friendly “big buttons” to navigate to the right place on the Council website to reduce demand and avoidable contact
 - GOVMAIL “style” printing – bulk printing carried out externally to reduce both cost and staff handling time
 - Council wide access to RESPOND (formal enquiry system) – this can enable a new process to reduce staff handling time required to manage enquiries
 - New IVR (telephony) – user friendly telephony system to enable customers to get to the right place and therefore reduce avoidable contact
 - Paperless panels / conferences – to reduce costs and staff handling times
- Haringey Ambition – a set of council-wide initiatives that have been identified to enhance both the customer and staff experience, for example:
 - Staff passport initiative (LinkedIn style intranet page for all members of staff)
 - Data collection, management and insight strategy
 - Online service bookings process
 - Social media and how it is used
 - How we take payments (Use of CallSafe/PayPal on ICON or sStore)

Both of these options will now be explored further in the next planning stages.

Appendix 1: Opportunity case studies

1. Changes to our website - Contact Us Pages

Before:

Haringey LONDON

What do you want to do today? **Go** **Login to My Account**
More online services

▼ **Services for residents** > **Pay, report, apply** > **Business information** > **Local democracy**

> Home
> Contact
> Customer Services
> Contact Customer Services
> What would you like to contact us about?
> Marcus Garvey Centre - Library and Customer Services
> Wood Green Library and Customer Services

Home > Contact > Customer Services > Contact Customer Services

Contact Customer Services

- How to contact us online
- How to contact us by telephone
- How to contact us in person

How to contact us online

My Account

My Account provides quick and secure access to many self- service options 24 hours a day, 7 days a week. [Login or sign up to My Account](#)

Website

Our website provides useful information about council services. You can access many services online - see our [A to Z Directory of Services](#).

For a speedier response, you can [report problems directly here](#) (rubbish, recycling, graffiti, roads etc), or you can [make a formal complaint/give feedback about a service here](#).

For other non- urgent queries please use the following form.

E-form for Customer Services

How to contact us by telephone

The Contact Centre is open **Monday to Friday, 9am to 5pm** - closed at weekends and bank holidays.

Our Contact Centre advisors only deal with certain service-related enquiries - see the list below.

Telephone numbers and useful links for our main services

- Please note:** your call may be recorded for training and monitoring purposes

Table: Main service contact numbers

Quick links

- [Parking](#)
- [Council Tax](#)
- [Housing](#)
- [Refuse and recycling](#)

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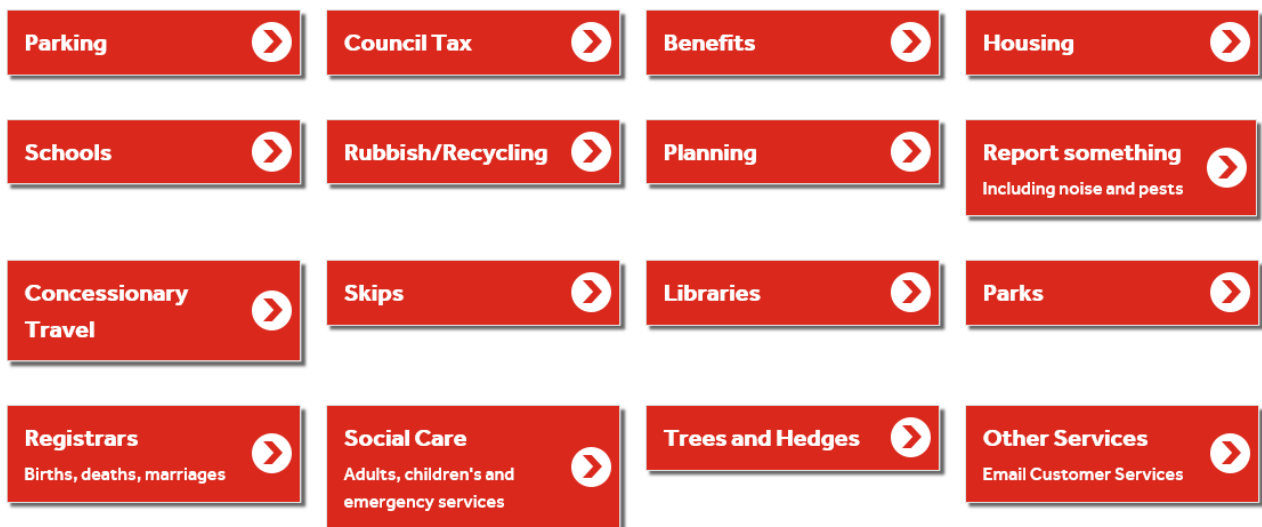
[Our advertising policy](#)

Related links

- [Out of Hours Emergencies](#)
- [Councilors and MPs](#)
- [Jobs in the Council](#)

After:

What would you like to contact us about?



So far the changes to these online pages have resulted in 26% less emails being received in customer services due to customers being able to find the information they require more easily and/or being able to contact the right officer without having to go through customer services first.

Before these changes were made 'User Acceptance Testing' was conducted for the Decision Trees in Wood Green Service Centre with F2F customers. Feedback included:

"Is related to what I'm looking for. Clear and understandable"

"Parking option is clear to me and I know it's relevant to my query"

"The big button works for me because it's clear and direct"

"Big red buttons works well"

In addition it was found that 89% of respondents had a smart phone and 88% of respondents used the internet daily. This dispels the myth that most service centre users go in because they don't have internet access.

2. Changes to the telephone system

- From 29 August, the council's switchboard became an automated service. Calls to the 020 8489 0000 number will no longer need to be transferred manually.
- The new automated switchboard and Customer Service IVR telephony system, provides an efficient, easy route for residents, businesses, visitors and customers to contact the right service first time during office and out of hours.

- Research conducted showed that it previously took two members of staff to handle switchboard calls daily and identified that 96.6% of these calls could be automated, hence an immediate cost saving.
- The new Council's telephony system has 4 simple options, which diverts calls to the relevant service with additional features such as the option to request a queue call back or free SMS to web links.
- On day 1 of the new telephony system, Customer Services received 200 less calls. 200 calls that were dealt with through other channels including web and text SMS.
- This call reduction is equivalent to 4 fte of effort.

3. Changes to letters being sent out – Revenues & Benefits and Housing Rent letters

Homes for Haringey Rent letters:

- Rent letters were generating avoidable contacts from residents because they couldn't understand the content e.g. where a minus symbol appeared beside the 'rent balance' (as used in accounting terms) customers interpreted that as a debt, rather than as a credit.
- Through the Programme, in collaboration with Services, these letters were amended to simplify the language, remove unnecessary content and replaced the minus symbol with the word 'credit'
- Rent letter changes are complete and the progress is being tracked - May saw a reduction in contacts of 36% (962 fewer calls)

Revenues & Benefits letters:

- There was a review of a range of letters and notices sent to customers that were generating a lot of customer contact. These letters were re-written and the respective web pages for these communications were also updated. The purpose was to ensure customers understood the information being requested and what was required from them.
- Numerous Benefit letters requesting information to support Benefit claims and Revenues recovery notices were re-written to make them easier to understand.
- The objective was to reduce the unnecessary customer contact received as a result of these letters by 10%. This would only be achieved if customers understood what was required of them. A 10% reduction would achieve a saving of £77,345 (2.1 FTE) for Benefits and
- £24,750 (0.67 FTE) for Revenues from the reduction in volume of work.
- The changes were made in April and Benefits has seen an 11% decrease in contact since the introduction and a 23% reduction compared to the same period last year.

- Revenues has seen a 23% decrease in contact since the changes and 20% reduction compared to the same period last year.
- The customer experience is greatly improved as they no longer have a need to contact the Council for explanations or further information. Feedback from customers on the web pages has also been very positive. These now contain answers to all the questions they may have but is also presented in a very clear and easy to find way.
- For staff, not having those extra 830 queries a month for Benefits and 530 a month for Revenues means resources can be utilised elsewhere. It also means work is being processed quicker as the service gets the information required straight away – A quick turnaround time is also great for the customer.
- Going forward a programme of continuous improvement is being put in place for Revenues & Benefits to continue the good work. Staff are being equipped with the skills to run their own workshops to help them review and improve their communications on a regular basis.

4. Landlords Portal

- The Landlord portal, (software provided by Northgate) enables landlords to self-serve, whether that is to obtain information or send in information.
- The Portal went Live on 22nd August and have issued just under 800 personal invites to landlords to register for the service.
- Housing Associations and landlords with an excess of 50 tenants have already been set up on the Portal. The aim is to have the portal as the first point of contact for over 90% of all landlords by December 2019.
- The landlords can view for themselves all the information and data they would previously contact Customer Services for or emailed the back office for. Plus, this information is available to them in real time 24/7. They can also download letters and payment schedules, they can send communications straight to the back office, including attachments or proofs. Going forward, this should be the only method of contact most of our landlords will require.
- The benefits for staff is only receiving contact that is necessary and receiving that contact in a structured way that makes it quicker to process. Reducing landlord contact into the back office by 15% will give us a £6,675 (0.18 FTE) saving
- Initial feedback from the Housing Associations that tested the portal was all positive. They found it easy to use, and confirmed it gave them access to all the information they needed. They have also been our greatest advocates in promoting the portal to other Housing Associations.

5. Travel bookings

- Internal processes have also been assessed to improve the staff experience when requiring support from the back office. One such case has been the travel booking process.
- A small working group was set up to review the current travel booking process which appeared to be very slow, unclear and resulted in a large amount of manual handling.
- The working group which included a range of officers both as customers of this process and receivers of it, worked together to design a new eForm that was both user friendly and reduced the effort required to make the request.
- This initiative has resulted in a saving of approximately £60,000 (1.5fte) within the Business Support service as well as increasing the scrutiny and compliance of travel spend for Council Services
- This process has been Live since July 2019 and initial feedback from staff completing the form is positive. Business Support officers receiving forms state that the eForm ensures that mandatory fields are complete which avoids the need to chase information.
- Staff using the form have also provided positive feedback:
“Having a new eForm with drop-down options is much easier and takes me less time to complete”

Appendix 2: Residents Equality Impact Assessment

Equality Impact Assessment Screening Tool				
1	Lead officer contact details: Elaine Prado			
2	Date: 22.08.19			
3	Summary of the proposal: FOBO Programme – effect on residents			
	Response to Screening Questions	Yes	No	Please explain your answer.
a) Type of proposal				
4.	Is this a new proposal or a significant change to a policy or service, including commissioned service?		N	While automation is being introduced to a range of front and back office services, there is no proposal to remove any of the current service offers
5.	Does the proposal remove, reduce or alter a service or policy?		N	The service offer will be enhanced by the addition of automation to already existing online services to increase the speed of delivery
6.	Will there be a restructure or significant changes in staffing arrangements? Please see the restructure pages for guidance for restructure EqlAs .	Y		There will be a separate EqlA for the workforce
7.	If the service or policy is not changing, have there been any known equality issues or concerns with current provision. For example, cases of discrimination or failure to tackle inequalities in outcomes in the past?		N	The improvement to the online offer has been requested by residents wanting to do more online, in their own time. This will not negatively affect residents accessing services via more traditional methods (i.e. telephone or in person)
b) Known inequalities				
8.	Could the proposal disproportionately impact on any particular communities, disadvantaged or vulnerable residents?		N	As stated above, automation is being introduced to a range of front and back office services, however there is no proposal to remove any of the current service offers
9.	Is the service targeted towards particular disadvantaged or vulnerable residents? <i>This can be a service</i>		N	

	<i>specifically for a group, such as services for people with Learning Disabilities. It can also be a universal service but has specific measures to tackle inequalities, such as encouraging men to take up substance misuse services.</i>			
10.	Are there any known inequalities? For example, particular groups are not currently accessing services that they need or are more likely to suffer inequalities in outcomes, such as health outcomes.		N	
11	If you have answered yes to at least one question in both sections a) and b), Please complete an EqlA.			<p>If a decision is taken not to proceed with a full EqlA, please document carefully your reasons here:</p> <ul style="list-style-type: none"> • The proposal is likely to have no impact on groups that share the protected characteristics or other disadvantaged groups • We anticipate the proposal to have a positive impact on the service received by service users including residents and visitors to the borough • Should the screening responses change in the future with new proposals, a new screening tool will be completed that may require a full EqlA to be carried out.

Appendix 3: FOBO Stage 1 Roadmap

FOBO Stage 1

	<div>Front Office</div> <div>Back Office</div> <div>Both Front & Office</div> <div>External Comms</div>									
	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Stage 2
Revenues & Benefits	Capture of email addresses ✓	Process automation supplier on site ✓	Transfer of Agency staff to Meritec ✓	Document bundling ✓ Outbound communications agile sprint ✓	Email to advise landlords ✓ Revs/Bens letters updated ✓	Deliver printing efficiencies ✓ New Landlord Portal ✓ Improvements to outbound communication ✓	Improvements to inbound communication ✓ Haringey website ✓	Improved customer service scripts ✓		R&B process automation completion New document mgt system E-billing Improved customer service scripts
FIG & Business Support			Travel booking agile sprint ✓	Emails to advise stakeholders ✓ Stop printing panel papers ✓	Complaints webpage updates ✓ Stop printing various requests ✓	Automate clinical waste ✓ Automate travel bookings ✓				New complaints logging system Improve the complaints process
HR & Finance		Purchase card agile sprint ✓	New DBS charging model ✓ Vfire staff portal sprint ✓	Transcribing service changes ✓	Purchase card road shows ✓	HR intranet pages agile sprint ✓		Identify improved debt mgt process ✓	Centralised shopping trial completed Internal poster campaign	New HR mgt system Upgrade staff portal
Digital Customer	Queue call back ✓	Queue call back reporting ✓ Digital platform requirements sprint ✓		New contact us online pages ✓ Webchat proof of concept ✓	Wrap up codes ✓	Haringey people ✓	New online content mgt - customer ✓ New switchboard approach ✓	Home to school online measuring service ✓ New IVR ✓		New online/email mgt - reporting SSC automation
Housing & Parking				Rent explanation letter ✓ Update website ✓					Update parking webpages and application forms Simplify online skips license	Improve My Estates mobile App
People, change & shared practices	FOBO intranet and Yammer page ✓	OLA for planning & CS ✓ Change champions recruited ✓	Costed as is and to be structures ✓	Consultation Planning and Documentation ✓	Launch Consultation ✓	EQiA for residents ✓	Final structures approved ✓	FOBO Stage 2 Planning ✓	EQiA for the workforce	Project Closure

Report for: Overview and Scrutiny Committee – 15 October 2019

Title: Scrutiny Review on Wards Corner

Report

authorised by: Bernie Ryan, Assistant Director, Corporate Governance

Lead Officers: Ayshe Simsek (Acting Democratic Services and Scrutiny Manager) and Dominic O'Brien (Principal Scrutiny Officer)

Ward(s) affected: All

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

1. Describe the issue under consideration

- 1.1 Overview and Scrutiny Committee (OSC) may review and scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's function. OSC may make reports and recommendations to the Full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions. It may also make reports or recommendations on matters affecting the area or its inhabitants. In the exercise of this function, at the OSC meeting on 19th November 2018, it commissioned the review of the Wards Corners development by the Housing and Regeneration Scrutiny Panel (HRSP). On 3rd June 2019, following a change in the membership of the HRSP membership for the 2019 municipal year, OSC assumed responsibility for concluding the review.
- 1.2 The purpose of this report is to consider the scrutiny review of the Wards Corner development which is attached as Appendix 1 and determine whether to approve the review findings and the recommendations to Cabinet and Council.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 Overview and Scrutiny Committee defer approval of the draft Wards Corner scrutiny review findings and recommendation (which is attached as Appendix 1) to its next meeting in November 2019 to allow for private third parties to comment on its accuracy, findings and recommendations and for these to be considered in finalising the review report.

4. Reasons for decision

- 4.1 Following a scrutiny review, the Committee may make reports and recommendations to the Full Council, the Cabinet or relevant non-Executive

Committee in connection with the discharge of any functions. It may also make reports or recommendations on matters affecting the area or its inhabitants.

- 4.2 The Council's Constitution (Overview & Scrutiny Procedure Rules) provides that prior to publication, draft reports will be sent to the relevant chief officers or where relevant, officers of the NHS, for checking for inaccuracies and the presence of exempt and/or confidential information. Their responses will then be considered in finalising the review findings and recommendations. It is considered that a similar approach should be adopted to private third parties involved in this scrutiny review and in relation to whom adverse findings and recommendation are proposed. The Statutory Guidance for Overview and Scrutiny in Local and Combined Authorities 2019 provides that for scrutiny review recommendations "67 ...Where appropriate, committees may wish to consider sharing them in draft with interested parties".
- 4.3 The Wards Corner scrutiny review heard evidence from private third parties. The draft review report acknowledges allegations against third parties and proposes findings and recommendations that could potentially adversely affect their interests in the event that Cabinet was to accept any of them. It would therefore be appropriate for them to be offered a reasonable opportunity to comment on the draft report, in advance of any formal decision of this Committee. This will enable them to highlight factual inaccuracies and comment on findings and/or recommendations they may consider to be adverse to them. The Committee will then be able to consider their comments in finalising the review report.

5. Alternative options considered

- 5.1 The Committee could decide not to agree the Officer recommendation above and approve the review report findings and recommendations.

6. Background information

- 6.1 The Wards Corner regeneration project, near Seven Sisters underground station in Tottenham Green ward, is intended to deliver 196 new homes and around 40,000 sq ft of new retail space as part of Haringey Council's Tottenham Area Action Plan (AAP) with Grainger plc selected as the development partner. There are currently a significant number of retail units on the site including an indoor market that hosts around 40 businesses of mainly Latin American origin. These businesses have been offered a temporary space to use while the redevelopment goes ahead in Apex House, a new building located opposite the current market site which was part of a separate recent redevelopment carried out by Grainger. The temporary market is intended to operate until a new market space is built in the redeveloped space.
- 6.2 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.

- 6.3 At its meeting on 19th November 2018, the Overview and Scrutiny Committee agreed the scoping document for a Review of the Wards Corner development by the Housing and Regeneration Scrutiny Panel. The rationale for the Review that was included in the scoping document was that it had been:

“15 years since the process to regenerate the Wards Corner site began, without a satisfactory outcome being achieved. The Panel believes that a scrutiny review that takes into account the historical context on this deadlocked issue will enhance the potential for the Council to bring about the best possible outcome for local residents, traders and for meeting the Council's objectives.

Concerns have been raised by local residents, traders and civic organisations about various aspects of the current plan for the development of the market. Given the long passage of time, including over seven years since the most recent planning application was granted, the Panel considered that the existing agreement must therefore be reviewed to consider what other factors have come into play since then and whether this represents the best option for local residents. In particular, questions over whether alternative options were adequately considered and whether current arrangements are legally compliant have been raised. The Panel also wished to assess whether the Council's responsibilities in respect of the S106 agreement for Wards Corner have been monitored sufficiently and whether any of the parties concerned are, or have been, in breach of obligations under the agreement. The Panel's intention was therefore to consider evidence from a broad range of witnesses and then make recommendations to Cabinet.”

- 6.4 The terms of reference for the Review were:

- a) To better understand the historical context of the proposed redevelopment, to re-examine the development plan and consider any alternative options in order to establish what outcomes would be in the best interests of the local community, represent best value and ensure that the Council is in full compliance with all of its obligations.
- b) To seek clarification and assurance that the Council and its development partners are fully meeting equalities duties and responsibilities in respect of the future development at Wards Corner and any interim arrangements.

- c) To provide the Cabinet with evidence-based recommendations that seek to improve the current day to day management of the market, consider the future development of the market and ensure ongoing improved relations between the Council, the local community, market traders and development partners.
- 6.5 On 23rd January 2019, the Secretary of State for Housing, Communities and Local Government (SoS) made the decision confirming the Wards Corner development CPO.
- 6.6 The HRSP began the review evidence sessions on 6th February 2019 and completed on 9th May 2019. The HRSP also received several written submissions. HRSP took evidence from amongst other, Council Officers, Grainger, Market Traders, Market Operator and TFL.
- 6.6 Following Annual Full Council on 20th May 2019, the membership of the OSC changed and on 3rd June 2019, the membership of HRSP also changed. In order to conclude the Scrutiny Review on Wards Corner it was agreed at the meeting of the OSC on 3rd June 2019 that the Review would be transferred from the workplan of the HRSP to that of the OSC. The conclusion of the review, including the drawing up of recommendations, was then overseen by the OSC in consultation with the previous (2018/19) membership of the HRSP.
- 6.7 The SoS decision on the CPO is the subject of a statutory appeal by the Market Traders in the High Court and is listed for a hearing on the 8th of October 2019.
- 6.8. OSC in consultation with the 2018/19 HRSP members has now prepared the draft review report attached as Appendix 1 which is now before the Committee for approval. A draft of the review findings and recommendations has been shared with Council Officers for comments, in particular, on factual inaccuracies and for exempt items. However, as at the time of preparing this report, the Council's Chief Planner and Assistant Director, Planning, Building Standards and Sustainability, has not had sufficient time to provide comments on the draft review report. There are aspects of the review lines of enquiries and findings that were not put to the Assistant Director when she gave evidence to the HRSP. Otherwise, the Officers' comments (except for the AD Planning) have been considered in finalising the review report. It is important to mention that there have been requests for further comments on the report. However, the same opportunity has not been offered to private third parties who took part in the review and against some of whom adverse findings are proposed to be made. As a result of these matters, Officers are not in a position to recommend to OSC to approve the scrutiny review report attached as Appendix 1.

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

Legal

- 8.1 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 (1) 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, in this instance the HRSP, may not discharge any functions other than those conferred on it. The HRSP should keep to the review terms of reference and on which officers and other private third parties has given evidence. Under Section 9FA (11), Overview and Scrutiny Committee and HRSP in exercising their functions, must have regard to guidance issued by the Secretary of State.
- 8.2 Section 9FE of the Act provides that Overview and Scrutiny Committee may publish its scrutiny report or recommendation. The Council’s Constitution (Overview & Scrutiny Procedure Rules) provides that prior to publication, draft reports should be sent to the relevant chief officers for checking for inaccuracies and the presence of exempt and/or confidential information. This will then be considered in finalising the review findings and recommendations. Although not provided for in the Constitution, it is considered that the same approach should apply to private third parties involved in the scrutiny review, in particular where adverse findings and recommendation are proposed to be made. The Statutory Guidance for Overview and Scrutiny in Local and Combined Authorities 2019 provides that for scrutiny review recommendations “67 ...Where appropriate, committees may wish to consider sharing them in draft with interested parties”. Where, as here, it is not possible to understand the reasoned basis for the recommendations without considering the evidence considered and findings which have led to them, it is considered that this also requires sharing the draft review itself. Further, “68 Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense check.” The Monitoring Officer also notes that the Chief Planner and AD for Planning has not been able to comment on the draft review report and that there are findings on issues that were not put to the AD when she gave evidence.
- 8.3 If Overview and Scrutiny Committee were minded to approve the review report and its recommendation, then under Section 9FE (3), (4) and (5) of the Act, Overview and Scrutiny Committee must by notice in writing require the authority or executive to consider the report or recommendations and respond within 2 months indicating what (if any) action the authority, or the executive, proposes

to take. The authority or the executive must comply with the requirements stated in the notice. Overview and Scrutiny Committee do not have any decision making powers. The draft scrutiny review report and recommendations at this stage cannot be relied upon as showing the Council's and Cabinet's thinking or position on the Wards Corner development.

Equality

8.6 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need 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.

The three parts of the duty applies 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.

8.7 Haringey Council has governance arrangements, policies, and procedures in place in order to ensure that due regard is given to the need to achieve the three aims of the Public Sector Equality Duty. The Public Sector Equality Duty is considered in the course of all policy development and at the points at which decisions are made, and records are kept to document this consideration. The Council uses Equality Impact Assessments to ensure that there is evidence-based consideration of the impacts of a decision on individuals and groups who share protected characteristics.

8.8 A number of the Scrutiny Panel's recommendations seek to drive improvements in the Council's approach to its duties under the Equality Act (2010). These recommendations support the equalities principles in the Haringey Borough Plan 2019-23 to "continuously seek to improve our approach to promoting equality, drawing on best practice from elsewhere, input from our staff equality networks and feedback from our residents" and to "fostering an environment where everyone understands their responsibilities under the [Equalities] Act."

8.9 In the course of its review and the formulation of its recommendations, the Scrutiny Panel has had due regard for the need to achieve the three aims of the Public Sector Equality Duty, noted above. A number of the Scrutiny Panel's recommendations seek to ensure that Haringey Council progresses efforts to prevent discrimination, advance equality of opportunity, and foster good relations between communities. These recommendations align with the equalities principles and objectives outlined in the Haringey Borough Plan 2019-23.

- 8.10 Cabinet will have due regard for the need to achieve the three aims of the Public Sector Equality Duty in developing its response to the review. Haringey Council will equally have due regard for the need to achieve the three aims of the Public Sector Equality Duty in the full course of any implementation of any of the Scrutiny Panel's recommendations.

8. Use of Appendices

Appendix A: Draft report of Wards Corner Review

9. Local Government (Access to Information) Act 1985

Background papers are embedded in the footnotes of the Scrutiny Review

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Scrutiny Review – Wards Corner

A Review by the Overview & Scrutiny Committee (2019/20) and the Housing & Regeneration Scrutiny Panel (2018/19)

Panel Membership – Overview & Scrutiny Committee 2019/20	Cllr Lucia das Neves (Chair)
	Cllr Pippa Connor
	Cllr Erdal Dogan
	Cllr Adam Jogee
	Mark Chapman (Co-opted member)
	Luci Davin (Co-opted member)
	Yvonne Denny (Co-opted member)
Panel Membership – Housing & Regeneration Scrutiny Panel 2018/19	Cllr Ruth Gordon (Chair)
	Cllr Dawn Barnes
	Cllr Isidoros Diakides
	Cllr Bob Hare
	Cllr Yvonne Say
	Cllr Daniel Stone
	Cllr Sarah Williams

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1. Chair's Foreword

Cllr Lucia das Neves

Chair of Overview and Scrutiny

This report is the culmination of many months of work on the part of officers and elected members, drawing on some 36 hours of evidence heard from a range of parties involved in Wards Corner.

The members of the housing and regeneration Panel who heard this evidence have been responsible for the drafting of this report. They have found the evidence at times emotionally demanding.

To avoid misunderstanding or the raising of expectations, we should remind the reader and parties concerned that this report does not represent the views of the council, but is instead a set of views created by a group of elected councillors based on the evidence they heard, as are all scrutiny reviews.

We welcome comments and feedback at all times and will discuss any issues raised when the report is received for discussion at our overview and scrutiny committee meeting.

One of the key pillars of scrutiny is giving voice to the community, especially when other avenues have failed. It is also our duty to open up the opportunity for learning. We believe this report provides for both of these.

Cllr Ruth Gordon

Chair Housing and Regeneration Scrutiny Panel 2018-2019.

The issue of how neglected areas of our cities are regenerated has long been a controversial topic in London and indeed in cities across the world. Debate has raged about how to make positive change that meets the objectives of public authorities but protects all that is valued in the existing fabric of the local community.

The decision to review the Seven Sisters Development took into account the lengthy and ongoing expressions of public concern, the intervention of the United Nations Special Rapporteur and investigations carried out by TfL into the management of the market. A number of representations were received at scrutiny public consultation exercises and via direct deputation to the Panel. The Panel thought it necessary to consider these issues within their historical context and attempt to recommend actions that would contribute to a positive outcome.

The Housing and Regeneration Scrutiny Panel initiated the review under the framework provided by the Centre for Public Scrutiny guidance. This rests on four principles. Namely: Providing constructive “critical friend” challenge; amplifying the voices and concerns of the public; being led by independent people and driving improvement in public services. The guidance deems good scrutiny is about ensuring “the publication, proactively, of information relating to services and decisions to allow local people, and others, to hold policy makers and decision-makers to account”. It was on the basis of these principles and guidance that the Panel mapped out its rationale for the review and formulated its terms of reference.

Identification of the site for regeneration dates to 2002 and the Panel heard that since that time residents, traders and community groups had campaigned against the plans. The Council’s decision to grant planning permission to Grainger was quashed by the Court of Appeal in 2010 on the basis that the Authority had not discharged its duty under section 71 of the Race Relations Act. (This Act was superseded by the Equality Act 2010).

A revised planning application from Grainger received consent from Haringey’s Planning Committee in 2012. This enshrined safeguards in relation to equalities obligations to ensure the continuation of what had become known as the Latin Market. These safeguards made provision for a Community Engagement Strategy which included diversity monitoring and the appointment of a Market Facilitator to “work with traders and market employees, promote their interests, and give support and advice”. Panel members viewed this set of obligations as innovative and should have been the means by which community cohesion was improved. The task of reviewing the regeneration scheme needed to include an examination of the checks and balances provided for by the S106 and the related statutory protections of the Authority’s Public Sector Equalities Duties. The Panel also needed to consider whether the associated monitoring and implementation had been robust.

The Panel noted that the Market Facilitator, Quarterbridge, was appointed by Grainger in May 2016. Market Asset Management (MAM) had been leasing the market from TfL since

September 2015 and had responsibility for overall management of the market and issuing licences to stall holders and so had a commercial relationship with the traders. The Market Facilitator role on the other hand was to advocate on behalf of the traders. The ownership of both of these companies rests in the same hands and both roles were undertaken by the same person. This represented a conflict of interest which ended when Quarterbridge stepped down as Facilitator in November 2018.

The Panel noted that the breakdown of relations between traders and the Market Manager/Facilitator was apparent from October 2016. This was expressed at the first of 21 meetings of the Market Steering Group which were attended by an officer of the Council. The Panel was concerned that traders' complaints were not acted upon in a timely manner by the Council and signaled to the planning authority that the S106 obligations may be in danger of being breached.

The Panel noted that the Inspector during the CPO Public Inquiry (in July 2017) made the assumption that the S106 was operative. The Panel found that the Council's Legal Services officers were working under the assumption up until September 2018 that most of the S106 obligations were not active. The Council's Deputy Monitoring Officer changed the legal position in March 2019 to state that the main provisions of the S106 are "now" active.

The Panel concluded that shortcomings were apparent and that having achieved agreement on a comprehensive S106 the Council had fallen short in ensuring that the letter and spirit of the S106 was carried out.

When the review process began the Council had a Development Agreement in place with Grainger plc and the Council had approved the use of its compulsory purchase powers to facilitate site assembly. At the time of starting the scrutiny review the Secretary of State's confirmation of the CPO following the Public Inquiry had not been received. This was to happen during the course of the review and CPO notices were issued to interested parties at the market in a way that caused concern to the panel members.

The rationale underpinning the Scrutiny Review also included consideration of the competing aspirations for the site between the developer's plans and a community coalition that had submitted a rival planning application. The Panel has made recommendations that suggest alternative ways forward and hopes that the Executive can energetically pursue a solution that will lead to the satisfaction of all stakeholders.

The Seven Sisters development site lies at the South-eastern gateway into Tottenham and Panel members believe that the Latin market should be seen by Haringey Council as a valuable asset to the borough's Cultural heritage. It was the view of the Panel that the aspirations within the Council's Borough Plan allows for policy that builds on the cultural hub already in existence and that through close collaboration with the traders, local residents and the Latin American community it would be possible to promote and enhance a Latin Quarter in Tottenham. In the opinion of the Panel regeneration in South Tottenham should be viewed through the prism of this cultural heartland to ensure that the development is sympathetic to and builds from this starting point.

The Panel wishes to express its appreciation to all the witnesses who provided evidence. The Panel's thanks extends to the organisations who agreed to take part including Grainger plc, Market Asset Management, TfL, Tottenham Civic Society, Save Britain's Heritage, academics from the University of Leeds and Brunel Law School and the Wards Corner Community Coalition as well as Cabinet members and senior council officers. In particular, the Panel wishes to express its sincere gratitude to those witnesses who came from the local community, former residents from the site and the traders, all of whom articulated their concerns with clarity. Panel members were made aware of the distress and anxiety that is caused when a section of the Community feels it has not been listened to and hopes that the Review process has lived up to the aspirations expressed in the statutory guidance that provides for the voice of the public to be amplified.

Last but by no means least, I would like to express my sincere and heartfelt thanks to all the members of the Panel who have offered insightful and reflective contributions throughout the process. I am confident that the report represents the collective opinion of the Panel. I am particularly grateful for the encouragement and support I have personally received throughout the course of leading this review. I would also like to express my grateful thanks to the Scrutiny officer, Dominic O'Brien, who has worked tirelessly not only to facilitate meetings but to accommodate endless questions and requests for calls on his time. The Panel hopes that the Cabinet will now consider the report's findings carefully and respond positively to its recommendations.

2. Recommendations

Steering Group	
1	<p>The Council should negotiate with its development partner Grainger to revise the terms of reference for the Market Traders Steering Group to cover the following :</p> <ul style="list-style-type: none"> • Democratic elections of trader representatives. • Appointment of Independent Chair [acceptable to the trader representatives]. • Role of the Council's Town Centre manager to be clearly defined. • Regularised reporting arrangements between the Steering Group and the Council to allow any relevant issues where the Council has a regulatory role to be communicated promptly to appropriate departments and service areas. <p>The agenda items, minutes and actions arising from meetings of the steering group to be shared with senior managers at the Council.</p>
2	<p>The Standards Committee to review Part Four (Rules of Procedure), Section G (Overview & Scrutiny Procedure Rules), and the section under which officers are expected to provide evidence in Scrutiny Reviews. The presumption should be that officers should be expected to provide evidence to Scrutiny Reviews unless there are strong reasons for refusal. In reviewing this section, the opinion of the trade unions should be sought to ensure the protection of staff at all levels of the organisation.</p>
Market facilitator role	
3	<p>The Council should ensure that the ongoing investigation into the compliance with the section 106 obligations should include the following:</p> <ul style="list-style-type: none"> • How the conflict of interest between the market facilitator role and market manager role, when they were the same person, could not have been recognised earlier. • What due diligence had been undertaken in the appointment of the Market Facilitator. • What checks and balances were in place to ensure that the Market Facilitator is acting fairly, independently and in the interests of the traders as outlined in the S106 conditions.

	<ul style="list-style-type: none"> • When the S106 obligations commenced and what the causal factors were in their becoming operational. • To identify any procedural failings in the prescribed six-monthly reporting arrangements for the section 106 agreement and take action if the report back obligation is incomplete. • To publicly clarify the position on the section 106 agreement, given the Panel heard evidence suggesting there had been a breach. • How a failure to monitor the S106 agreement occurred and could continue for so long while breaches of the S106 agreement were repeatedly reported. • How failure to monitor the S106 agreement had an impact on the council's public sector equalities obligations. <p>The investigation should analyse the impact of this, what remedies may be available and establish measures to ensure that there is no repetition in future.</p> <p>The conclusions should be submitted to the Secretary of State for Housing, Communities and Local Government.</p>
4	Any replacement market facilitator should be genuinely independent and hold the confidence of all parties. The Council, should request Grainger to appoint an independent, qualified market facilitator. This needs to be done in full consultation with the traders. It is essential that adequate due diligence is carried out ahead of any appointment.
Section 106 Agreement	
5	The Council Planning department should carry out a review of how all S106 conditions are monitored and enforced. In particular, with regard to people who share protected characteristics under S149 of the Equality Act. The public needs to be confident that the monitoring and enforcement of such conditions are rigorous, robust, and pursued in the interests of residents and that these procedures are transparent.
6	The Council should take the necessary steps to assure itself that in monitoring, reviewing and enforcing its Section 106 planning obligations, it pays due regard to its Public Sector Equality Duty. The cabinet should further ensure that these steps are taken within a reasonable period of time.
7	The Panel noted that there could be a perception of a conflict of interest between the Planning and Regeneration departments and recommends providing a separation of the two services in order to provide for clearer understanding.
Market maintenance	

8	The Council, in its regulatory health and safety role should work with TfL, Grainger and any other stakeholders to draw up a plan of action to address all outstanding and ongoing maintenance work at Seven Sisters Market in order to secure a working environment which complies with all regulations.
Evictions	
9	In light of the disturbing allegations the Panel heard in the evidence sessions from former housing association residents, we recommend that the council explore the lessons that could be learned from working with housing associations to rehouse vulnerable residents.
United Nations interventions	
10	The Panel strongly recommends that the Cabinet make a public statement in response to the Special Procedure reports from the UN, covering all the issues raised, in relation to Wards Corner.
Future options for the Wards Corner site	
11	In light of the change in emphasis towards the provision of social housing, at both local and regional levels, the Panel recommends that the Council should explore the feasibility and cost benefits of all approaches for a full or partial buy-out of interests at the Seven Sisters market and whole site
12	The Council should set up a task force to work with West Green Road/Seven Sisters Development Trust, Save Latin Village and Wards Corner CIC & relevant community groups to develop their ideas for a partnership and a plan. This will encompass all the obligations of the Council's Public Sector Equality Duty consider establishment of social housing on the site and explore the feasibility and desirability of retention of the heritage characteristics of the existing buildings.
13	If the above recommendation is not accepted, the taskforce should work with Grainger and relevant community groups such as West Green Road/Seven Sisters Development Trust, Save Latin Village and Wards Corner CIC to develop their ideas, and co-ordinate any combined solution. Any such solution should meet the obligations of the S106, take account of the many changing economic and political circumstances since 2012, include a social/affordable housing element and embrace the aspirations of the wider community in relation to the cultural heritage of the built environment.
14	The Regeneration department should ascertain and publish details on the amount of public money, including grants, which have been allocated to this development. This report should include reasons funds were allocated, the source and purpose of

	the funding and establish the amounts spent, what it was spent on, and how much remains.
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BACKGROUND INFORMATION

3. Historical Context and Background to the Review

- 3.1 The Wards Corner regeneration project, near Seven Sisters underground station in Tottenham Green ward, is intended to deliver 196 new homes and around 40,000 sq. ft. of new retail space as part of Haringey Council's Tottenham Area Action Plan (AAP) with Grainger plc selected as the development partner. There are currently a significant number of retail units on the site including an indoor market that hosts around 40 businesses of mainly Latin American origin. These businesses have been offered a temporary space to use while the redevelopment goes ahead in Apex House, a new building located opposite the current market site which was part of a separate recent redevelopment carried out by Grainger. The temporary market is intended to operate until a new market space is built in the redeveloped space, but the majority of traders spoken to have said that this will be disruptive and that they will be unable to afford higher levels of rent in the new development. There were 7 traders spoken to in favour of the development but that have still expressed concerns about the maintenance issues at the market. Local campaigners, including the Wards Corner Community Coalition (WCCC), local businesses and many local residents have been opposing the redevelopment for some years. Formal objections to the proposed Wards Corner CPO were considered at the Public Inquiry in July 2017.
- 3.2 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. There is a legal challenge to the Secretary Of State's confirmation of the CPO and a High Court hearing taking place on the 8th and 10th of October.

3.3 At its meeting on 19th November 2018, the Overview and Scrutiny Committee agreed the scoping document for a Review of the Wards Corner regeneration proposals by the Housing and Regeneration Scrutiny Panel¹.

3.4 The rationale for the Review that was included in the scoping document said that it had been:

“15 years since the process to regenerate the Wards Corner site began, without a satisfactory outcome being achieved. The Panel believes that a scrutiny review that takes into account the historical context on this deadlocked issue will enhance the potential for the Council to bring about the best possible outcome for local residents, traders and for meeting the Council’s objectives.

Concerns have been raised by local residents, traders and civic organisations about various aspects of the current plan for the development of the market. Given the long passage of time, including over seven years since the most recent planning application was granted, the Panel considered that the existing agreement must therefore be reviewed to consider what other factors have come into play since then and whether this represents the best option for local residents. In particular, questions over whether alternative options were adequately considered and whether current arrangements are legally compliant have been raised. The Panel also wished to assess whether the Council’s responsibilities in respect of the S106 agreement for Wards Corner have been monitored sufficiently and whether any of the parties concerned are, or have been, in breach of obligations under the agreement. The Panel’s intention was therefore to consider evidence from a broad range of witnesses and then make recommendations to Cabinet.”²

Methodology

3.5 The Housing and Regeneration Scrutiny Panel began the Review by organising a site visit to Seven Sisters Market which was facilitated by one of the market traders and a prominent campaigner against the redevelopment of the site. This took place on 3rd December 2018 with all seven members of the Panel in attendance. Panel Members visited many of the units at the market, speaking to the market traders about their issues and concerns.

3.6 A number of oral evidence sessions were then organised to enable a wide range of stakeholders to speak directly to the Panel. A total of thirteen sessions were held

¹ Item 29, Overview & Scrutiny Committee, 19th Nov 2018

<http://www.minutes.haringey.gov.uk/jelListDocuments.aspx?CId=128&MId=8679&Ver=4>

² Scrutiny Review on the Wards Corner regeneration – Draft Scope and Terms of Reference (2018/19)

<http://www.minutes.haringey.gov.uk/documents/s105008/HR%20-%20project%20scoping%20draft.pdf>

between 6th February 2019 and 9th May 2019. A full list of witnesses who attended evidence sessions are provided in this report as **Appendix 1**. The Panel also received several written submissions.

Panel Membership

- 3.7 The membership of the Overview & Scrutiny Committee was changed following a meeting of Annual Full Council on 20th May 2019³. Membership of the four scrutiny Panels, including that of the Housing & Regeneration Scrutiny Panel, were then changed following a meeting of the Overview & Scrutiny Committee on 3rd June 2019⁴.
- 3.8 In order to conclude the Scrutiny Review on Wards Corner 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.⁵ The conclusion of the review, including the drawing up of recommendations, was then overseen by the Overview & Scrutiny Committee in consultation with the previous (2018/19) membership of the Housing & Regeneration Scrutiny Panel. The OSC was of the view that the report should be led by the evidence and those that heard it on the original Panel.
- 3.9 The membership of the Housing & Regeneration Scrutiny Panel that conducted the site visit in December 2018 and oversaw all evidence sessions between February 2019 and May 2019 was:
- Cllr Ruth Gordon (Chair)
 - Cllr Dawn Barnes
 - Cllr Isidoros Diakides
 - Cllr Bob Hare
 - Cllr Yvonne Say
 - Cllr Daniel Stone
 - Cllr Sarah Williams
- 3.10 The membership of the Overview & Scrutiny Committee for 2019/20 that oversaw the completion of the Review from June 2019 onwards was⁶:
- Cllr Lucia das Neves (Chair)

³ Item 11, Annual Full Council, 20th May 2019 <http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=143&MId=9145&Ver=4>

⁴ Item 20, Overview & Scrutiny Committee, 3rd June 2019
<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=128&MId=9102&Ver=4>

⁵ Item 27, Overview & Scrutiny Committee, 3rd June 2019
<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=128&MId=9102&Ver=4>

⁶ Cllr Khaled Moyeed is also a member of the Overview & Scrutiny Committee but recused himself from all meetings relating to Wards Corner having declared an interest. See item 4 of the minutes of the Housing & Regeneration Scrutiny Panel meeting on 10th June 2019 for more details: <http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=754&MId=9119&Ver=4>

- Cllr Pippa Connor
- Cllr Erdal Dogan
- Cllr Adam Jogee
- Mark Chapman (Co-opted member)
- Luci Davin (Co-opted member)
- Yvonne Denny (Co-opted member)

4. Terms of reference

4.1 The terms of reference for the Review were:

- 1) To better understand the historical context of the proposed redevelopment, to re-examine the development plan and consider any alternative options in order to establish what outcomes would be in the best interests of the local community, represent best value and ensure that the Council is in full compliance with all of its obligations.
- 2) To seek clarification and assurance that the Council and its development partners are fully meeting equalities duties and responsibilities in respect of the future development at Wards Corner and any interim arrangements.
- 3) To provide the Cabinet with evidence-based recommendations that seek to improve the current day to day management of the market, consider the future development of the market and ensure ongoing improved relations between the Council, the local community, market traders and development partners.

5. Chronology

- 5.1 The timeline of the key events relating to this Scrutiny Review are provided below. More detailed timelines on specific issues are provided elsewhere in the report where necessary.

Key events timeline

Date	Event
2002	The site is identified for mixed-use regeneration through the Tottenham High Road Regeneration Strategy and becomes a key site being progressed by the former Bridge New Deal for Communities initiative.
July 2004	The Bridge New Deal for Communities and the Council selected Grainger plc as a development partner to bring forward proposals for the redevelopment of the Wards Corner Site.
Feb 2007	Grainger plc formed a Special Purpose Vehicle company to deliver the Wards

	Corner redevelopment known as Grainger Seven Sisters Limited (Grainger SSL).
Aug 2007	Grainger SSL enter into a Development Agreement with the Council.
Dec 2008	Grainger SSL is granted planning permission for the redevelopment.
June 2010	The decision to grant planning permission is quashed by the Court of Appeal on the basis that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act 1976.
July 2012	Grainger SSL is granted planning permission for the redevelopment with a revised version of the application. This was subject to a judicial review.
July 2012	Section 106 agreement is signed.
Oct 2012	Haringey Council announces the appointment of Quarterbridge Project Management to design the new market and to help traders move to the Temporary Market.
August 2013	Following the judicial review, the High Court ruled out any further appeal of the planning decision.
April 2014	Planning permission is granted to the Wards Corner Community Coalition (WCCC) for its alternative Community Plan.
Jan 2015	The Development Agreement is varied through a Supplemental Agreement. A separate CPO Indemnity Agreement is also entered into.
Sep 2015	Market Asset Management (Seven Sisters) is assigned the lease for Seven Sisters Market.
May 2016	Quarterbridge Project Management Ltd is appointed by Grainger to the role of Market Facilitator.
Sep 2016	The Council makes the Compulsory Purchase Order (CPO) to acquire the land required for the redevelopment scheme.
Oct 2016	First meeting of the Seven Sisters Market Traders Steering Group takes place.
April 2017	TfL publishes the report of its first investigation into Market Asset Management's (MAM) role as market operator.
April 2017	Planning permission for the WCCC's alternative Community Plan expires.
July 2017	Public Inquiry on the CPO is held.

July 2017	Deed of Variation to the existing S106 agreement is completed.
July 2017	Letter sent from Special Rapporteurs of the United Nations Human Rights Committee to HM Government and to Grainger.
Aug 2018	Bindmans LLP writes to Haringey Council to request an assessment of Grainger's compliance with its S106 obligations.
Sep 2018	Haringey Council responds to Bindmans LLP to say that most S106 obligations are not yet active.
Oct 2018	<p>TfL publishes the report of its second investigation into MAM's role as market operator.</p> <p>Letter sent to TfL from the Cabinet Member for Strategic Regeneration on behalf of the council , in response to traders concerns and to ask for more information and an independent investigation.</p> <p>TfL provided the council with a copy of its 2nd SSM investigation report. The investigation report in October 2018 concluded that there was no evidence that MAM's action had been unfair or in breach of any contractual relationships that were in place with the traders. In recognition of the need to improve relations,</p>
Nov 2018	<p>On the 19th of November 2018 there was a meeting held between Grainger, the Council, TfL and the GLA where the Council agreed the following actions with Grainger:</p> <ul style="list-style-type: none"> • appointment of a new independent market facilitator to replace Quarterbridge, • appointment of Spanish speaking mediator, maintaining a Spanish translator on the steering group, • working with the MAM to increase the frequency of the all traders meeting to progress health and safety issues and repairs that are most important to traders so that these issues can be separated from and enable the future of the market discussions to take place at the Steering group. <p>Quarterbridge Project Management Ltd resigns from the role of Market Facilitator.</p>
Dec 2018	A number of traders resign from the Steering Group. Grainger announces its intention to replace the market facilitator.
Jan 2019	The Secretary of State for Communities and Local Government confirms the approval of the CPO.

Feb 2019	<p>The head of Area Regeneration and Assistant Director of Regeneration met with Grainger - purpose of the meeting was to re-iterate /discuss the importance of the appointment of an independent Market Facilitator, Independent mediator and the need to hold regular management meetings.</p> <p>All trader meeting held on operational and management issues.</p>
Mar 2019	<p>Haringey Council writes to Bindmans LLP to acknowledge that the obligations at paragraph 2.1 of schedule 3 of the deed of variation in relation to the section 106 agreement are active.</p> <p>Grainger organised two sessions to visit the temporary market at Apex House.</p>
Apr 2019	<p>Notice is given of a claim to seek a judicial review of the Secretary of State's decision to confirm the CPO.</p>

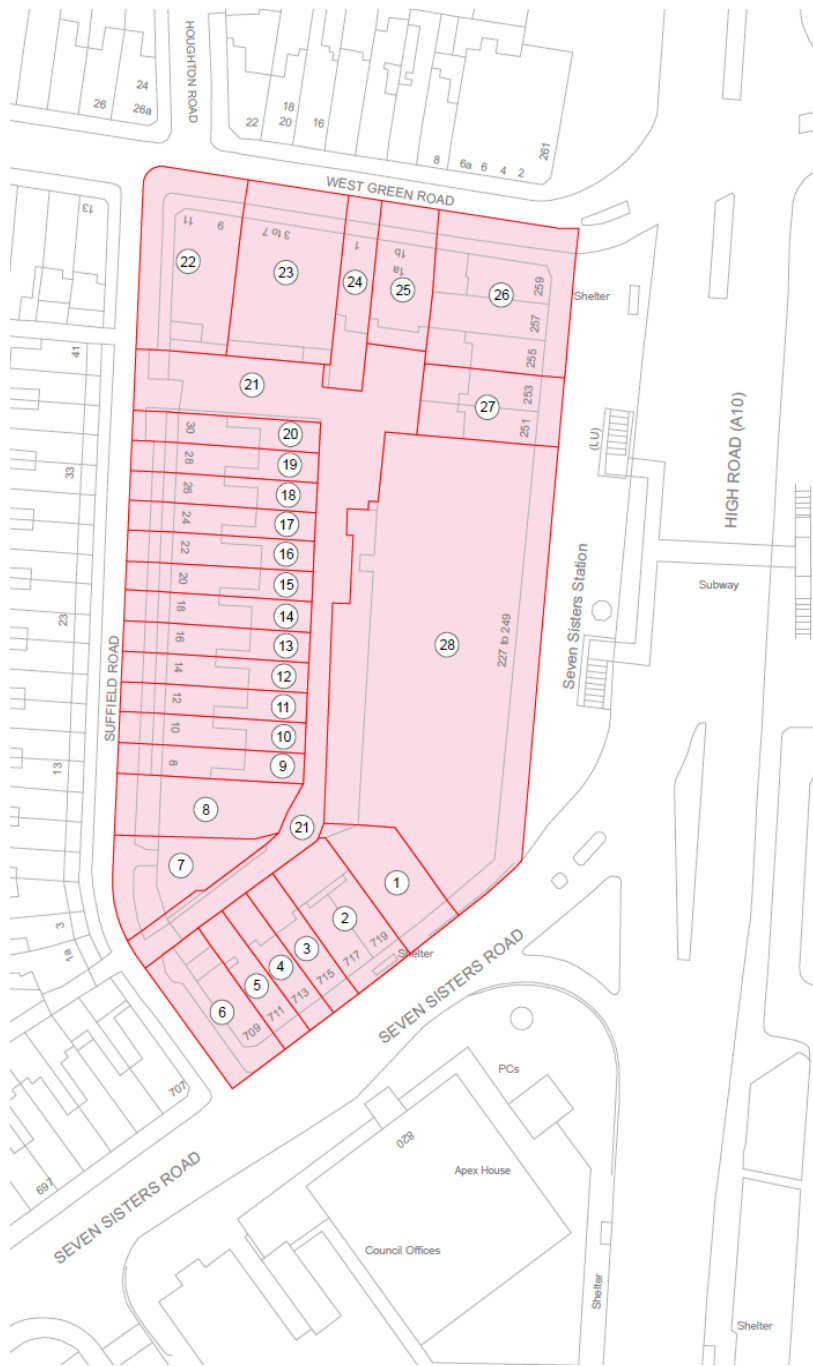
6. Background to Key Issues

The site

6.1 The site is a portion of land with a size of around 0.65 hectares comprising of 227-259 High Road, 709-723 Seven Sisters Road, 1a-11 West Green Road and 8-30 Suffield Road. It is situated in Tottenham Green ward and is next to Seven Sisters underground station.

FIGURE A: Site map

- 1** – 721-723 Seven Sisters Road (DEMOLISHED)
- 2** – 717-719 Seven Sisters Road (retail)
- 3** - 715 Seven Sisters Road (retail)



- 4** - 713 Seven Sisters Road (retail)
- 5** - 711 Seven Sisters Road (retail)
- 6** - 709 Seven Sisters (retail)
- 7** – 2 & 2a Suffield Road (DEMOLISHED)
- 8** – 4-6 Suffield Road (DEMOLISHED)
- 9** – 8 Suffield Road (residential)
- 10** – 10 Suffield Road (residential)
- 11** – 12 Suffield Road (residential)
- 12** – 14 Suffield Road (residential)
- 13** – 16 Suffield Road (residential)
- 14** – 18 Suffield Road (residential)
- 15** – 20 Suffield Road (residential)
- 16** – 22 Suffield Road (residential)
- 17** – 24 Suffield Road (residential)
- 18** – 26 Suffield Road (residential)
- 19** – 28 Suffield Road (residential)
- 20** – 30 Suffield Road (residential)
- 21** – Parking area
- 22** – 9-11 West Green Road (retail)
- 23** – 3-7 West Green Road (retail)
- 24** – 1 West Green Road (retail)
- 25** - 1a-1b West Green Road (retail)
- 26** – 255-259 High Road
- 27** – 251-253 High Road (DEMOLISHED)
- 28** – 227-249 High Road (Seven Sisters Market and Wards Corner building)

6.2 The block of buildings that form the site face out onto the four roads that surround it:

- To the east is the main High Road frontage directly opposite the entrances to Seven Sisters underground station. The main section is 227-249 High Road represented by plot 28 on the map which was previously the Wards Department Store. At the south of this plot is a disused three-storey corner building (See PICTURE 1). The main section of the plot, which runs from 231-243 High Road, is the Seven Sisters Market main premises with retail units facing onto the road and several entrances to the indoor market behind these. At the north of the plot are more terraced properties at 245-249 High Road with retail units on the ground floor. Most of the upper floors of plot 28 are vacant. Other buildings on this side of the site have been demolished (plot 27) leaving an empty space and there are other terraced buildings (plot 26) which comprise of retail units on the ground floor and a mix of retail, residential and other uses on the upper floors.

- To the north the terraced buildings on West Green Road (plots 22 to 25) comprise of retail units on the ground floor and a mix of retail, residential and other uses on the upper floors.
- To the west the terraced buildings on Suffield Road (plots 9 to 20) are residential properties. Entrances to the parking area (plot 21) are also accessible from here. Some buildings have been demolished (plots 7 and 8) with the space now used mainly for parking.
- To the south the terraced buildings on Seven Sisters Road (plots 2 to 6) comprise of retail units on the ground floor and a mix of retail, residential and other uses on the upper floors. Some buildings have been demolished (plot 1) leaving an empty space.
- On the opposite site of Seven Sisters Road is Apex House, the newly developed building which has the ground floor earmarked for use as the temporary market site.

PICTURE 1: The vacant three-storey Corner building



- 6.3 As can be seen from the site ownership map below (**FIGURE B**), as of August 2018, Grainger plc had already acquired the freehold for a large proportion of the site with most of the rest owned by the London Borough of Haringey and London Underground Limited (LUL).
- 6.4 A representative of Grainger PLC confirmed to the Panel that, the company has binding legal agreements in place to acquire the freehold interests held by Haringey Council and LUL, and only 5% of the freehold interests (three terraced houses on Suffield Road) are outside of their control. In addition to this there are six leasehold interests located within properties where Grainger owns the freehold. The CPO powers are required for Grainger to acquire these three freehold interests and six leasehold interests.

FIGURE B: Site Ownership map (as of August 2018)



Wards Corner site - Past, current and future uses of buildings

- 6.5 Though the site as a whole includes a number of retail and residential properties facing onto all four of the roads surrounding it, the focus of much of the debate over the proposed redevelopment has been over the future of the former Ward's Department Store buildings which runs from 227 to 249 High Road (Plot 28 on **FIGURE A**). This comprises of the row of former terraced housing which makes up the main frontage of this section of the High Road and the three-storey building on the corner of the High Road and Seven Sisters Road (227 High Road and 275 Seven Sisters Road). According to the Wards Corner Community Coalition (WCCC) the original residential brick terraces were built in around 1885 while the three-storey corner building was added in the early 1900s.
- 6.6 The Ward's Department Store closed down in 1972 and the corner building has remained derelict ever since. However, the ground floor of the other part of the site, comprising of 231-243 and 249a High Road, has been occupied and operational as Seven Sisters Market since the 1980s.
- 6.7 The freehold to the Wards Corner buildings is owned by LUL, as they acquired it as part of the construction of the Victoria Line, and is managed by Transport for London. Large sections of transport infrastructure, including parts of the ticket office and concourse of Seven Sisters underground station along with parts of the platforms and tunnels themselves are situated directly beneath the Wards Corner site. The main entrances to the station itself is via two stairways located on the High Road directly in front of the entrances to Seven Sisters Market. There is also a further entrance to the station accessed from Seven Sisters Road.
- 6.8 The buildings now used as the Market were originally leased by LUL in 1984 at which point, according to TfL, it was a "*derelict structural shell without any service supplies, shopfronts or internal fixtures*".⁷ The Market was then developed and established. Jill Oakley held the lease from October 2005 until September 2015 when she sold it, by way of assignment, to Market Asset Management Seven Sisters Ltd (MAM). MAM now owns the title to all the existing trader licences and also to the Tenant improvements including service intakes, sub-mains distribution, heating and ventilation, lighting and fire alarms, etc. TfL says that, as of October 2018, the Market building is understood to comprise of 61 single-storey lock-up kiosks (though many of these have been combined to form larger units) which are let by MAM to 38 traders. The Council is not party to the contractual arrangement between LUL and MAM and the Market Traders.
- 6.9 TfL provided the Panel with a timeline of the leasing history of the Market buildings. MAM became leaseholder in September 2015.

⁷ p.1, TfL's second investigation report into Seven Sisters Market (Oct 2018)

- 6.10 The Wards Corner site was originally identified for mixed-use regeneration through the Tottenham High Road Regeneration Strategy in 2002. It then became one of the key sites being progressed by the former Bridge New Deal for Communities which was, at the time, a multi-agency regeneration partnership programme focused on the South Tottenham and Seven Sisters area. Haringey Council selected Grainger plc as the preferred development partner for the regeneration project in 2004 and Grainger then proceeded to start the process of acquiring the land within the site.
- 6.11 The Development Agreement between Haringey Council and Grainger for the redevelopment of the site was formally entered into in August 2007. Planning permission was granted to Grainger in December 2008 but, following a legal challenge, this was later quashed by the Court of Appeal on the grounds that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act 1976.
- 6.12 Planning permission for a revised scheme was granted in July 2012 and a S106 Agreement was then signed. This was also subject to a legal challenge but was rejected by the Court of Appeal in August 2013. At an evidence session of the Panel, a representative of Grainger described the main benefits of the regeneration scheme as being:
- 196 new homes that he described as being “homes available to rent at sensible prices”, typically on long leases of three to five years. Under current market conditions this would mean rent levels would be approximately £1,300 per month for a 1-bedroom flat and £1,800 per month for a 2-bedroom flat. This equates to around 40% of the average salary of the target market.
 - 40,000 sq. ft. of retail space including a new space for Seven Sisters market, six retail spaces for local independent retailers on West Green Road and some retail spaces on the High Road intended for High Street chains.⁸
- 6.13 The maximum height of the new development would be the equivalent of 8 storeys on the High Road and Seven Sisters Road, 7 storeys on West Green Road and 5 storeys on Suffield Road. The proposed height is lower in the central part of the High Road section as it is necessary to reduce the loading on top of the underground station infrastructure below.

PICTURE 2: Impression of completed regeneration of site

⁸ Oral Evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019



The Section 106 Agreement

6.14 A Section 106 (S106) agreement was entered into between Haringey Council and Grainger in July 2012. This imposed various requirements on the developer including:

- for existing traders to be offered a lease or licence in the new market and for a temporary market to be established to accommodate the traders while the new market is being constructed
- for a Market Facilitator to be appointed to work with traders, promote their interests, and give support and advice
- to implement a Community Engagement Strategy, including diversity monitoring

6.15 A range of new provisions were then added to the S106 through a Deed of Variation in July 2017 including:

- that the temporary market be located at Apex House
- free relocation for the traders to the temporary and new markets (including removal costs, expenses and fit-out costs)
- three months of free rent for traders at the temporary market and a 30% reduction on licence fees for the first 18 months at the new market
- that Grainger ensures that the move to the temporary market is advertised to raise awareness

- 6.16 The terms of the S106 agreement specify that all those trading in the market at the time when Grainger serves notice on Haringey Council that the market will be closed (which will be at least 6 months in advance), and have been trading continuously for the 3 months preceding the notice being served, would qualify for the move to the temporary market and the new market.
- 6.17 The requirement in the S106 agreement for a Market Facilitator led to the appointment of Quarterbridge Project Management Ltd to this role by Grainger in May 2016. A Director of Quarterbridge, also became a Director of Market Asset Management Seven Sisters Ltd which has been the market operator since September 2015.
- 6.18 The S106 agreement required Grainger to produce a Community Engagement Strategy which was published in February 2016. Grainger included an initiative within the strategy to start a new Steering Group as a mechanism for dialogue between the market traders, Grainger and Quarterbridge/MAM. The Steering Group was later established with its inaugural meeting taking place in October 2016. A total of 21 meetings of the Steering Group took place between October 2016 and December 2018.

Apex House – Temporary Market site

- 6.19 The location for the temporary market was identified as the lower floors of Apex House, a building recently redeveloped by Grainger on the other side of Seven Sisters Road from the existing market. The Panel understands that the temporary market space in Apex House would be ready for traders to move into by the summer of 2020 and that traders would then occupy the temporary market for around two and a half years before being moved to the new market on the redeveloped Wards Corner site.

Compulsory Purchase Order (CPO)

- 6.20 In November 2015, Haringey Council's Cabinet agreed to make a Compulsory Purchase Order (CPO) to assist in assembling the land needed to implement the Wards Corner development for the properties that Grainger had been unable to acquire by private agreement. In September 2016, the CPO order was made and submitted to the Secretary of State for Communities and Local Government. A period for the receipt of objections to the CPO was held until 28th October 2016 and a total of 164 objections were received.

- 6.21 An inquiry on the CPO Order was then held by the Planning Inspectorate which opened on 11th July 2017 and concluded on 27th July 2017. The inquiry was overseen by planning inspector John Felgate who reported his conclusions to the Secretary of State for Communities and Local Government in January 2018⁹.
- 6.22 The Panel notes that within the Planning Inspectors report, key areas were highlighted. ¹⁰The positive factors cited included that the proposed scheme would *“positively advance the area’s economic, social and environmental well-being”* and would *“act as a catalyst for renewal elsewhere around Seven Sisters and in adjoining area throughout South Tottenham”*¹¹ which is needed in the public interest.
- 6.23 However, the report also concluded that *“the remaining residential occupiers at up to 14 properties within the Order site would lose their homes, and thus suffer a serious interference with their rights under Article 8 [of the Human Rights Act] to respect for private and family life”* and that the acquisition of the freehold and leasehold interest would be *“an interference with those owners’ Article 1 rights to the peaceful enjoyment of their possessions”*.¹²
- 6.24 The Market Traders were not judged to suffer any interference with their rights under Article 8, mainly because in terms of their private and family lives, the social interactions that occur at their place of work are likely to be secondary to those that take place at home.¹³ They were not judged to have their Article 1 rights interfered with as their licences are terminable at short notice and that the CPO does not seek the power to acquire any licences because no such power is necessary.¹⁴
- 6.25 The report also addressed the issue of minority rights under international law, specifically Article 27 of the International Covenant on Civil and Political Rights which covers the right for ethnic and other minority groups to practice their own culture, language and religion. It concluded that if the existing market is able to perform a role as a social and cultural hub, there seems to be no reason why the same role could not also be played by the new one. The loss of one particular venue cannot be equated with a general prohibition of culture and traditions.¹⁵

⁹ CPO Report to the Secretary of State for Communities and Local Government, The Planning Inspectorate (Jan 2018)

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

¹⁰ p.66, paragraph 381, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹¹ p.65, paragraphs 376-377, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹² p.65, paragraphs 376-377, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹³ p.61, paragraphs 352, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹⁴ p.62, paragraphs 355, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹⁵ p.64, paragraphs 370-371, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

- 6.26 Overall the report concluded that, taking all factors into account, *“whilst any infringement of human rights is a matter for regret, in this case the public benefits accruing from the Order scheme are substantial enough to outweigh the loss of private rights. As such, the infringement would be proportionate to the public benefits, and thus would be justified.”*¹⁶
- 6.27 While the CPO inquiry was held in July 2017, the Secretary of State for Housing, Communities and Local Government did not confirm the CPO¹⁷ until 23 Jan 2019. An appeal period ran for six weeks from 27th February 2019 to 10th April 2019 during which an application was made for a judicial review of the Secretary of State’s decision in the High Court. The CPO will not be implemented until the courts have made a decision on this.

Market traders’ complaints

- 6.28 Many of the market traders and other members of the local community have been campaigning to express their concerns not just about the plans for the redevelopment of the market but also regarding a range of complaints about the alleged conduct of the market facilitator/market manager. In their evidence they shared these complaints and have also included issues concerning unfair increases in utilities charges, problems with maintenance of the communal areas of the current market and the ineffective nature of the Steering Group.

EVIDENCE RECEIVED

7. The Section 106 Agreement

Original planning permission (2008)

- 7.1 Planning permission for the Wards Corner redevelopment was originally granted in December 2008. However, this was later quashed following an application for a judicial review of Haringey Council’s decision. The application was made by Janet Harris, a local resident and community activist who was involved with the establishment of the Tottenham Civic Society.
- 7.2 The application for judicial review was initially considered by a Deputy High Court Judge in July 2009 who rejected the application. However, following an appeal, the

¹⁶ p.66, paragraph 381, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

¹⁷ CPO decision letter (MHCLG, 23rd Jan 2019) https://www.haringey.gov.uk/sites/haringeygovuk/files/190123_decision_letter.pdf

Court of Appeal reversed the Deputy High Court Judge's decision and quashed the planning permission in May 2010 on the grounds that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act 1976.

7.3 Section 71 of the Race Relations Act 1976 states:

Without prejudice to their obligation to comply with any other provision of this Act, it shall be the duty of every local authority to make appropriate arrangements with a view to securing that their various functions are carried out with due regard to the need—

- to eliminate unlawful racial discrimination; and
- to promote equality of opportunity, and good relations, between persons of different racial groups.¹⁸

7.4 Section 71 of the Race Relations Act 1976 was subsequently replaced by Section 149 of the Equality Act 2010, subsection 1 of which states:

A public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.¹⁹

7.5 The decision of the Court of Appeal in May 2010, given by Lord Justice Pill, included the following conclusions:

"I am satisfied that, on the material before the council, there was sufficient potential impact on equality of opportunity between persons of different racial groups, and on good relations between such groups, to require that the impact of the decision on those aspects of social and economic life be considered ...

I have come to the conclusion that the section 71(1) duty was not discharged by the council when granting this planning permission ... The council policies to which reference has been made may be admirable in terms of proposing assistance for

¹⁸ Race Relations Act 1976, Section 71 <http://www.legislation.gov.uk/ukpga/1976/74/enacted>

¹⁹ Equality Act 2010, Section 149 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

ethnic minority communities, and it can be assumed that they are, but they do not address specifically the requirements imposed upon the council by section 71(1)."

*Not only is there no reference to section 71 in the report to committee, or in the deliberations of the committee, but the required 'due regard' for the need to "promote equality of opportunity and good relations between persons of different racial groups" is not demonstrated in the decision making process."*²⁰

- 7.6 The Panel heard that the Harris v LBH (2010) case precipitated the inclusion of S106 conditions on the developer Grainger when the revised application for planning permission was made and granted in 2012. These conditions were designed specifically to meet the requirements of the Equality Act 2010 and their inclusion ensured that the Planning Committee at that time was able to assent to the application.

Planning permission for revised scheme (2012)

- 7.7 On 25th June 2012, Haringey Council's Planning Sub Committee resolved to grant planning permission for a revised Wards Corner planning application subject to a number of conditions including a Section 106 agreement. The S106 agreement, which was subsequently entered into by Haringey Council and Grainger on 11th July 2012 specified the following provisions²¹:
- the developer to use reasonable endeavours to enter into a lease with a market operator, for the provision of the new market;
 - a right for existing traders to be offered a lease or licence in the new market;
 - consultation with the traders over the new market's layout;
 - consultation with the London Mayor over the terms of the market operator's lease;
 - a temporary market to be established, and existing traders to be offered a stall in it, with a 3-month rent-free period;
 - the appointment of a Market Facilitator to work with traders and market employees, promote their interests, and give support and advice;
 - marketing and letting of the retail units in West Green Road to focus on independent traders; with a right for the Council to approve any non-local tenants, and controls on the amalgamation of units;
 - marketing of the residential units to be targeted initially at local residents;
 - the developer to implement a community engagement strategy, including diversity monitoring; and

²⁰ The full judgement can be found at: <http://www.bailii.org/ew/cases/EWCA/Civ/2010/703.html>

²¹ This is a summary of the main provisions as set out in the Planning Inspector's CPO Report. p.8, paragraph 39, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

- job and training opportunities within the development to be made available to Haringey residents; contractors and suppliers to be chosen from local businesses where possible.

Deed of Variation (2017)

7.8 On 25th July 2017, at a time when the CPO Public Inquiry was open and hearing evidence²², a Deed of Variation to the existing S106 agreement from July 2012 was completed between Haringey Council and Grainger. The main new provisions, which were added to the provisions of the existing S106 agreement, were²³:

- the temporary market to be located in the commercial space on the ground and mezzanine floors of the Apex House redevelopment scheme;
- a requirement for the Market Facilitator to advertise the temporary and new markets to the public;
- a requirement to consult traders about the location of the unit offered to them;
- a guarantee that the size of unit offered in the temporary market will be no less than 90% of the trader's existing licensed unit;
- a scale of licence fees, ranging from £35 per square foot for mezzanine units, and £65 or £75 for zones B and A, to £80 for catering uses; such fees to be fixed for the duration of the temporary market (after the 3-month rent-free period);
- the same licence fee to apply at the new market, subject to an initial 30% discount for the first 18-months, then reverting to the full licence fee until the end of month 30;
- thereafter, the licence fee to increase by no more than 2% per annum;
- free relocation, including the costs of removal, fitting out and replacement of non-demountable fixtures and fittings;
- an obligation to set future licence fees at a level to attract and promote local independent traders;
- a commitment that the temporary market will stay open until the new market is ready for occupation;
- a guarantee that once the new market is open, the temporary market will cease to operate; and
- provision for a financial contribution to affordable housing (off-site), if the developer's profit on costs exceeds 20%.

²² The London Borough of Haringey (Wards Corner Regeneration Project) Compulsory Purchase Order 2016 Public Inquiry was held between 11th July 2017 and 27th July 2017.

²³ This is a summary of the main provisions as set out in the Planning Inspector's CPO Report. p.8, paragraph 40, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

Requirement to appoint Market Facilitator

- 7.9 A key element of the S106 agreement that the Scrutiny Panel has focused on during the course of its Review is the provisions which require the appointment of a Market Facilitator to work with traders and market employees, promote their interests, and give support and advice. The specific clause in the original S106 agreement in 2012 appears at section 24, which relates to the Temporary Market, under Schedule 4, which specifies the Developer's Covenants²⁴:

To appoint a Market Facilitator to work with the Traders in order to:

- a) identify a location for the Temporary Market with the borough of Haringey (or such other location as may be agreed in writing with the Council);
- b) promote the interests of Spanish-speaking Traders in the Temporary Market;
- c) provide appropriate business support and advice to all Traders with the objective of maximising the number of Traders and other independent local traders who elect to trade from the temporary market and return to the New Market Area;
- d) assist Traders in continuing to trade from the Market for so long as it is open for trading purposes; and
- e) assist individuals working at the Market to find suitable alternative employment in the event that they decide not to relocate to the Temporary Market and/or the New Market Area.

- 7.10 A location for the Temporary Market was subsequently identified as the ground floor of the nearby new development at Apex House. Grainger appointed Quarterbridge as the market facilitator in May 2016. The provisions of the S106 agreement were subsequently amended by the Deed of Variation in July 2017 and appears in section 2 (with the heading 'Market Facilitator and Temporary Market') of 'Schedule 3 – Variation'²⁵:

To procure that the Market Facilitator works with the Traders in order to:

- a) promote the interests of non-English speaking Traders in the Temporary Market and the New Market Area;
- b) provide appropriate business support and advice to
 - i) all Traders;
 - ii) all other persons working at the Market
 - iii) such other local independent traders who may express an interest in trading from the Temporary Market and the New Market Area;

²⁴ Paragraph 24.3, Schedule 4 (Developer's Covenants), S106 agreement on the Wards Corner site, 11th July 2012

²⁵ Paragraph 2.1, Schedule 3 (Variation), Deed of Variation to the S106 agreement on the Wards Corner site, 25th July 2017

- c) assist Traders in continuing to trade from the Market and the Temporary Market for so long as the Market and the Temporary Market respectively are open for trading purposes;
- d) advertise the proposed relocation from the Market to the Temporary Market and from the Temporary Market to the New Market Area (as the case may be) so as to raise awareness about the proposed location and opening of the Temporary Market and the New Market Area, respectively;
- e) advertise the Temporary Market and the New Market Area once each facility has been opened to the public; and
- f) assist individuals working at the Market to find suitable alternative employment in the event that they decide not to relocate to the Temporary Market and/or the New Market Area (as the case may be).

Terms of the move to the temporary market and the new market

- 7.11 In May 2016, planning permission was granted to redevelop Apex House, a former Haringey Council premises located opposite the Wards Corner site on the other side of Seven Sisters Road. This was for a mixed use housing and retail development including 163 new homes (39% of which are categorised as affordable) along with space on the lower floors of the new building for a temporary market space for the Seven Sisters traders. Construction work is underway and is expected to be completed by 2020.
- 7.12 Grainger told the Panel in March 2019 that the temporary market space in Apex House would be ready for traders to move into by the summer of 2020 while the new market is being built. It was anticipated that traders would then occupy the temporary market for around two and a half years before being moved back to the new market on the redeveloped Wards Corner site.²⁶
- 7.13 The Planning Inspector's report on the CPO has summarised the expected terms of the move, including rent levels, to the temporary and new markets as follows:

"Traders would be guaranteed the right to transfer to the temporary and new markets and continue trading, on favourable terms. Those terms include a rent-free period, a discounted period, a fixed-rent period, and a cap on any increases for a further period beyond that. In total, traders would benefit from these favourable terms for around 5 years, giving them sufficient certainty to be able to plan their businesses for some time ahead. In addition, traders would be fully compensated for their relocation expenses, utilising a fund of £284,000 made available by the London Mayor for this purpose. Alternatively, traders not wishing to transfer would receive a

²⁶ Written evidence to the Panel from Grainger, March 2019

release sum. Traders would also have 6 months' notice of the closure of the existing and temporary markets, and 3 months to decide their response. All traders, whether transferring or not, would receive advice and assistance from a Market Facilitator. Traders need only have been operating in the existing market for 3 months to qualify for all these benefits.

The rent levels and discounts have been designed to ensure that they will be affordable to existing traders, taking account of comparable rent levels in other local markets. Based on Mr Saunders' figures [this refers to independent market expert Gary Saunders of Saunders Markets Limited who gave evidence to the CPO inquiry], it is argued that no existing trader is likely to face an increase of more than 33% over a 5-year period. In the longer term, it is argued that it will always be in the market operator's interest to keep rents affordable, and to set rent levels so as to retain existing traders, and the S.106 requires the operator to seek to attract and promote independent traders from the local area.”²⁷

- 7.14 The S106 agreement requires Grainger to consult each trader about the proposed location of their unit at least two months prior to the move and to have regard to any reasonable representation but Grainger and/or the Market Operator retain the discretion to allocate the units. There will be units available on the ground floor and also on a mezzanine floor above. Some traders suggested that if all units are not located on the same level it would cause issues because the businesses rely on each other for the flow of customers in the market. Grainger's response was that the units on the mezzanine floor will be rented at significantly cheaper levels than those on the ground floor and so some traders may prefer that option. Grainger confirmed that all traders will be on the same level when they return to the permanent market.²⁸
- 7.15 The S106 agreement also requires that the size of the unit offered in the temporary market will be no less than 90% of the trader's existing licensed unit. However, in determining the size of units, the mezzanines installed by the traders at the current market are to be disregarded. The Panel heard that at an all traders meeting organised by Grainger on 12th February 2019, some of the traders expressed the view it would be important to them to have “attic areas” in the temporary market as they do now. They were told they would only be “provided with units which are the same size as the area they currently pay rent on i.e. the ground floor space of their current units.”²⁹

²⁷ p.20, paragraphs 106-107, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

²⁸ Notes provided by Incite Strategic Communications of a full traders meeting, 12th February 2019

²⁹ Notes provided by Incite Strategic Communications of a full traders meeting, 12th February 2019

7.16 When asked about this, the Director of MAM, told an evidence session of the Panel that the mezzanine levels at the existing market have been built by the traders and they are not permitted under building regulations for anything other than storage. It was suggested that some were used unlawfully by traders as sub-lettings in order to subsidise their rent on the ground floor or as office space. The Market Operator said that he could not endorse these spaces being used for anything other than storage as other uses could constitute a fire risk. There was no requirement for these spaces to be re-provided in the temporary market. When questioned, the market operator did say that he would be happy to find provision for storage space for the traders in the temporary market and that this would be included in the rental agreement with no additional charge³⁰. Traders reported to the Panel that they understood there would be additional charge for storage. It was also noted that VAT would be applied in the temporary and new market, which does not currently apply on the existing site.

8. Steering Group

8.1 In recent years perhaps the most significant mechanism for dialogue between the market traders, Grainger and Quarterbridge/MAM has been the Market Traders Steering Group. Throughout the evidence sessions that the Panel held, the Steering Group has frequently been referred to in the context of the S106 Agreement. The Steering Group is not specifically referred to in the S106 agreement, rather it was an initiative proposed by the developer as part of a wider Community Engagement Strategy that is itself a requirement of the S106 agreement.

8.2 Clause 21.1 of Schedule 4 (Developer's Covenants) of the original S106 agreement from 2012 requires the following:

“No later than twelve months after the Unconditional Date or three months after the Council resolves to make a compulsory purchase order to facilitate the carrying out of the Development (whichever is the later), to submit a community engagement strategy to the Council for approval PROVIDED THAT such strategy shall demonstrate how the Developer will deal with the following matters:

- a) regular diversity monitoring regarding the impact of the Development on affected third parties (in concert with the approved Baseline Study and updates to it);
- b) reporting on the engagement process and how representations from third party stakeholders will be taken into account; and

³⁰ Oral evidence given by Market facilitator to a session of the Housing & Regeneration Scrutiny Panel, 28th March 2019

- c) any further mitigation measures (including a programme for implementation) that are identified as a result of the ongoing monitoring and are both necessary and directly related to the Development.”
- 8.3 Grainger published its Seven Sisters Community Engagement Strategy³¹ in February 2016 which set out its approach to satisfying the above requirements. In particular, it sets out proposed engagement activities for four specific identified groups:
- Property owners/lessees and tenants
 - Market traders
 - Community stakeholders
 - Wider community engagement
- 8.4 The section relating to property owners/lessees and tenants centred around the ongoing negotiations to acquire the land required to go ahead with the development. This included commitments to continue engaging with affected parties through written correspondence, the offer of individual meetings, door-knocking, telephone calls and drop-in events and to provide assistance in finding alternative premises for those requiring it.
- 8.5 The section relating to community stakeholders included commitments to maintain ongoing contact and provide updates to various community groups such as local residents’ associations.
- 8.6 The section relating to wider community engagement included commitments to host public events at key stages of the project and to provide information about the project in key community venues in the immediate area including at the Seven Sisters Market and at the nearby Marcus Garvey Library.
- 8.7 The section relating to the market traders included specific commitments on how the developer would work with the market facilitator to engage with and support the traders. The market facilitator had already been appointed at the time that the Community Engagement Strategy was published and the requirements of the market facilitator role had been outlined in Clause 24.3 of Schedule 4 of the S106 agreement. In addition to the existing requirements of Clause 24.3, the Community Engagement Strategy also committed to the following activities.
- Have an initial meeting with market traders on the progress of the project and next steps.
 - Set up a Market Traders Steering Group to meet regularly.

³¹ Seven Sisters Community Engagement Strategy: <http://bailey.persona-pi.com/Public-Inquiries/seven-sisters/core-docs/cd4/cd4-35.pdf>

- Set up an onsite consultation surgery managed by the market facilitator and attended by Grainger to provide traders with the opportunity to speak about their business and options for the future.
- Provide regular updates via memo, email, the Steering Group and the market facilitator.
- Provide general information for market traders on a page of the Seven Sisters Regeneration project website.

- 8.8 Grainger's Community Engagement Strategy was submitted to Haringey Council together with a Diversity Monitoring Baseline Study³² and both were approved in March 2017. However, the Market Traders Steering Group had already been established and started meeting some months before this. The first of 21 meetings of the Steering Group was held in October 2016 with the last meeting held in December 2018. The Panel heard from the Regeneration team at Haringey Council that the Council believed that these requirements of the S106 were not yet in force but that nevertheless, the establishment of the Steering Group was still seen as a good thing to do in terms of community engagement.
- 8.9 The Panel was told by a representative of Grainger that in previous years the engagement with traders had been in the form of large 'all trader' meetings at the market and that the aim of the Steering Group was therefore to establish a better mechanism for talking to traders.³³
- 8.10 The membership of the group was specified as being the market facilitator, representatives from Seven Sisters Indoor Market, Haringey Council and Grainger. Local Ward Councillors were also invited to the meetings although this happened on only one occasion when Cllr Isidoros Diakides (who is also a member of the Housing & Regeneration Scrutiny Panel) attended a meeting in April 2017.
- 8.11 At the first meeting the six Steering Group members were
- Traders:
- Mosen Khanjary
 - Lita Alvarado
 - Nicholas Amayo
 - Chan Baker
 - Farhad Zarei
 - Ben Nyerende

³² Diversity Monitoring – Baseline Study, Seven Sisters Indoor Market, *Grainger* (March 2017)
https://www.haringey.gov.uk/sites/haringeygovuk/files/seven_sisters_baseline_study.pdf

³³ Oral evidence given by the Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019

8.12 The meeting was also attended by:

- (Grainger PLC)
- (MAM)
- Town Centre Manager (Haringey Council)
- (GL Hearn)– a property consultancy company which supported Grainger with communication and engagement activities.)

8.13 The Grainger representative told the Panel that he chaired the meetings, though this was “by default” as there were no other volunteers for this role from the other Steering Group members.³⁴

8.14 At the inaugural Steering Group meeting in October 2016, the Panel heard that the Market Traders present gave all attendees a letter listing complaints in connection with MAM’s management of the market and related maintenance and relationship concerns. Concerns were also expressed at the meeting that there were no Colombian traders on the Steering Group. Following consultation with traders at a drop-in event in November 2016, two Colombian traders, Marta Hinestroza and Martha Gilraldo were appointed to the Steering Group bringing the trader representation to eight members. Nicholas Amayo, who was one of the six original members of the Group, wrote to the Grainger representative in January 2017 on behalf of himself and other Steering Group members to complain that their own preferred candidate, Victoria Alvarez, had not been selected and that the selection process had not been fair or transparent. The Panel was told that the Grainger representative responded that the two traders selected had been nominated by the majority of traders and that, while it was unfortunate that these selections were not the same preference as that of the Steering Group members, it would not be possible to accommodate Victoria Alvarez as well as the Group was already larger than originally intended. But, some months later, after one of the Steering Group members was failing to attend the meetings on a regular basis, it was determined that a new member should be elected to take their place. At this point Victoria Alvarez was elected and became a member of the Steering Group.

8.15 The purpose of the Steering Group was originally described as being “*to identify a location for the Temporary Market; discuss the relocation process/logistics, input into the internal layout and operations of the Temporary and New Markets.*”

However, at the first meeting of the Steering Group, traders expressed the view that issues of market management and maintenance should also be included within the remit of the group on the basis that these needed to be resolved first before the

³⁴ Oral evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019

traders could move forward to discuss plans for the future. This was agreed and the terms of reference for the group amended to reflect this. In effect this meant that Steering Group members had determined that they would engage through this forum with the market manager (on issues relating to market maintenance) in addition to his role as market facilitator (on issues relating to the market relocation).

8.16 The Panel heard that the amended terms of reference for the Steering Group specified that the aims of the group would be:

- Establish a conducive relationship between Grainger and representatives of the market
- Provide an opportunity for representatives of the market traders to collectively input into the temporary relocation process on behalf of **all** market traders in Seven Sisters Indoor Market
- Provide representatives of the market traders with an opportunity to collectively agree and input into the design and layout of the new market on behalf of **all** market traders in an open and transparent forum
- Report on progress of the Seven Sisters Regeneration project by Grainger to market representatives and consult on relevant market related issues as appropriate
- Provide an opportunity for representatives of the market traders to discuss management and maintenance issues with market management³⁵

8.17 Concerns raised about market management and maintenance at the Steering Group included the condition of the customer toilets, pest control, heating, parking, a leaking roof and anti-social behaviour in the service yard to the rear of the market.

8.18 In his evidence to the Scrutiny Panel, Nicholas Amayo, who had been a member of the Steering Group from the outset, said that he believed the Steering Group had been flawed from its inception as it failed to advocate for or support the needs of traders. Therefore, failed to meet most of its original stated aims and objectives.

8.19 The Market Manager in his submission to the Panel that it *“has been and remains an extremely useful forum to discuss and consult with Traders on general progress of the development, how the CPO and legal programmes affects them, the protection and concessions offered by the S106 and the design and specification of the new Market.”*³⁶

8.20 The Panel also received photographic evidence of traders calling for a vote of no confidence at a lobby of a Steering Group meeting held on 1st November 2018.

³⁵ Future of Seven Sisters Market Steering Group, updated terms of reference (version obtained by the Panel is dated 15th Oct 2017)

³⁶ Written evidence to the Panel from Market Facilitator March 26th 2019

- 8.21 Written evidence was submitted to the Panel in the form of a letter from Save Latin Village & Wards Corner to the Senior Development Manager of Grainger, regarding the Seven Sisters Market Steering Group, dated 6th December 2018. It stated: *"We did not attend the last meeting of the steering group on November 1st which with us being five of the seven traders nominated to sit on the steering group as representatives of the traders at the market was a clear and unambiguous demonstration of our lack of confidence in the steering group."* The letter reported that a protest of 150 people had taken place outside the Steering Group meeting venue and called for the disbandment of the Steering Group *"until a more representative replacement can be put in place that actually fulfils the legal requirements of the developer and gives meaningful voice to the vast majority of traders that have no confidence in the current structure."*³⁷
- 8.22 The Panel also received a copy of the letter in response to this from Grainger dated 9th January 2019. The letter reiterated the Steering Group's objectives, which includes the provision for *"representatives of the market traders to discuss management and maintenance issues with market management"*, and stated that *"to allow management and maintenance issues to be discussed away from the Steering Group, we have asked [MAM] to hold meetings with traders, in the market, on a more regular basis."* The rationale for this was that the extent to which management and maintenance issues were dominating the discussions at the Steering Group was preventing the discussion of the way ahead with the move to the temporary market and new permanent market. Traders told the Panel that the Steering Group had not resolved concerns about the alleged conduct of the Market Facilitator. The letter responded to the allegations about his conduct. The Letter said that they had *"monitored the outcome of TfL's investigation but consider disputes between traders and Market facilitator to be precisely that. It is not Grainger's role, or that of the Steering Group to act as the dispute resolution body in relation to these issues."*³⁸
- 8.23 This evidence suggested to the Panel that relations between the traders on the Steering Group and the Market Facilitator had irredeemably broken down. Some of these concerns were shared by the Assistant Director for Regeneration, in his evidence to the Panel in which he said that officers were aware of concerns about operational issues dominating discussions at the Steering Group and that meetings could at times have an intense atmosphere with anger on both sides³⁹. Without the full confidence of all participants. The Panel drew the conclusion that the Steering Group is unable to fulfil its stated purpose in its current form.

³⁷ Letter from 'Save Latin Village & Wards Corner' to Grainger, 6th Dec 2018

³⁸ Letter from, Senior Development Manager, Grainger to Save Latin Village & Wards Corner, 9th January 2019

³⁹ Oral evidence given by AD for Regeneration, Haringey Council to a session of the Housing & Regeneration Scrutiny Panel, 8th May 2019

- 8.24 Despite assertions that there was division between traders as to the best way forward, all 14 traders that the Panel spoke to provided evidence that the Steering Group was not fit for purpose. The traders said that complaints had been raised at the Steering Group, at which a Council officer had always been present, but that complaints had gone unheeded.
- 8.25 The evidence provided by the Cabinet Member for Strategic Regeneration and Leader of the Council left the Panel under the impression that there was differing knowledge in the Council about the S106 obligations that related to the Steering Group and how they are to be executed in order to fulfil the Planning Authority responsibilities.
- 8.26 Panel members felt that, given the consistent representations concerning the running of the market and their nature, it may have helped improve relations between the Council and the Latin American community (a group with specific protected characteristics) had senior officers visited the market to speak first hand to traders. It was noted that Steering Group meetings took place away from the market, usually at the College of Haringey, Enfield and North East London (CONEL). The main officer of the Council in contact with the traders was the Town Centre manager who was a member of the Steering Group. The Panel was not able to ascertain whether the Town Centre Manager had visited the Market site in any formal capacity.
- 8.27 The Panel also felt that oversight of S106 agreements could be improved by ensuring that local Councillors are fully aware of terms of the S106 agreements that are active in their ward. Panel Members felt that the online planning portal was difficult to navigate and that most Members would not automatically be aware of S106 agreements in their area. It would therefore be preferable if the terms of new S106 agreements were sent to the Councillors for the relevant ward.

Town Centre Manager

- 8.28 The Panel was not able to question the Town Centre Manager, who had been Haringey Council's representative at all 21 of the Steering Group meetings. The reason given for this was that the Council's Constitution only enables Scrutiny Panels to require officers at third tier or above to attend evidence sessions but the Town Centre Manager role is below this at the fourth tier level. Though officers below third tier are permitted to attend, this can only happen at the discretion of their Director and the request to speak to the Town Centre Manager was declined. The

reason given was the relevant information could be obtained in writing or via senior officers without the need for a more junior officer to attend an evidence session.

8.29 The relevant section of the Council's Constitution reads:

“Power to require Members and officers to give account

(i) The Overview and Scrutiny Committee and Scrutiny Review Panels may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions (Scrutiny Review Panels will keep to issues that fall within their terms of reference). As well as reviewing documentation, in fulfilling the scrutiny role, it may require any Member of the Cabinet, the Head of Paid Service and/or any senior officer (at second or third tier), and chief officers of the local National Health Service to attend before it to explain in relation to matters within their remit:

- (a) any particular decision or series of decisions;*
- (b) the extent to which the actions taken implement Council policy (or NHS policy, where appropriate); and*
- (c) their performance.*

It is the duty of those persons to attend if so required. At the discretion of their Director, council officers below third tier may attend, usually accompanied by a senior manager. At the discretion of the relevant Chief Executive, other NHS officers may also attend overview and scrutiny meetings.”⁴⁰

8.30 The Panel felt strongly that the Scrutiny Review would have benefited enormously by speaking directly to the Town Centre Manager to closely understand the council's observations of how the traders' complaints had been taken forward.

8.31 The Panel tried to establish how and when the Town Centre Manager had communicated concerns about the operation of the Steering Group to senior officers. However, the Panel understands that this happened predominantly through informal conversations rather than any formal reporting mechanism. No direct officer reports from Haringey's Town Centre Manager were available to the Panel. This is particularly relevant as it would have helped to inform the Panel's inquiries on when Council officers had become aware of the difficulties in the relationship between traders and the Market Facilitator.

⁴⁰ London Borough of Haringey Constitution, Part Four (Rules of Procedure), Section G (Overview & Scrutiny Procedure Rules), Paragraph 13.3 (i) <http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?Cid=873&Mid=7972&info=1&MD=Constitution>

- 8.32 The Panel sought further clarity about the chronology of when the Council was aware that the functioning of the Steering Group and the relationship between the traders and the Market Facilitator was not working as it should and that further action would therefore be required in order to properly implement the S106 agreement. The Deputy Monitoring Officer's letter to Bindmans LLP, dated 22nd March 2019, stated that:

*"when colleagues replied previously they were of the view that the arrangement [with the Market Facilitator] was working well. However, since that time colleagues have become aware of complaints with regard to the operation of the Market Facilitator."*⁴¹

- 8.33 The reference to "when colleagues replied previously" presumably includes the letter from Haringey Council's Legal Services to Bindmans LLP, dated 3rd September 2018, which stated that:

*"The Council has received minutes of the steering group meetings, which your clients attend. These show that the Market continues to operate successfully and that the Traders are continuing to receive assistance from the Market Facilitator to enable them to trade from the Market."*⁴²

- 8.34 However, a detailed letter from Bindmans Solicitors, predating this, listing a series of complaints including those against the Market Facilitator, had been sent to the Leader of the Council and copied to the Head of Development Management and Planning Enforcement, on 15th August, 2018.⁴³

- 8.35 The Panel asked the Assistant Director for Planning, if a report from the Town Centre Manager on the breakdown of relations at the Steering Group would have been helpful in alerting her to possible breaches of S106 obligations. She confirmed that no such report had been forthcoming but would have facilitated the planning department's ability to supervise the S106 obligations. Elements of the S106 were developed specifically to address any detrimental impact of the Seven Sisters development on market traders with protected characteristics. The Steering Group was a vehicle intended to deliver part of those protections described in the S106. As such any breakdown of relationships, which the Panel believes were apparent from the inaugural meeting of the Steering Group, should have been brought to the attention of the Planning department of the Council.

⁴¹ Letter from Haringey Council Legal Services to Bindmans LLP, 22nd March 2019

⁴² Letter from Haringey Council Legal Services to Bindmans LLP, 3rd September 2018

⁴³ Letter from Bindmans LLP to Leader of Haringey Council, 15th August 2018

Recommendation 1: The Council should negotiate with its development partner Grainger to revise the terms of reference for the Market Traders Steering Group to cover the following:

- **Democratic elections of trader representatives.**
- **Appointment of Independent Chair [acceptable to the trader representatives].**
- **Role of the Council's Town Centre manager to be clearly defined.**
- **Regularised reporting arrangements between the Steering Group and the Council to allow any relevant issues where the Council has a regulatory role to be communicated promptly to appropriate departments and service areas.**

The agenda items, minutes and actions arising from meetings of the steering group to be shared with senior managers at the Council.

Recommendation 2: The Standards Committee to review Part Four (Rules of Procedure), Section G (Overview & Scrutiny Procedure Rules), and the section under which officers are expected to provide evidence in Scrutiny Reviews. The presumption should be that officers should be expected to provide evidence to Scrutiny Reviews unless there are strong reasons for refusal. In reviewing this section, the opinion of the trade unions should be sought to ensure the protection of staff at all levels of the organisation.

9. Market Facilitator Role

9.1 As noted earlier in this report, the Market Facilitator role was a requirement of the S106 Agreement entered into in July 2012. This had followed the Court of Appeal decision to quash the planning permission for the scheme that was initially granted in 2008 on the basis that Haringey Council's duty under section 71 of the Race Relations Act 1976 had not been discharged by the council when granting this planning permission.

9.2 The S106 agreement requires the developer to appoint "*a Market Facilitator to work with traders and market employees, promote their interests, and give support and advice.*" As noted in Section 9 of this report, the S106 agreement and the subsequent 2017 Deed of Variation also require the Market Facilitator to:

- assist the Traders in continuing to trade from the Market and Temporary Market for so long as they are open;
- advertise the proposed relocations to the Temporary Market and then the New Market; and
- assist individuals working at the market to find suitable alternative employment should they decide not to relocate.

- 9.3 The Panel understands that Quarterbridge Project Management Ltd was appointed to the role of Market Facilitator in May 2016 and resigned from this role in November 2018.
- 9.4 Shortly after the original S106 agreement was entered into in July 2012, Quarterbridge became involved with the regeneration project on a consultancy basis⁴⁴. An article on Haringey Council's website, dated 16 October 2012, announced "Specialist Support for Seven Sisters Market" and stated that *"Grainger plc and Haringey Council have appointed Quarterbridge Project Management to work with existing traders to design the new Market Hall and help with the temporary relocation whilst the Seven Sisters Regeneration project is underway."*⁴⁵
- 9.5 In the minutes of the first and second Steering Group meetings, advise the Market Manager's position which was made clear that, having invested a considerable amount of money in buying the market, his objective was to improve and add value to the market in order to be able to increase rents and obtain a better return. There was a desire to help and encourage the traders to develop and improve their individual businesses as this would help his business. There were a significant number of 'legacy issues' and inherited problems including a range of health and safety issues and that some traders were not complying with the estate management rules or with some statutory obligations. That breaches included unauthorised sub-lettings, unauthorised sales and unauthorised alterations to the building which placed him commercially at risk and the other tenants at risk with regards to health and safety issues. His view was that a robust approach was therefore required from him as market manager to resolving health and safety issues within the market but he did not accept that this amounted to intimidation.⁴⁶
- 9.6 In evidence submitted to the Panel, the Market Manager/Facilitator stated that the Market Facilitator appointment was funded by Grainger and that Quarterbridge Project Management *"undertook a series of exercises including attendance at Trader Steering Group meetings, confidential one-to-one interviews with all Traders to determine their business needs, a referencing exercise to identify S.106 relocation entitlement, liaison with lawyers to ensure that CPO notices and subsequent public inquiry notices and information were correctly served, collection of anonymised rental and other tenancy information for the independent expert appointed to advise the public inquiry, and finally data collation of ethnicity and employment creation to discharge the Equalities Impact Assessment required by the planning consent."*⁴⁷

⁴⁴ This appointment is not to be confused with the appointment of Quarterbridge Project Management to the role of Market Facilitator which took place in May 2016.

⁴⁵ Specialist Support for Seven Sisters Market, 16th October 2012 <https://www.haringey.gov.uk/news/specialist-support-seven-sisters-market>

⁴⁶ Minutes of meetings of Seven Sisters Market Traders Steering Group, 27th Oct 2016 & 24th Nov 2016

⁴⁷ Written evidence to the Panel from market manager/Facilitator, 27th August 2019

- 9.7 The Panel heard evidence that in relation to the business support element of the role, the Market Manager/ Facilitator said that Quarterbridge Project Management *“organised and hosted a series of individual and collective Business Development workshops which offered Traders access to free business support e.g. for Income Tax and VAT registration, access to business funding sources and advice on incorporation, food hygiene training and online promotional training in partnership with the National College for digital skills in Tottenham”*.⁴⁸
- 9.8 The Panel was told that since the formation of the Steering Group, one-to-one sessions with traders had been offered with the Market Operator, and separately with the Council’s Tottenham Town Centre Manager, to discuss individual traders’ business support needs. However, as of April 2019, none had been taken up. In 2018, MAM had offered to run a business support programme with organised sessions at the market and at CONEL, but attendance was low. Traders were offered the opportunity to promote their business online through the Seven Sisters Market website but again take up was low.⁴⁹
- 9.9 It was also noted that in addition to the business support offered, the Tottenham Town Centre Manager had provided the contact details of the Tottenham Green Market Operator and encouraged traders who sell food and produce to contact her for a pitch every Sunday (when the market is currently closed). However, this offer had not been taken up.⁵⁰
- 9.10 The Panel were made aware of alleged incidents between the Market Facilitator and the traders which led to two investigations conducted by TfL in its role as owner of the market buildings. The Panel considered the allegations against the Market Facilitator/manager should have been enough to initiate a separate investigation by Haringey Council into whether there had been a breach of the S106 conditions at that time. One of the traders put forward these complaints to both TfL and the Equalities and Human Rights Commission who subsequently wrote to TfL. At this time, evidence to the Scrutiny Panel strongly suggested that no action has been taken by the Council despite complaints being raised at the Market Traders Steering Group meetings. The Council in its Planning Authority role did not receive any complaints alleging that the section106 obligations had been breached until receipt of Bindman’s letter of the 15th of August 2018.
- 9.11 In a written submission to the Panel, the Market Facilitator states that these allegations are repeated *“even following two inquiries by TfL which acknowledged an*

⁴⁸ Written evidence to the Panel from Market Facilitator, 27th August 2019

⁴⁹ Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, April 2019

⁵⁰ Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, April 2019

apology for inappropriate language at a public meeting. Since then [MAM] has continued to develop an Action Plan with TfL to improve the Market.”⁵¹

- 9.12 The Panel was concerned that the Market Facilitator was formally a consultant to the developer and that the same person, under a different corporate identity became the market manager with a commercial interest in the market. This conflict of interest should have been foreseen by both the developer and the Council. The conflict was only latterly recognised in the autumn of 2018, after the scrutiny review had commenced, when it was announced that the facilitator would be stepping down from the role. Participants within the market Steering Group gave evidence that numerous complaints had been raised at the Steering Group about the market facilitator/market manager but did not feel that their complaints had been acknowledged or answered by either the developer or the Council who had a representative on the Steering Group.
- 9.13 The Panel believes that this acknowledged conflict of interest should have been anticipated and that the Facilitator role enshrined in the S106 agreement could not and should not have been provided for by a person who had a material and commercial interest in the management of the market. The Panel believes that this inherent conflict of interests should have been apparent to the developer and the Council at the Steering Group meetings from the outset.
- 9.14 TfL’s second investigation report dated 12 October 2018 concluded that there was no evidence that MAM’s action had been unfair or in breach of any contractual relationships that were in place with the traders. In recognition of the need to improve relations, MAM took action to recruit additional staff and employ staff of Latin American origin with whom the traders could better communicate in their first language.
- 9.15 On the 19th of November 2018 there was a meeting held between Grainger, the Council, TfL and the GLA where the Council agreed the following actions with Grainger:
- appointment of a new independent market facilitator to replace Quarterbridge,
 - appointment of Spanish speaking mediator, maintaining a Spanish translator on the steering group,
 - working with the MAM to increase the frequency of the all traders meeting to progress health and safety issues and repairs that are most important to traders so that these issues can be separated from and enable the future of the market discussions to take place at the Steering group.

⁵¹ Written evidence to the Panel from 26th March 2019

- 9.16 Notwithstanding the Council's current investigation of the compliance of section 106 obligations related to Wards Corner, the Panel viewed the resignation of Quarterbridge to be an acknowledgment that the conflict of interest between the roles of Market Operator and Market Facilitator was untenable. The absence of a genuinely independent Market Facilitator has, in the view of the Panel, left the market traders without an advocate to mediate with Grainger, TfL or the Council. It is the Panel's understanding that, at the time of writing, no new facilitator is in place and that a Facilitator has not been in situ since November 2018.
- 9.17 The Scrutiny Panel was made aware that the developer Grainger act as underwriters to the lease held by MAM with TfL.
- 9.18 The Panel noted that Paragraph 24.5 of Schedule 4 of the S106 agreement requires the developer to provide the Council with regular reports on the measures that have been taken in relation to Paragraph 24 of the S106 (on the move to the Temporary Market and the appointment of a Market Facilitator). The relevant section of the S106 reads:
- "To provide the Council with a report every six (6) months specifying the measures that have been taken pursuant to Paragraph 24 of this Schedule PROVIDED THAT the first report shall be sent to the Council no later than twelve (12) months after the grant of the Planning Permission and this process shall continue until the sixth (6th) anniversary of the grant of the Planning Permission."*⁵²
- 9.19 Although Paragraph 24.5 of the S106 agreement was not specifically discussed as part of the oral evidence sessions, the Panel took the view that it was important to ensure that this requirement had been fully complied with.

Recommendation 3: The Council should ensure that the ongoing investigation into the compliance with the section 106 obligations should include the following:

- **How the conflict of interest between the market facilitator role and market manager role, when they were the same person, could not have been recognised earlier.**
- **What due diligence had been undertaken in the appointment of the Market Facilitator.**
- **What checks and balances were in place to ensure that the Market Facilitator is acting fairly, independently and in the interests of the traders as outlined in the S106 conditions.**

⁵² Paragraph 24.5, Schedule 4 (Developer's Covenants), S106 agreement on the Wards Corner site, 11th July 2012

- When the S106 obligations commenced and what the causal factors were in their becoming operational.
- To identify any procedural failings in the prescribed six-monthly reporting arrangements for the section 106 agreement and take action if the report back obligation is incomplete.
- To publicly clarify the position on the section 106 agreement, given the Panel heard evidence suggesting there had been a breach.
- How a failure to monitor the S106 agreement occurred and could continue for so long while breaches of the S106 agreement were repeatedly reported.
- How failure to monitor the S106 agreement had an impact on the council's public sector equalities obligations.
- The investigation should analyse the impact of this, what remedies may be available and establish measures to ensure that there is no repetition in future.

The conclusions should be submitted to the Secretary of State for Housing, Communities and Local Government.

Recommendation 4: Any replacement market facilitator should be genuinely independent and hold the confidence of all parties. The Council, should request Grainger to appoint an independent, qualified market facilitator. This needs to be done in full consultation with the traders. It is essential that adequate due diligence is carried out ahead of any appointment.

10. Enforcement of S106 Agreement

Bindmans correspondence

- 10.1 On 15th August 2018, Bindmans LLP, the solicitors representing some of the traders, wrote to Haringey Council with a detailed list of complaints about the conduct of Quarterbridge/MAM and requesting that Haringey Council should:
- f) undertake an assessment of the extent to which Grainger has complied with its S106 obligations;
 - g) provide information about the monitoring of the compliance with the S106 obligations;
 - h) confirm that it accepts that Section 149 of the Equalities Act 2010 is engaged by that assessment.⁵³

⁵³ Letter from Bindmans LLP to Haringey Council, 15th August 2018

10.2 On 3rd September 2018, Haringey Council's Legal Services department wrote to Bindmans LLP to advise that:

- Most of the obligations in the S106 agreement (the 2017 Deed of Variation) only become operative at the earliest on Commencement of the Development which had not yet occurred.
- The only items that arguably not subject to the Commencement of the Development were paragraphs 2.1 (b) (i) and (ii) and (c). These are the obligations to provide business support/advice to the traders and to assist them in continuing to trade from the existing market.
- However, the beginning of paragraph 2.1 requires the Developer to *"procure that the Market Facilitator works with the Traders"*. It is not an absolute obligation on the Developer to guarantee compliance and the Council cannot enforce the obligations directly against the Market Facilitator.
- The final part of paragraph 2.1 makes clear each obligation is for the objective of maximising the number of traders who elect to trade from the Temporary Market and the New Market.
- Aside from these points the Council does not have evidence of non-compliance of the S106 agreement.

10.3 While the Haringey Council letter asserted that most of the S106 conditions did not yet apply, it also concluded that there was no evidence to show any non-compliance. To support this claim, the letter states that, *"the Council has received minutes of the Steering Group meetings, which your clients attend. These show that the market continues to operate successfully and that the traders are continuing to receive assistance from the market facilitator to enable them to trade from the market."*⁵⁴

10.4 In evidence provided to the Panel in February 2019, Bindmans described the Council's response in the September 2018 letter as a *"comprehensive abdication of responsibility by the Council for oversight of Grainger's actions, those of its agents (Quarterbridge and MAM) or, in turn, for the Market's future."* Bindmans also provided the Panel with a letter that it had sent to Haringey Council on 21st January 2019 alleging maladministration on the part of the Council for failing to investigate Grainger's alleged breaches of the provisions of the S106 agreement which had been designed to protect the rights of the traders.⁵⁵

10.5 On 22nd March 2019, Haringey Council's Assistant Head of Legal Services responded in writing to Bindmans' letter of 21st January 2019 explaining that the Council's position was now:

⁵⁴ Letter from Haringey Council to Bindmans LLP, 3rd September 2018

⁵⁵ Letter from Bindmans LLP to Haringey Council, 21st January 2019

- g) That it was “*accepted that the obligations under paragraph 2.1 of Schedule 3 or the Deed of Variation are now in fact operative*” meaning that Grainger is obliged to provide business advice/support to traders and to assist traders in continuing to trade from the market while it is open.
- h) That Section 149 of the Equalities Act 2010 does apply to the Council when monitoring compliance with the S106 agreement.
- i) That the Council has requested that Grainger change the Market Facilitator and that Grainger had agreed to this and written to traders in December 2018 signalling this intention.
- j) That the Council intends to undertake a review of the market facilitator operation and, after this, intends to take all reasonable steps to ensure that all S106 obligations are complied with.
- k) That in the opinion of the Council, the case for maladministration has not been made out.⁵⁶

10.6 The Panel understands that the reason that the Council’s position had changed was that the legal department had decided to review the position by getting another person to look at it in detail. As a consequence of that, the decision was made that the original position taken, as set out in the Council’s letter in September 2018, had not been the appropriate one.

10.7 The Assistant Director for Planning advised the Panel had become aware of complaints about the market facilitator in 2018 which was after the Deed of Variation had been agreed in July 2017. She had, before Bindmans letter of 15 August 2018, taken steps to monitor the s106 through requesting minutes of the steering group and had sought updates from the regeneration team and from the developer once she became aware that there were issues. In hindsight however, the Planning department could have been more active in being aware of the issues with the steering group and it would have been better if the S106 had been worded to enable the Council to have some say in the appointment process for the market facilitator. She said that she regrets not being aware that there was a problem with the market facilitator role at an earlier stage. She had not been involved with the CPO inquiry (except for the Deed of Variation) as it was necessary as AD for Planning to stay separate from that but one consequence of that is that she was not always aware of some of the problems. It would therefore be necessary to reflect as a Directorate on how to keep appropriately separate where necessary but also to maintain a flow of relevant information. She also pointed out that there is an overlap with TfL on some of these issues as it is TfL’s market and they had conducted their own investigations into these matters.

⁵⁶ Letter from Haringey Council to Bindmans LLP, 22nd March 2019

- 10.8 The Assistant Director of Regeneration at Haringey Council, acknowledged to the Panel that, based on the legal advice, the Regeneration team did not believe that the provisions of the S106 were operative and that they did not therefore have the powers to take any enforcement action. However, despite operating on the misunderstanding that the Council did not have these tools available, The Assistant Director for Regeneration emphasised that this did not mean that no action was taken at all. Progress was sought through continuing dialogue, for example through the engagement of the Town Centre Manager with Quarterbridge/MAM and the market traders via the Steering Group.⁵⁷ Panel members queried why senior officers did not question the erroneous advice sooner and why there did not appear to be suitable processes and procedures in place to pick up on this problem at an earlier stage.
- 10.9 Panel members are confident that the S106 obligations attached to Grainger's planning permission in relation to the Market Facilitator role had been triggered and that the Community Engagement Strategy referenced above was the response to that requirement. The Community Engagement Strategy clearly states that a Market Facilitator had been appointed⁵⁸; that a comprehensive engagement strategy was anticipated and that the Steering Group is set up as a means of engaging with the traders with the Council being a party to the Group. Panel members are concerned that ongoing monitoring of the S106 condition has not been adequate or robust.
- 10.10 The Panel noted that the covering letter to the Planning Inspector's report on the CPO inquiry on Wards Corner had emphasised the importance of the safeguards within S106 agreement. The letter from Jan 2019, signed by the Senior Planning Manager with the authority of the Secretary of State for Housing, Communities and Local Government, stated that: *"while the safeguards in the varied S106 agreement do not provide a cast iron guarantee that the new permanent market will be provided, or retained in perpetuity, nor that all existing traders will be able to, or wish to continue trading, he agrees with the Inspector ... that the Order scheme makes reasonable provision for the retention and continued operation of the Seven Sisters Market"*
- 10.11 The Planning Inspector's report itself stated that through the S106 provisions *"it seems to me that the Order scheme would minimize any residual disadvantage suffered by the Traders, and would include reasonable steps to meet their needs, thus advancing equality of opportunity."*⁵⁹ This view had clearly been predicated on the

⁵⁷ Oral evidence given by AD Regeneration to a session of the Housing & Regeneration Scrutiny Panel, 11th April 2019

⁵⁸ Page 6, Seven Sisters Regeneration, Grainger Seven Sisters Ltd (Feb 2016)

⁶⁰ List of protected characteristics, Equality and Human Rights Commission: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

understanding that the S106 was in operation but it was not until March 2019 that Haringey Council's Legal Services confirmed that the terms of the S106 were in force.

S106 correspondence timeline

15th Aug 2018	Letter from Bindmans LLP to Leader of the Council with list of complaints about the conduct of Quarterbridge/MAM and requesting that the Council should assess Graingers' compliance with the S106 agreement.
3rd Sep 2018	Letter from Haringey Council's Legal Services to Bindmans LLP advising that the Council had no evidence of non-compliance with the S106 agreement and that most of the obligations of the S106 agreement were not yet operative in any event.
4th Sep 2018	Letter from Bindmans LLP to Haringey Council's Legal Services requesting clarification on a number of points including whether an assessment on Graingers' compliance with the S106 agreement has been carried out.
22nd Sep 2018	Letter from Haringey Council's Legal Services to Bindmans LLP reiterating the same position from the letter of 3 rd Sep 2018 and confirming that no assessment had been carried out.
17th Jan 2019	Letter from Bindmans LLP to Haringey Council's Legal Services alleging maladministration on the part of the Council for failing to investigate assess Grainger's alleged breaches of the provisions of the S106 agreement.
21st Jan 2019	Letter from Bindmans LLP to Haringey Council's Legal Services asking for information about the involvement of Legal Services in the Housing & Regeneration Scrutiny Panel's forthcoming Scrutiny Review on Wards Corner.
22nd Mar 2019	Letter from Haringey Council's Legal Services to Bindmans LLP accepting that most of the obligations in the S106 agreement are now active, stating that the case for maladministration has not been made and that a representative of Legal Services would be attending evidence sessions of the Scrutiny Review.

10.12 The Assistant Director for Planning, gave evidence to the Panel on 2nd May 2019 about the S106 agreement. She confirmed that she was not involved in the drafting of the September 2018 letters from Haringey's Legal Services department. Her understanding was that when the letter from Bindmans was received in January

2019, the monitoring officer undertook a review of the Council's position. While it was felt that there was a case for the position which had been taken in September 2018, it was concluded that, on balance, the provisions of the S106 agreement were operative. In her view it was not unreasonable to have taken the original approach in September 2018 because it is not usual for there to be an obligation before a development actually starts and because normally there would be a 'trigger' that makes the obligations active. However, the S106 agreement refers to the purpose of the market facilitator being to help traders to move to the new market. It wasn't therefore intended to arise independently from the development but the market facilitator had been appointed anyway before the development was underway. Therefore as the market facilitator required by the S106 agreement was in place regardless of whether the provisions of the S106 were active or not, the conversation in her view ought to be more about how well this function operated rather than whether or not the provisions should have been in place.

Monitoring of S106 agreement

- 10.13 The Panel asked about the appointment of the market facilitator, the Assistant Director for Planning confirmed that the Planning department was in the process of undertaking a review of the market facilitator operation and whether all S106 obligations have been complied with. The Council had asked Grainger in the meantime to halt the process for the appointment of a new market facilitator until this review has been concluded. If the S106 obligations have not been fully complied with then the remedy to that would be to advise on how the market facilitator role should operate in future which the Council would then have a responsibility to monitor in future.
- 10.14 The Panel is clear that the Council has the power to enforce the existing S106 agreement. The Panel is also clear that the Council's latest legal opinion is that the terms of the S106 agreement relating to the market facilitator are operative. The Panel believes that it is up to the Council's Planning Authority to ensure that the S106 is acted upon.

Public Sector Equality Duty

- 10.15 The Public Sector Equality Duty was introduced by the Equality Act 2010 and was developed in order to harmonise the equality duties and to extend it across the nine

protected characteristics⁶⁰. Section 149 of the Equality Act 2010 specifies that those subject to the equality duty, which includes local authorities, must in the exercise of their functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.⁶¹

10.16 The Equality Act also specifies that advancing equality involves having due regard to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.⁶²

10.17 The obligations within the S106 agreement, which were designed to deliver the Council's Public Sector Equalities duties, were not considered active by the Council's Legal Services as evidenced in their letter of 3rd September 2018. However, the Council's subsequent letter of 22nd March 2019 accepted that the S106 obligations were "*now in fact operative*" and also accepted that the Public Sector Equality Duty contained in S149 of the Equality Act applies to the Council when monitoring compliance with S106 agreements. The Panel remains concerned that the use of the word "now" is non-specific and does not explain at what point in time the Council considers the S106 to have become operable.

10.18 The Council's letter of 22nd March 2019 states: "*As you know, the market facilitator was appointed in November 2017, and when colleagues replied previously they were of the view that the arrangement was working well. However, since that time colleagues have become aware of complaints with regard to the operation of the market facilitator. The Council subsequently requested that Grainger change the*

⁶⁰ List of protected characteristics, Equality and Human Rights Commission: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

⁶¹ Section 149 (1), Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

⁶² Section 149 (3), Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

market facilitator and that an independent mediator be appointed. I understand that Grainger agreed to these measures and wrote to the traders in December 2018 signaling this intention.”

- 10.19 The Panel noted a factual inconsistency in this paragraph. The Market Facilitator has confirmed that he was appointed in May 2016 and not November 2017, an 18-month difference. The Market Traders that gave evidence to the Panel expressed dissatisfaction with the effectiveness of the facilitator role at the first meeting of the Steering Group, which took place in October 2016 in the presence of a Council officer. Yet the Council’s letter of 3rd September 2018 had stated that the arrangement was “working well”. Panel
- 10.20 The Council’s letter of 22nd March 2019 states the intention of the Council to review the market facilitator operation and ensure that obligations under S106 are complied with. The Panel noted that at the time of writing the investigation has not concluded and that the facilitator role remains vacant. As this role is central to the delivery of the S106 protections, the Panel was concerned to note this further delay.
- 10.21 The Panel is concerned that the Council has not enforced the provisions contained within the Section 106 agreement that were designed to protect the market traders and that the Council has not fulfilled its Public Sector Equality Duty.
- 10.22 This is because the Section 106 specifically requires:
- The appointment of a Market Facilitator to “*work with traders and market employees, promote their interests, and give support and advice*”, and
 - Through the Community Engagement Strategy, the establishment of a Steering Group as a mechanism to enable dialogue between the market traders, Grainger and Quarterbridge/MAM.
- 10.23 However, despite the presence of these requirements in the S106 agreement, the Council:
- Failed to individually investigate complaints about the Steering Group which were raised as early as 2016.
 - Failed to establish the conflict of interest between the market operator and market facilitator roles being held by the same person and the consequent difficulties in the market facilitator adequately promoting the interest of the market traders as required by the S106 agreement.
 - Failed to investigate the concerns about the enforcement of the S106 agreement and a request for an investigation as raised by Bindmans solicitors in their letter of August 2018, instead asserting in September 2018 that the

S106 conditions were not in force and not acknowledging that this assertion was incorrect until March 2019.

- 10.24 The Market Traders are regarded as having protected characteristics, by virtue of race, under the Equalities Act. The Panel believes that the Council did not have due regard to its Public Sector Equalities Duty when dealing with complaints about alleged breaches of the S106 agreement.

Recommendation 5: The Council Planning department should carry out a review of how all S106 conditions are monitored and enforced. In particular, with regard to people who share protected characteristics under S149 of the Equality Act. The public needs to be confident that the monitoring and enforcement of such conditions are rigorous, robust, and pursued in the interests of residents and that these procedures are transparent.

Recommendation 6: The Council should take the necessary steps to assure itself that in monitoring, reviewing and enforcing its Section 106 planning obligations, it pays due regard to its Public Sector Equality Duty. The cabinet should further ensure that these steps are taken within a reasonable period of time.

Recommendation 7: The Panel noted that there could be a perception of a conflict of interest between the Planning and Regeneration departments and recommends providing a separation of the two services in order to provide for clearer understanding.

11. Maintenance Issues at Seven Sisters Market

- 11.1 The Panel heard extensive evidence from a broad selection of traders, including some traders who are supportive of the Grainger plan, that the market management falls well below their expectations and this was seen as a source of recurrent conflict between traders and the management of the market. All traders who gave evidence said that they had raised issues of security, cleanliness, pest control, and anti-social behaviour, the lack of a repairs regime, electricity outages and other issues. These were raised individually with the Market Manager/Facilitator at Steering Group meetings and with the Council's representative at the Steering Group. The Panel heard that these problems had been raised repeatedly by trader representatives on the Steering Group to no satisfactory conclusion. The Panel heard that the issues listed above impacted detrimentally on their businesses.
- 11.2 During a site visit to Seven Sisters Market on 3rd December 2018, Panel members observed the following:
- Lack of signage indicating the presence of an indoor market

- Lack of advertising on the outside of the building
- Lack of clarity for the main entrance
- Inadequate toilet facilities
- Trip hazards and poor quality flooring in customer aisles
- Generally grubby appearance of the communal areas
- Trip hazard by the rear exit to the goods loading area to the rear
- Absence of security and inadequate locks
- Lack of adequate lighting and trip hazards to the rear of the building
- Badly maintained drains
- Foul smells emitting from drains
- Overflowing commercial waste containers
- Rubbish strewn over the rear yard likely to attract vermin

11.3 Written evidence was received by the Panel to show that the Cabinet Member for Finance and Strategic Regeneration had responded to concerns from market traders and local residents regarding health and safety at Seven Sisters Market. The Cabinet Member wrote to TfL on 18th October 2018 to raise these concerns noting that the Council’s Environmental Health team had carried out a visit to the market on 25th September 2018 and that inspection officers had raised concerns with fire safety at the site due to the layout, construction and management of the common areas.⁶³ The Market Facilitator has subsequently submitted written material outlining fire safety procedures that apply to the market

11.4 Grainger’s representative acknowledged to the Panel that he has *“heard much discussion around the quality of flooring, leaking roofs, damaged toilets, poor ventilation, power outages and anti-social behaviour outside and inside the market”*⁶⁴ but saw this as the concern of MAM. He further suggested that MAM’s *“focus on repairs has often concerned fire and electrical safety ahead of cosmetic issues”*. Panel

11.5 The Panel believes that ongoing poor maintenance and poor security at the existing market runs the risk of reducing market footfall and impacting on the turnover and profits of the existing market traders. If this situation is allowed to continue unchanged it has the potential to render meaningless the provisions of the S106 deed of variation designed to ensure a future viable Latin Market.

Recommendation 8: The Council, in its regulatory health and safety role should work with TfL, Grainger and any other stakeholders to draw up a plan of action to address all

⁶³ Letter from cabinet member for strategic regeneration to Graham Craig, 18th October 2018

⁶⁴ Oral evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019

outstanding and ongoing maintenance work at Seven Sisters Market in order to secure a working environment which complies with all regulations.

12. Eviction of Housing Association Tenants

- 12.1 A number of housing association properties were situated within the redevelopment site and the Panel heard from three residents who had been evicted as a consequence of Grainger acquiring the properties.
- 12.2 The properties concerned were 30 Suffield Road, a terraced property operating as an HMO (house in multiple occupation) comprising of three separate rooms, and 255-259 High Road which comprised of six flats. These were owned by Circle 33 Housing (a housing association which has since become part of Clarion Housing following a merger) and were sold to Grainger in December 2016.
- 12.3 Circle 33 Housing had appointed Irish Causeway Housing Association in 2009 to manage the properties. The Panel understands that Circle 33 Housing had informed all occupying tenants in January 2016 of the impending future sale of the properties to Grainger. All but three tenants were subsequently rehoused or had managed to find alternative accommodation themselves.
- 12.4 The Panel spoke to all three of these former tenants. Tenant A, who had been living in one of the properties for seven years on a rolling six-month contract, informed the Panel that they had been evicted in October 2016 and claimed that they were only made aware of the eviction less than two weeks beforehand. Tenant A said that the only offers of alternative accommodation received were in shared accommodation which they did not feel to be safe enough to accept. Tenant A informed the Panel they had ended up sleeping rough and that this period of homelessness had exacerbated their existing long-standing mental health problems.⁶⁵
- 12.5 In response, the Council told the Panel that Tenant A had received at least four offers of alternative accommodation, all of which he declined which left Circle 33 with no option but to evict them. The eviction had taken place in October 2016. The Council's rehousing team had actively assisted Tenant A to find alternative accommodation from October 2017.⁶⁶
- 12.6 Tenant B said that they had also been living in one of the properties for a number of years and said that they had received an eviction letter in August 2016. Tenant B said

⁶⁵ Oral evidence from Tenant A to a session of the Housing & Regeneration Scrutiny Panel, 26th March 2019

⁶⁶ Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

that they had only been offered shared accommodation as an alternative, despite the fact that the Circle 33 property that they occupied was a self-contained flat, and that this would be at a significantly more expensive rent. Tenant B also explained that they had difficulty getting access to their belongings after the locks to the property were changed.⁶⁷

12.7 In response, the Council told the Panel that their rehousing team had been in regular contact with Tenant B until February 2018 when they had been advised to apply to the Council's housing register. There had been no further contact since that date.⁶⁸

12.8 Tenant C told that Panel that they had also received an eviction notice in August 2016. The tenant was evicted by bailiffs in September 2016 along with their two small children, one of which suffers from cerebral palsy. Tenant C said that their possessions were placed in the street and that they had no help with moving their belongings. Tenant C was then placed in a hostel and was then moved to Enfield.⁶⁹

12.9 In response, the Council told the Panel that the former tenant had been temporarily rehoused at one of the Council's hostels for two nights after which they were moved to temporary accommodation in Enfield borough. An officer had been allocated to assist the former tenant with finding alternative accommodation after this but the Panel was told that this is likely to involve an offer of accommodation in the private sector due to the high demand for social housing. The Council also said that it cannot guarantee how long it will be until the former tenant is rehoused.⁷⁰

12.10 The Panel was disturbed by the treatment of Housing Association tenants during their eviction following the acquisition of properties.

Recommendation 9: In light of the disturbing allegations the Panel heard in the evidence sessions from former housing association residents, we recommend that the council explore the lessons that could be learned from working with housing associations to rehouse vulnerable residents

13. Distribution of CPO Notices

⁶⁷ Oral evidence from Tenant B to a session of the Housing & Regeneration Scrutiny Panel, 26th March 2019

⁶⁸ Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

⁶⁹ Oral evidence from Tenant C to a session of the Housing & Regeneration Scrutiny Panel, 26th March 2019

⁷⁰ Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

- 13.1 The Secretary of State's decision to confirm the CPO was received by Haringey Council on 23rd January 2019. This is a statutory process and there was a requirement to distribute notices of this decision to affected parties. On 27th February 2019 the notification confirming 'The London Borough of Haringey (Wards Corner Regeneration Project) Compulsory Purchase Order 2016' was distributed by the Market Operator to all businesses and properties affected by the Compulsory Purchase Order (CPO). This notified all parties potentially affected of the Secretary of State's decision to confirm the CPO, including the market traders.
- 13.2 Given the history of complaints some traders considered this action to be highly inappropriate and insensitive.
- 13.3 The Panel sought an understanding of how this situation had been allowed to occur. Officers outlined that the distribution of the CPO notices had been co-ordinated by Persona, a company that had been appointed by Grainger and Haringey Council to carry out land referencing duties since 2016. The process was that Persona printed and enclosed the covering letters (on Haringey Council headed paper as the acquiring authority) and delivered the notifications to the majority of potentially affected parties, using a variety of means including registered mail, couriers and hand delivery. In 2016, the then licensed stallholders requested that notices be hand delivered due to issues with non-delivery at home addresses. Officers noted the significant administrative challenges involved with maintaining an independent database, as the churn in traders is significant. The Panel were informed that the Market Operator maintained a regularly updated list of Traders. Because of this, the Market Operator was asked to help with this statutory requirement of distribution of notices to all licensed stallholders by the CPO Project Manager (consultant) who was managing the contract at the time in 2016. Since 2016, the Market Operator has helped to distribute at least four notices about the CPO to the market.
- 13.4 Officers explained that using the Market Operator was intended to assist in the legal requirement that all licensed stallholders receive their relevant notifications. There is no legal requirement as to who has to deliver the notices and the rationale was that the Market Operator had unique access to the necessary information to be able to hand deliver the notices to the right person. This was seen as a default arrangement and so no explicit decision was taken to deliver the notices in this way. However, officers acknowledged the heightened sensitivities that were ongoing and that the method of distribution had caused unintended distress and concern for which they apologised.
- 13.5 The Leader of the Council wrote to market traders on 5th March 2019 to apologise for the way in which the CPO notices were delivered to them. The letter included

that the council was reviewing how market traders are communicated with to make sure that this doesn't happen again.

- 13.6 Panel members felt there should have been sufficient awareness within the Council of the damaging impact on community cohesion that the distribution of the Council's CPO notices would have by being distributed by the Market manager. The Panel felt that this distribution method was particularly insensitive in view of the ongoing difficult relationship between the Market Facilitator and the traders.

14. Conservation Issues and Value of Existing Site

- 14.1 The case made to the Panel in favour of the redevelopment by Grainger included an emphasis that the scheme will *"enhance the environmental quality of the public realm"* and *"will replace buildings of poor quality or design and replace them with one of high quality and design."* It was also argued that the redevelopment will generate jobs, provide a new and improved range of retail shops in the town centre and provide wider economic benefits.

- 14.2 Describing the potential for the redevelopment to be a catalyst for wider regeneration, Grainger informed the Panel that:

"It is anticipated that it will also provide a springboard for further private and public sector investment that will bring greater and sustained regeneration in the wider area, as seen with other high-profile redevelopment schemes in Tottenham."

*The envisaged redevelopment of the wider area is driven by 'place-making' with the aim of creating an attractive, accessible and interesting centre for the Seven Sisters area helped by an improved and enlarged public space at the core. The 196 new homes will create a more balanced community with an anticipated high proportion of working households and higher incomes that can then have a multiplier effect on the local economy."*⁷¹

- 14.3 The developer also highlighted the conclusions of an independent market expert, Gary Saunders of Saunders Markets, which identified the following issues relating to the current market:

- The Market is accessed via three small entrances directly off the Tottenham High Road and a double door rear entrance for servicing.

⁷¹ Written evidence to the Panel from Grainger, March 2019

- The result of the Market's high proportion of used space is a cramped feeling in the aisles between stalls when it is busy. One view is that this bustle adds to the ambience and character of the market. The other is that narrow crowded spaces put off potential casual customers and shortens their visits. In my view, the modern practice of allowing more circulation space creates a much more pleasant and inviting environment for customers.
- The condition of the building is detrimental to its future. It is apparent that the lack of signage, the cramped feeling within the market and ongoing health and safety legacy issues that require addressing are all contributing to the feeling of a "patched up" market rather than a forward-looking enterprise.

14.4 Grainger expressed the view that to leave the Market in its current condition is not a sustainable long-term option and that instead the redevelopment provides *"a significant opportunity to deliver a modern setting for the Market and provide a purpose-built space within which it can flourish."*⁷²

14.5 Verbal and written submissions were also received by the Panel indicating significant public support for the retention of the architectural heritage inherent in the existing buildings at Wards Corner as well as support for the cultural offer present at the market.

14.6 The Panel received evidence from Latin American traders that testified to the importance of the market for Latin American residents and other groups with protected characteristics across London. Evidence was provided as to the long distances people would travel just to shop or eat at the Wards Corner market. A statement from local campaigner and founder of the Latin Corner Community Interest Company, said that the site is *"considered a site of cultural heritage for the Latin American community. Many of the trader's units have been designed with a Latin American architectural influence, and many have balconies and terraced roofs. School trips from state schools to the Latin Village have taken place as a part of the language curriculum. People are drawn to the site to enjoy the immersion experience of being in an authentic Latin Village."*

14.7 Other evidence was provided to show how traders use the market to bring together the Latin American community, share experiences, celebrate cultural heritage, offer mutual support and create a home from home at the market site. Local campaigner,

⁷² Written evidence to the Panel from Grainger, March 2019

statement to the Panel observed that, *“It is a valuable resource for BAME children socialising in the community”*⁷³.

- 14.8 The Panel heard from Dr Sara Gonzalez, Associate Professor at the School of Geography, University of Leeds, whose areas of expertise includes traditional markets including their redevelopment and the economic, social and cultural benefits that they can bring to local communities.
- 14.9 Dr Gonzalez observed that Seven Sisters Market is *“a social and cultural ecosystem with a rich and strong community value”* that benefits, in particular, ethnic minorities, vulnerable groups and people on low incomes. She cited several policy reports and research on markets to support this assertion including:
- That there is a correlation between the location of markets and those areas with the highest number of Black and Minority Ethnic (BME) populations, who tend to have lower incomes (Cross River Partnership, 2014)
 - Markets in London also showcase the ethnic and cultural diversity of the city and there has been some research exploring how markets improve communication and understanding between diverse groups (Dines, 2007; Watson, 2009)
 - Markets also act as ‘meeting places and locations for social exchanges, for learning about food and for engaging in the community. The benefits appear to be particularly important for the elderly.’ (NEF, 2005, p. 54)
- 14.10 Dr Gonzalez also noted that the Mayor of London’s 2017 report, Understanding London Markets, explicitly argues that *“Markets are part of the fabric of London life. They are at the heart of our communities and local places and offer Londoners a diverse range of economic, social, and environmental benefits, collectively known as ‘social value’ ”*⁷⁴.
- 14.11 Dr Gonzalez told the Panel that the community value at Seven Sisters Market and Wards Corner is practically irreplaceable and will be eroded by the proposed development and in doing so the Council is in danger of failing to comply with its Public Sector Equality Duty responsibilities.
- 14.12 Another key point raised was on the expected long-term rise in rent levels as the retail offer in the area gradually begins to serve a more affluent customer base. Dr Gonzalez addressed the potential consequences of this: *“The characteristics that made a market such as Seven Sisters a vibrant, socially integrative and a second*

⁷³ Written evidence to the Panel from Mirca Morera, February 2019

⁷⁴ *Understanding London’s Markets*, Mayor of London (2007)

https://www.london.gov.uk/sites/default/files/20171219_gla_markets_report_web.pdf

home for so many vulnerable adults and children can quickly be eroded. Market users will also be displaced by potentially higher prices that traders might be forced to charge to pay the higher rents. Market traders will not be able to adjust their prices to a low income customer group as they will have to cope with higher rents in the long term. This gentrification process will not only displace ethnic minority customers but also those on low income.”⁷⁵

- 14.13 The Panel also spoke to Dr Myfanwy Taylor, a local resident and a research fellow from the School of Geography at the University of Leeds. Dr Taylor’s work has recently included PhD research on the mobilisation of small businesses, industrial firms, market traders and migrant and ethnic minority retailers in response to London’s escalating workspace crisis.
- 14.14 Dr Taylor challenged the negative characterisation of Seven Sisters Market and Wards Corner which had been described in Haringey Council’s original development brief in 2004 as suffering from high levels of deprivation and in particular from high levels of crime with a poor range of shops and facilities. She said that, *“the characterising of local areas which are well-used and vibrant as empty, disinvested, run-down and/or declining is a common strategy used by local authorities and developers to justify developments.”*
- 14.15 Dr Taylor also highlighted the importance of the low start-up costs and the flexibility and adaptability of the market space, specifically the ability to merge, divide and adapt units. This provided economic opportunities to people in migrant and diverse communities including those who do not necessarily have a lot of money to invest. In her own interviews with market traders, she had heard the value of the businesses and the wider market in meeting their families’ basic needs, the close relationship between commerce and the community and of the many community advice services provided by traders and other local actors from Seven Sisters market. These services cover a broad range of issues including housing, legal matters, domestic violence, business support, translation services and the integration and promotion of Latin Americans in London.
- 14.16 Other research highlighted by Dr Taylor included work carried out by Patria Roman-Velazquez on the importance of Seven Sisters Market and Wards Corner to Latin American, other BME groups and economically disadvantaged communities. This research notes that Wards Corner is home to the second largest cluster of Latin American businesses in the UK, second only to the Elephant and Castle which is also threatened with redevelopment. All Seven Sisters Market traders are from a BME

⁷⁵ Written evidence provided on 25th May 2019 and oral evidence given on 7th May 2019 by Dr Sara Gonzalez, Associate Professor at the School of Geography, University of Leeds, to a session of the Housing & Regeneration Scrutiny Panel.

background, with the majority identifying as Latin American; approximately 23 of the 39 units are owned or leased by Latin Americans. The face-to-face survey with 26 traders, conducted as part of this research, provides further evidence of the ways in which livelihoods and employment are bound up with culture and conviviality in Seven Sisters Market. The market is valued not only as a space of trade by traders but also because it provides a 'sense of belonging and purpose' and 'a sense of community'.⁷⁶

- 14.17 Professor Alexandra Xanthaki, a leading expert of indigenous rights in international law at Brunel Law School told the Panel that, in her view, the decision to redevelop Seven Sisters market fails the obligation of a state and its local authorities on minority groups. The most important reason is the violation of right to culture as the market represents one of very few cultural hubs for the Latin American community in London. Professor Xanthaki described the market as a community hub that they have themselves created which includes space to meet, share food, music, etc. and develop their identity. The decision to redevelop the market therefore deprives the community of this space and this violates Article 27 of the International Covenant on Civil and Political Rights which covers the right for ethnic and other minority groups to practice their own culture, language and religion. The second issue is indirect discrimination because, while the intention of the redevelopment may not be intended to be directly discriminatory, the impact of it will disproportionately affect the Latin American community.
- 14.18 Asked whether the creation of a new market would mitigate the effects of losing the old market, Professor Xanthaki acknowledged that there is a conflict of rights because it is claimed that the redevelopment would have benefits for the wider community. However, she said that there has to be proportionality and measures need to be put in place to protect the cultural rights of the people affected. Professor Xanthaki said that she had seen no discussion about this and that the mitigating measures offered had largely focused on financial measures such as a short period of reduced rent rather than anything to do with cultural rights. The Panel has since been made aware that notice has been given by MAM in August 2019 to some traders of rent increases for units in the existing market of up to 27%, which far exceeds the rent protections of 2% enshrined in the S106 provisions. The Panel were not currently aware of the rationale of the changes.
- 14.19 The market provides the only remaining Latin American quarter in the UK. It is the view of the Panel that the development of a Latin American cultural hub in the heart of Tottenham enhances the borough's culturally diverse offer and contributes to

⁷⁶ Written evidence provided on 4th June 2019 and oral evidence given on 7th May 2019 by Dr Myfanwy Taylor, Research Fellow, School of Geography, University of Leeds, to a session of the Housing & Regeneration Scrutiny Panel.

community cohesion. The traders have created an embryo of an attractive cultural destination that enhances the borough's appeal and encourages community well-being.

- 14.20 Thomas Bender, Conservation Adviser from the heritage charity Save Britain's Heritage, informed the Panel that Wards Corner comprises of several Victorian and Edwardian buildings and is named after the Wards Corner Department store that opened as a family-run business in the 1900s until it ceased trading in 1972. The main three-storey corner building, that is now disused, was described as *"an attractive corner building characterised by large windows with unusual glazing"* and *"an important local landmark [that] has significance as a heritage asset."* The loss of this building and the Wards Corner site would, according to Save Britain's Heritage, *"significantly harm the special character of the Seven Sisters/Page Green Conservation Area"*. It was acknowledged however that some of the buildings on the site are now in very poor condition but that *"it has not been justified that demolition is the only possible option for this building. We would expect to see a comprehensive assessment of the existing buildings in terms of repairs, adaptability and reuse for the market"* noting that there is an existing alternative community-led plan which would retain the local heritage buildings.⁷⁷
- 14.21 Chris Ramenah from Tottenham Civic Society informed the Panel that the Wards Corner buildings have a significant amount of historical interest. He compared the architecture to that of 522-528 Tottenham High Road, which is on the same A10/High Road corridor just under a mile away in Bruce Grove, and is currently occupied by an Iceland supermarket. From 1877 the building at 522-528 Tottenham High Road had been used as a premises for G.L Wilson, a local builders merchant. In the early 1900s Wilson redesigned the premises to include ornamental columns and features, blue tiling and brown framed windows and the Wards brothers that ran the store then got similar windows installed by the same architects at the Wards Department Store. The Wilson building at 522-528 Tottenham High Road had recently been going through the process of being restored, supported by the National Lottery Heritage Fund in 2011 and Chris Ramenah said that the Wards Corner buildings also had the potential to be restored. He also pointed out that the Wards Store building is locally listed and is situated in the Seven Sisters/Page Green Conservation Area. Chris Ramenah concluded that to lose the Ward's Store and the rest of the site would be *"catastrophic"* and *"a complete devastation to Tottenham's heritage history"* and therefore supported restoration rather than demolition.⁷⁸

⁷⁷ Written evidence provided on 8th April 2019 and oral evidence given on 2nd May 2019 by Conservation Adviser, Save Britain's Heritage to a session of the Housing & Regeneration Scrutiny Panel.

⁷⁸ Oral evidence given by Tottenham Civic Society to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019

14.22 English Heritage has previously submitted an objection to Grainger’s planning application in 2012 on the grounds that: *“Notwithstanding improvements to the proposed redevelopment, and the need for economic regeneration, the loss of a substantial part of the conservation area and its replacement with a substantial mixed-use development will cause substantial harm to the conservation area and as such requires justification under paragraph 133 NPPF. As such, clear and compelling justification that the public benefits that outweigh the harm must be demonstrated. In our view, it has not been demonstrated that the wider benefits could not be delivered by a more conservation led scheme which better preserves or enhances the significance of the conservation area.”* English Heritage further recommended that: *“In our view, a scheme that seeks to enhance the existing buildings, or their most significant elements, would better sustain and enhance the significance of the conservation area.”*⁷⁹

14.23 Haringey Council’s own Development Planning Documents include measures on protecting local heritage assets. The Tottenham Area Action Plan (AAP), which is one of Haringey Council’s Development Planning Documents, contains a specific policy on Conservation and Heritage in the Tottenham area (Policy AAP5). It states that:

*“The Council will seek to deliver growth and regeneration in Tottenham through well-managed and balanced change whilst ensuring historic environments continue to contribute to the needs of local communities. To achieve this aim the Council will seek to strengthen the historic and local character of Tottenham by conserving and enhancing heritage assets, their setting, and the wider historic environment.”*⁸⁰

14.24 One of the measures included in Policy AAP5 is:

“to put heritage assets to viable uses consistent with their conservation, including through the adaptive re-use of vacant historic buildings.”

14.25 The AAP also includes a specific policy on Development along Tottenham High Road (Policy AAP8) which specifies that:

*“The Council will encourage heritage led regeneration and development on Tottenham High Road. Proposals will be supported where it is demonstrated that development will positively enhance the overall character and setting of the Tottenham High Road Historic Corridor”*⁸¹

⁷⁹ <http://www.planningservices.haringey.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=466399>

⁸⁰ Page 40, Tottenham Area Action Plan

⁸¹ Page 44, Tottenham Area Action Plan

- 14.26 However, the Planning Inspector's report on the CPO notes that, *"In the Council's view although the Seven Sisters Market is unique in many ways, and is an asset to the Borough, in its existing form it suffers from serious shortcomings. The condition of the building is poor, the layout is cramped, and the entrances lack public visibility."*⁸² It also notes that the new housing, retail space, new market and enhanced public realm would conform with the strategic approach set out in the relevant planning policies.⁸³
- 14.27 Panel members were sympathetic to the idea of maintaining an architectural consistency that provided characterful evocations of the Edwardian period typical of the area. Panel members agreed with Mr Ramenah that a restored Wards Corner heritage building would enhance the aesthetic of an area seen to be part of the historic corridor into Tottenham. Panel members also felt that retaining the Wards Corner building is important in order to reflect a number of related characterful buildings along Tottenham High Road going northwards and that this would be an attractive architectural statement that would enhance the area and encourage visitor numbers and economic growth.

15. United Nations interventions

- 15.1 On 21st July 2017, Special Rapporteurs of the United Nations Human Rights Committee wrote to Grainger and to HM Government about the redevelopment project and also published a news release⁸⁴. This was at a time when the CPO Public Inquiry was open and hearing evidence and four days before the Deed of Variation to the S106 agreement was completed.
- 15.2 The statement said that, if granted, the CPO would *"result in the expulsion of the current residents and shop owners from the place where they live and earn their livelihoods, and would have a deleterious impact on the dynamic cultural life of the diverse people in the area"*. If the businesses were forced to stop their activities or relocate this would have *"a disproportionate impact on people belonging to minorities and their right to equal participation in economic, social and cultural rights"*. It called on the UK authorities to be *"mindful of the consequences on the economic, social and cultural rights of the people living and working in the market"*.

⁸² p.19, paragraph 102, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

⁸³ p.18, paragraph 98, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

⁸⁴ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=21911>

- 15.3 The signatories to the statement were Karima Bennouna, Special Rapporteur in the field of cultural rights, Rita Izsak-Ndiaye, Special Rapporteur on minority issues and Surya Deva, Chairperson of the Working Group on Business and Human Rights.
- 15.4 On 26th March 2019, a couple of months after the CPO decision was confirmed by the Secretary of State, a second statement from the Special Rapporteurs was issued.⁸⁵ This said that the decision had *“dismissed the relevance of any possible disadvantage for people affected”* and that *“to disregard the rights of minorities in the name of an ultimate collective social goal that fails to include their own wishes is incompatible with the State’s obligations under international human rights norms protecting minorities”*.
- 5.5 The signatories to the second statement included Karima Bennouna and Surya Deva who had been signatories to the previous statement. The other signatories were Fernand de Varennes, Special Rapporteur on minority issues, David Kaye, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.
- 15.6 Asked about the Council’s view on the statements from the United Nations, the Leader of the Council, told the Panel that they highlighted a number of issues that the Council hoped to address. He also said that as the statements came from the United Nations it is for the Government to provide a response and not the Council. However, the Council could feed into any response from the Government.
- 15.7 The Panel felt that the local community is entitled to see a response from the Council to the issues raised in the United Nations statement. If this is not possible then the Council should establishment what response, if any, has been provided by the Government and advise the Panel on what input the Council has provided as part of this process.

Recommendation 7: The Panel noted that there could be a perception of a conflict of interest between the Planning and Regeneration departments and recommends providing a separation of the two services in order to provide for clearer understanding.

⁸⁵<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24409&LangID=E>

Recommendation 10: The Panel strongly recommends that the Cabinet make a public statement in response to the Special Procedure reports from the UN, covering all the issues raised, in relation to Wards Corner.

16. Alternative Community Plan

- 16.1 The Panel heard evidence from representatives of the Wards Corner Community Coalition (WCCC), a group which opposes the existing proposals for the site and has established a separate alternative “Community Plan”. The WCCC had said that the coalition is made up of local residents and traders and was formed to oppose demolition and campaign for this alternative vision.
- 16.2 The WCCC successfully obtained planning permission for their alternative community plan in April 2014 although this expired in April 2017 and at the time that the Panel was taking evidence, no new application had been made. However, the Panel understands that a fresh planning application for a revised version of the community plan was submitted to the Council in August 2019. The outcome of this application has not yet been determined at the time of writing.
- 16.3 The 2014 planning permission for the community plan applies only to the former Wards department store building at 231-243 Tottenham High Road and not to the wider site. The main aim of their plan is retain the Seven Sisters market on the ground floor and extend it to the first floor, and also to restore the derelict three-storey corner building, as an alternative to demolition. The WCCC say that this would lead to a tripling of floor space and to *“growth in the micro economy that that exists on the site through a better trading environment and increased footfall resulting from the proposed refurbishments of the building and Wards Corner’s promotion as a retail destination.”* The second floor would be used to create hub space that could be rented by small start-up businesses. Overall, this would bring back 2,150 square metres of empty space back into use bringing the total indoor usable space to 3,680 square metres.
- 16.4 The WCCC also point to the temporary jobs that would be created by the construction process and say that, as the current site provides around 150 jobs, this number could be expected to rise by 300 to approximately 450 following construction. All existing market traders would be accommodated within the new development. Phased restoration would allow traders to continue trading on-site throughout the redevelopment process.
- 16.5 The WCCC said in relation to their 2014 plan that their vision for Wards Corner is to *“create a distinctive landmark development that is truly Tottenham; a development*

which aims to make the most of the many remarkable assets and qualities, intrinsic to this particular site". They say that *"it is not necessary to demolish existing historic assets or to dislocate an entire community that has lived and worked on the site for a generation and more."*⁸⁶ The key outcomes of the Community Plan that they highlight include:

- a community led development that fosters citizenship and active community participation
- all existing businesses remain with additional local business support
- an estimated 300 permanent new jobs created
- the creation of a multi-cultural destination for the people of Tottenham and beyond
- enhancement of the conservation area

16.6 Under the WCCC's plans all existing market traders would be accommodated within the new development. Phased restoration would allow traders to continue trading on-site throughout the redevelopment process. Once restored, traders would operate temporarily from the corner building, moving back into the market once the remainder of the building has been restored. New tenants would then move into the corner building once it has been fitted out. Existing and new traders will benefit from additional support to help them grow and develop, and a hub workspace to further enhance the market's role as a space for start-ups and innovation.

16.7 The Panel was informed that the alternative community plan has been informed by more than 10 years of community engagement including through:

- public meetings including a workshop on key issues in 2008 attended by 350 people
- a consultation process from summer 2010 to April 2012 running from a unit in Seven Sisters market
- a series of sessions with market traders including local architects speaking to traders about their aspirations for the site
- door-to-door leafleting, posters and emails⁸⁷

16.8 The community plan was developed with the support of various organisations and individuals with relevant skills and experience including:

- Architects and architectural designers, including Ricardo Pelayo, Glen Lake, East Architects, Abigail Stevenson and colleagues, and Unit 38 architects;
- The Glass-House Community Led Design, the Prince's Foundation and the Architectural Heritage Foundation; and

⁸⁶ p.3 WCCC Design and Access Statement, 2014

⁸⁷ Written evidence from Dr Myfanwy Taylor, June 2019

- Planning experts, including Planning Aid for London and Rebecca Neil, Senior Lecturer in Planning Practice, University of Westminster.⁸⁸

16.9 The Planning Inspectors report following the CPO inquiry said that the WCCC had *“not produced any quantified evidence or costings to support their claim that their scheme could be made financially viable”* and that *“although WCCC has demonstrated great commitment in the past, it is difficult to envisage how the group could muster the resources and expertise needed to turn their plans, however attractive on paper, into reality”*⁸⁹. It concluded that there is no credible alternative to the Order scheme.

16.10 Other issues with the deliverability of the alternative plan that have been highlighted by Haringey Council include:

- Inability to agree terms with the building owner, TfL (LUL)
- Lack of evidence of funding to carry out the Plan. Cost of basic improvements needed to the market had been estimated at over £1 million
- Lack of a feasible decant offer to traders during refurbishment which is key to continuity of the market
- No guarantees provided to traders that compare with those in the Grainger S106.

16.11 The Panel took evidence from Ben Beach, a local architect and supporter of the Community Plan. Ben Beach said that a revised version of the Community Plan would protect a heritage asset for the local area, retain community spaces and ensure the use of the buildings as a catalyst for a community wealth building trust, using the surplus as seed funding for new projects. The Community Plan accounts for the future inclusion of a wider scheme, making use of principally infill housing, with the provision of between 52 units (low density) to up to a maximum density of 200 housing units. Ben Beach said that that the Community Plan had an overarching vision to retain community spaces, ensure the future of the market and use the building as a catalyst for community wealth building. Panel members noted that the Grainger plans to demolish and rebuild the site would retain none of the heritage elements of the existing buildings and did not provide any affordable homes on the scheme.

16.12 The Panel also heard concerns that when the WCCC engaged with the planning process the Council *“did little to support or facilitate this work and at times appeared to directly thwart and delay it.”* Dr Myfanwy Taylor explained to the Panel that it had taken the WCCC six years to obtain planning permission. She said that the Council

⁸⁸ Written evidence from Dr Myfanwy Taylor, June 2019

⁸⁹ Paragraphs 345 & 346, CPO Inspector's report

had failed to reach a determination on an earlier version of the community plan submitted in 2008 and an appeal to the Planning Inspectorate against the Council's failure to reach a determination was rejected in 2010. A further application was submitted in 2011 but again the Council did not reach a determination. A third planning application was made in 2012 but, after further information was requested, a revised version was again submitted in October 2013. Dr Taylor pointed out that the Council's stated policy at the time was to validate received plans within five days of receipt but two months later the WCCC still had not received any information and said that two enquiries for further information in December 2013 were not answered. The WCCC eventually learned that the plan had not been validated because an equalities impact assessment had not been included. After a meeting with planning officers in Feb 2014 further information on equalities was provided and the application finally received planning permission in March 2014.

- 16.13 Dr Taylor concluded that there appears to have been *"a serious failure on the part of the Council to respond promptly and professionally to the various planning applications submitted, in line with their own policies and standards. In addition, it is clear that the Council made no special effort to support or facilitate the community and trader groups involved in navigating these complex, technical and demanding planning processes"*. In particular she highlighted the contrast between the lack of support from the Council for the WCCC's plan and the support provided by the Council to Grainger as its preferred development partner.
- 16.14 It is important to note that the Planning service has not been asked to respond to these allegations as part of the scrutiny review and neither were these allegations put to the Assistant Director for Planning when she gave evidence. To provide a response will require considerable investigation of files.
- 16.15 When asked about this by the Panel, the Assistant Director for Regeneration, addressed this question in the context of the Regeneration Team's corporate responsibility and obligations to the development agreement. He advised that by the time a Development Agreement is entered into a major commitment has been made to a third party. Committing to support a rival plan after this point would therefore be problematic and highly unusual. When a third party has been prioritised by being selected as a preferred development partner, considerations have already happened and decisions have been made. To support an alternative plan would therefore be to argue against the Council's own decisions.
- 16.16 Panel members believe that the Planning Department should be objective and fair in carrying out its duties as a Planning Authority. All applications should be treated similarly when applying policy and procedure. However, the Panel also recognised

the distinction between day to day planning practice delivery and the strategic work completed with developers.

Community Plan timeline

January 2008	First planning application submitted (HGY/2008/0177) – not determined
July 2011	Second planning application submitted (HGY/2011/1275) – not determined
April 2014	Third planning application submitted (HGY/2014/0575) – planning permission granted
April 2017	Planning permission for third application expires
August 2019	Fourth planning application submitted (HGY/2019/2315) - ongoing

17. Consequences of Withdrawing from the Development Agreement

Legal and financial liabilities

- 17.1 The Panel asked Housing & Regeneration officers to comment on Haringey Council's legal obligations and financial liabilities in the event of any significant change in policy to the Wards Corner redevelopment (i.e. amending the existing plans for the redevelopment or fully adopting an alternative plan for the future of the site).
- 17.2 Officers told the Panel that the development agreement can only be terminated by the Council if there is a Developer's Default and the default cannot be remedied or if it can be remedied the developer has failed to remedy it. A Developer's Default is where the developer is in material default of the performance of any of the material covenants, agreements and stipulations contained in the development agreement and the default is of a fundamental nature. There are no other terms/conditions or provisions for the Council to terminate the agreement, apart from this. If the Council decides to terminate the agreement outside of the provision of the two agreements, the Council will be in breach of its obligations to the developer and the developer has a right to sue the Council for this breach. The Courts would consider whether payment of damages by the Council would be appropriate.

- 17.3 There are several estimates over the exact cost likely to be incurred by any cancellation of the development agreement. In 2017, during the CPO Inquiry, the Grainger officer's proof of evidence stated that: *"Grainger's commitment to the Order Scheme, and the wider regeneration of Seven Sisters, is evidenced by the fact that, to date, £10.7m has been spent on the Order Scheme including professional fees and property acquisitions."* More recently, Grainger have provided updated estimates for both property acquisitions (approximately £13.5m), and professional fees (approximately £5.5m).
- 17.4 While this suggests a potential liability of at least £19m in the event that Haringey Council was in breach of the agreement, Housing & Regeneration officers told the Panel that it would not be possible to provide an overall accurate estimate without a full audit of costs which would involve significant resources to provide.

Financial contributions to the redevelopment scheme

- 17.5 Assistant Director for Regeneration at Haringey Council, informed the Panel that £1.5m of public money was contributed to the scheme via the Bridge New Deal for Communities Trust. According to papers previously provided to the Cabinet, this funding is repayable to the Council, subject to conditions, when a minimum profit level is realised on the completed development.⁹⁰ The Assistant Director for Regeneration also informed the Panel that Grainger had separately arranged loan financing through the Homes and Communities Agency (now Homes England).
- 17.6 The Panel is also aware that financial support is being provided from the Mayor of London via Transport for London with £284,500 being provided to assist in resourcing the temporary relocation of Seven Sisters market.⁹¹
- 17.7 The S106 agreement entered into in July 2012 obliges Grainger to pay a Traders Financial Assistance Sum of £144,300 no later than six months before the market closure date. This is intended to be a contribution towards the relocation costs to the Temporary Market. Grainger is also required by the S106 agreement to pay £150,000 to the West Green Road Improvement Fund no later than six months after the commencement of the development.⁹² West Green Road is the main road that the north of the redevelopment site faces onto.

⁹⁰ Paragraph 5.29, Report to Cabinet on Seven Sisters Regeneration, 15th July 2014

<https://www.minutes.haringey.gov.uk/documents/s81687/Appendix%20H%20-%20Cabinet%20Report%2015%20July%2014.pdf>

⁹¹ Mayoral decision, August 2012 <http://bailey.persona-pi.com/Public-Inquiries/seven-sisters/council-documents/app-0-11.pdf>

⁹² p. 5&6, Report on Seven Sisters Regeneration to Haringey Cabinet, 10th Nov 2015

<http://www.minutes.haringey.gov.uk/documents/s81769/Cabinet%20Report%20Wards%20Corner%20CPO%2010%20Nov%202015%20Open.pdf>

Future options for the Wards Corner site

- 17.8 The future of the Wards Corner site has remained a contentious political issue for more than 15 years. This Scrutiny Review in part has been an attempt to find a route out of the conflict and seek a creative solution. The developer Grainger has extant planning permission for the demolition of the site and the building of 196 private build-to-rent units. The plans have been opposed by market traders and a coalition of local residents and supporters who have presented an alternative Community Plan for the site which retains the Edwardian building and market. The Scrutiny Panel has attempted to make an assessment of the competing values and benefits of these two alternative plans. The Panel considered that much has changed since the Grainger plan was first conceived. Most notable amongst these changes are: the uncertain economic climate and instability around Brexit; the demise of the High Street and the Mayor's and the Council's priorities on regeneration schemes and affordability criteria.
- 17.9 The Panel believes that any way forward for the Wards Corner site needs to take into account the contemporary economic, political and social climate. Haringey's Borough Plan 2019-2023 places Community Wealth building at the heart of its economic strategy which states: *"Our diverse and dynamic business community is a priority and we are committed to investing in and improving our services to business, whether small, medium or large. We will make sure that investment and development has the interests of our communities at its heart and is undertaken for the benefit of our local residents and businesses."* It also commits to *"building wealth within the community... We want to build the strength, depth and wealth of our local economy and will create safe and attractive environments for both businesses and our residents to thrive"*.⁹³
- 17.10 The Director of Land and Development at Grainger, emphasised to the Panel that a thriving market is a vital part of the redevelopment being a successful project and there is a real desire for that to enable that to happen through a working partnership. Any breakdown of trust is therefore bad news as it creates a risk of failure. A representative of Grainger acknowledged that relations with some of the traders are not as good as he would like them to be though they were now better than they had been.⁹⁴
- 17.11 Evidence submitted by Grainger's representatives, expressed their intention to continue with their development plans. However, they did recognise that there had

⁹³ Page 38, Borough Plan 2019-23 <https://www.haringey.gov.uk/local-democracy/policies-and-strategies/borough-plan-2019-2023-consultation>

⁹⁴ Oral evidence given by Director of Land and Development at Grainger and the Senior Development Manager at Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27th March 2019

been a breakdown in trust between themselves, the traders and the wider community. They said that the breakdown in trust is “bad news” and created a “risk of failure”. He reiterated the company’s desire to “work in partnership”. The company representatives expressed fears that the breakdown of relations could impact adversely on the company’s reputation. They acknowledged that the Steering Group, originally envisaged as the means by which they could deliver elements of the S106 requirements was not fit for purpose and that the arrangements they had put in place for the Market Facilitator had not worked. The representatives expressed interest in finding ways out of the impasse and were open to discussing practical solutions to the many difficulties at the Market site. They said that the company had considered retaining the heritage features of the building but had concluded that this was not viable.

Recommendation 11: In light of the change in emphasis towards the provision of social housing, at both local and regional levels, the Panel recommends that the Council should explore the feasibility and cost benefits of all approaches for a full or partial buy-out of interests at the Seven Sisters market and whole site.

Recommendation 12: The Council should set up a task force to work with West Green Road/Seven Sisters Development Trust, Save Latin Village and Wards Corner CIC & relevant community groups to develop their ideas for a partnership and a plan. This will encompass all the obligations of the Council’s Public Sector Equality Duty consider establishment of social housing on the site and explore the feasibility and desirability of retention of the heritage characteristics of the existing buildings.

Recommendation 13: If the above recommendation is not accepted, the taskforce should work with Grainger and West Green Road/Seven Sisters Development Trust, Save Latin Village and Wards Corner CIC& relevant community groups to mediate and co-ordinate any combined solution. Any such solution should meet the obligations of the S106, take account of the many changing economic and political circumstances since 2012, include a social/affordable housing element and embrace the aspirations of the wider community in relation to the cultural heritage of the built environment.

Recommendation 14: The Regeneration department should ascertain and publish details on the amount of public money, including grants, which have been allocated to this development. This report should include reasons funds were allocated, the source and purpose of the funding and establish the amounts spent, what it was spent on, and how much remains.

Appendix 1

Review contributors

Contributor	Organisation	Date
Mirca Morera	Local campaigner	6 th Feb 2019
Prof. Alexandra Xanthaki	Brunel Law School	6 th Feb 2019
Fabian Catano Cadavid	Market trader	6 th Feb 2019
Victoria Alvarez	Market trader	6 th Feb 2019
Nicholas Amayo	Market trader & former Steering Group member	6 th Feb 2019
Patrick Rey	Market trader	6 th Feb 2019
Tenant A	Local resident	26th Mar 2019
Tenant B	Local resident	26th Mar 2019
Tenant C	Local resident	26th Mar 2019
Susan Penny	Local resident	26th Mar 2019
Chris Ramenah	Tottenham Civic Society	27th Mar 2019
Jonathan Kiddle	Senior Development Manager - Grainger	27th Mar 2019
Michael Keaveney	Director of Land and Development - Grainger	27th Mar 2019
Jonathan Owen	Director – Market Asset Management (Seven Sisters) Ltd	28th Mar 2019
Peter O’Brien	Assistant Director for Regeneration – Haringey Council	11 th Apr 2019
John Halford	Bindmans Solicitors	17 th Apr 2019
Victoria Alvarez	Market trader	17 th Apr 2019
Mirca Morera	Local campaigner	17 th Apr 2019
Cllr Charles Adje	Cabinet Member for Strategic Regeneration – Haringey Council	23 rd Apr 2019
Cllr Joseph Ejiofor	Leader – Haringey Council	23 rd Apr 2019
Shirley Hanazawa	Local resident	24 th Apr 2019
Marta Hinstroza	Market trader	24 th Apr 2019
Lita Alvarado	Market trader	24 th Apr 2019
Chan Baker	Market trader	24 th Apr 2019
Maria Eugenia Grandola	Market trader	24 th Apr 2019
Martha Gilraldo	Market trader	24 th Apr 2019
Pedro Gilraldo	Market trader	24 th Apr 2019
Maria Osorio	Market trader	24 th Apr 2019
Stuart McNamara	Local campaigner	29 th Apr 2019

Nicholas Amayo	Market trader	29 th Apr 2019
Carlos Burgos	Market trader	29 th Apr 2019
Thomas Bender	Conservation Advisor - Save Britain's Heritage	2 nd May 2019
Pam Isherwood	Wards Corner Community Coalition	2 nd May 2019
Emma Williamson	Assistant Director for Planning – Haringey Council	2 nd May 2019
Rob Walker	Planning Solicitor – Haringey Council	2 nd May 2019
Dr Sara Gonzalez	Associate Professor – School of Geography, University of Leeds	7 th May 2019
Dr Myfanwy Taylor	Research Fellow – School of Geography, University of Leeds	7 th May 2019
Ben Beach	Architect – Community Plan	7 th May 2019
David McEwen	Designer – Community Plan	7 th May 2019
Peter O'Brien	Assistant Director for Regeneration – Haringey Council	8 th May 2019
Graeme Craig	Director of Commercial Development - TfL	9 th May 2019
Amy Thompson	Public Affairs and External Relations Lead – TfL	9 th May 2019

Report for: Overview and Scrutiny Committee – 15 October 2019

Title: Overview and Scrutiny Committee and Scrutiny Panel Work Programme

Report authorised by: Ayshe Simsek, Acting Democratic Services and Scrutiny Manager

Lead Officer: Rob Mack, Principal Scrutiny Support Officer
Tel: 020 8489 2921, E-mail: rob.mack@haringey.gov.uk

Ward(s) affected: N/A

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

1. Describe the issue under consideration

- 1.1 This report seeks approval of the work plans for the remainder 2018-20 for the Committee and its Panels.

2. Recommendations

- 2.1 To note the work programmes for the main Committee and Scrutiny Panels at Appendix A and agree any amendments, as appropriate.

3. Reasons for decision

- 3.1 The Overview and Scrutiny Committee (OSC) is responsible for developing an overall work plan, including work for its standing scrutiny panels. In putting this together, the Committee will need to have regard to their capacity to deliver the programme and officers' capacity to support them in this task.

4. Background

- 4.1 An updated copy of the work plan for the Overview and Scrutiny Committee is attached as Appendix "A". The current work plans for all of the other scrutiny panels are also attached.

Wards Corner/Business Support Reviews

- 4.2 The Committee meeting of 4 June 2019 agreed that the Committee would take over responsibility for the completion of the review on Wards Corner due to the changes that had taken place in the membership of the Housing and Regeneration Scrutiny Panel. This work has now been completed and the final report of the review is elsewhere on this agenda.
- 4.3 In the light of this, work on the Committee's review on Business Support – Procurement and the Local Supply Chain – has resumed. This was temporarily suspended due to the Committee's work on the Wards Corner review. The Committee will be meeting to receive further evidence for the review on Monday

21 October. In addition, a visit to relevant sites within the borough is in the process of being arranged.

Forward Plan

- 4.4 Since the implementation of the Local Government Act and the introduction of the Council's Forward Plan, scrutiny members have found the Plan to be a useful tool in planning the overview and scrutiny work programme. The Forward Plan is updated each month but sets out key decisions for a 3-month period.
- 4.5 To ensure the information provided to the Committee is up to date, a copy of the most recent Forward Plan can be viewed via the link below:

<http://www.minutes.haringey.gov.uk/mgListPlans.aspx?RP=110&RD=0&J=1>

- 4.6 The Committee may want to consider the Forward Plan and discuss whether any of these items require further investigation or monitoring via scrutiny.

5. Contribution to strategic outcomes

- 5.1 The contribution of scrutiny to the corporate priorities will be considered routinely as part of the OSC's work.

6. Statutory Officers comments

Finance and Procurement

- 6.1 There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications these will be highlighted at that time.

Legal

- 6.2 There are no immediate legal implications arising from the report.
- 6.3 In accordance with the Council's Constitution, the approval of the future scrutiny work programme falls within the remit of the OSC.
- 6.4 Under Section 21 (6) of the Local Government Act 2000, an OSC has the power to appoint one or more sub-committees to discharge any of its functions. In accordance with the Constitution, the appointment of Scrutiny Panels (to assist the scrutiny function) falls within the remit of the OSC.
- 6.5 Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the Overview and Scrutiny Committee. Such reports can then be referred to Cabinet or Council under agreed protocols.

Equality

- 6.6 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
- 6.7 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;
- 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.
- 6.8 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

7. Use of Appendices

Appendix A: Work Plans for the Committee and the scrutiny panels.

8. Local Government (Access to Information) Act 1985

N/A

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Overview and Scrutiny Committee

Work Plan 2018-20

1. Scrutiny review projects; These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a “one-off” item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are “cross cutting” in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.

Project	Comments	Priority
Wards Corner	The Committee to facilitate the finalisation of the review that was begun by the Housing and Regeneration Scrutiny Panel in 2018/19.	1.
Local Business, Employment and Growth	Review to focus on procurement and the local supply chain. Scope and terms of reference to be approved by the Committee meeting on 25 March 2019.	2.
Communicating with the Council	Review to consider how to improve communication between residents and Council services	3.
Working with the voluntary and community	<ul style="list-style-type: none">Working together with local voluntary/community sector, strengthening their capacity and working with them to attract external investment in the borough;Building on examples of good co-operation and joint working between Council services and	4.

	volunteers, such as within parks, which could be replicated more widely; <ul style="list-style-type: none"> • Involving and supporting voluntary organisations to bid for services. 	
Child Poverty	<ul style="list-style-type: none"> • Issues in schools highlight food poverty, poor housing and increasing mental health needs. 	
Fairness Commission	<ul style="list-style-type: none"> • Possible outcomes 	

2. “One-off” Items; These will be dealt with at scheduled meetings of the Committee. The following are suggestions for when particular items may be scheduled.		
Date	Potential Items	Lead Officer/Witnesses
4 June 2018	Terms of Reference	Scrutiny Support Officer
	Work Plan	Scrutiny Support Officer
23 July 2018	Leader’s Update on Council Priorities	Leader and Chief Executive
	Q1 Performance report	Performance Manager

	2017/18 Provisional Outturn report	Head of Finance Operations
	Overview and Scrutiny Committee and Scrutiny Panel Work Programme	Scrutiny Support Officer
	Review on Fire Safety in High Rise Blocks – Update	Scrutiny Support Officer
2 October 2018	Budget Monitoring – Q1	Chief Finance Officer
	Review on Fire Safety in High Rise Blocks - Update	Scrutiny Support Officer
	Overview and Scrutiny Committee and Scrutiny Panel Work Programme	Scrutiny Support Officer
19 November 2018	Budget Monitoring – Q2	Chief Finance Officer
	Budget setting process; To set out the budget scrutiny process and context for the remainder of the year	Chief Finance Officer
	Cabinet Member Questions; 1. Finance 2. Corporate Services and Insourcing	Cabinet Member - Finance Chief Finance Officer Cabinet Member – Corporate Services and Insourcing

	Performance update – Q2; To monitor performance against priority targets	Performance Manager
	Local Business, Employment and Growth	Assistant Director, Economic Development and Growth
	Review on Fire Safety in High Rise Blocks	Scrutiny Support Officer
	Work Plan	Scrutiny Support Officer
14 January 2019	Priority X Budget Scrutiny (Deputy Chair in the Chair); To undertake scrutiny of the “enabling” priority.	Chief Finance Officer/Principal Accountant, Financial Planning
	Brexit – Implications for Borough	Head of Policy and Cabinet Support
	Consultation and Engagement	Assistant Director for Strategy and Communications
	Cabinet Member Questions - Strategic Regeneration	Cabinet Member for Strategic Regeneration and officers

28 January 2019	Budget Scrutiny; Panel feedback and recommendations. To consider panel's draft recommendations and agree input into Cabinet's final budget proposal discussions (Deputy Chair in the Chair)	Deputy Chair (in the Chair)
	Treasury Management Statement	Head of Pensions
	Cabinet Member Questions - Civic Services	Cabinet Member for Civic Services and officers
25 March 2019	Borough Plan	Head of Policy and Cabinet Support
	Cabinet Member Questions – Communities, Safety and Engagement (Voluntary Sector/Equalities issues)	Cabinet Member – Communities, Safety and Engagement
	Budget Monitoring – Q3	Chief Finance Officer
	Performance update – Q3	Performance Manager
	Complaints Annual Report	Assistant Director (Corporate

		Governance)
	Review on Fire Safety in High Rise Blocks – Interim Report	Principal Scrutiny Support Officer
30 April 2019	Fairness Commission Update	Assistant Director for Strategy and Communications
	Scrutiny Function	Principal Scrutiny Support Officer
	FOBO	Director of Customers, Transformation and Resources
	Member inquiries	Director of Customers, Transformation and Resources
	Draft Scrutiny Review reports	Scrutiny Panel Chairs
2019-20		
3 June 2019	Leader's Update on Council Priorities	Leader and Chief Executive

	Q1 Performance report	Performance Manager
	Further Development of Overview and Scrutiny – Response to new Statutory Guidance on Overview and Scrutiny and Scrutiny Stocktake	Scrutiny Support Officer
	Terms of Reference and Memberships	Scrutiny Support Officer
	Overview and Scrutiny Committee and Scrutiny Panel Work Programme	Scrutiny Support Officer
	Overview and Scrutiny Annual Report 2018-19	Scrutiny Support Officer
22 July 2019	Cabinet Member Questions: Finance and Strategic Regeneration	Cabinet Member for Finance and Strategic Regeneration and officers
	2017/18 Provisional Outturn Report	Head of Finance Operations
	FOBO – Engagement and Communication	Director of Customers, Transformation and Resources
	Libraries	Director of Customers,

		Transformation and Resources
	Universal Credit	Director of Customers, Transformation and Resources
1 October 2019	Cabinet Member Questions – Local Investment and Economic Growth	Cabinet Member Local Investment and Economic Growth and officers
	Budget Monitoring – Q1	Chief Finance Officer
	Quarter One Performance Report – Quarter One	Performance Manager
	FOBO - Technological Issues/Successes so Far	Director of Customers, Transformation and Resources
	Scrutiny Review of Wards Corner – Final Report	Chair
25 November 2019	Performance Report – Q2	Performance Manager

	Budget Monitoring – Q2	Chief Finance Officer
	Budget setting process; To set out the budget scrutiny process and context for the remainder of the year, including how capital proposals will be addressed.	Chief Finance Officer
	Complaints Annual Report. To include learning from complaints and LGO's annual review letter	Assistant Director (Corporate Governance)
	Cabinet Member Questions – Communities and Equalities (Voluntary Sector/Equalities issues). To include Social Value Rent, Equalities Impact Assessments/Public Sector Equalities Duties	Cabinet Member for Communities and Equalities
14 January 2020	Priority X Budget Scrutiny (Deputy Chair in the Chair); To undertake scrutiny of the "enabling" priority.	
	Cabinet Member Questions – Corporate and Civic Services	Cabinet Member – Corporate and Civic Services
	Housing Benefit Overpayments	Director of Customers, Transformation and Resources

	Fairness Commission - Progress	Assistant Director for Strategy and Communications
23 January 2020 (Budget Scrutiny)	Budget Scrutiny; Panel feedback and recommendations. To consider panel's draft recommendations and agree input into Cabinet's final budget proposal discussions (Deputy Chair in the Chair)	Deputy Chair (in the Chair)
	Treasury Management Statement	Head of Pensions
12 March 2020	Race Equality/Runnymede Trust Survey	Head of Policy and Cabinet Support
	Cabinet Member Questions – Finance and Strategic Regeneration	Cabinet Member – Finance and Strategic Regeneration and officers
	Budget Monitoring – Q3	Cabinet Member - Finance Chief Finance Officer
	Performance update – Q3	Performance Manager

TBA:

1. Consultation and Engagement
2. Insourcing

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Children and Young People's Scrutiny Panel

Work Plan 2018 - 20

1. Scrutiny review projects; These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.

Project	Comments	Priority
Special Educational Needs	<ul style="list-style-type: none"> SEND children are growing in numbers. They can often find difficulty in accessing services due to stretched Council budgets or lack of clarity on how parents can access services; Families can find it a struggle to obtain a formal diagnosis for their children, which is often a prerequisite in getting extra support at school and/or at home; Some groups of SEND children have an increased risk of exclusion from school and there can also be poor outcomes in the classroom, which can have a detrimental impact on families struggling to cope; Early intervention, including diagnosis, is key in order to put relevant support measures in place so that children with SEND can have fulfilling lives with good educational outcomes. <p>The review will examine and review the role and the effectiveness of the current service children with Social, Emotional and Mental Health (SEMH) issues and autism receive. It will aim to establish;</p> <ul style="list-style-type: none"> Looking in particular at their interaction with the Council and schools, what are the experiences of parents with SEMH and autistic children in trying to access support for their children? What are the waiting times for parents requesting an assessment, obtaining a diagnosis and 	1.

	<p>receiving the extra support required?</p> <ul style="list-style-type: none"> • What are the outcomes of children with SEMH and autism in relation to their diagnoses? • As local authorities move away from statements to Education Health and Care (EHC) plans, what are the challenges parents face in obtaining EHC plans? How many children currently have a statement or EHC plan and how many apply for it? What are the rejection rates of children trying to obtain an EHC plan and what are the reasons? 	
Alternative Provision	<p>The review will look at Alternative Provision (AP) services provided to students who no longer attend mainstream education for reasons such as exclusion, behavioural issues, school refusal, short/long term illnesses as well as any other reasons. The main areas of focus will be:</p> <ul style="list-style-type: none"> • What are the reasons why children in Haringey enter AP? • Once entering alternative provision, what are their outcomes and attainment levels when compared to mainstream schools? • How many children going through the AP route later enter the youth justice system? • How many children enter alternative provision as a result of SEND needs and how many have a statement or a EHCP plan? • The demographics of children entering AP including ethnicity, gender, areas of the borough where children in AP are drawn from and levels of children receiving free school meals prior to entering AP; • What are the challenges schools and local authorities face and what can we do better to meet the needs of children so as to avoid AP altogether? • Are the outcomes from AP providers uniform within Haringey? • How cost effective is AP. 	

2. **“One-off” Items; These** will be dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.

Date	Potential Items
6 September 2018	<ul style="list-style-type: none"> • Terms of Reference • Service Overview and Performance Update • Cabinet Member Questions; Children and Families and Communities (to cover areas within the Panel's terms of reference that are within their portfolios). • Work Planning; To agree items for the work plan for the Panel for this year.
8 November 2018	<ul style="list-style-type: none"> • Cabinet Member Questions – Children and Families. • New Safeguarding Arrangements. • Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 1. • Joint Targeted Area Action Plan – Update.
18 December 2018	<ul style="list-style-type: none"> • Budget Scrutiny • Cabinet Member Questions – Communities

4 February 2019	<ul style="list-style-type: none"> • Educational Attainment Performance; To report on educational attainment and performance for different groups, including children with SENDs. Data on performance broken down into different groups, including children with SENDs, as well as ethnicity, age, household income etc. To include reference to any under achieving groups. • School Exclusions; To consider an overview of current action to address school exclusions and, in particular, the outcome of the detailed analysis of fixed term exclusions. • Chair of LSCB & Annual Report. • Review on Support to Children from Refugee Families (N.B. including NRPF): Update on Implementation of Recommendations
19 March 2019	<ul style="list-style-type: none"> • Transition (to be jointly considered with the Adults and Health Panel). • Cabinet Member Questions – Children and Families • Ofsted Inspection – Action Plan • Services to Schools • Review on Child Friendly Haringey: Update on Implementation of Recommendations
2019 - 2020	
13 June 2019	<ul style="list-style-type: none"> • Terms of Reference

	<ul style="list-style-type: none"> • Work Planning; To agree items for the work plan for the Panel for year. • Cabinet Member Questions – Communities • Youth Services • Review on Restorative Justice: Update on Implementation of Recommendations • Apprenticeships
19 September 2019	<ul style="list-style-type: none"> • Cabinet Member Questions – Children and Families • Alternative Provision • Financial Monitoring • Multi Agency Safeguarding Arrangements • The Role of the LADO • Independent Reviewing Officer (Annual Report) • OFSTED Action Plan – Progress
7 November 2019	<ul style="list-style-type: none"> • Cabinet Member Questions – Communities • Childhood Obesity

	<ul style="list-style-type: none"> • Mental health services for teenagers and young people (CAMHS) • Educational Attainment Performance; To report on educational attainment and performance for different groups, including children with SENDs. Data on performance broken down into different groups, including children with SENDs, as well as ethnicity, age, household income etc. To include reference to any under achieving groups. • School improvement and action to address under performance by particular groups of students.
19 December 2019 (Budget Meeting)	<ul style="list-style-type: none"> • Budget scrutiny • Cabinet Member Questions – Children and Families • Support to Children from Refugee Families – Update on implementation of recommendations of scrutiny review
2 March 2020	<ul style="list-style-type: none"> • Play and leisure • Chair of LSCB & Annual Report • Unregistered schools • Home schooling and safeguarding

TBA:

1. Joint meeting on Transitions

2. Nurseries and the two and year old offer
3. School place planning and the impact of falling school rolls on primary school finances
4. Academies and free schools.

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Environment and Community Safety Scrutiny Panel - Work Plan 2018-19

<p>1. Scrutiny review projects; These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a “one-off” item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are “cross cutting” in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.</p>		
Project	Comments	Priority
Supporting Better Access to Parking for Disabled People and Blue Badges	<p>The review will examine the barriers faced by disabled people in getting and using a blue badge. The review will also try to examine how they find accessing parking services and where could improvements be made to this service (that sit within the remit of the Council). In doing this it will consider:</p> <ul style="list-style-type: none"> • What are residents’ experiences of accessing and using a Blue Badge; • How can the process of issuing Blue Badges and replacement Blue Badges be improved? What, if any, are the delays involved in the process? Is there scope for issuing temporary Blue Badges; • What do disability organisations say about our Blue Badge and disabled parking services? How accessible is our parking services interface; • How helpful is our written correspondence to residents around Blue Badges. 	
Reducing the amount of plastic/developing a plastic free policy.	<p>Examining the Council’s recycling performance around plastic waste and seeing what more could be done to reduce the use of plastics. What could the Council do to lead by example in this area.</p> <ul style="list-style-type: none"> • Examine the Council’s current position in relation to plastic waste and what other boroughs are doing around this issue. In order to do this, the Panel will look at the Council’s current recycling policy in relation to different types of plastic. 	

	<ul style="list-style-type: none"> • Examine how the Council could reduce plastic waste and increase its recycling performance, looking at innovative ideas from across the sector. • Examine how the Council could interact with the young people within our borough to positively change behaviour. What could be done to assist schools to reduce the amount of plastic waste? Is there scope for the Council to develop a plastic free pledge for schools to sign up to? • Examine the how the Council can develop a plastic-free policy and what other measures the Council could undertake to lead by example. 	
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Date of meeting	Potential Items
13 th September 2018	<ul style="list-style-type: none"> • Cabinet Member Questions; Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio). • Membership & Terms of Reference. • Appointment of Non-Voting Co-opted Member. • Service Overview and Waste, recycling and street cleansing data. • Work Programme: To agree items for the work plan for the Panel for this year. • Review of Fear of Crime: Update on implementation of recommendations.

	<ul style="list-style-type: none"> • Knife Crime and MOPAC performance Overview.
16 th October 2018	<ul style="list-style-type: none"> • Police Priorities in Haringey. Will include an update on Stop and Search and Lethal Firearm Discharges as requested by the Panel. • Financial Monitoring: To receive an update on the financial performance relating to Corporate Plan Priority 3. • Cabinet Member Q&A – Environment: To question the Cabinet Member for Environment on current issues and plans arising for her portfolio. • Waste, recycling and street cleansing data • Work Plan update – The Panel to agree its work plan for OSC to formally approve on 19th November.
Budget Scrutiny 18 th December 2018	<ul style="list-style-type: none"> • Budget Scrutiny. • Air Quality. • 18 month follow-up on the recommendations to the Scrutiny Review on Cycling. • Green flags. • Work Programme and scoping document for Scrutiny Review into plastic waste.
11 th March 2019	<ul style="list-style-type: none"> • Green Flags in parks – An update on the red and amber ratings awarded in parks. Cllr Hearn to attend. • Update around the Gangs Matrix.

	<ul style="list-style-type: none"> • Reducing Criminalisation of Children. • Cabinet Member Q&A –Communities, Safety and Engagement (to cover areas within the Panel’s terms of reference that are within that portfolio).
8 th April 2019	<ul style="list-style-type: none"> • Green Waste charges, Fly-tipping strategy and bulky waste collection • Update on Parks Transformation • Parking issues - disabled bays and blue badges • Cabinet Member Q&A – Environment: To question the Cabinet Member for Environment on current issues and plans arising from her portfolio.

2019-2020

11 June	<ul style="list-style-type: none"> • Membership & Terms of Reference. • Appointment of Non-Voting Co-opted Member. • Community Safety Strategy • Update on Youth at Risk Strategy • Work Programme
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	<ul style="list-style-type: none"> • Cabinet Member Questions; Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio).
3 rd October	<ul style="list-style-type: none"> • Cabinet Member Q&A –Neighbourhoods: To question the Cabinet Member for Neighbourhoods on current issues and plans arising for her portfolio. • Veolia Performance - Waste and Street Cleansing update. • Parks update including vehicle access and locking gates at night. • Update on the Parking Transformation Plan. • Update on Parking reports going to Cabinet. • Work Programme.
5 th November	<ul style="list-style-type: none"> • Cabinet Member Q&A –Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio). • Community Safety Partnership; To invite comments from the Panel on current performance issues and priorities for the borough's Community Safety Partnership. To include the following: <ul style="list-style-type: none"> ▪ Crime Performance Statistics - Update on performance in respect of the MOPAC priority areas plus commentary on emerging issues; and ▪ Statistics on hate crime. • SNT Policing model and the impact of the merging of Haringey and Enfield SNTs.

Appendix 1

	<ul style="list-style-type: none">• Liveable Streets• Update on Events in Finsbury Park – Adobe Festival & damage to the bandstand field.• Further update on implementation of Parking Action Plan
17 th December (Budget Scrutiny)	<ul style="list-style-type: none">• Budget Scrutiny
2 nd March	<ul style="list-style-type: none">• Cabinet Member Q&A – Climate Change and Sustainability; To question the Cabinet Member for Climate Change and Sustainability on current issues and plans arising for her portfolio.• Waste, recycling and street cleansing data• Performance update – Q3• Budget Monitoring Q3

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

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