

## NOTICE OF MEETING

# OVERVIEW AND SCRUTINY COMMITTEE

**Monday, 25th November, 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), Yvonne Denny (Co-opted Member - Church Representative (CofE)) and Lourdes Keever (Diocese of Westminster).

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 - 12)**

To agree the minutes of the meeting on 15<sup>th</sup> October as a correct record.

#### **7. MINUTES OF SCRUTINY PANEL MEETINGS (PAGES 13 - 36)**

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

- Adults and Health – 5<sup>th</sup> September 2019
- Environment and Community Safety – 3<sup>rd</sup> October 2019
- Housing and Regeneration – 12<sup>th</sup> September 2019

#### **8. SCRUTINY REVIEW INTO WARDS CORNER (PAGES 37 - 122)**

#### **9. COMBINED COMPLAINTS, MEMBER ENQUIRIES, FREEDOM OF INFORMATION REQUEST AND OMBUDSMAN ANNUAL REPORT 2018/2019 (PAGES 123 - 136)**

#### **10. IMPACT OF UNIVERSAL CREDIT ACROSS HOMES FOR HARINGEY (PAGES 137 - 142)**

#### **11. PERFORMANCE UPDATE (PAGES 143 - 150)**

**12. WORK PROGRAMME UPDATE (PAGES 151 - 188)**

Terms of reference for the Housing and Regeneration Scrutiny Review into High Road West. – To follow

Terms of reference for the Adults and Health Scrutiny Review into Commissioning. – To follow.

**13. NEW ITEMS OF URGENT BUSINESS**

**14. FUTURE MEETINGS**

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

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Bernie Ryan  
Assistant Director – Corporate Governance and Monitoring Officer  
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 15 November 2019

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## **MINUTES OF MEETING OVERVIEW AND SCRUTINY COMMITTEE HELD ON TUESDAY, 15TH OCTOBER, 2019, 19:00 – 21:45**

**PRESENT:** Councillors Lucia das Neves (Chair), Pippa Connor (Vice-Chair), Erdal Dogal, 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))

### **1. FILMING AT MEETINGS**

Noted.

### **2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **3. URGENT BUSINESS**

There were no new items of urgent business.

### **4. DECLARATIONS OF INTEREST**

In relation to Item 12, Councillor Moyeed declared a conflict of interest having represented the traders in his professional capacity as a solicitor. The Councillor agreed to not be present for Items 5 and 12, when the Scrutiny Review of Wards Corner would be under discussion.

In relation to Item 9, Mark Chapman declared a conflict of interest as he was the Chair of Governors at Fortismere School.

### **5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS**

*(Councillor Moyeed left the room for the duration of the deputation and for the entirety of the discussion on Item 12.)*

The Chair invited Stuart McNamara to introduce his deputation which addressed concerns about the voices of the market traders and residents not being properly considered, as well as wider concerns about how the Council communicated and engaged with residents on regeneration programmes. He was accompanied by Stefania Alvarez and Javie Huxley.

Stuart McNamara thanked the OSC for accepting the deputation and praised the three months of evidence gathering by the Housing and Regeneration Scrutiny Committee for the scrutiny report on Wards Corner. He highlighted the following:

- Praised the scrutiny report and its findings, noting the traders had requested the Council carry out a scrutiny review on the matter.
- A meeting had been held with the Leader of the Council in 2018 to request a scrutiny review, the halting of any major decisions at the market until the review had been complete, and continuous engagement between the traders and the Council with ongoing dialogue. All three had been declined at that time.
- Traders at a Shepherds Bush market had won a case on appeal at the high court against a Compulsory Purchase Order (CPO).
- Critical of the Council's Regeneration department and drew comparisons between situation at Wards Corner to the failed Haringey Development Vehicle scheme.
- Recognised a number of councillors had been supportive of the traders at Wards Corner but criticised the executive for indecision on the matter.
- Critical of the Section 106 and the Seven Sisters Market Trader Steering Group.

The Chair thanked Stuart McNamara for the deputation and invited Committee Members to ask questions. The deputation party provided the following responses:

- Considered the scrutiny report to be thorough and impartial with the recommendations being fully supported by the evidence gathered.
- Highlighted that the report was critical of the Council's failure to monitor the Section 106.
- Queried why, given concerns had been raised surrounding the Seven Sisters Market Trader Steering Group in 2016, those remain unresolved.
- Noted the success of the Seven Sisters Market with its large number of traders and compared this to high streets, such as Wood Green, where there was a notable number of vacant properties.
- Praised the community asset of Wards Corner and claimed it provided what the local community needed.
- Regarding the Seven Sisters Market Trader Steering Group, it was noted this met 21 times with traders making repeated concerns about their distress at the situation but claimed the market operator used the Steering Group as a forum to denigrate the traders. It was claimed traders had put forward recommendations at the meetings, but these failed to progress, which resulted in the traders opting out of the Steering Group following a vote of no confidence in the process.
- Claimed the Council failed to monitor the Steering Group and failed its obligations to the traders under the Section 106 agreement.
- The deputation sought:
  - independent round table discussions chaired by an individual outside of the Council. Those discussions should ensure all parties had equal say and be facilitated by the local MP and/or GLA assembly member.
  - Proper consideration of the community plan should be given, and the building should be redeveloped, to be paid for by tax players;
  - Removal of the market operator and for them to be subject to a thorough independent review;

- Disbandment and breaking up of the Council's Regeneration Department;
- Proper consideration of the overall site, with affordable housing considered;
- Transparent running of the market with traders at its heart; and
- The Council to stop, what the deputation claimed, to be the persecution of the traders in the Latin Village.

The Chair thanked the party for their deputation and emphasised the Council's scrutiny committees would always seek to support the community, wherever possible.

The OSC next considered Item 12 – Scrutiny Review of Wards Corner.

## **6. MINUTES**

*(Councillor Moyeed returned following the conclusion of discussion at Item 12)*

Following a query, Councillor Dogan informed the Committee that Councillor Brabazon would provide information on proposals for capital expenditure on schools, including clarification of the position regarding Fortismere School, to the Children and Young Person's Scrutiny Panel at a future meeting.

### **RESOLVED**

To agree the minutes of the Overview and Scrutiny Committee held on 22<sup>nd</sup> July 2019.

## **7. MINUTES OF SCRUTINY PANEL MEETINGS**

### **RESOLVED**

To note the minutes of the Children and Young People's Scrutiny Panel held on 19th September 2019 and to approve any recommendations contained within.

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

Councillor Bull, Cabinet Member for Local Investment and Economic Growth, appeared before the Committee and outlined his areas of responsibility within his portfolio. The Councillor then responded to questions from the Committee and the following information was noted:

- a. The Cabinet Member informed that the unemployment rate in Haringey was 4.5%.
- b. Regarding monitoring the impact of the Liveable Crouch End scheme on the surrounding area, the Cabinet Member invited local businesses to provide any information that demonstrated the scheme was having an impact on their business. Officers noted this was an ongoing pilot scheme and would provide fuller findings of the economic impact on the area to the Committee when they became available.
- c. In response to a question regarding encouraging businesses to provide jobs to local residents, the Cabinet Member noted there were provisions within the

- Procurement Strategy that had weighting in favour of businesses that sought to provide local residents with jobs. The Cabinet Member noted the Community Wealth Building fully supported the encouragement of local residents being provided with jobs where the Council provided investment and development.
- d. Regarding assisting young people for the future by preparing them for the job market, the Cabinet Member noted Haringey Adults Learning Service should be able to assist in that area. He would also explore with the Cabinet Member for Children and Families what extra support and assistance could be provided to young people which ensured they were fully prepared for the job market.
  - e. Regarding the support that the Council would provide to businesses on struggling high streets, the Cabinet Member noted general improvement was required such as cleaning up the streets and removing graffiti to make them a more attractive business investment. The Cabinet Member reiterated support for encouraging the employment of local residents from new business areas regenerated. With regard to Wood Green High Street specifically, Officers added that there was a piece of work underway called the Wood Green Place Shaping Manual which sought a collaborative approach between councillors, the community, and departments of the Council to identify projects that would help improve Wood Green High Street.
  - f. Officers noted the Section 106 provided for major schemes to contribute to Haringey Works which provided free employment and skills support exclusively for Haringey residents. It also provided for funding to be made to the Haringey Construction Partnership which facilitated local employment in the construction sector.
  - g. Regarding the High Road West Strategy, the Cabinet Member recognised businesses concerns and informed the Committee there were plans to work with the Peacock Industrial Estate businesses to find alternative locations for them to continue their businesses in Haringey, or as close to the borough as possible.
  - h. The Cabinet Member noted that the two small business loan funds would be available for start-up companies as well as existing businesses in Haringey, if the businesses were able to provide a credible business plan. The two council-run small business loan funds were the Opportunity Investment Fund and the new Productive Valley Fund, as discussed at Cabinet on 8<sup>th</sup> October 2019. There would be support provided to small and medium sized businesses (SMEs) applying for the Loan Funds who did not have English as their first language. Officers added that small businesses and start ups received £110mil a year from the Council. For start-ups, the Council had the provision to directly award contracts valued at £10k and under. It was also now easier for contracts below £160k to be awarded to small businesses.
  - i. The Cabinet Member recognised there were concerns surrounding the apprenticeship levy and noted the Council was looking into best practice and lessons learnt from Hackney Council. The Cabinet Member noted the Council needed investment in its HR department to ensure the maximum was achieved from the Apprenticeship Levy.
  - j. Regarding town centre managers, Officers agreed that they provided great value to the community, building partnerships with businesses and locals. It was noted the town managers had previously been funded by the general fund and efforts would be made to look at how this could be alternatively provided.



- k. The Cabinet Member stated the Council's website needed to be more business friendly, such as having dedicated business pages for transactions to be carried out. Successful business stories should also be included.
- l. In response to what the Cabinet Member could do to help those not receiving the London Living Wage (LLW), he highlighted the Council could lead by example and become a London Living Wage Employer. Businesses that worked with the Council would be encouraged to pay the LLW to all employees.
- m. The Cabinet Member noted business rate relief was offered to SMEs and that the Council was willing to work with struggling businesses.
- n. The Cabinet Member invited members to forward via email any concerns they had surrounding street rangers in Wood Green. The Cabinet Member would raise those concerns with Officers.
- o. Officers would provide a written response on the salary of town centre managers (**Action: Peter O'Brien**)

## 9. QUARTER 1 (PERIOD 3) BUDGET MONITORING FOR 2019/20

Jon Warlow, Director of Finance, outlined the report as set out. The report covered the budget monitoring 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 highlighted significant budget variances, including those arising as a result of the forecast non-achievement of Cabinet approved MTFS savings.

The Chair praised the £0.246mil underspend recorded in the Children's and Schools budget. The Chair remarked that:

- the mitigation plans for the overspend in the Adults and Public Health budget should be discussed in detail at the Adults and Health Scrutiny Panel;
- the underachieved income on green chargeable waste services should be reviewed by the Environment and Community Safety Scrutiny Panel; and
- the Overview and Scrutiny Committee should look into the corporate overspends.

In response to questions from the Committee, the following information was noted:

- a. Officers were optimistic that the total overspend recorded would not increase and that any major difficulties usually presented themselves at the end of Quarter 1.
- b. Regarding the new approach to putting together the budget, Officers noted this was working better than previous strategies. The team were being proactive in utilising what was working in the current budget to facilitate strategies for future budgets.
- c. Regarding the care packages overspend, Officers noted there were high-level discussions between the finance team and the directorate to analyse the demography issues, expected projections and cost dynamics on care packages. Those insights would facilitate future planning for care packages from 2021.
- a. Officers noted the 81% ragged Amber (which indicated an intermediate level of confidence in delivery of agreed savings) recording on page 37 in paragraph 8.4, was likely to be lower but officers were cautious in Quarter 1.

- b. In response to whether the underspend in the Children's and Schools would stay within that portfolio, Officers stated this was not a given as there was a corporate overspend overall which needed to be addressed. The situation would be reviewed at the end of the year.
- c. Following any new developments in the borough, the Council would benefit through any increase in business rates. The Council would also benefit from the council tax collection from any new properties.
- d. Regarding the name change of Scheme Reference 115 on page 53, Officers noted this was not deliberate and would amend this for Quarter 2. The Chair requested this be further explored at the Children and Young Persons Scrutiny Panel.

The Chair invited Committee Members to forward any additional questions on the capital budget to the Director of Finance for written responses.

## 10. BOROUGH PLAN 2019-23 PRIORITY PERFORMANCE UPDATE QUARTER 1

Charlotte Pomery, Assistant Director for Commissioning, introduced this report as set out. The report provided an update on the new Borough Plan priorities, outcomes and indicators. It was highlighted that, as this was Quarter 1, there was a limited amount of information available.

The Chair suggested the comment on 'Priority 1 Housing' at page 65, that "*... the 1000 council homes programme is a fundamentally new area of work in which the council has limited experience*" be explored by the Housing and Regeneration Scrutiny Panel. The Chair also suggested the Environment and Community Safety Scrutiny Panel explore the comment on 'Priority 3 Place (Outcome 12)', that "*...the ORC satisfaction survey...show that Haringey residents feel led safe both during the daytime and after dark than the national average*".

The Chair suggested the Overview and Scrutiny Committee explore at future meetings the negative recording for resident satisfaction in 'Priority 5 Your Council (Outcome 18)' regarding getting the right information and advice from the Council's customer feedback. It was considered helpful if any future report on the matter contained comparators with other Council's to see how Haringey compared.

Following discussion, it was noted:

- With regard to 'Priority 1 Housing (Outcome 2) Reduce Homelessness', the Committee sought an update on the Temporary Accommodation forecasting model and how a reduction in the number of households in temporary accommodation has been achieved. On street homelessness, Officers noted additional funding had been provided from the Ministry of Housing, Communities and Local Government to cover the winter period. Haringey was also working with Islington to street homelessness areas which jointly affected both boroughs.
- With regard to 'Priority 3 Place (Outcome 9) A healthier, active, greener place', the Committee sought greater detail on the survey produced by Veolia, including the number of responses, to provide context to the stated 80% satisfaction with park cleanliness.

- With regard to '*Priority 4 Economy Support growth in business and jobs*', the Committee sought the Council to be more proactive in its ambition to increase the number of workers in Haringey earning the LLW or above.
- With regard to '*Priority 5 Your Council (Outcome 19) Being an able, positive workforce*', the Committee requested the actual number of BAME staff members in the top 5% of Haringey earners.
- With regard to '*Priority 3 Place (Outcome 10) A cleaner, accessible and more attractive place*', the Committee sought to explore in greater detail the rate of people killed or seriously injured on Haringey roads.
- With regard to '*Priority 2 domestic abuse with injury*', it was noted this was displayed as green on the Council's website, despite it still being a high figure, as a result of the downward trajectory of the statistic. Officers accepted this could be presented more clearly.
- With regard to '*Priority 2 (Outcome 6) Pathway to success*', the Committee sought for greater clarification on what the Council was doing to address the large disparity in results achieved by white British children compared to black Caribbean children at GCSE level.

## 11. FRONT OFFICE, BACK OFFICE TRANSFORMATION PROGRAMME

The Cabinet Member for Neighbourhoods introduced this report as set out. The report provided the Committee with an update on the Front Office, Back Office (FOBO) Transformation Programme.

The Cabinet Member highlighted the following:

- The Cabinet Member had been visiting other councils to see if any lessons could be learned for Haringey's FOBO.
- There had been a reduction in the number of face to face customer service interactions, with an increase in online customer service interactions.
- September Cabinet approved a new parking system which would be live from April 2020.
- There had been no compulsory redundancies issued to any FOBO staff.

Andy Briggs, Assistant Director of Corporate and Customer Services, highlighted the additional points:

- The FOBO Transformation Programme had achieved savings of £2.9mil.
- The service had a productive working relationship with the trade unions in addressing staff changes as a result of the programme.
- The service had improved its communication with customer services.

In response to questions from the Committee, the following information was noted:

- a. For those residents not comfortable using electronic services, there were drop in sessions available to assist those residents in completing services which required online systems. The website had also been made more user friendly.
- b. Stage 2 would include a complete review of the operating model in Haringey's libraries, which would include the encouragement of a self-service model. There had been successful trial runs of the self-service systems for the elderly and those who did not speak English as their first language.

- c. The Council had been recording customer satisfaction levels at its face to face centres, which showed high levels (80%+) of customer satisfaction. Customer satisfaction was being recorded on the Council's website, with a scoring system at the bottom of each webpage, and also at the end of Council calls, with a text following up the call asking for a rating of the level of customer service received.
- d. The move towards a greater online customer service presence was cautioned with potentially barring those unable or without the means to access online services. The Cabinet Member noted there would still be the provision to deal with customers fact to face. Furthermore, the emphasis on online customer service would free up the face to face customer service provisions to deal with those genuinely in need of face to face assistance.
- e. The Change in letters being sent out from Revenues and Benefits and Housing Rent letters had led to a reduction in calls to the Council. This freed up customers services and allowed resources to be deployed elsewhere.
- f. The FOBO programme had initially been allocated a budget of £8.4mil, however, the service was currently predicting a spend of £5.4mil, an underspend of £3mil. Officers largely attributed this saving as a result of the contractor the service chose to provide its customer platform.
- g. Regarding G-Cloud, Officers noted this had a much wider range of pre-vetted suppliers available on it.
- h. Regarding the number of landlords who had taken up the invites to the 'Landlord Portal', Officers confirmed they would provide that information (**Action: Andy Briggs**)
- i. Regarding the methodology used for the projection of customer contacts, it was noted the figures in part 2 on page 71 were computer generated. The projections were accurate up to August 2019 with best estimates being used there after. Officers noted there had been a great deal of benefit analysis to match the savings target. Officers would provide what those projections showed in percentage step down in traditional contact but there was no concern if the 'Online – My Account' or 'Online – Contact Us' numbers were to increase. Officers wanted to see a decrease in traditional forms of customer contact to enable resources used for those genuinely in need of direct customer assistance.
- j. All the savings the service had predicted were on track to be delivered, with Officers confident the £2.484mil savings would be met. The Cabinet Member noted efforts were being made to check whether systems used in other departments could be implemented in the service, which would save on costs.
- k. There was to be a complete review of the court officer roles.
- l. Officers stressed the Council's customer services should be providing the resources and support to help those in need, such as those unable to read or write. The Cabinet Member and Officers requested Committee Members provide, via the Chair, contact details for individuals who had experienced difficulty with any of the Council's customer services. The Chair requested any learning points that the Officers formulate from looking into such cases be shared with the Committee.

The Chair requested Officers bring an update report on the FOBO Transformation Programme - Stage 2 in March 2020. Officers could provide the Committee with budget and customer projections updates in January 2020.

## 12. SCRUTINY REVIEW OF WARDS CORNER

The Chair introduced this report on the Scrutiny Review on Wards Corner.

Stephen Lawrence-Orumwense, Assistant Head of Legal Services, outlined the officers recommendation of the report, that '*Overview and Scrutiny Committee defer approval of the draft Wards Corner scrutiny review findings and recommendation 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*', with reasons for that recommendation at paragraph 4 of the report. It was noted neither the Chief Planner of the Council or third parties had the opportunity to provide comments on the scrutiny review report, with regards to accuracy.

The Chair noted there was exempt information at Item 16 in relation to additional legal advice on this report but did not consider that information needed to be discussed at the meeting. The Committee, having had sight of that exempt information prior to the meeting, agreed to proceed without discussing that information.

The Chair informed that a letter had been received by Grainger which highlighted their concerns over factual inaccuracies within the scrutiny report and requested the Committee defer approval of the report until its November meeting so that those inaccuracies could be resolved.

Following discussion, the Committee praised the scrutiny report and its recommendations. It therefore decided it would not defer approval of the report until its November meeting.

The Chair proposed approving the scrutiny report and its recommendations but granting the Chair and Vice-Chair, in consultation with the Committee Members, authority to make any necessary factual corrections to the report following third party feedback as appropriate. Legal advice would be sought if the Chair or Vice-Chair considered it necessary. The Committee agreed this approach.

Following clarification from the Assistant Head of Legal Services, the Committee agreed the below resolutions.

### **RESOLVED**

The Committee agreed :

1. To accept the review reports findings and recommendations
2. That third parties be allowed to make representations relating to accuracy of the review report. And that authority be granted to the Chair and Vice-Chair in consultation with Committee members to consider the representations and make any additions to the report, if required
3. To seek legal advice, if required, to help inform the above process

4. To publish the final report and put it before the executive for a response at the December Cabinet meeting.

**13. WORK PROGRAMME UPDATE**

Rob Mack, Principal Scrutiny Support Officer, updated the Committee on the work programmes for the main Committee and Scrutiny Panels.

Following the completion of the Ward Corner review, the Committee would be able to focus on the Business Support review, which focussed on Procurement and Local Supply Chain. On Monday 23<sup>rd</sup> October, there would be an Evidence Gathering session in which Haringey Business Alliance and Barry Phelps, Head of Procurement, would provide evidence to the Committee. Efforts were being made to have a representative from the Federation of Small Businesses provide evidence at a future session.

**14. NEW ITEMS OF URGENT BUSINESS**

There were no items of urgent business.

**18. FUTURE MEETINGS**

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

CHAIR:

Signed by Chair .....

Date .....

**Overview and Scrutiny  
Action Tracker**

<b>Mtg. Date</b>	<b>Action</b>	<b>Response</b>	<b>Who by</b>	<b>Status</b>
15 <sup>th</sup> October	Officers agreed to provide a written response on the salary of town centre managers.		Peter O'Brien	Ongoing.
15 <sup>th</sup> October	Officers to provide further information on the number of landlords who had taken up the invites to the Landlord Portal.		Andy Briggs	Ongoing.
15 <sup>th</sup> October	Scrutiny Review on Wards Corner to be included on the next agenda, following representations from third parties.	Representations received and reflected in updated report. Wards Corner scheduled to go to January Cabinet in light of pre-election period.	Dominic O'Brien/Clerk	Completed.
15 <sup>th</sup> October	Committee Members agreed to provide, via the Chair, contact details for individuals who had experienced difficulty with any of the Council's customer services. The Chair requested that any learning points gleaned from looking into such cases be shared with the Committee.	Committee Members to follow up outside of the meeting.	Committee Members.	Ongoing.
15 <sup>th</sup> October	The Chair requested Officers bring an update report on the FOBO Transformation Programme - Stage 2 in March 2020. Officers could provide the Committee with budget and customer projections updates in January 2020.	Added to the work plan for March.	Andy Briggs	Scheduled to come back to a future meeting (March).
22 <sup>nd</sup> July	Visits to libraries to be organised in the next 6 months for the Overview and Scrutiny Committee Members.	Officers have been in contact around possible date. Agreed to focus on MG and Wood Green Libraries.	Cllr Amin/Judith Walker	Ongoing.
22 <sup>nd</sup> July	Feedback on libraries and the library peer review to be provided to a future meeting.	Scheduled to come back later in the year.	Cllr Amin/Judith Walker/ Andy Briggs	Scheduled to a future meeting.
4 <sup>th</sup> July (Special – Invest to save proposals)	The Committee requested that relevant future budget scrutiny reports included an assessment of the ratio of social worker assistants to social workers	Officers agreed to provide this going forwards.	Beverley Hendricks	Scheduled to a future meeting.
25 <sup>th</sup> March	The Chair requested that a report on social value rents come back to a future meeting of the Committee for consideration, particularly in relation to its impact upon	To be include on a future agenda.	Rob Mack	Scheduled to a future meeting.

	the voluntary and community sector.			
25 <sup>th</sup> March	Officers agreed to come back to the Committee in July to discuss the 2018/19 complaints report. Officers also agreed to provide an update on the process of learning from complaints and how this was reported to OSC at a future meeting.	Officers have requested that this item comes to the October meeting as the LGO release their report in August. Learning from complaints will be included in this item.	Carla Segel	Scheduled to future meeting (November).
25 <sup>th</sup> March	The AD for Strategy and Communications agreed to come back to the Committee at a future date to provide an update on participation outcomes on Borough Plan and the Citizens Panel.	Update on Borough Plan participation outcomes and Citizens Panel to come back to future meeting	Joanna Sumner	Scheduled to come back to a future meeting. (January).
28 <sup>th</sup> January	The Committee requested that a piece of work be undertaken which looked at recurrent issues that had arisen, which had led to residents' benefits being stopped.	Update: The Council receives daily files from the DWP informing us that residents have either stopped receiving one of the welfare benefits or the amounts have changed. This automatically suspends the claim in order to avoid generating overpayments, officers then write out to residents asking them to provide evidence of their income. Once evidence is provided the claim is re-opened and payments are back-dated if appropriate	Cllr Amin/ Amelia Hadjimichael	Scheduled for future meeting.
14 <sup>th</sup> January	Overview and Scrutiny Committee members to be invited to attend walk-about sessions with Councillor Adje when looking at the high roads and local businesses.	Action raised with relevant officers. Agreed to hold two sessions, one in Wood Green and one in Tottenham. First session in Wood Green took place on 30 <sup>th</sup> April. Tottenham dates in December to be circulated.	Cllr Adje	Part Complete.
2 <sup>nd</sup> October	Head of Organisational resilience agreed to brief Councillors on the role of Members in an emergency incident.	The Chief Executive has asked that, prior to this guidance being re-issued, she would like it reviewed. The service is looking at it in conjunction with some work on this topic that has been done by London Resilience.  London Councils guidance circulated to Members on 14 <sup>th</sup> November.	Andrew Meek	Completed



**MINUTES OF THE MEETING OF THE ADULTS & HEALTH  
SCRUTINY PANEL HELD ON THURSDAY 5<sup>TH</sup> SEPTEMBER 2019,  
6.30-8.40pm**

**PRESENT:**

**Councillors: Pippa Connor (Chair), Patrick Berryman, Nick da Costa,  
Eldridge Culverwell, Felicia Opoku, Matt White and Helena Kania**

**13. 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'.

**14. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Mike Hakata.

**15. ITEMS OF URGENT BUSINESS**

None.

**16. DECLARATIONS OF INTEREST**

Cllr Pippa Connor declared an interest by virtue of her membership of the Royal College of Nursing.

Cllr Pippa Connor declared an interest by virtue of her sister working as a GP in Tottenham.

**17. DEPUTATIONS/PETITIONS/ PRESENTATIONS/ QUESTIONS**

None.

**18. MINUTES**

With regards to action points from the previous meeting, Cllr Connor referred to the Active Travel in Haringey briefing which she said was a really useful summary of policies and strategies in this area. She noted that there were quite a few initiatives mentioned in the briefing that were planned or currently in progress so it would be useful for the Panel to receive an update in around 6 months time. Will Maimaris, Director for Public Health, said that this would be possible but suggested that an

update in around 9-12 months would be more appropriate due to the likely timescales involved with the initiatives. **(ACTION)**

The accuracy of the minutes from the previous meeting was then agreed.

**AGREED: That the minutes of the meeting held on 20<sup>th</sup> June 2019 be approved as an accurate record.**

## 19. BUDGET OVERVIEW

Paul Durrant, Head of Finance for People, and Sandra Robb, Adults and Health Business Partner, presented an overview to the Panel of the financial performance of the services within Priority 2 (Enable adults to live healthy, long and fulfilling lives) as at the end of Quarter 1 of 2019/20.

Paul Durrant reported that there was currently a projected overspend of £3.6m which comprises of overspends of:

- £2.9m on adult social care
- £0.3m on Public Health
- £0.4m on Commissioning

The overspend in adult social care includes a £2.7m overspend on care packages which is an overachievement on the expected £3.9m overspend for this area once the net savings and growth have been applied. The £2.7m overspend is broken down as follows:

- £1.7m on Adult Placements
- £0.6m on Learning Disabilities Placements
- £0.4m on Mental Health Placements

The overspend on Osborne Grove Nursing Home was projected to be £0.2m. Although an additional £0.3m had been provided for this in the current financial year, delays in the consultation on the staffing structure have still resulted in the overall projected overspend.

The £0.4m projected overspend on Commissioning was due mainly to salaries and a savings objective which has not been achieved.

The £0.3m projected overspend on Public Health was due mainly to budget setting with some service charges being higher than anticipated.

Priority 2 has a capital budget of £8.6m divided over ten projects as set out in Appendix 3:

- Though project 208 (on supported living schemes) is currently showing zero spend for 2019/20, some spend is expected to be brought forward in year at

some point and in the next financial year. This is because there has been other activity on the Linden House adaptation and on Canning Crescent assisted living (also shown in Appendix 3). Further programmes on supported living are being worked up, these just need to be programmed into the budget when possible.

- On project 209 (on assistive technology) there has been a pause in the delivery model and an update is expected in Quarter 2.
- On project 213 (on Canning Crescent assisted living) following the initial feasibility, architects are being appointed and moving forward to RIBA Stage 2 Concept Design and RIBA Stage 3 Developed Design by Spring next year. If there is slippage in 2019/20 then the capital budget can be carried forward to the following year.
- On project 215 (on Hornsey Town Hall supported living) this is now being funded through the Housing Revenue Account.

Asked about the expected capital spend on project 207 (new day opportunities offer), Charlotte Pomery, Assistant Director for Commissioning, said that there is a figure set aside (which is larger than the one shown in Appendix 3) to bring back into use the two properties in Waltheof Gardens. The capital outlay will be spent this year. Further spending in future years has not yet been identified and is not in the budget spreadsheet but she said that this is not necessarily reflective of wider ambitions and doesn't mean that there won't be further spending in this area in future years.

With regards to the delivery of savings on the revenue budget (as set out in Appendix 4), Paul Durrant said that the top three rows (on learning disabilities, mental health and physical support) are the core savings which are the toughest to deliver. All are reporting as 'amber' at present which means that there is confidence in delivering the majority of it but there is still a challenge to achieve overall delivery. Asked about the learning disability savings he said that it was anticipated that the achieved savings would be close to the £1.1m target.

Helena Kania asked why savings were being targeted at mental health when in fact there is an under-reporting of mental health problems at present. Beverley Tarka, Director of Adults & Health said that the majority of the spend is on existing care packages within adult social care and that the savings are targeted at reducing the cost of these existing care packages. Some mental health service users are placed in more high-needs arrangements than they need to be and could be 'stepped down' as they make progress. A review is in progress to see how many people can be 'stepped down' and this involves a thorough reassessment process. Increasing the range of supported living opportunities, as referred to earlier, will be important in achieving this stepping down to less expensive services.

Asked about a resilience reserve, Paul Durrant said that there was a specific resilience reserve of £2m applied to the Adults & Health budget last year but there is

no specific reserve to be applied this year. Beverley Tarka added that it is important to separate the savings target from the underlying overspend in the budget caused by care package pressure. The £2m resilience reserve was applied to the Adults & Health budget last year but in this year that has been some accommodation for that reserve already built in to the Adults & Health budget for this year. She said that there is a collegiate approach to supporting adult social care across the Council and that corporate finance colleagues constantly review the budget and there is recognition of the stress that adult social care is under.

Cllr Connor requested that future budget updates identify any savings being achieved through 'invest to save' measures.

Asked to expand on the causes of the "reported pressures on the Commissioning budget", as set out in paragraph 2.4 of the main report, Charlotte Pomery said that this largely related to staffing and rent payments from community organisations for Council premises. It does not include contracts or commissioned services which are generally funded from the care services budget.

## **20. PREVENTION AND EARLY INTERVENTION**

Rochelle Jamieson, Head of Strategy – People, and Andrea Wershof, Local Area Coordinator, introduced this item with a presentation on early intervention and prevention in Haringey which included the following points:

- That services are geared to solve problems for people and that solutions are based on what would work best from the services available.
- The approach aims to intervene to enable people to access help at an earlier stage and stay as independent as possible.
- The feedback from residents is consistently that they want help to prevent things from going wrong, they want to be involved in helping to shape services and they want services to be well joined up and for any long-term support to be holistic when needed.
- Other suggestions from residents have included:
  - That there needs to be a care navigator to help people access the internet and available services.
  - That services need to be close to people as it can be difficult for people with mobility issues to travel far.
  - That older people want to stay in their own home for as long as possible and have a better quality of life rather than live in a residential care home.
- A critical part of the approach is providing information, support and guidance and developing a network of options to provide people with the support that they need. The aim is to create an environment that enables and empowers all residents to live well and achieve their potential including by helping people to find their own solutions.

- There are no access criteria for the early intervention and prevention service and this prevents the need for people to ‘jump through hoops’ before they can get access to help.
- The different levels of intervention were displayed in one slide as a “care cone” with four levels:
  - Keeping people healthy, safe and well through public health services.
  - Early intervention and prevention to provide a network of options to help people.
  - Care and support through coordinated multi-agency teams.
  - Specialist/emergency, including specialist palliative care.
- The Local Area Coordinator role was described as person-centric because it aims to be led by the residents including those who are needy and may have felt disenfranchised previously. By being on their side it can be transformative for someone who is on their own and by helping to connect them with various types of support it can help them to achieve their vision of a ‘good life’. Examples were given including helping an isolated individual with learning disabilities through his re-housing assessment process after his parents had died.

Will Maimaris, Director of Public Health, advised the Panel that there are currently just two Local Area Coordinators covering Hornsey and Northumberland Park but there are plans in place to expand the programme with an additional four to operate mainly in the east of the borough.

In response to questions from the Panel, Will Maimaris, Rochelle Jamieson and Andrea Wershof said:

- That there are usually three or four ‘touch-points’ that the Local Area Coordinators visit each week but there are other assets such as libraries, schools and community cafes where they also might visit people. Populations of each area covered is limited to about 18,000-20,000.
- Asked about how to reach isolated people, Local Area Coordinators are well known in the local community by, for example, shopkeepers, cafes, schools and faith groups. These often let the Local Area Coordinators know about people who need help who might not otherwise ask for help.
- Asked about evidencing the savings from this programme, this is always a challenge but there is an evaluation and also a collection of case studies with professionals who can set up what would have happened had the Local Area Coordinators not been in the area. This type of evidence can be incrementally built up over time and there is work ongoing on continuing to evaluate this work. The investment in the programme so far is relatively modest with £120,000 per year provided to cover two Local Area Coordinators plus the evaluation work. Will Maimaris said that he was convinced that there are significant savings resulting from this across the system, particularly if it

prevents the need for just a few high-cost packages. However, it can be difficult to quantify savings to adult social care, including because some individuals helped by the Local Area Coordinators may not have been in contact with adult social care system at that stage without this contact being made.

- In terms of small grants for community groups, the embedded nature of the Local Area Coordinator work can help to generate intelligence to help shape what the Council commissions. They can also help advise community groups about consulting their user groups and evaluating projects that they have done which can help them to improve their funding applications.
- Asked about continuation of service when a Local Area Coordinator is on leave or in the event that they leave the Council, it was acknowledged that it can be difficult to delegate the relationships that Local Area Coordinators build up. However, it is not an emergency service and issues can generally be picked up after a short period of leave. By expanding the number of Local Area Coordinators from two to six in future will also help, with a larger team better able to cover for a colleague where necessary.
- On why there were significantly more 'Level 2' interventions in Hornsey than in Northumberland Park, this was likely to be because in Hornsey there are typically more inventions involving older people who often require longer-term support whereas the populations in Northumberland Park was more likely to involve younger people and families.
- On why a large proportion of outcomes that were not captured in Graph Eight in the report, this was due to inadequacies of the form with limited options and so many outcomes were captured as 'other'.

Florence Guppy, Programme Lead – Connected Communities, then presented to the Panel with an overview about the Connected Communities programme. It had started about a year previously as a migrant integration programme funded by the Ministry of Housing, Communities and Local Government (MHCLG) and focused on support for new arrivals to the borough in employment, housing, parenting & early years, English language and community groups. As the programme has developed it has become clear that it works to the same principles as other initiatives such as the Local Area Coordinators and the Community First trial, including by being resident-led, strength-based, locality-based and without entry thresholds, and so these programmes were becoming more closely linked.

Data collected in relation to the Connected Communities programme has shown that it had worked with 1,186 residents between September 2018 and July 2019, 931 of whom were female. There were also a higher than expected number of Albanian nationals in contact with the programme than had been expected. Showing the impact of the early intervention work is a challenge but the team is looking at ways of measuring the social value, social connections and the savings to the Council. The

programme is not a stand-alone service, but more a part of a wider network of support including other existing Council services.

In response to questions from the Panel, Florence Guppy, Beverley Tarka and Charlotte Pomery said:

- That the programme has two funding streams, the original one from the MHCLG with a focus on migrant integration including employment advisers, housing support, etc, and then the additional funding from the Transformation Board to embed the principles of Local Area Coordination.
- That next steps include working with health provision which will involve trialling Connected Communities/Community First at two GP practices and also at North Middlesex Hospital's A&E department and so this will involve linking up with Enfield colleagues as the hospital serves both boroughs.
- That there are different funding streams for the various programmes, but there are a range of different ways of working with residents so this has enabled various approaches to be tested and evaluated.

Cllr Pippa Connor asked whether a basic guide of the main officers and points of contact for each programme could be distributed to Councillors. **(ACTION)**

Andrea Wershof said that if any Councillors were interested in shadowing either of the Local Area Coordinators for a half-day or full-day they would be very welcome to do so.

Cllr Pippa Connor thanked all the officers for their presentations and for the useful information provided.

## 21. OSBORNE GROVE UPDATE

Charlotte Pomery, Assistant Director for Commissioning, introduced this item noting that the report in the agenda pack had previously been provided to the Cabinet in July 2019 with the recommendations in section 3 that were approved. Work is now ongoing to delivery Option 4 from the feasibility study, which is for the demolition of the current building and to build a 70-bedroom nursing home on the site. This option also provides for the delivery of additional services for older people on site which are aligned to nursing care. Further details about the next stages will be shared with stakeholders in the autumn and again in January. The opening of the new nursing home is anticipated in 2022.

In response to questions from the Panel, Charlotte Pomery said:

- The costings for the four options are given in paragraph 6.36 of the report and are approximately in the £20-30m range. The previous figures for estimated costs given last year were significantly lower as they were based on some initial high-level intermediate work to estimate the likely costs. The detailed

work that was subsequently carried out was based on a whole new set of requirements and factored in different use types, high-spec environmental sustainability, the layout of the building and a future-proofed building.

- The Council needs to account for the significant amount of borrowing and the cost associated with that. The table in paragraph 8.1.3.4 of the report sets out the calculations for the overall savings for each of the various options once these costs have been accounted for based on an expected asset life of 45 years.
- The additional consultation with stakeholders from the autumn will be to consider more detailed designs as this was not in the remit of the feasibility study. The stakeholders are expected to remain involved all the way throughout the project up to, and probably also after, the opening of the new nursing home.
- Having a 70-bed capacity makes the new nursing home more economically viable while the environmental standards and the more flexible use of the rooms make it a more cost effective home to run.
- A paper on the consultation would be going to Cabinet in September for a decision.
- The feasibility study itself is a large document and had not been circulated to Members. Any Members interested in viewing the document could do so at River Park House by contacting Charlotte Pomery.

**22. DATES OF FUTURE MEETINGS**

- 6<sup>th</sup> Jan 2020 (6:30pm)
- 25<sup>th</sup> Feb 2020 (6:30pm)

CHAIR: Councillor Pippa Connor

Signed by Chair .....

Date .....



## MINUTES OF MEETING ENVIRONMENT AND COMMUNITY SAFETY SCRUTINY PANEL HELD ON THURSDAY, 3RD OCTOBER, 2019, 6.30 PM

### PRESENT:

**Councillors: Adam Jogee (Chair), Peray Ahmet, Barbara Blake,  
Eldridge Culverwell, Scott Emery, Julia Ogiehor**

### ALSO ATTENDING: Ian Sygrave

#### 1. 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'.

#### 2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Davies and apologies for lateness were received from Cllr Ahmet.

#### 3. ITEMS OF URGENT BUSINESS

There were no items of urgent business.

#### 4. DECLARATIONS OF INTEREST

Cllr Culverwell advised the Panel that he was a member of the Friends of Finsbury Park.

#### 5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None.

#### 6. MINUTES

The Chair requested that the minutes refer to the name of the Cabinet Member as well as their title. **(Action: Clerk).**

In response to the previous action around an update on additional police resources, officers advised that this equated to 10-15 new police officers a month but that they were unsure of the breakdown of the Mayor's uplift versus the recent announcement

by the Government. Officers would provide a further update to the Panel via email. **(Action: Eubert Malcolm).**

The Clerk advised the Panel that in relation to the previous action around community conversations on youth violence and engagement with the Kurdish community, the Cabinet Member (Cllr Blake) had advised that that he had met with representatives from the Kurdish community to discuss their concerns. There were six community conversations held between March 2019 and September 2019. The community conversations were facilitated through a panel discussion, including Cabinet Members, senior officers and the police. Approximately 250 individuals were in attendance across all six events. The community conversations would continue and a communications plan was being developed.

The Clerk also advised the Panel that Cllr M. Blake was due to attend the next schools forum to raise this issue of what could be done to link up with schools around youth services. This was also something that was raised at a recent workshop attended by the Cabinet Member on reducing the numbers of young people entering the youth justice system.

## **RESOLVED**

That the minutes of the meeting on 11<sup>th</sup> June be agreed as a correct record.

### **7. CABINET MEMBER Q&A - CABINET MEMBER FOR NEIGHBOURHOODS:**

The Chair advised that he was going to take the Cabinet Member Q&A session before the Veolia performance update. \*The minutes reflect the order in which the items were considered, rather than the order on the published agenda\*.

The Panel received a verbal update from the Cabinet Member for Neighbourhoods, Cllr Chandwani on her portfolio area. The Cabinet Member thanked the Panel members for their support and their involvement with evidence gathering for the implementation of dedicated disabled bays and the Blue Badges report. It was noted that phase two of the project was to be developed. The Cabinet Member also gave a brief update around the Wall of Shame scheme to educate and deter would be fly-tippers. The Cabinet Member advised that the response to the scheme so far had been overwhelmingly positive, and there had been a good number of hits generated. In response to a question, the Panel were advised that there had been over 140 FPNs issued for flytipping in the quarter from July to September 2019. The Cabinet Member also provided an introduction on the implementation of the new Parking Management IT System and the service improvements that were expected as a result of the improvements in both front and back office parking services.

The following was noted in discussion of this agenda item:

- a. The Chair sought clarification around the upcoming review of green waste charges, in response it was noted that the review would take place over the winter period once the busy autumn period had finished and that it would look at the level of charges as well any possible shortfall in the income target. The Panel was also advised that HfH were in the process of having a fresh rollout

- of their own bulky waste collection service on estates, with an accompanying communications campaign.
- b. In response to concerns around the flow of traffic and parking availability arising from the liveable streets project in Crouch End, the Cabinet Member advised that this area was the responsibility of Cllr Hearn. It was also noted that this was a rapidly developing policy area and that there was a lot of learning to be done across London.
  - c. In response to the new flytipping campaign, the Cabinet Member set out that overall a much tougher approach had been adopted with the communication messages and through adopting the Wall of Shame scheme. The Chair enquired whether it was possible to share some of the videos and communications messages with Councillors in order for them to be shared more widely. The Cabinet Member agreed to consider this. **(Action: Cllr Chandwani)**.
  - d. In response to concerns around offensive graffiti, the Cabinet Member advised that under the Veolia Contract, Veolia would remove this within 24 hours. The Cabinet Member suggested that the easiest and quickest way of reporting graffiti was through the app.
  - e. The Panel also raised concerns about dumped rubbish on Parkland Walk and a concern that some of the neighbouring properties were responsible. In response, the Cabinet Member acknowledged these concerns and advised that this would fall under the responsibility of parks rather than Veolia. The Panel were advised that officers were looking at the issue of dumped rubbish in open spaces and were looking at how to ensure that there was a consistent response for residential locations and open spaces.
  - f. In response to a question around Liveable Streets and whether a two week road closure was long enough, officers advised that all things considered this should be long enough and that, while it might be longer in an ideal world, there was always a balance to be struck and they had to consider the wider impact on road users.
  - g. The Panel requested that Liveable Streets be included on the next agenda and Cllr Hearn be invited to discuss this. **(Action: Clerk)**.
  - h. The Panel sought further information around the review of green waste charges and whether this would include an examination of the anticipated £200k income shortfall. In response, the Cabinet Member advised that the shortfall was a predicted figure but that the service was based upon seasonal demand. The review would be undertaken in the winter, following the peak summer and autumn period, an accurate assessment of the income level could not be given until then.
  - i. In response to concerns about a failure to meet recycling targets, the Panel was advised that some of the reasons for this were to do with national changes to the level of contamination accepted in recycled waste. The Cabinet Member conceded that they needed to better communicate with residents on how to prevent contamination. The Cabinet Member also advised that recycling performance also had to be seen within the context of significant funding reductions for the service. The Cabinet Member also advised that part of the conversation nationally should be focused around reusable products and reducing single use plastics, rather than just recycling.
  - j. The Panel sought comments of whether the NLWA processed a narrower range of waste items than some other authorities. In response, the Cabinet

Member acknowledged that this was the case and advised that this was largely due to the use of a 20 year old incinerator that could not be used for certain products. It was noted that the NLWA were looking to commission a state of the art incinerator to rectify this.

- k. In response to a question, the Panel were advised that the service had trialled a litter enforcement project and the use of on the spot fines. Following the end of the trial, the service was in the process of bringing a similar service back in house. In response to concerns around dog fouling, the Panel was advised that the introduction of an in house litter enforcement service would increase the level of staff available to deal with a range of issues, including dog fouling.
- l. In relation to the new Parking IT system, the Cabinet Member advised that she would be speaking to Members to engage with them around key areas and future functionality improvements such, as ANPR technology.
- m. In response to concerns about safeguards and ensuring that the Wall of Shame did not encourage vigilantism, the Panel were advised that legal advice had been sought before implementing this scheme. Furthermore, no problems had been reported from similar schemes in Barking and Dagenham or Newham. The Panel noted that it was only the second week of the scheme but that the feedback had been overwhelmingly positive and residents had welcomed the increased deterrent. It was anticipated that the scheme would create an additional risk factor for would be fly-tippers through the targeted locating of cameras in hotspot locations. The ultimate aim was to engender behaviour change but in order to this it was necessary to create a credible risk.

## **RESOLVED**

The Panel noted the verbal update provided by the Cabinet Member for Neighbourhoods.

### **8. VEOLIA PERFORMANCE - WASTE AND STREET CLEANSING UPDATE.**

The Panel received a report which set out current performance on waste and recycling. The report also set out progress against Borough Plan commitments for waste and street cleansing such as fly-tipping, as well as the reduction, reuse and recycling of products. The report was introduced by Zoe Robertson, Head of Commissioning and Client Services as set out in the agenda pack. The following was noted in response to the discussion of the report.

- a. In response to a question, the Panel was advised that the number of fly-tips had reduced by around 2000 from the year before. The performance scorecard included in the report was made up of a number of contractual performance indicators and the Panel noted that overall Veolia was meeting these targets. The recycling rate was the key performance indicator that was underperforming. Officers advised that the Mayor's waste plan was scheduled to come to November Cabinet.
- b. In response to a question, officers confirmed that the Veolia contract contained provision for leaf clearance and that this was undertaken as part of street cleansing operations. Officers advised that due to the mix of trees, it was not possible to plan leaf collections around specific tree species. In response to a follow up question, officers advised that Veolia did sweep fallen leaves from

- around drains but would not pump the drains to clear leaves that had fallen in there.
- c. In response to concerns about the level of engagement with residents groups, officers acknowledged that there was active engagement work undertaken with the community and that this proved to be a valuable source of local information as well as providing a targeted service that produced value for money. Officers conceded that there was further scope for additional engagement work and that they would like to see more of this undertaken. In response, a Panel member highlighted that reductions had been made in recent years in Veolia's community engagement team. The Cabinet Member acknowledged this and emphasised that a number of very difficult decisions had been made in recent years in relation to both the client and the contract. The Cabinet Member advised that she was happy to consider recommendations from Members of active residents' groups within the borough who could be engaged with going forwards. **(Action: Panel Members to note).**
  - d. In response to a question, officers advised that they also had performance data at a ward and, in some cases, a street level. However, the indicators included in the report were contractual performance measures and therefore represented borough-wide performance. The Chair of the Panel and the Chair of OSC agreed to speak with the Cabinet Member and officers to pick up which ward level data they would like to pick up going forwards **(Chair/Cllr Das Neves).**
  - e. In response to a question about measuring waste, it was confirmed that waste was measured and broken down into categories such as dry recycling, green waste, food waste etcetera. The overall volume of waste had not decreased, however the amount of recyclable waste was on a downward trajectory.
  - f. In response to a question about waste from businesses and commercial premises, officers advised that the figures presented in the report related to household waste only and that commercial waste was monitored separately. Commercial premises were required to have a commercial waste contract in place and there were a number of different providers in Haringey (including Veolia). Officers agreed to circulate figures on the amount of residential vs trade waste generated. **(Action: Zoe Robertson).**
  - g. Officers also agreed to circulate the outcomes from the Team Noel Park pilot scheme along with an accompanying briefing note to the Panel. **(Cllr Chandwani/Zoe Robertson).**
  - h. In response to a question around food waste in flats above shops, officers confirmed that collection of food waste was not currently available due to a lack of space to store the food waste bins at these type of premises.

## RESOLVED

That the Panel noted performance to date and comments on progress against Borough Plan objectives.

## 9. PARKING UPDATE - PARKING TRANSFORMATION PLAN AND REPORTS TO CABINET.

The Panel received two reports which provided an update on the Parking Transformation Programme as well as an update on parking related reports that were

scheduled be considered by Cabinet over September and October: The Parking Management IT System (PMIS) and Civica extension; Blue Badge and Disabled Bay Operational Review; and the Nuisance Vehicle Contract. The two reports were introduced by Ann Cunningham, Head of Operations for Neighbourhoods and Environment. The following was noted in discussion of this agenda item:

- a. The Cabinet Member advised the Panel that many of projects listed under the Parking Transformation Plan were at a fairly embryonic stage and that she would welcome the Panel's input. The Chair requested that the Parking Transformation Plan come back to the next meeting for a further discussion on these proposals and how the Panel might get involved.
- b. In response to a question, officers confirmed that parking revenue income was due to increase over the next three year period and that this was largely as a result of an expansion of Controlled Parking Zones and the introduction of a number of moving parking controls. Officers set out that an extension of the existing CPZ network was only done in response to support from local residents and that there was a 2 year waiting list due to the demand. CPZ coverage of the Borough was at around 80%.
- c. In response to a question, the Panel was advised that parking restrictions were enforced from 8am to 10pm and as part of the Parking Transformation Plan, officers were looking at extending this to 24 hour controls in and around Wood Green, in response to the growing demand on parking spaces from the night time economy.
- d. The Panel welcomed the additional investment in to parking controls and made a plea for a strategic approach to be adopted in response to CPZs. Officers acknowledged this and advised that this was one of the main reasons for examining the policy, in order to adopt a strategic approach and formalise some of the policies and learning that had been adopted.
- e. The Panel raised concerns about the potential impact of CPZs and the knock-on effect it could have on parking in neighbouring roads that were not part of a CPZ.
- f. In response to comments about abandoned cars and a perception that cars were not being taken away even after being reported, officers advised there were a series of checks and criteria that had to be met before a car could be removed. Officers set out that in a number of cases, following further investigation, vehicles were found not to be abandoned and could, for example, just have been sat there for a couple of weeks.
- g. The Cabinet Member agreed to send round a short briefing that she had drafted previously around abandoned vehicles. **(Action: Cllr Chandwani)**.
- h. In response to further questions, the Cabinet Member commented that Ward Councillors could instigate a local petition to have a CPZ installed and agreed to circulate a briefing on how this process worked to the Panel. **(Action: Cllr Chandwani)**.
- i. In response to a request for additional traffic calming measures, the Panel was advised that this was a strategic transport issue and fell within Cllr Hearn's portfolio. The Cabinet Member agreed to circulate a breakdown of the respective portfolios of the Cabinet Member for Neighbourhoods and the Cabinet Member for Climate Change & Sustainability. **(Action: Cllr Chandwani)**.

## RESOLVED

That the Panel noted the updates provided in respect of the Parking Transformation Plan and the parking related Cabinet reports.

### 10. PARKS UPDATE

The Panel received a verbal update from Simon Farrow, Highways, Parking, Parks & Open Spaces Manager around parks and street tree maintenance. The following was noted in discussion of this agenda item:

- a. In response to concerns raised by the Chair prior to the meeting, the Highways, Parking, Parks & Open Spaces Manager advised that parks security was dealt with by controlling access through using different gates and access points at different time of the year. The Panel noted that the Parks team were working with Community Safety to put in place more robust gates and locks to parks and open spaces and to remove some of the access points that were no longer required. Officers elaborated that they were also exploring a new type of digital lock used by the Fire Brigade which only allowed one person to have the key at any time.
- b. In response to a recent incidences, officers advise that the travellers who used Haringey's parks tended to do so seasonally and tended not to be using them for commercial activities. As a result, the level of dumping and rubbish was limited. The Panel was advised that the families that tended to use Haringey parks tended towards relatively short stays. Officers worked proactively worked with them to collect rubbish and install temporary toilets were necessary, as well arrange visits by social workers if required.
- c. The Chair suggested that he had received some complaints from residents that there were some commercial activities taking place in Priory Park. Officers requested that any evidence of this be forwarded on to them and that they would investigate and take the necessary actions. **(Members to note)**.
- d. The Panel was advised that in general, the police had more powers than the Council to remove travellers. If there was more than 6 vehicles, police colleagues could move them on in 24 hours. However, if there were less than 6 vehicles, the Council had to secure a Court Order, which invariably took a bit of time.
- e. The Panel commented that there had been a previous Scrutiny Review undertaken by the Panel around this issue and one of the recommendations raised was around securing borough-wide Court Orders, which had been used by other boroughs including Enfield. The Panel sought clarification as to whether any progress had been made on this issue since it was first identified some time ago. The Clerk to chase the AD for Stronger Communities for an update. **(Action: Clerk)**.
- f. The Panel was advised that although there was a budget for the maintenance of street trees, the reality was that the level of resources available was not sufficient to undertake the entire planned schedule for this year. Instead, officers were prioritising cases of dying or damaged trees or where an insurance claim had been made. Officers advised that they were in the process of putting in a bid for additional funding.

- g. In response to a question about staffing levels, the Panel were advised the team would, as of the following week, be up to its full complement of four permanent staff members, following a period of using some agency cover.
- h. The Panel requested a briefing around the tree maintenance programme which included further details of the growth bid. The briefing to also include a ward level breakdown of scheduled tree plantings. **(Action: Simon Farrow)**.
- i. In response to a question, officers advised that there was no capital provision for street tree planting, however the Council was on target to meet its target of 250 trees planted this year. In addition, officers advised that the Council had made a bid to the government to fund an additional 250 trees and a similar bid to the GLA. This would increase the number of trees planted to 750 a year.
- j. The Panel noted with concern that nine wards in the Borough had less than 20% street tree coverage and eight of those wards were in the east of the Borough.

**RESOLVED**

The verbal update was noted.

**11. WORK PROGRAMME UPDATE**

**RESOLVED**

- I. That the Panel noted its work programme, attached at Appendix A, and considered whether any amendments are required.
- II. That the Overview and Scrutiny Committee be asked to endorse any amendments at its next meeting.

**12. NEW ITEMS OF URGENT BUSINESS**

N/A

**13. DATES OF FUTURE MEETINGS**

November 5<sup>th</sup>  
17<sup>th</sup> December

CHAIR: Councillor Adam Jogee

Signed by Chair .....

Date .....



**MINUTES OF THE MEETING OF THE HOUSING AND  
REGENERATION SCRUTINY PANEL HELD ON THURSDAY 12<sup>th</sup>  
SEPTEMBER 2019, 7.00 - 9.25pm**

**PRESENT:**

**Councillors: Khaled Moyeed (Chair), Dawn Barnes, Ruth Gordon,  
Bob Hare, Yvonne Say, Daniel Stone and Sarah Williams.**

**12. 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.

**13. APOLOGIES FOR ABSENCE**

No apologies for absence had been received.

**14. URGENT BUSINESS**

None.

**15. DECLARATIONS OF INTEREST**

None.

**16. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS**

Two deputations were received by the Panel.

The first deputation was presented by Faruk Tepeyurt regarding the High Road West regeneration scheme. Mr Tepeyurt said that he had spoken to the Panel about this issue previously and that he was speaking on behalf of businesses on the Peacock industrial estate, White Hart Lane and Tottenham High Road. Mr Tepeyurt said that under the proposals for the High Road West scheme a total 120,000 squares metres of land would be given to Lendlease plc and that business owners would have to give up their land and become leaseholders rather than freeholders. He said that the views of business owners had not been taken into account throughout the consultation process and that the existing businesses should be protected.

In response to questions from the Panel, Mr Tepeyurt and others supporting the deputation said:

- That the existing businesses include coffee shops, a photocopying shop, eateries and dry cleaning on the High Road and mechanics, upholstery shops, joinery shops and timber yards on the industrial estates. There are more than 250 people employed on the industrial estate with a turnover of over £10m.
- That a previous Haringey Council report had stated that 92 businesses would be disrupted by the regeneration scheme. Not all of these businesses have an alternative space to which they can relocate.
- The businesses in the industrial estate currently own around 20,000 sq/m of land of which around 10,000 sq/m is designated for 'B1' business use. However, Mr Tepeyurt said that in he understands the proposal to be that only 1,000 sq/m had been allocated for the businesses under the new development so 90% was being lost.
- That his request to the Panel is that a thorough scrutiny review of the High Road West regeneration scheme be carried out.

The second deputation was presented by Joanna Morrison, Chair of the Love Lane Temporary Accommodation Group, who also spoke about the High Road West regeneration scheme. The Love Lane estate is also included in the High Road West regeneration area and, following the change in the administration at Haringey Council which has different aspirations, Joanna Morrison said that there should be a fresh review of the current situation related to High Road West. She said that the tenants had suffered from poor standards of treatment and that all temporary accommodation tenants of the Love Lane estate should be rehoused in permanent accommodation.

In response to questions from the Panel, Joanna Morrison and others supporting the deputation said:

- That the length of time that the tenants have been in temporary accommodation varies significantly with some there for less than two months while others had been on the waiting list for up to 11 years.
- That the impact on tenants of their situation can include a lack of stability in their lives causing anxiety and depression. Having to move regularly because of a lack of permanent accommodation particularly affects parents and children due to changing environment and schools.
- That there had been some positive changes to the general upkeep and maintenance of the estate since the TAG's previous representations to the Panel last year although some concerns had not been addressed.
- On whether it would be fair for temporary accommodation tenants to be prioritised over others on the housing waiting list, there were some tenants being moved into sites already earmarked for redevelopment and then moved out again so there should be a specific change in the policy to find permanent accommodation for these people.

- On the proposed ballot of residents on the redevelopment it was felt that there was pressure being applied by the Council for residents to move away and that the alternative options being highlighted in recent letters to tenants, such as moving into the private sector, are not really viable options. There had been very little communication about the ballot which had already been delayed on more than one occasion.

Cllr Gordon proposed that the topic of High Road West be taken on by the Panel as a full scrutiny review. Cllr Moyeed confirmed that this was the intention of the Panel and that further discussions with Panel members would be necessary in order to determine the terms of reference for the Review.

## 17. MINUTES

Cllr Gordon proposed that some of the items on the Panel's action tracker could be discussed at a future meeting on the next occasion that Cllr Emine Ibrahim, Cabinet Member for Housing and Estate Renewal, was present. This was noted by the scrutiny officer.

**AGREED: That the minutes of the meeting held on 10<sup>th</sup> June 2019 be approved as an accurate record.**

## 18. CABINET MEMBER QUESTIONS - STRATEGIC REGENERATION

Cllr Charles Adje, Cabinet Member for Strategic Regeneration, responded to questions from the Panel as follows:

- Asked what he knew about the pre-application from Tottenham Hotspur to build a tower block, he said that the site is part of the High Road West development. He was aware that an application was going to be submitted but this would be a matter for the Planning Committee to determine. In terms of the number of proposed new homes that would also be a matter for the Planning Committee. Planning applications submitted must comply with the Council's current policy as determined by the Area Action Plan (AAP). He had not had any discussions about the application with the landowners at this stage.
- Asked about the future jobs and businesses that should be part of new developments, Cllr Adje said that, in relation to the Peacock industrial estate, the Council has said that it has and will continue to engage with businesses to help them relocate where necessary. The Council has not said that businesses are going to be closed. In relation to the delay, this has been enforced on the Council by the Mayor of London because of the requirement to hold a ballot. Dan Hawthorn, Director of Housing, Regeneration & Planning, added that the Council has an Economic Development Strategy which helps to determine what type of businesses to promote and support and that work is currently ongoing to update the strategy. The current aim is to bring the consultation draft of the updated strategy to Cabinet in February 2020.

- Dan Hawthorn said that he recognised the disruption and uncertainty caused to businesses affected by the High Road West redevelopment and that any decision to proceed with a scheme like this has to be made on balance. There is a complex issue with the relocation of businesses and there are lots of different land interests and businesses with different requirements contained within the Peacock industrial estate. There are various options where it may be viable for a business to remain within the redeveloped High Road West site as leaseholders. However, not all business types are compatible with high-density residential spaces. The Council want to be active agents in helping to relocate businesses in cases where this is the most appropriate option. While the use of a Compulsory Purchase Order (CPO) is always an option, the Council would aim to ensure that as many pieces of the land as possible is acquired through negotiation and to exhaust all other options before it would be considered necessary to use a CPO. He said that he did not recognise the 90% figure quoted by Mr Tepeyurt in the deputation heard earlier in the meeting, the precise square footage available for businesses in the scheme is not yet known as the planning application has not yet been made. Asked about the potential benefits of the High Road West scheme to the Council, Dan Hawthorn said that the Borough would benefit from 2,000 new homes, replacement Council housing, new community facilities, new employment and a £10m socio-economic investment programme. Cllr Adje said that, given the Panel's undertaking to carry out a full scrutiny review, it now has an opportunity to look into all of these issues in more depth.
- With regards to a previous request from the Panel to invite ward Councillors to the Wood Green landowner forum, Cllr Adje confirmed that Councillors from the relevant wards, namely Noel Park and Woodside wards, would be invited to future meetings of the forums along with the relevant lead Members. Asked if there were any other similar forums in operation, he confirmed that there were not.
- Asked about the current expected schedule for the redevelopment by Argent in Tottenham Hale, Cllr Adje said that officers would provide these details to the Panel in writing. **(ACTION)**

**19. UPDATE - REVIEW OF MANAGEMENT PROCESS FOR CIL**

The Panel agreed to defer this item to the next meeting due to a lack of time.

**20. SOCIO-ECONOMIC PROGRAMME - HIGH ROAD WEST REGENERATION SCHEME**

The Panel agreed to defer this item to the next meeting due to a lack of time.

## 21. WOOD GREEN AAP

Emma Williamson, Assistant Director for Planning, presented slides to the Panel on the Wood Green Area Action Plan (AAP) which included the following details:

- On the purpose and scope of the AAP, Wood Green is one of 13 Metropolitan Centres in London and is allocated as a Growth Area in the Local Plan and as an Opportunity Area in the London Plan. Once adopted, the AAP will form the principal Local Planning document for the Wood Green Area.
- Wood Green currently serves a wide catchment area in north London and benefits from good transport links, high footfall and a diverse multicultural array of shops and businesses. However, there is also some underused land and opportunities to establish better transport links to other parts of the Borough.
- Metropolitan Centres are identified in the new London Plan as serving a wide catchment area, typically with at least 100,000 sq/m of retail, leisure and service floorspace with a significant proportion of high-order comparison goods relative to convenience goods. To enable Wood Green to maintain its Metropolitan Centre status and attract larger retailers and businesses to the area and revitalise the High Road, the AAP seeks to provide a range of retail premises along with more leisure and office floorspace.
- Wood Green is identified as an Opportunity Area in the London Plan with an indicative 4,500 new homes and 2,500 new jobs in the area. It is also a potential location for a Crossrail 2 station. Key sites for potential development sites include the Clarendon Road gas works, the Cultural Quarter area and some other land around the High Road and The Mall.
- The boundaries of the AAP area stretch from the Civic Centre in the north to Turnpike Lane tube station in the south and to the edge of Alexandra Park in the west to the edge of Noel Park in the east.
- Wood Green is well linked to central London with connections to King Cross/St Pancras in 15 minutes via the Piccadilly line and to Moorgate in 21 minutes via Alexandra Park station. Wood Green is surrounded by other nearby town centres but it, as it is larger than the others, it has a net inflow from Tottenham in terms of jobs and retail spends. It is separated from Hornsey, Muswell Hill and Crouch End by the Great Northern railway line and these centres also carry out a different function to Wood Green so it could be better utilised to attract residents of those areas. Green Lanes to the south shares many of the multicultural characteristics of Wood Green and has also recently undergone some regeneration.
- While Alexandra Park is outside of the AAP area it is nonetheless important that the AAP benefits and complements the ongoing work at Alexandra Palace and to improve accessibility between Wood Green and Alexandra Park through the planned east-west link and improvements to the Penstock foot tunnel.
- An announcement on Crossrail 2 is still being awaited. Although Crossrail 2 is referred to in the London Plan it is not included within TfL's funding programme.

A previous version of the Wood Green AAP was predicated on the introduction of a Crossrail station at Wood Green underground station but the updated version of the Wood Green AAP is predicated without this improvement and instead provides safeguards for the alternative route which is not the Council's preferred alignment. The Wood Green AAP is therefore complicated by the uncertainty over Crossrail 2 and the different safeguarding that could be required at various sites.

- There have been a number of different versions of the Wood Green AAP. The Council consulted on issues and options in 2016, then consulted again in 2017 and in 2018. A new version is currently being worked on but this has not yet been taken forward as decisions are being awaited on proposals for Council owned sites in the Wood Green areas.
- After the revised Wood Green AAP is published, there is then a 6-week consultation period. The Council can then submit the Local Plan to the Secretary of State via the Planning Inspectorate and then the Council can adopt any changes recommended by the Inspector. This process is expected to take around 18 months.
- Concerns had been raised during previous consultations about residents from the Page High and Sky City estates about the loss of these estates due to the proposed redevelopments of The Mall and the Bury Road Car Park sites. However, the Council made an announcement last year that these estates would now not be demolished. Concerns were expressed about a loss of affordable workspaces in the Cultural Quarter but the Council seeks to retain existing workspaces and this is reflected in the AAP development capacities. Concerns were raised about the lack of swimming pool & leisure centre in Wood Green and the Council is investigating whether such facilities could be provided as part of the Council Accommodation Strategy. Concerns about the poor quality of public realm in the area will be addressed through a public realm design guide document called the Wood Green & Turnpike Lane Placemaking Manual.
- There are a total of 26 Site Allocations in the Wood Green AAP and there are a total of 5,606 additional homes currently planned.
- The vision of the AAP is for Wood Green to become an employment-led place. The employment workspace is concentrated mainly in the Cultural Quarter area but there are also plans for mixed-use developments in other Site Allocations which would include a mix of workspaces and homes. The Clarendon Road scheme in the Cultural Quarter will provide 1,714 homes and 7,500 sq/m of B1 use employment space.
- The AAP is being developed in the context of the decline of high street shopping generally and so it would be necessary to promote a wider range of uses including a bigger role for leisure, restaurants and community spaces. However, a Future of Retail report from the GLA projects that, despite a predicted rise in spending on 'comparison goods' via the internet from 18.6% of

spend in 2015 to 25.7% by 2041, there will also be a need for a net additional 1.6m sq/m of retail floorspace in London over the same period. The trend in demand towards the stronger and more attractive centres is likely to continue.

- In July 2019 the Council approved a recommendation that the Library site and a dual option of the Library Site and Civic Centre site be progressed as options for a new Civic Hub, potentially with a new leisure centre on site.
- Planning permission has already been approved for:
  - the former M&S site on 44-46 High Road
  - the Chocolate Factory site in the Cultural Quarter
  - the Clarendon Road scheme in the Cultural Quarter
- Applications that have been determined but awaiting a Section 106 agreement to be signed are:
  - the Iceland site on Brook Road
  - the former BHS site on 22-42 High Road

In response to questions from the Panel, Emma Williamson said:

- With regards to the potential height of new buildings in Wood Green, it is an area designated for tall buildings but it isn't possible to have tall buildings in every location because of the views of Alexandra Palace. There are strong planning policies to assess tall buildings.
- On the future retail strategy for the Borough this is typically a role for the Local Plan which sets out a hierarchy of different retail centres. The Council also carries out a town centre health check each year which examines matters such the percentage of vacant shops.
- On the Cultural Quarter it is the Council's aspiration to retain a large number of the current occupants within Wood Green. Asked about how the amount of B1 business space would compare to the current level, the detail of this could be provided to the Panel in writing. **(ACTION)**

Asked whether some Council-owned sites will be sold, Dan Hawthorn said there can be complex situations in the case of some redevelopments which mean that it is necessary to be pragmatic about how best to achieve the desired outcome within the required timeframe. However, the starting presumption is based on whether the Council can carry out its own development on its own land.

**22. DATES OF FUTURE MEETINGS**

- 16<sup>th</sup> December 2019
- 3<sup>rd</sup> March 2020

CHAIR: Councillor Khaled Moyeed

Signed by Chair .....

Date .....

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**Report for:** Overview and Scrutiny Committee – 25 November 2019

**Title:** Scrutiny Review on Wards Corner

**Report Authorised by:** Stephen Lawrence Orunwense, Assistant Head of Legal Services

**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 On 15<sup>th</sup> October 2019 the Overview and Scrutiny Committee considered the scrutiny review of the Wards Corner development and agreed; a) to accept the review reports findings and recommendations; b) that third parties be allowed to make representations relating to accuracy of the review report. Authority be granted to the Chair and Vice-Chair in consultation with Committee members to consider the representations and make any additions to the report, if required; c) to publish the final report and put it before the executive for a response at the December Cabinet meeting.
- 1.2 Following this meeting, the Monitoring Officer advised that any amendments made to the scrutiny review report should be agreed at a meeting of the Committee. The purpose of this report is to seek the Committee approval of the amendments made to the scrutiny review report as a result of comments received from third parties and Assistant Director responsible for the Planning Service.

## 2. Cabinet Member Introduction

N/A

## 3. Recommendations

- 3.1 To approve the amendments outlined in track changes to the Wards Corner scrutiny review findings (which is attached as Appendix 1).
- 3.2 To publish the updated review report and for Cabinet to consider and respond to the findings and recommendations.

## 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 key third parties affected by the scrutiny review findings and recommendations have now had the opportunity to comment on any factual inaccuracy in the review report. The comments have been considered and as a consequence, further amendments have been made to the review report which is now before the Committee for approval.

## **5. Alternative options considered**

- 5.1 The Committee could decide not to agree the proposed changes to the report. However, this would not be in keeping with the Statutory Guidance for Overview and Scrutiny in Local and Combined Authorities 2019.

## **6. Background information**

- 6.1 The Committee is aware of the background information to the Wards Corner review which are set out in the Officer report to the Committee meeting on 15<sup>th</sup> October 2019 at Section 6.
- 6.2 On 18<sup>th</sup> of October 2019 the key third parties i.e. Grainger, QuarterBridge and Clarion affected by the scrutiny review findings and recommendations were advised of the Committee decision of 15<sup>th</sup> October 2019 and invited to comment on any factual inaccuracies in the review report. Representatives of Grainger and Quarterbridge provided detailed comments on the review report.
- 6.3 In light of the comments made by statutory officers that there were aspects of the review lines of enquiries and findings that were not put to the Assistant Director when she gave evidence to the HRSP, the Planning service were provided with a further opportunity to provide comments in relation to the factual accuracy of the report. The Planning service also provided detailed comments.

- 6.4 These comments received were collated and distributed to the Chair and Vice Chair for consideration.
- 6.5 In considering these comments, account was given to the considerable amount of evidence, both verbal and in writing that had been received. The review's main purpose was to seek to make recommendations on how the issues raised could be resolved. Scrutiny reviews are first and foremost policy development and review exercises and the final report aims to be a working document that proposes a way forward. Not every individual contribution and point of detail that was received by the review has been included for reasons of space and to ensure that the focus of the report is on potential solutions. The review findings aimed to summarise all the evidence that was received and which led the Committee to reach its conclusions and prompt its recommendations. Nevertheless, the review sought to include the matters that the Panel and Committee considered to be most significant.
- 6.6 With the above in mind, each comment received was given serious consideration and also considered with the following context in mind; a) its connection to the accuracy of the report findings; b) the actual evidence considered by the Scrutiny Review Panel and Overview and Scrutiny Committee over the course of the review; c) Where a clarification was required to more accurately reflect the factual information considered in the review; and d) where the response was a comment and was better placed for inclusion in the Cabinet response to the recommendations due for consideration at the Cabinet meeting in December.
- 6.7 The result of these considerations, along with the correspondence from the third parties and officers was circulated to Committee Members and the proposed amendments are set out in the review findings in appendix 1 and in tracked changes.
- 6.8 The committee are asked to agree these amendments and put forward the final review on the Wards Corner Development to Cabinet for consideration and response.
7. **Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

### **Legal**

- 7.1 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.

- 7.2 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
- 7.3 If Overview and Scrutiny Committee approve the proposed amendments to the review report, 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**

- 7.4 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.

- 7.5 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.
- 7.6 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."
- 7.7 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.
- 7.8 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 1: Amended 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

<b>A Review by the Overview &amp; Scrutiny Committee (2019/20) and the Housing &amp; Regeneration Scrutiny Panel (2018/19)</b>	
<b>Panel Membership – Overview &amp; Scrutiny Committee 2019/20</b>	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)
<b>Panel Membership – Housing &amp; Regeneration Scrutiny Panel 2018/19</b>	Cllr Ruth Gordon (Chair)
	Cllr Dawn Barnes
	Cllr Isidoros Diakides
	Cllr Bob Hare
	Cllr Yvonne Say
	Cllr Daniel Stone
	Cllr Sarah Williams

Scrutiny Officer: Dominic O'Brien

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Tel: 020 8489 5896

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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 Scrutiny 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~~Operator/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 relating to the Market Facilitator were not ~~active~~operative or enforceable. The Council's Deputy Monitoring Officer changed the legal position in March 2019 to state that the obligations relating to the Market Facilitator in main provisions of the S106 ~~were~~ "now" operative~~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	
<b>1</b>	<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"> <li>• Democratic elections of trader representatives.</li> <li>• Appointment of Independent Chair [acceptable to the trader representatives].</li> <li>• Role of the Council’s Town Centre manager to be clearly defined.</li> <li>• 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.</li> </ul> <p>The agenda items, minutes and actions arising from meetings of the steering group to be shared with senior managers at the Council.</p>
<b>2</b>	<p>The Standards Committee to review Part Four (Rules of Procedure), Section G (Overview &amp; 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	
<b>3</b>	<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"> <li>• How the conflict of interest between the market facilitator role and market <del>manager-operator</del> role, when they were the same person, could not have been recognised earlier.</li> <li>• What due diligence had been undertaken in the appointment of the Market Facilitator.</li> <li>• 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.</li> <li>• When the S106 obligations commenced and what the causal factors were in their becoming operational.</li> </ul>

	<ul style="list-style-type: none"> <li>• 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.</li> <li>• To publicly clarify the position on the section 106 agreement, given the Panel heard evidence suggesting there had been a breach.</li> <li>• How a failure to monitor the S106 agreement occurred and could continue for so long while breaches of the S106 agreement were repeatedly reported.</li> <li>• How failure to monitor the S106 agreement had an impact on the council’s public sector equalities obligations.</li> </ul> <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>
<p><b>4</b></p>	<p>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.</p>
<p><b>Section 106 Agreement</b></p>	
<p><b>5</b></p>	<p>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.</p>
<p><b>6</b></p>	<p>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.</p>
<p><b>7</b></p>	<p>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.</p>
<p><b>Market maintenance</b></p>	

<b>8</b>	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.
<b>Evictions</b>	
<b>9</b>	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.
<b>United Nations interventions</b>	
<b>10</b>	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.
<b>Future options for the Wards Corner site</b>	
<b>11</b>	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
<b>12</b>	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.
<b>13</b>	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.
<b>14</b>	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)<sup>1</sup> 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 seven 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. [In April 2019, a claim was lodged in the High Court bringing a case for a Statutory Review of the Secretary of State's decision to confirm the CPO. The case was dismissed in the](#)

<sup>1</sup>[The Tottenham AAP was adopted in July 2017. Prior to this, the Wards Corner site was subject to different planning policies.](#)



~~High Court in October 2019. There is a legal challenge to the Secretary Of State's confirmation of the CPO and a High Court hearing taking place on the 8<sup>th</sup> and 10<sup>th</sup> of October.~~

3.3 At its meeting on 19<sup>th</sup> 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 Panel<sup>2</sup>.

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.”<sup>3</sup>*

### 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 3<sup>rd</sup> December 2018 with all seven members of the Panel in attendance. Panel Members

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<sup>2</sup> Item 29, Overview & Scrutiny Committee, 19<sup>th</sup> Nov 2018

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

<sup>3</sup> 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>

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 between 6<sup>th</sup> February 2019 and 9<sup>th</sup> 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 20<sup>th</sup> May 2019<sup>4</sup>. 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 3<sup>rd</sup> June 2019<sup>5</sup>.
- 3.8 In order to conclude the Scrutiny Review on Wards Corner it was agreed, at the meeting of the Overview & Scrutiny Committee on 3<sup>rd</sup> June 2019, that the Review would be transferred from the workplan of the Housing & Regeneration Scrutiny Panel to that of the Overview & Scrutiny Committee.<sup>6</sup> 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

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

<sup>5</sup> Item 20, Overview & Scrutiny Committee, 3<sup>rd</sup> June 2019

<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=128&MId=9102&Ver=4>

<sup>6</sup> Item 27, Overview & Scrutiny Committee, 3<sup>rd</sup> June 2019

<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=128&MId=9102&Ver=4>

3.10 The membership of the Overview & Scrutiny Committee for 2019/20 that oversaw the completion of the Review from June 2019 onwards was<sup>7</sup>:

- 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)

#### 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
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<sup>7</sup> 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 10<sup>th</sup> June 2019 for more details: <http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?Cid=754&Mid=9119&Ver=4>

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.
<u>August 2011</u>	<u>Following the Court of Appeal's decision, the application for planning permission was redetermined by the Council's planning committee and it was refused.</u>
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 <u>which related to the former Wards Corner department store building only.</u>
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.

<u>Nov 2015</u>	<u>The Council's Cabinet approved the use of its CPO powers to acquire the property interests required to facilitate the delivery of the development.</u>
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 second 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, <u>MAM recruited additional staff of Latin American origin with whom the traders could better communicate in their first language.</u></p>

<p>Nov 2018</p>	<p>On the 19<sup>th</sup> 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"> <li>• appointment of a new independent market facilitator to replace Quarterbridge,</li> <li>• appointment of Spanish speaking mediator, maintaining a Spanish translator on the steering group,</li> <li>• 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.</li> </ul> <p>Quarterbridge Project Management Ltd resigns from the role of Market Facilitator.</p>
<p>Dec 2018</p>	<p>A number of traders resign from the Steering Group. Grainger announces its intention to replace the market facilitator.</p>
<p>Jan 2019</p>	<p>The Secretary of State for Communities and Local Government confirms the approval of the CPO.</p>
<p>Feb 2019</p>	<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>
<p>Mar 2019</p>	<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>
<p><u>Apr 2019</u></p>	<p><u>Planning Department of Haringey Council opens investigation into the way that the S106 agreement was applied.</u></p>
<p>Apr 2019</p>	<p>Notice is given of a <del>claim to seek a</del> <u>legal challenge by way of a Statutory Review</u> <del>judicial review</del> 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"*.<sup>8</sup> 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.

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<sup>8</sup> p.1, TfL's second investigation report into Seven Sisters Market (Oct 2018)

MAM became leaseholder in September 2015.

- 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.<sup>9</sup>
- 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.

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<sup>9</sup> Oral Evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27<sup>th</sup> March 2019

**PICTURE 2: Impression of completed regeneration of site**



**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. The Director of Quarterbridge Project Management informed the Panel that the company is "an entirely independent professional consultancy and advisor to many Market authorities" and that Market Asset Management (Seven Sisters) Ltd is "the owner of the business known as 'Seven Sisters Market'" which "manages the business through on-site staff acting in accordance with industry best practice." The Panel acknowledges the distinction between the two companies and the description of these companies functions as set out above but also believes that it is important to note that the two companies share Directors. For the avoidance of doubt, this report refers throughout to the role played by the Director of Quarterbridge Project Management Ltd as that of "market facilitator", and to the role played by the Director of Market Asset Management (Seven Sisters) Ltd as that of "market operator" as these were their main functions as commonly understood by the range of witnesses that gave evidence to the Panel.

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 former Council office building recently purchased redeveloped by Grainger

on the other side of Seven Sisters Road from the existing market. The building was demolished and a new mixed use development is being constructed with 222 housing units and commercial space on the lower floors. 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. An extended period for the receipt of objections to the CPO was held until 28<sup>th</sup> 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 11<sup>th</sup> July 2017 and concluded on 27<sup>th</sup> 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 2018<sup>10</sup>.
- 6.22 The Panel notes that within the Planning Inspectors report, key areas were highlighted.<sup>11</sup> The 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”<sup>12</sup> 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”.<sup>13</sup>

<sup>10</sup> 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](https://www.haringey.gov.uk/sites/haringeygovuk/files/inspectors_report_wards_corner_cpo_redacted.pdf)

<sup>11</sup> 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)

<sup>12</sup> 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)

<sup>13</sup> 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)

- 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.<sup>14</sup> 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.<sup>15</sup>
- 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.<sup>16</sup>
- 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. I conclude that a compelling case for the confirmation of the Order, in the public interest, has been demonstrated.”<sup>17</sup>*
- 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 CPO<sup>18</sup> until 23 Jan 2019. An appeal period ran for six weeks from 27<sup>th</sup> February 2019 to 10<sup>th</sup> April 2019 during which time a legal challenge was made by way of a Statutory Review ~~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~~operator. In their evidence

<sup>14</sup> 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)

<sup>15</sup> 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)

<sup>16</sup> 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)

<sup>17</sup> p.66, paragraphs ~~381-382~~, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

<sup>18</sup> CPO decision letter (MHCLG, 23<sup>rd</sup> Jan 2019) [https://www.haringey.gov.uk/sites/haringeygovuk/files/190123\\_decision\\_letter.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/190123_decision_letter.pdf)



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 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.<sup>19</sup>

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—

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<sup>19</sup> Race Relations Act 1976, Section 71 <http://www.legislation.gov.uk/ukpga/1976/74/enacted>

- 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.<sup>20</sup>

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 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.”<sup>21</sup>*

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. The Panel understands that several equality impact assessments had been commissioned by both Grainger and the Council at the time.

#### Planning permission for revised scheme (2012)

7.7 On 25<sup>th</sup> 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,

<sup>20</sup> Equality Act 2010, Section 149 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

<sup>21</sup> The full judgement can be found at: <http://www.bailii.org/ew/cases/EWCA/Civ/2010/703.html>

which was subsequently entered into by Haringey Council and Grainger on 11<sup>th</sup> July 2012 specified the following provisions<sup>22</sup>:

- 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
- 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 25<sup>th</sup> July 2017, at a time when the CPO Public Inquiry was open and hearing evidence<sup>23</sup>, 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, were<sup>24</sup>:

- 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;

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<sup>22</sup> 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)

<sup>23</sup> The London Borough of Haringey (Wards Corner Regeneration Project) Compulsory Purchase Order 2016 Public Inquiry was held between 11<sup>th</sup> July 2017 and 27<sup>th</sup> July 2017.

<sup>24</sup> 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)

- 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%.

### 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 Covenants<sup>25</sup>:

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

- 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);
- promote the interests of Spanish-speaking Traders in the Temporary Market;
- 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;

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<sup>25</sup> Paragraph 24.3, Schedule 4 (Developer's Covenants), S106 agreement on the Wards Corner site, 11<sup>th</sup> July 2012

- assist Traders in continuing to trade from the Market for so long as it is open for trading purposes; and
- 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'<sup>26</sup>:

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

- promote the interests of non-English speaking Traders in the Temporary Market and the New Market Area;
- 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;
- 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;
- 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;
- advertise the Temporary Market and the New Market Area once each facility has been opened to the public; and
- 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

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<sup>26</sup> Paragraph 2.1, Schedule 3 (Variation), Deed of Variation to the S106 agreement on the Wards Corner site, 25<sup>th</sup> July 2017

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 summer 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.<sup>27</sup>

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 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."<sup>28</sup>*

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<sup>27</sup> Written evidence to the Panel from Grainger, March 2019

<sup>28</sup> 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)

- 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.<sup>29</sup>
- 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 12<sup>th</sup> 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.*"<sup>30</sup>
- 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 charge<sup>31</sup>. 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

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

<sup>30</sup> Notes provided by Incite Strategic Communications of a full traders meeting, 12<sup>th</sup> February 2019

<sup>31</sup> Oral evidence given by market operator/facilitator to a session of the Housing & Regeneration Scrutiny Panel, 28<sup>th</sup> March 2019

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
- 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."<sup>32</sup>

8.3 Grainger published its Seven Sisters Community Engagement Strategy<sup>33</sup> 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,

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<sup>32</sup> Paragraph 21.1, Schedule 4 (Developer's Covenants), S106 agreement on the Wards Corner site, 11<sup>th</sup> July 2012

<sup>33</sup> Seven Sisters Community Engagement Strategy: <http://bailey.persona-pi.com/Public-Inquiries/seven-sisters/core-docs/cd4/cd4-35.pdf>



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.
  - 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 Study<sup>34</sup> 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.

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<sup>34</sup> Diversity Monitoring – Baseline Study, Seven Sisters Indoor Market, *Grainger* (March 2017)  
[https://www.haringey.gov.uk/sites/haringeygovuk/files/seven\\_sisters\\_baseline\\_study.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/seven_sisters_baseline_study.pdf)

- 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.<sup>35</sup>
- 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 representing the market traders were:
- Mosen Khanjary
  - Lita Alvarado
  - Nicholas Amayo
  - Chan Baker
  - Farhad Zarei
  - Ben Nyerende
- 8.12 The meeting was also attended by:
- A representative of Grainger PLC
  - A representative of MAM
  - Town Centre Manager (Haringey Council)
  - A representative of 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.<sup>36</sup>
- 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

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<sup>35</sup> Oral evidence given by the Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27<sup>th</sup> March 2019

<sup>36</sup> Oral evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27<sup>th</sup> March 2019

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 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-operator (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 management.<sup>37</sup>
- 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~~ operator 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.”*<sup>38</sup>
- 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 1<sup>st</sup> November 2018.
- 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 6<sup>th</sup> 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.”*<sup>39</sup>
- 8.22 The Panel also received a copy of the letter in response to this from Grainger dated 9<sup>th</sup> 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

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<sup>37</sup> Future of Seven Sisters Market Steering Group, updated terms of reference (version obtained by the Panel is dated 15<sup>th</sup> Oct 2017)

<sup>38</sup> Written evidence to the Panel from Market Facilitator March 26<sup>th</sup> 2019

<sup>39</sup> Letter from ‘Save Latin Village & Wards Corner’ to Grainger, 6<sup>th</sup> Dec 2018

*“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 or the Steering Group to act as the dispute resolution body in relation to these issues.”*<sup>40</sup>

- 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 sides<sup>41</sup>. 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.
- 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

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<sup>40</sup> Letter from, Senior Development Manager, Grainger to Save Latin Village & Wards Corner, 9<sup>th</sup> January 2019

<sup>41</sup> Oral evidence given by AD for Regeneration, Haringey Council to a session of the Housing & Regeneration Scrutiny Panel, 8<sup>th</sup> May 2019

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.”<sup>42</sup>*

- 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.
- 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.”<sup>43</sup>*

- 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*

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<sup>42</sup> 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>

<sup>43</sup> Letter from Haringey Council Legal Services to Bindmans LLP, 22<sup>nd</sup> March 2019

*Traders are continuing to receive assistance from the Market Facilitator to enable them to trade from the Market.”<sup>44</sup>*

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.<sup>45</sup>

8.35 The Assistant Director for Planning, whose Department is responsible for the enforcement of the S106 agreement, told the Panel that she regretted not realising early enough that there was a problem with the market facilitator role and that it would have been better if she had been alerted to this by the Regeneration department. She said that, in her Planning role, it had been necessary for her to keep separate from the CPO inquiry but the unfortunate part about that was that she didn't become aware of the issues around the market facilitator role. She acknowledged that it would therefore be necessary to reflect on how the departments maintain this separation while enabling a flow of information on matters like this where appropriate.

~~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.~~

8.36 Elements of the S106 ~~were~~ had been 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.

**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.**

<sup>44</sup> Letter from Haringey Council Legal Services to Bindmans LLP, 3<sup>rd</sup> September 2018

<sup>45</sup> Letter from Bindmans LLP to Leader of Haringey Council, 15<sup>th</sup> August 2018



- **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

basis<sup>46</sup>. 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.”*<sup>47</sup>

- 9.5 In the minutes of the first and second Steering Group meetings, advise the market Manager’s operator’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-operator to resolving health and safety issues within the market but he did not accept that this amounted to intimidation.<sup>48</sup> In evidence to the Panel, the market operator contended that the necessary actions taken by him to remedy breaches of statutory legislation, including health and safety risks, became a root cause in some instances of complaints from market traders who regarded such actions to be unwelcome.
- 9.6 In evidence submitted to the Panel, the Market ManagerOperator/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.”*<sup>49</sup>

<sup>46</sup> 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.

<sup>47</sup> Specialist Support for Seven Sisters Market, 16<sup>th</sup> October 2012 <https://www.haringey.gov.uk/news/specialist-support-seven-sisters-market>

<sup>48</sup> Minutes of meetings of Seven Sisters Market Traders Steering Group, 27<sup>th</sup> Oct 2016 & 24<sup>th</sup> Nov 2016

<sup>49</sup> Written evidence to the Panel from market manageroperator/Facilitator, 27<sup>th</sup> August 2019

- 9.7 The Panel heard evidence that in relation to the business support element of the role, the Market ~~Manager~~Operator/ 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”.<sup>50</sup>
- 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-~~facilitator~~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. Grainger also informed the Panel that, as part of their engagement approach, they had held one-to-one meetings with traders in addition to whole market meetings held within the Market in order to discuss the progress of various projects.<sup>51</sup> 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.<sup>52</sup>
- 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.<sup>53</sup>
- 9.10 The Panel were made aware of alleged incidents between the market ~~Facilitator~~operator 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~~operator 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 by Quarterbridge (given the overlap between Quarterbridge and MAM). 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 Section 106 obligations had been breached until receipt

<sup>50</sup> Written evidence to the Panel from Market Facilitator, 27<sup>th</sup> August 2019

<sup>51</sup> Written evidence to the Panel from Grainger, March 2019

<sup>52</sup> Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, April 2019

<sup>53</sup> Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, April 2019

of Bindman's letter of the 15<sup>th</sup> August 2018. At this point the Council's legal advice was that the Section 106 obligations were not in operation.

- 9.11 In a written submission to the Panel, the market ~~Facilitator~~operator states that these allegations are repeated *"even following two inquiries by TfL which acknowledged an apology for inappropriate language at a public meeting. Since then [MAM] has continued to develop an Action Plan with TfL to improve the Market."*<sup>54</sup>
- 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~~operator 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~~operator 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 19<sup>th</sup> November 2018 a meeting was 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,

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<sup>54</sup> Written evidence to the Panel from 26<sup>th</sup> March 2019

- 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.

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. Quarterbridge maintained that its resignation did not represent tacit acknowledgment that a conflict of interest existed, only that some traders were unhappy with the arrangement. Quarterbridge also contended that it had followed the requirements of the S106 agreement to the letter and followed the overriding principle that the role of market facilitator was to act in the best interests of all traders in the market. However, ~~the~~ the absence of a genuinely independent Market Facilitator, resulting from the conflict of interest referred to above, 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 a guarantor, pursuant to which it offers a financial guarantee to MAM’s obligations under its lease, including any repairs that are required to be carried out at the end of its lease.~~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~~s~~ 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 (6<sup>th</sup>) anniversary of the grant of the Planning Permission.”<sup>55</sup>*

9.19 Although Paragraph 24.5 of the S106 agreement was subsequently replaced with different obligations by the 2017 Deed of Variation and had not been ~~was not~~

<sup>55</sup> Paragraph 24.5, Schedule 4 (Developer’s Covenants), S106 agreement on the Wards Corner site, 11<sup>th</sup> July 2012

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-operator~~ 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.
- 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 15<sup>th</sup> 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:
- undertake an assessment of the extent to which Grainger has complied with its S106 obligations;
  - provide information about the monitoring of the compliance with the S106 obligations;
  - confirm that it accepts that Section 149 of the Equalities Act 2010 is engaged by that assessment.<sup>56</sup>
- 10.2 On 3<sup>rd</sup> 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.*”<sup>57</sup>
- 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*”

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<sup>56</sup> Letter from Bindmans LLP to Haringey Council, 15<sup>th</sup> August 2018

<sup>57</sup> Letter from Haringey Council to Bindmans LLP, 3<sup>rd</sup> September 2018

*(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 21<sup>st</sup> 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.<sup>58</sup>

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

- 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.
- That Section 149 of the Equalities Act 2010 does apply to the Council when monitoring compliance with the S106 agreement.
- 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.
- 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.
- That in the opinion of the Council, the case for maladministration has not been made out.<sup>59</sup>

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

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<sup>58</sup> Letter from Bindmans LLP to Haringey Council, 21<sup>st</sup> January 2019

<sup>59</sup> Letter from Haringey Council to Bindmans LLP, 22<sup>nd</sup> March 2019



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.

- 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.<sup>60</sup> 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 appointed<sup>61</sup>; 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 obligations 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*

<sup>60</sup> Oral evidence given by AD Regeneration to a session of the Housing & Regeneration Scrutiny Panel, 11<sup>th</sup> April 2019

<sup>61</sup> Page 6, Seven Sisters Regeneration, Grainger Seven Sisters Ltd (Feb 2016)

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.”<sup>62</sup>

10.11 The Planning Inspector’s report itself stated that “the Order scheme seeks to mitigate these difficulties for Traders, through the S106 package. Amongst other things, this includes the provision of the temporary market, the existing traders’ right to a stall, relocation costs, discounted and controlled rents for an initial period, one-to-one support through a facilitator, and consultation over detailed matters like the internal layout and individual stall positions. These measures are proposed specifically to help smooth the transition. They do not go as far as those proposed by the Traders themselves, that does not mean that they would not be effective in helping the Traders to manage this process. Through these S.106 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.”<sup>63</sup> This view had clearly been predicated on the understanding that the S106 was in operation. The Planning Inspector’s report notes that “A Market Facilitator has already been appointed”<sup>64</sup>. However, ~~but~~ it was not until March 2019 that Haringey Council’s Legal Services confirmed that key parts of the S106 agreement relating to the Market Facilitator obligations were “now in fact operative” contrary to previous advice. The previous lack of acknowledgement and enforcement of these elements of the S106 agreement meant that Traders had not been benefitting from the protection provided by these measures. the terms of the S106 were in force.

#### S106 correspondence timeline

<b>15<sup>th</sup> Aug 2018</b>	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.
<b>3<sup>rd</sup> Sep 2018</b>	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.

<sup>62</sup> Paragraph 15, Letter from Senior Planning Manager, Ministry of Housing, Communities & Local Government to Haringey Council, 23<sup>rd</sup> January 2019 [https://www.haringey.gov.uk/sites/haringeygovuk/files/190123\\_decision\\_letter.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/190123_decision_letter.pdf)

<sup>63</sup> p.63, paragraph 361, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

<sup>64</sup> p.23, paragraph 120, CPO Report to the Secretary of State for Communities and Local Government, Wards Corner Regeneration Project CPO 2016 (The Planning Inspectorate, Jan 2018)

<b>4<sup>th</sup> Sep 2018</b>	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.
<b>22<sup>nd</sup> Sep 2018</b>	Letter from Haringey Council's Legal Services to Bindmans LLP reiterating the same position from the letter of 3 <sup>rd</sup> Sep 2018 and confirming that no assessment had been carried out.
<b>17<sup>th</sup> Jan 2019</b>	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.
<b>21<sup>st</sup> Jan 2019</b>	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.
<b>22<sup>nd</sup> Mar 2019</b>	Letter from Haringey Council's Legal Services to Bindmans LLP accepting that <del>most of the</del> <u>Market Facilitator obligations in paragraph 2.1 of Schedule 3 of the Deed of Variation in the S106 agreement</u> 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 2<sup>nd</sup> 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 characteristics<sup>65</sup>. 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.<sup>66</sup>

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

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<sup>65</sup> List of protected characteristics, Equality and Human Rights Commission: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

<sup>66</sup> Section 149 (1), Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

- 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.<sup>67</sup>

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 3<sup>rd</sup> September 2018. However, the Council’s subsequent letter of 22<sup>nd</sup> March 2019 accepted that the S106 Market Facilitator obligations of the Section 106 agreement 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 22<sup>nd</sup> 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 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 ~~3<sup>rd</sup> September 2018~~ 22<sup>nd</sup> March 2019 had stated that “when colleagues replied previously [referring to the letter of 3<sup>rd</sup> September 2018] they were of the view that the arrangement was “working well”.

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<sup>67</sup> Section 149 (3), Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

10.20 The Council's letter of 22<sup>nd</sup> 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~~Operator/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 3<sup>rd</sup> 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 18<sup>th</sup> October 2018 to raise these concerns noting that the Council's Environmental Health team had carried out a visit to the market on 25<sup>th</sup> 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.<sup>68</sup> The market ~~operator~~ ~~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"*<sup>69</sup> 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"*.
- 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 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

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<sup>68</sup> Letter from cabinet member for strategic regeneration to Graham Craig, 18<sup>th</sup> October 2018

<sup>69</sup> Oral evidence given by Senior Development Manager, Grainger to a session of the Housing & Regeneration Scrutiny Panel, 27<sup>th</sup> March 2019



(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.<sup>70</sup>
- 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.<sup>71</sup>
- 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 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.<sup>72</sup>
- 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.<sup>73</sup>
- 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

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<sup>70</sup> Oral evidence from Tenant A to a session of the Housing & Regeneration Scrutiny Panel, 26<sup>th</sup> March 2019

<sup>71</sup> Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

<sup>72</sup> Oral evidence from Tenant B to a session of the Housing & Regeneration Scrutiny Panel, 26<sup>th</sup> March 2019

<sup>73</sup> Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

small children, one of whom 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.<sup>74</sup>

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.<sup>75</sup>

12.10 The Panel was disturbed by the treatment of Housing Association tenants during their eviction ~~following prior to~~ 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**

13.1 The Secretary of State's decision to confirm the CPO was received by Haringey Council on 23<sup>rd</sup> January 2019. This is a statutory process and there was a requirement to distribute notices of this decision to affected parties. On 27<sup>th</sup> 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.

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<sup>74</sup> Oral evidence from Tenant C to a session of the Housing & Regeneration Scrutiny Panel, 26<sup>th</sup> March 2019

<sup>75</sup> Written evidence to the Panel from the Housing, Regeneration & Planning Department, Haringey Council, June 2019

- 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 5<sup>th</sup> 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~~operator. 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.”<sup>76</sup>*

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.
- 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

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<sup>76</sup> Written evidence to the Panel from Grainger, March 2019

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.”*<sup>77</sup>
- 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.”*<sup>78</sup>
- 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, statement to the Panel observed that, *“It is a valuable resource for BAME children socialising in the community”*<sup>79</sup>.
- 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.

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<sup>77</sup> Written evidence to the Panel from Grainger, March 2019

<sup>78</sup> Written evidence to the Panel from local campaigner, February 2019

<sup>79</sup> Written evidence to the Panel from Mirca Morera, February 2019

- 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’ ”*<sup>80</sup>.
- 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 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.”*<sup>81</sup>

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<sup>80</sup> *Understanding London’s Markets*, Mayor of London (2007)

[https://www.london.gov.uk/sites/default/files/20171219\\_gla\\_markets\\_report\\_web.pdf](https://www.london.gov.uk/sites/default/files/20171219_gla_markets_report_web.pdf)

<sup>81</sup> Written evidence provided on 25<sup>th</sup> May 2019 and oral evidence given on 7<sup>th</sup> 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.

- 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 background, with the majority identifying as Latin American; approximately 23 of the 39 units are ~~owned or leased by~~ licensed to 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'.<sup>82</sup>

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<sup>82</sup> Written evidence provided on 4<sup>th</sup> June 2019 and oral evidence given on 7<sup>th</sup> May 2019 by Dr Myfanwy Taylor, Research Fellow, School of Geography, University of Leeds, to a session of the Housing & Regeneration Scrutiny Panel.

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.~~ The Panel was told by Council officers that the context for this is that:

- The average licence fee increase is 13 per cent over a 4-year period (approximately 3.25 per cent each year) which brings the licence fees in line with RPI increases.
- Some Traders have a higher increase than others depending on the number of years since the licence fee was last set.
- Discounts are applied for size and zoning i.e. larger/multiple units will receive a discount, and units which can trade for 7-days onto the High Road (as opposed to others with restrictions) have a supplementary charge.
- Two traders who MAM assessed as adding diversity to the market received no increase.
- Traders who entered into a licence in the last 12 months received no increase.



- 14.19 The market provides ~~the only~~ one of only two remaining Latin American quarters 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 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.<sup>83</sup>
- 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

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<sup>83</sup> Written evidence provided on 8<sup>th</sup> April 2019 and oral evidence given on 2<sup>nd</sup> May 2019 by Conservation Adviser, Save Britain's Heritage to a session of the Housing & Regeneration Scrutiny Panel.

rest of the site would be “catastrophic” and “a complete devastation to Tottenham’s heritage history” and therefore supported restoration rather than demolition.<sup>84</sup>

- 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.”*<sup>85</sup>

~~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.”*~~<sup>86</sup>

~~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*~~

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<sup>84</sup> Oral evidence given by Tottenham Civic Society to a session of the Housing & Regeneration Scrutiny Panel, 27<sup>th</sup> March 2019

<sup>85</sup> <http://www.planningservices.haringey.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=466399>

<sup>86</sup> Page 40, Tottenham Area Action Plan

~~development will positively enhance the overall character and setting of the Tottenham High Road Historic Corridor~~<sup>87</sup>

- 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."*<sup>88</sup> 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.<sup>89</sup>
- 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 21<sup>st</sup> 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 release<sup>90</sup>. 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*

<sup>87</sup> Page 44, Tottenham Area Action Plan

<sup>88</sup> 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)

<sup>89</sup> 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)

<sup>90</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=21911>

*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*".

- 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 26<sup>th</sup> 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.<sup>91</sup> 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*".
- 15.5 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 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**

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<sup>91</sup><https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24409&LangID=E>

- 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.”*<sup>92</sup> The key outcomes of the Community Plan that they highlight include:

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<sup>92</sup> p.3 WCCC Design and Access Statement, 2014

- 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 emails<sup>93</sup>

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
- Planning experts, including Planning Aid for London and Rebecca Neil, Senior Lecturer in Planning Practice, University of Westminster.<sup>94</sup>

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*

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<sup>93</sup> Written evidence from Dr Myfanwy Taylor, June 2019

<sup>94</sup> Written evidence from Dr Myfanwy Taylor, June 2019

*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*<sup>95</sup>. 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 [version of the Community Plan presented to the Panel \(the third version\)](#) 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 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

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<sup>95</sup> Paragraphs 345 & 346, CPO Inspector’s report

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 February 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 above were not~~ put to the Assistant Director for Planning when she gave evidence to the Panel; but she has since provided a response in writing as follows: ~~To provide a response will require considerable investigation of files.~~

*"I would point out that at the time of the submission of the 2008 and 2011 planning applications the Council's planning service was poorly performing ... I would suggest that the Council failed to respond promptly to a number of planning applications at this time not just these community coalition applications. The Council now runs a monthly report of all applications that have been with the Council for 20 weeks, over 26 weeks and over 52 weeks and management has meetings with case officers about all applications which have been with the Council over 20 weeks on a regular basis. As such applications would not be with the Council for several years without any action or following up with applicants in the new management arrangements.*

*With regards to the 2014 application, the application is recorded on the system as submitted and validated on 27/2/2014 and the statutory consultation period ended on 3/4/2014 and the application was approved on 25/4/2014 after 54 days."<sup>96</sup>*

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

<sup>96</sup> Written evidence to the Panel from the Assistant Director for Planning, Nov 2019



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

<b>January 2008</b>	First planning application submitted (HGY/2008/0177) – not determined <sup>97</sup>
<b>July 2011</b>	Second planning application submitted (HGY/2011/1275) – not determined
<del>April</del> <b>February 2014</b>	Third planning application submitted (HGY/2014/0575) – <del>planning permission granted</del>
<b>April 2014</b>	<u>Planning permission granted for third application</u>
<b>April 2017</b>	Planning permission for third application expires
<b>August 2019</b>	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).

<sup>97</sup> Council officers informed the Panel that this application was not determined because the application was invalid. Council officers also pointed out that the 2008 application was technically made under a different applicant name but supporters of the WCCC were clear that in their evidence to the Panel that they regarded the application made in August 2019 to be the fourth version of a Community Plan.

- 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.<sup>98</sup> ~~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).~~

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<sup>98</sup> Paragraph 5.29, Report to Cabinet on Seven Sisters Regeneration, 15<sup>th</sup> July 2014  
<https://www.minutes.haringey.gov.uk/documents/s81687/Appendix%20H%20-%20Cabinet%20Report%2015%20July%2014.pdf>

- 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.<sup>99</sup>
- 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~~ was intended to be a contribution towards the relocation costs to the Temporary Market. This requirement was subsequently replaced by the 2017 Deed of Variation which instead requires Grainger to pay a 'Release Sum' directly to a qualifying trader within 28 days of a trader signing release advising that they have vacated the market or temporary market. The Release Sum is calculated at the rateable value of the relevant licensed unit. 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.<sup>100</sup> West Green Road is the main road that the north of the redevelopment site faces onto.

#### 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 some 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*

<sup>99</sup> Mayoral decision, August 2012 <http://bailey.persona-pi.com/Public-Inquiries/seven-sisters/council-documents/app-0-11.pdf>

<sup>100</sup> p. 5&6, Report on Seven Sisters Regeneration to Haringey Cabinet, 10<sup>th</sup> Nov 2015

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

*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”.*<sup>101</sup>

- 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.<sup>102</sup>
- 17.11 Evidence submitted by Grainger’s representatives, expressed their intention to continue with their development plans. However, they did recognise that there had 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**

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<sup>101</sup> Page 38, Borough Plan 2019-23 <https://www.haringey.gov.uk/local-democracy/policies-and-strategies/borough-plan-2019-2023-consultation>

<sup>102</sup> 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, 27<sup>th</sup> March 2019

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 <sup>th</sup> Feb 2019
Prof. Alexandra Xanthaki	Brunel Law School	6 <sup>th</sup> Feb 2019
Fabian Catano Cadavid	Market trader	6 <sup>th</sup> Feb 2019
Victoria Alvarez	Market trader	6 <sup>th</sup> Feb 2019
Nicholas Amayo	Market trader & former Steering Group member	6 <sup>th</sup> Feb 2019
Patrick Rey	Market trader	6 <sup>th</sup> 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 <sup>th</sup> Apr 2019
John Halford	Bindmans Solicitors	17 <sup>th</sup> Apr 2019
Victoria Alvarez	Market trader	17 <sup>th</sup> Apr 2019
Mirca Morera	Local campaigner	17 <sup>th</sup> Apr 2019
Cllr Charles Adje	Cabinet Member for Strategic Regeneration – Haringey Council	23 <sup>rd</sup> Apr 2019
Cllr Joseph Ejiofor	Leader – Haringey Council	23 <sup>rd</sup> Apr 2019
Shirley Hanazawa	Local resident	24 <sup>th</sup> Apr 2019
Marta Hinestroza	Market trader	24 <sup>th</sup> Apr 2019
Lita Alvarado	Market trader	24 <sup>th</sup> Apr 2019
Chan Baker	Market trader	24 <sup>th</sup> Apr 2019
Maria Eugenia Grandola	Market trader	24 <sup>th</sup> Apr 2019
Martha Gilraldo	Market trader	24 <sup>th</sup> Apr 2019
Pedro Gilraldo	Market trader	24 <sup>th</sup> Apr 2019
Maria Osorio	Market trader	24 <sup>th</sup> Apr 2019
Stuart McNamara	Local campaigner	29 <sup>th</sup> Apr 2019
Nicholas Amayo	Market trader	29 <sup>th</sup> Apr 2019
Carlos Burgos	Market trader	29 <sup>th</sup> Apr 2019
Thomas Bender	Conservation Advisor - Save Britain’s Heritage	2 <sup>nd</sup> May 2019
Pam Isherwood	Wards Corner Community Coalition	2 <sup>nd</sup> May 2019
Emma Williamson	Assistant Director for Planning – Haringey Council	2 <sup>nd</sup> May 2019
Rob Walker	Planning Solicitor – Haringey Council	2 <sup>nd</sup> May 2019
Dr Sara Gonzalez	Associate Professor – School of Geography, University of Leeds	7 <sup>th</sup> May 2019
Dr Myfanwy Taylor	Research Fellow – School of Geography, University of Leeds	7 <sup>th</sup> May 2019
Ben Beach	Architect – Community Plan	7 <sup>th</sup> May 2019
David McEwen	Designer – Community Plan	7 <sup>th</sup> May 2019
Peter O’Brien	Assistant Director for Regeneration – Haringey Council	8 <sup>th</sup> May 2019
Graeme Craig	Director of Commercial Development - TfL	9 <sup>th</sup> May 2019
Amy Thompson	Public Affairs and External Relations Lead – TfL	9 <sup>th</sup> May 2019

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**Report for:** Overview and Scrutiny – 25<sup>th</sup> November 2019

**Item number:** 9

**Title:** Combined Complaints, Member Enquiries, Freedom of Information Request and Ombudsman Annual Report 2018/2019

**Report authorised by:** Richard Grice: Director of Customers, Transformation & Resources

**Lead Officer:** Debbie Darling: Acting FIG & Business Support Manager  
Tel: 0208 489 4763  
Email: Debbie.darling@haringey.gov.uk

**Ward(s) affected:** All

**Report for Key/**

**Non-Key Decision:** N/A – report for noting

### 1. Describe the issue under consideration

- 1.1 This is the annual report and analysis of Complaints, Ombudsman Cases, Member Enquiries and Freedom of Information Requests for the period 2018/2019. It includes at the end of the report a proposal for consideration on how we collectively as a council learn from complaints.
- 1.2 Previously these have been separate reports, however in order to provide a full overview of the whole area they have been merged into one document under separate headings.

### 2. Input Requested from Overview & Scrutiny

- 2.1 It is requested that Overview & Scrutiny note the contents of the report and proposed next steps.

### 3. Complaints

- 3.1 Haringey Council welcomes feedback and complaints and has set challenging targets to respond to 95% of Stage 1 complaints within 10 working days and 80% of Independent Reviews (second stage complaints) within 25 working days.
- 3.2 The Business Change team, based within Customer Services and Libraries, administer complaints at the first stage; the Feedback & Information Governance Team, based within the Shared Service Centre, administer and investigate second stage complaints: Independent Reviews. Since April 2019 both of these areas have merged under the Corporate and Customer Services Directorate.
- 3.3 The majority of complaints are received electronically through email or via an online form. In order to encourage channel-shift hard copy paper forms have been removed from public access points and the direct email/postal address for the complaints team is not publicised, however we are able to provide paper copies if the customer is unable to make a complaint through other means.

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- 3.4 Our aim for 2019 into 2020 is to continue to drive the use of the eform online as it is the preferred method to receive complaints allowing the request to be directed to the appropriate place to enable a timelier response.

Method	16/17	17/18	18/19
Email	56%	60%	58%
Online form	31%	30%	35%
Letter	9%	6%	4%
Phone Call	4%	3%	3%

- 3.5 As per the following table, there has been a performance increase of 2% for 2018/2019 against 2017/18 for Stage 1 complaints.

	Volume % Replied to on- time 2016/17	Volume % Replied to on- time 2017/18	Volume % Replied to on- time 2018/19
Stage 1 Complaints	1,896 89%	1,396 85%	1,516 87%
Children's Social Care Complaints	16 56%	21 71%	31 68%
Adults Social Care Complaints	61 100%	56 96%	72 93%

- 3.6 Children's Social Care complaint volumes have seen a further increase on the previous two years. Adults received 72 complaints of which 5 were overdue which has contributed to the slight decrease in performance and being below the 95% for the first time in three years.
- 3.7 Where it is accepted that the authority is at fault in some way the complaint is "upheld". 39% of first stage complaints were upheld in 2018/19 a further 8% reduction on 2017/18 and a reduction of 14% in the past two years so moving in the right direction.
- 3.8 The following table shows the upheld rate across the different service areas. The majority of upheld complaints were for the three council services that received the most complaints and relate to non-collection of rubbish, poor standard of service, lack of timely response, delays in processing parking permits and staff behaviour.
- 3.9 There were 206 complaints around staff behaviour. The key themes across the services were poor attitude and being rude or unhelpful on the telephone, Behaviour of Civil Enforcement officers. When investigated 99 of these 206 were upheld. These were remedied with apologies where appropriate and further training or guidance for those staff.

Service Area	% of Complaints Upheld
Environmental Services and Neighbourhoods	34%
Corporate & Customer Services	31%
Customer Services & Libraries	23%
All other Services	12%

\*All other services include, Adults, Commissioning, Strategy & Communication, Public Health, Shared Digital, Schools and Learning and Children services \*



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- 3.10 The following table shows the five Service Areas that received the most complaints in 2018/2019. As expected, they are also the service areas that interact most with residents. There has been a decrease in volumes of complaints for Revenues and Benefits reflecting the work this area has put in to significantly reducing its backlog.

Service Area	No. of Complaints	% of Total Complaints Received
Environment & Neighbourhoods	286	19%
Commissioning & Client (including on street waste)	245	16%
Revenues	232	15%
Contact Centre	228	15%
Benefits	88	6%

- 3.11 The following table shows the top reasons why people submit complaints. 2018/19 data shows a shift from 2017/18, previously the majority of complaints were received due to poor standard of service, it is now showing as inadequate /inaccurate communication.

Complaint Reason	%
Inadequate / inaccurate communication	46%
Poor standard of service	30%
Failure to provide a service	10%
Employee behaviour	9%
Dissatisfaction with policy\decision	5%

### Independent Reviews (Stage 2 Complaints)

- 3.12 The Feedback and Information Governance (FIG) Team reviews stage one complaints for both the Council and Homes for Haringey. The following table shows the increase in volumes for this year whilst improving performance year on year.

	2016/17	2017/18	2018/19
Volume	402	280	358
% responded to on-time (Target 80%)	84%	87%	92%

- 3.13 All first stage responses give the complainant details on how to escalate their complaint if they remain dissatisfied, a total of 23% took their complaints to the next stage. Of the 358 investigated, a total of 26% were upheld or partially upheld. The following table breaks this information down across Service Areas:

HFH upheld or partially upheld complaints cases were about communication, delays in responding to reported issues, missed appointments and poor service.

Environment and Neighbourhoods upheld or partially upheld complaint cases were due to missed refuse collections, overflow of waste, bins not put back in correct places and anti-social behaviour

Service Area	No of IRs	% of Total IRs received	No. upheld / partly upheld	% of total upheld / partly upheld cases
Homes for Haringey	168	46%	53	58%
Environment & Neighbourhoods	81	22%	17	18%
Corporate & Customer Services	46	12%	7	8%
Customer Services & Libraries	13	4%	7	8%
Planning	15	4%	1	1%
Children's Services - Safeguarding & Social Care	9	3%	3	3%
Children's Services - Early Help and Prevention	9	3%	1	1%
Adult Social Services	7	2%	2	2%
Commissioning	3	1%	0	0%
Schools & Learning	3	1%	1	1%
Corporate Governance	2	1%	0	0%
Housing	2	1%	0	0%
<b>Total</b>	<b>358</b>	<b>100</b>	<b>92</b>	

### Complaints Next Steps

- 3.14 From the 1 November 2019, the Feedback and Information Governance team (FIG), and the Feedback team, will merge to form one team, to be known as the Corporate Feedback Team.
- 3.15 The priority for the Service will be to continue working in partnership across Haringey with all business units.
- 3.16 Stakeholder meetings with the Managing Director of Homes for Haringey are now held monthly to review and discuss the complaints performance to understand how they can improve on timeliness of responses alongside learnings from cases upheld.
- 3.17 As part of the Front Office Back Office (FOBO) programme, the IT system used by the team to log and manage cases (Respond) is being upgraded to the latest version. Over the coming weeks we will keep everyone informed about the changes, implementation and rollout of the new system.

### 4. Member Enquiries

- 4.1 In 2018/19 a total of 2,778 enquiries were received from Members including enquiries on behalf of customers and residents from Haringey Councillors (77%) and Members of Parliament (23%). This is an increase of 24% from 2017/18.
- 4.2 The target is to respond to 95% of Member Enquiries within the 10 working days. In 2018/2019 the response rate was 92%, an improved performance alongside a significant increase in volumes.
- 4.3 The following table shows the comparative performance data across the last four years

	Number	% Replied to on-time
2018/19	2,778	92%
2017/18	2,249	89%
2016/17	3,042	91%
2015/16	2,665	88%

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4.4 The following table shows the breakdown of Member Enquiries received across service areas for 2018/19.

Service Area	No. of ME's 2018/19	% of Total ME's 2018/19
Environment & Neighbourhoods	1603	57%
Customer & Corporate Services	283	10%
Planning	221	8%
Customer Services & Libraries	125	4%
Adult Social Services	113	4%
Housing and Growth	104	3%
Commissioning	88	3%
Children's Services- Safeguarding & Social Care	47	2%
Children's Services – Early Help & Prevention	60	2%
Regeneration	40	1%
Schools and Learning	41	1%
Strategy & Communications	20	1%
Corporate Governance	19	1%
Finance	4	1%
Project Development	1	1%
Public Health	9	1%

4.5 The following table breaks this information down further for the top 3 service area

Environment & Neighbourhoods	57%
Operations	45%
Commissioning & Client	27%
Community Safety & Enforcement	26%
Organisational Resilience	1%
Procurement	1%

Corporate & Customer Resource	10%
Benefits	51%
Revenues	45%
HR	2%
Feedback & FIG	1%
Finance	1%

Planning	8%
Development Management and Planning	82%
Planning Policy & Transport Planning	16%
Building Control	2%

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4.6. The following table gives a breakdown of issues raised in the enquiries.

Nature of Enquiry	%
General Information / Service Request	53%
Inadequate / Inaccurate Communication	22%
Poor standard of services	15%
Failure to provide a service	5%
Dissatisfaction with policy / decision	2%
Employee Behaviour	4%

- 5.1 A total of 92% of Member Enquiries were requests for information or Service Requests – such as requests for a repair to street lighting or notification of dumped rubbish. A recent tune-up session was held with Members which received favourable feedback and a further session will be held shortly for those Councillors that could not attend on that day.
- 5.2 The session helped us understand challenges for our Councillors in their roles and actions were taken away to support. All feedback will be put into an action plan to progress to support and improve the ME process.
- 5.3 Haringey Council has been taking continued steps to encourage residents to self-serve via apps or through the website as this is the most efficient way to report such matters due to the integration with current operating systems managed by both Homes for Haringey and Veolia (our external Waste Management contractor) rather than raise them via their Councillors.

#### Member Enquiries Next Steps

- 5.4 We recognise the importance of feedback and its value in shaping our service delivery. We are currently facing challenging times across the Council with fewer resources and higher demand, notwithstanding that we continue to emphasise the importance of responding to Feedback and MEs.
- 5.5 Going forward our aim is to continue to work with the Councillors and MP's to improve the Service Requests and Member Enquiries process to allow us to issue a timely response.

#### Freedom of Information (FOI)

- 5.6 The Freedom of Information (FOI) Act was introduced in 2005 with its purpose being to make authorities and public bodies more open and transparent with the information they hold.
- 5.7 The FOI Act and the Environmental Information Regulations (EIR) are very similar and are dealt with through the same process. The figures given below are for both FOI and EIR requests.
- 5.8 Public Authorities should respond to FOI / EIR requests within 20 working days from the date the request was received.
- 5.9 All requests must be received in writing and Haringey has a dedicated online form and email address for this.
- 5.10 In line with best practice, Haringey has been proactively publishing more data and information online and has a disclosure log, which shows all requests received and responses issued. In addition, a full performance report is published online.
- 5.11 Between April 2018 and March 2019 Haringey responded to a total of 1433 requests, 82% of responses were sent within 20 days. The following table shows the performance across the past 5 years.

Year	No. of requests	% on time
2018-2019	1434	82%
2017-2018	1352	83%
2016-2017	1471	87%
2015-2016	1494	89%
2014-2015	1472	91%

- 5.12 There are cases where information was not provided to the requestor either because it was not held or there was a cost attached to it.

Information not Provided	Total	% of Total requests
Information not held	209	15%
Information not given due to cost	43	3%

- 5.13 In addition to these requests there were a further 148 cases (10%) where an exemption was applied. Both the FOI and EIR Acts contain exemptions that allow Public Authorities to withhold information in certain cases.

FOI - Exemption Applied	Total	% of Total Exemptions
Section 40 – Personal Information	44	30%
Section 31 – Law Enforcement	46	31%
Section 43 – Commercial Interests	12	8%
Section 21 – Info accessible by some other means	6	4%
Section 22 – Intended for future publication	12	8%
Section 24 – National Security	3	2%
Section 42 – Legal Professional Privilege	8	5%
Section 30 - Investigations and proceedings by public authorities	4	3%
Section 32 - Court records	1	<1%
Section 36 – Effective Conduct of Public Affairs	1	<1%
Section 38 - Health and Safety	8	5%
Section 41- Information provided in confidence	2	1%

EIR - Exemption Applied	Total	% of Total Exemptions
Regulation 13 – Personal data	1	<1%

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- 5.14 The highest number of requests was received by Environment and Neighbourhoods Service who dealt with 468 cases, 33% of all received, and they responded to 89% on-time.

Service	No of requests	% of total requests
Environment & Neighbourhoods	468	33%
Corporate & Customer Services	234	16%
Commissioning	140	10%
Planning	127	9%
Children's Services - Safeguarding & Social Care	80	6%
Schools & Learning	72	5%
Housing & Growth	56	4%
Children's Services - Early Help & Prevention	55	4%
Corporate Governance	53	4%
Public Health	37	3%
Strategy & Communications	29	2%
Adult Social Services	27	2%
Customer Services & Libraries	18	1%
Finance	13	1%
Regeneration	13	1%
Transformation and Resources	7	<1%
Shared Digital (Haringey)	5	<1%
<b>Grand Total</b>	<b>1434</b>	<b>100%</b>

- 5.15 For the past 5 months, the Information Commissioners Office (ICO) has been monitoring all London Boroughs on their FOI performance as many are not meeting their statutory obligation of achieving 90% or above for response time.
- 5.16 We welcome this overview and have developed an action plan to improve and sustain our performance which is currently at 85% for 2019/20 to date.

## 6. Local Government Ombudsman Performance and Findings

### Summary

- 6.1 Every year the Local Government Ombudsman writes to all Local Authorities with details of the complaints that their office has received including information about the number of complaints and enquiries received, the decisions made, and compliance with recommendations during the period.
- 6.2 There is further information on the Ombudsman's website, which provides a comparison with other Local Authorities. Some key statistics are shown below:
- The Ombudsman registered a total of 16,899 in complaints and enquiries 2018/19 compared to 17,452 in 2017/18
  - They carried out 4232 detailed investigations in 2018./19 compared to 4020 in 2017/18
  - Of those detailed investigations they upheld 58% which is a slight increase from 57% in 2017/18
  - They made 1929 recommendations to put things right on upheld cases for 2018/19

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- The areas in which they held up the highest proportion of investigations was Benefits and Tax. (69%). The lowest proportion was Planning and Development (37%)
  - Haringey had less cases referred to the LGO in 2018/19 – 166, compared to 185 in 2017/18 however our upheld rate increased to 37% compared to 24%.
- 6.3 The Ombudsman issued one report against Haringey Council in 2018/19, relating to two complaints from the same resident who raised concerns about the suitability of the temporary accommodation provided to her and her family; the failure to deal properly with her requests for a review of the suitability of two properties provided when the family was homeless, and the failure to deal with disrepair issues.
- 6.4 In response to these findings, the Council made a payment to the family, inspected the family's current property and dealt with any disrepair issues. We also agreed to undertake an audit of other suitability review requests to identify if similar failings had occurred. We were asked to provide a suitable remedy for any people similarly affected.
- 6.5 The remedies have in the main been completed. Some repairs issues remain in process at the resident's current property. The audit of other Suitability Reviews has been undertaken, and 17 cases were considered. Of those, 11 properties were found to be suitable, 5 not suitable and 1 was otherwise resolved. In 7 cases compensatory payments were made to recognise delays in undertaking the review.
- 6.6 There were some further issues experienced with regards to our responses on some cases in that there have been delays or incomplete responses sent. These are not reportable and are highlighted purely to allow us to review and learn.
- 6.7 As part of the LGO feedback, Councils must provide a report detailing investigations that found fault. The format and timing of this report is currently being discussed with legal and we are waiting for a response. This remains a priority.

### Ombudsman Statistics

- 6.8 The following table shows the number of enquiries the ombudsman received in 2018/19 and the outcome. Categories of "advice given", "incomplete/invalid", and "referred back for local resolution" are all cases that did not involve the Ombudsman investigating the complaint. This equated to 71 cases and 43% of the total received.
- 6.9 Cases that are closed after initial enquiries do involve some investigation and input from the Council.
- 6.10 The upheld and not upheld cases are the ones that proceeded to a full investigation. Of the cases we dealt with, 37 were upheld representing 22% across all enquiries regarding Haringey received by the Ombudsman.

Outcomes 2018-19	Number
Advice given	13
Incomplete / invalid	13
Not Upheld	16
Upheld	37
Referred to local resolution	45
closed after initial enquiry	42
<b>Total</b>	<b>166</b>

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- 6.11 Of the cases investigated, the Ombudsman upheld 37. One case had two aspects and was recorded on our system as one complaint, so our figures show us 36 cases being upheld, the outcomes of these are as follows:

Remedy 2018-19	No
Apology	2
Apology, Financial redress: Avoidable distress/time and trouble	1
Apology, Financial redress: Avoidable distress/time and trouble, Financial redress: Loss of service, Financial Redress: Quantifiable Loss, New appeal/review or reconsidered decision	1
Apology, Financial redress: Avoidable distress/time and trouble, Financial Redress: Quantifiable Loss, Provide services, Procedure or policy change/review	2
Apology, Financial redress: Avoidable distress/time and trouble, New appeal/review or reconsidered decision	1
Apology, Financial redress: Avoidable distress/time and trouble, Other Remedy	2
Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review	4
Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review, Training and guidance	1
Apology, Financial redress: Loss of service, Training and guidance	1
Apology, Financial Redress: Quantifiable Loss, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review	1
Apology, New appeal/review or reconsidered decision	2
Apology, New appeal/review or reconsidered decision, Procedure or policy change/review	1
Apology, Procedure or policy change/review	1
Apology, Provide services, Procedure or policy change/review	1
Financial redress: Avoidable distress/time and trouble	3
Financial redress: Avoidable distress/time and trouble, Apology, Procedure or policy change/review	1
Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review, Other Remedy	1
Financial redress: Avoidable distress/time and trouble, Provide services	1
Financial Redress: Quantifiable Loss	1
New appeal/review or reconsidered decision, Financial redress: Avoidable distress/time and trouble	1
Null	6
Other Remedy	1

- 6.12 These 36 cases have been broken down below: These cases have all been remedied.  
Adult Social Services - 3 number  
These cases were:

- Delays in making care assessments and providing a suitable care package
- Failure to investigate safeguarding concerns.

HFH – 5 number

These cases were

- Failing to act on suitability review requests.



- Mishandling a housing application
- Delay in reviewing a homelessness decision and undertaking repairs

Children's Services - 16 number

These cases were

- Failure to transfer a SEN to an EHCP within the appropriate timescale
- Failure to ensure an EHCP was fully implemented
- Delay in issuing an EHCP along with a related lack of provision
- That a report for a Child Protection Conference was unbalanced
- Child in Need referral and assessments contained some inaccuracies
- Failure to pay special guardianship allowance and getting the calculations wrong
- Failed to provide support to a special guardian
- Six cases where there was a failure to provide support to families with no recourse to public funds
- Failure to follow correct statutory procedures when removing children from a foster carer
- Failing to involve a parent in a child protection assessment
- Failing to deal with a complaint through the statutory procedures.

Revenues & Benefits – 7 number

These cases were

- Failing to respond to requests for clarity over what was owed
- Delays in processing claims,
- Dealing with appeals and referring cases to the Tribunal
- Failure to process a student discount application.

Environment & Neighbourhoods – 4 number

These cases were

- Failing to fully consider exceptional circumstances in a disabled parking bay application
- Our failing in not notifying our enforcement agent that a PCN had been cancelled
- Fault in handling a Blue Badge appeal and for not being clear in our correspondence with the applicant
- Lack of clarity over a resident's entitlement to a parking permit

Planning – 1 number

This case was

- Failure to notify a resident of a nearby planning application.

12

6.13 The Ombudsman Report shows Haringey's performance against our neighbouring boroughs as detailed below;

Authority Name	Invalid or Incomplete	Advice Given	Referred Back for Local Resolution	Closed after Initial Enquiries	Not Upheld	Upheld	Total	Uphold Rate (%)	Average uphold rate (%) of similar authorities
London Borough of Barnet	6	7	90	45	16	24	188	60	63
London Borough of Camden	3	9	40	21	27	10	110	27	63
London Borough of Enfield	3	8	63	22	7	23	126	77	63
London Borough of Hackney	9	10	46	39	9	21	134	70	63
London Borough of Haringey	13	13	45	42	16	37	166	70	63
London Borough of Islington	10	15	34	23	15	11	108	42	63

6.14 In this year's Ombudsman letter, they recognized that Local Authorities are faced with budget and resource pressures however they are challenging the LA's to not to "throw out the rule book" when redesigning services. The Ombudsman's report finds four common themes for councils to look out for, where ineffective planning for change can lead to service failure for local people: See the 4 elements below they found in their survey.

- Accommodating longer backlogs
- Reviewing eligibility criteria
- Using new partnerships and delivery arrangements
- Restructuring and redesigning services.

<b>Briefing for:</b>	Richard Grice & Andy Briggs Director Customer, Transformation and Resources & Assistant Director Corporate & Customer Services
<b>Title:</b>	<u>Options Paper</u> <u>Learning from Complaints</u>
<b>Lead Officer:</b>	Debbie Darling Acting Corporate Feedback Team Manager and Business Support Manager

### **Purpose**

To start a conversation and progress how we start to learn from complaints and ensure that the council recognise the complaint issues specifically repeat issues and improve the council's performance

This report will progress how we consider the options that are available or to create a Partnership Improvement Group considering who should own and facilitate the group meetings. The frequency required. Who are the stakeholders that should attend that have the influence and authority to ensure that actions are taken away and followed through? Or it could be something different.

### **Summary**

Currently, we do not have any committee or working group that supports learning from complaints or how this is undertaken in each service area when errors are identified. This learning could be identified either from an upheld complaint or feedback from the Local Government Ombudsman. The data is suggesting that we are repeating the same mistakes. Reports are being issued from the LGO so there is a risk to the council's reputation. Some complaint learnings could be cross service issues and we are not sharing those learnings and we should be. Every learning that is established should be an opportunity to put things right not just for the person that complained but also for those that are in similar situations which will ensure we are proactive rather than reactive to our resident's needs.

### **Options to be considered.**

#### **Option 1**

Do nothing and carry on as we are

#### **Option 2**

Create a Partnership Improvement Group with stakeholders from each service that have the influence and authority to take away actions and change things. It would allow the council to share learnings, take ownership and follow up. It would be an opportunity to share ideas and expertise and skills and the end goal would be to see fewer complaints and more importantly, fewer repeated complaints.

#### **Option 3**

The Senior Management team discuss and develop something that supports learning

**Recommendation**

My recommendation is option 2 as I think it would have huge benefits for the council if everyone commits to working together. We will always receive complaints however its how we deal with them and how we own correcting them that minimises impact to the resident and to the council's reputation.

**Report for:** Overview and Scrutiny Committee

**Item number:**

**Title:** Briefing update on the Impact of Universal Credit across Homes for Haringey.

**Report authorised by :** Gerri Scott, Executive Director of Operations

**Lead Officer:** Tracey Downie  
**Head of Income Management (Interim)**  
[Tracey.downie@homesforhairngey.org](mailto:Tracey.downie@homesforhairngey.org)  
**020 8489 5130.**

**Ward(s) affected:** All

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

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

- 1.1. This report summarises the impact of Universal Credit on Council tenants in Haringey. It considers how it is affecting the financial well-being of tenants, provides some information about the challenges faced by tenants and describes how Homes for Haringey are managing those challenges.

#### **2. Cabinet Member Introduction** N/A

#### **3. Recommendations**

- 3.1. Overview and Scrutiny Committee is recommended to note the contents of this report.

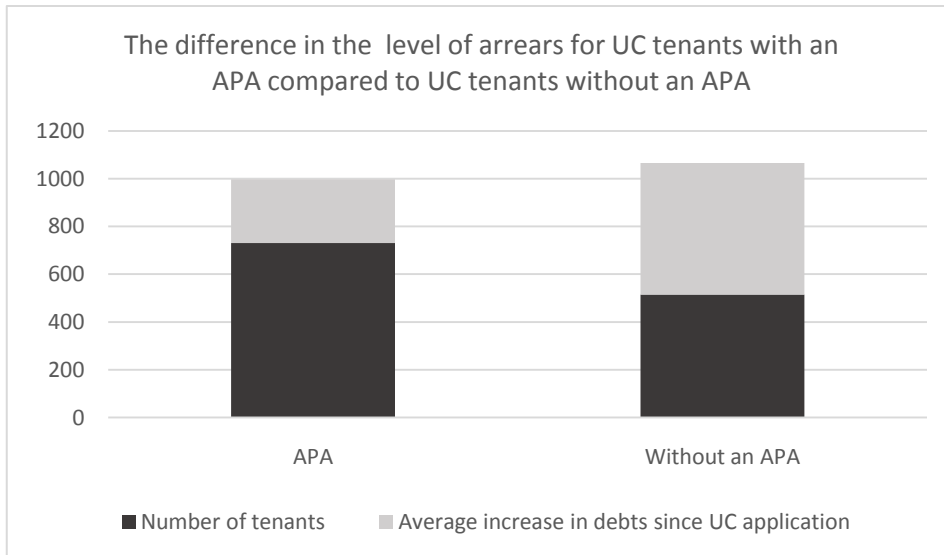
#### **4. Background information**

- 4.1. Introduction
- 4.1.1. Homes for Haringey (HfH) is an Arms Length Management Organisation (ALMO) who are responsible for the day to day management of Council homes. This includes income management.
- 4.1.2. Universal Credit (UC) is a means-tested benefit for people of working age who are on a low income. It was implemented by the government in 2013/14 to replace six benefits and is now being rolled out across Haringey.
- 4.1.3. UC is calculated by the Department of Works & Pensions (DWP) who pay the claimant a monthly allowance for their living costs. This allowance includes any housing costs. However, there is a cap to the level of UC a resident receives.

This means that any reduction in benefit received, could result in the tenant being unable to afford to pay their rent.

- 4.1.4.** UC has had a negative impact on income collection for most landlords. This is reducing as more landlords improve their systems and processes to manage the impact. For many social landlords, research has indicated that residents in receipt of UC are twice as likely to be in rent arrears.
- 4.2. The Impact of UC across Haringey**
- 4.2.1.** The Council currently has 1529 (week ending 21/10/2019) tenants in receipt of this benefit and have noted that their arrears have worsened since their migration to UC.
- 4.2.2.** The majority of UC claimants are new tenants or tenants who routinely move in and out of work. Tenants who routinely move in and out of work traditionally have the highest arrears.
- 4.2.3.** HfH are currently in a relatively stable position now, with regards to UC. HfH were able to pre-empt challenges associated with the move to UC, having looked at research provided by other boroughs. Consequently, a small team has been developed that has been successful in preventing large arrears.
- 4.2.4.** Tenants in receipt of UC are supported by 2 UC advisors and have access to 2 welfare benefit advisors. HfH have found that new UC tenants have required support to use the online claim forms and to understand how UC is calculated. Plus, our more vulnerable tenants have struggled to use the online systems and have limited capacity to manage a monthly payment.
- 4.2.5.** HfH have been operating a triage service through the UC advisors. Tenants will be contacted as the start of their claim. An assessment will be made and, if the tenant is able to manage the process by themselves, any appropriate information that will assist the tenant, is be given. Those tenants HfH considers may have difficulties, are offered more intensive support. Where possible, budgeting advice is provided in addition to the initial budgeting advice provided by the income management officers. This is working well. However, HfH have found that the demand for this service is increasing. As more tenants migrate to UC, this will continue.
- 4.2.6.** UC payments are still being made five or more weeks in arrears although tenants can receive these in advance. Unfortunately, the advance payments are not being used to pay rent and so residents transitioning to UC will routinely accrue rent arrears during the transition period.
- 4.2.7.** We continue to request direct rent payments (Alternate Payment Arrangements - APAs) once arrears exceed two calendar months. These APAs will include the rental costs and, where appropriate, payments towards any arrears.
- 4.2.8.** Of the 1529 cases that were in arrears (week commencing 21<sup>st</sup> October, 2019), 558 were on this scheme. These tenants have had smaller increases in their arrears compared to those tenants who continue to pay their own rent and arrears.

- 4.2.9.** This suggests that HfH have managed to limit the increase in debts following the move to UC, by using APAs. HfH will continue to do this for tenants owing over two months' arrears.
- 4.2.10.** The table below sets out the differences between increase in Council rent arrears for UC tenants with an APA compared to those without one. There were 558 tenants in arrears with an APA whose arrears increased on average by £473 from the date of their UC payments up to the end of 21<sup>st</sup> October. In contrast, the 971 UC tenants with arrears that did not have an APA, saw an increase of £643 in their arrears since the start of their claim, up to 21 October, 2019.



- 4.2.11.** As a trusted partner, HfH are also provided with details of all tenants that are transitioning to UC. This gives HfH the opportunity to initiate a conversation to ensure a full understanding of this new benefit system, and encourage rent payments.
- 4.3. The impact on residents**
- 4.3.1.** Information from our tenants indicates that their income has generally reduced since they have been in receipt of UC and many are finding it difficult to manage. Our income teams are issuing more vouchers for tenants to gain access to local food banks to assist tenants requiring additional support.
- 4.3.2.** HfH are aware that self-employed are particularly affected. After 12 months of being self-employed, the DWP determines an average income amount to calculate entitlement the claimant's entitlement. This will be applied when the to all claimants submitting a lower figure as their earnings.
- 4.3.3.** There are still significant difficulties for residents where English is not their first language. The documents and forms for claiming UC can be difficult to understand. Language barriers and insufficient access to translation facilities are causing difficulties. This often means that the application is delayed if there are no family, friends or other agencies to assist. This will inevitably impact both on income collection and a tenant's welfare.

- 4.3.4. UC applications are completed online, and it is evident that many tenants do not have access to online facilities. Plus, on occasions, they do not have sufficient understanding of the internet making the application process a real challenge. Facilities are available throughout the borough however, support and assistance often have to be booked in advance.
- 4.3.5. In some interviews with tenants, HfH are learning of the hardship endured when UC has resulted in a significant reduction in their income. This includes tenants who are not using electricity or heating and those who are forced to go to family/friends for meals. In a small number of cases, tenants have told UC advisors that they have gone without a meal or a hot meal, due to financial difficulties.
- 4.3.6. Finally, HfH have noted that tenants are having high deductions made once their UC benefit is in payment. This is where they had previously claimed an 'advance payment' during the assessment stage. In one case a tenant was left with just £36 per week.

#### 4.4. **Conclusion**

- 4.4.1. UC still poses a threat to income collection across Council. However HfH have been successful in mitigating this threat and adopting a customer-focused service to support tenants, through financial inclusion, debt advice, referrals to support agencies and advocating on behalf of tenants to ensure they receive the right level of benefits.
- 4.4.2. Average arrears are higher for UC tenants, but the ongoing use of an APA will start to see this reduce.
- 4.4.3. The impact on tenants has been mixed but overall, UC has resulted in a reduction in income and some severe hardship for tenants.

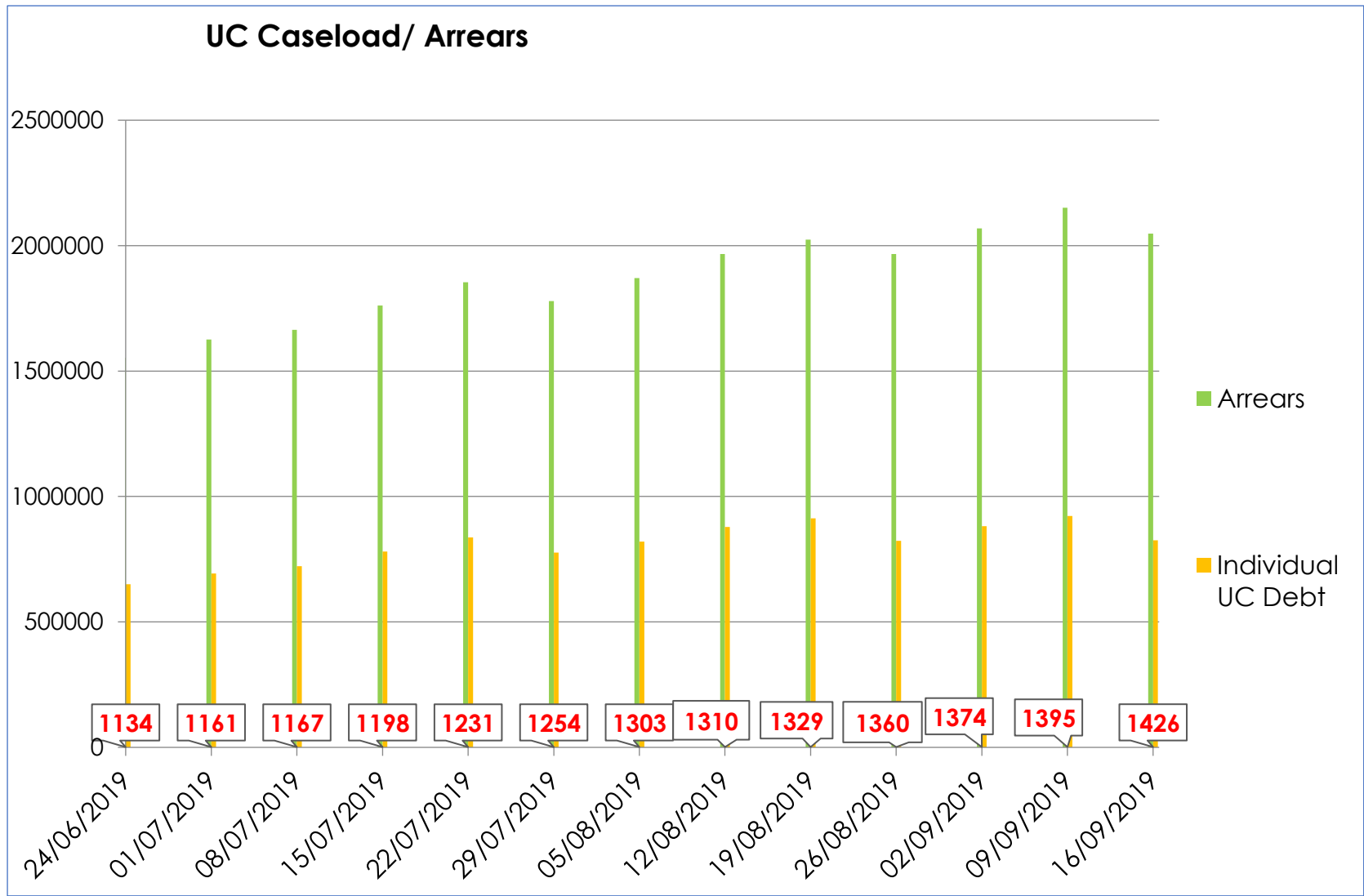
#### 5. **Contribution to strategic outcomes**

- 5.1. This report sets out the steps the Council is taking to support the delivery of the Housing Priority in the new Borough plan: We will work together to prevent homeless and to reduce existing homelessness.

#### 6. **Local Government (Access to Information) Act 1985**

- a. [Carrying the Debt – Measuring the impact of Universal Credit on tenants and landlords](#) - Survey Results, 2018  
National Federation of ALMOs survey results, 2018





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**Report for:** **Overview and Scrutiny Committee:** 25<sup>th</sup> November 2019

**Title:** Borough Plan 2019-23 Priority performance update Quarter 2

**Report authorised by:** Charlotte Pomery, Assistant Director, Commissioning

**Lead Officer:** Margaret Gallagher, Performance & Business Intelligence Manager  
[margaret.gallagher@haringey.gov.uk](mailto: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 second update relating to the new Borough Plan priorities, outcomes and indicators, but the fifteenth relating to the priority dashboards. The report reflects the latest data available as at September 2019 and so continues the quarterly reporting against the Borough Plan with a second 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 September 2019, the second 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 new Priority Dashboards 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 second update of the new Borough Plan dashboards illustrates early progress against the strategic objectives set out in the Borough Plan 2019-2023 as at September 2019. In light of this, there are still some gaps in this preliminary picture. As is to be anticipated at the start of the new cycle of performance reporting but work is 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:

4.4 Priority 1 Housing (Outcome 2) **Rough sleepers who have access to appropriate support to exit street homelessness:** Quarter 2 saw an increase in the number of people being made an offer of support and accommodation. 100 people were seen in the period compared to 82 in Quarter 1 and 93 of these with 2 plus contacts received a single service offer. A small downward fluctuation in the number of rough sleepers supported during August has been attributed in part to the implementation of the new pan-London rough sleeping Rapid Response Team.

4.5 Priority 2 People (Outcome 6) **Pathway to success: Attainment and Progress 8 Provisional results** are showing an improving trend with an average **attainment 8 score** of 46.8 per pupil in Haringey up from 46.1 last year, now at the same level as our statistical neighbours. As well as exceeding the national average score of 44.5, Haringey are beginning to close the gap between the London average (49.3 and the highest achieving schools (London top quartile 51.6) our aim for 2022. The average attainment 8 score per pupil is a headline measure and was implemented in all schools from 2016 due to the introduction of reformed GCSEs and the 9-1 grading scale. This measure will not be directly comparable to previous years until all reformed GCSEs are introduced into the performance tables in 2020.

4.6 At Key Stage 4, there has been a mixture of improvement and decline across our mainstream schools' unvalidated Attainment 8 results. Alexandra Park,

Heartlands, Highgate Wood, St Thomas More and Woodside High have all improved over the past 3 years. Hornsey and Dukes Academy have stayed roughly the same. Fortismere, Gladesmore, Park View and Greig City have declined in A8 in the past 3 years although, this does not take into account weaker year groups. There were 4 secondary schools who had the lowest Attainment 8 grades - Dukes Academy, Greig City, Harris Tottenham and Park View schools. The breakdown and profile of GCSE pupils unvalidated for 2019 for those 4 schools shows that these schools will struggle against other Haringey schools as they:

- have a higher proportion of boys in each of the 4 schools. Boys tend to be 8% behind girls reaching the expected standard at all Key stages.
- % Disadvantaged pupils are all higher than Haringey's average, especially Greig City with 73% disadvantaged.
- % English as an additional language pupils (EAL) are very high in Dukes, Greig and Park view with 70%+ of GCSE pupils with English as an additional language.
- High proportion of Other White and Black African compared to Haringey's average.
- Harris Tottenham and Greig City have a higher proportion of Black Caribbean pupils.
- Dukes have a high proportion of Turkish pupils (19% nearly 1 in 5).
- there is a higher proportion of lower prior attainers going to Dukes and Park View than Haringey average.

Overall EAL and White Other pupils struggled more in these 4 schools, compared to the same groups nationally.

- 4.7 Haringey's **progress 8 score** has also improved to 0.24 from 0.16 and is now better than the London average (0.21) which decreased from 2018. Our aim is to reach the London top quartile (0.38) by 2022 and the trajectory shows that we are on course to do this. Progress 8 is a good indicator in how well the school has done with their cohort of pupils and whether they are narrowing the gap overall with pupils of similar starting points. St Thomas More had the strongest progress 8 score with +0.73, followed by Alexandra Park with +0.63. There were only 2 schools that had a negative progress 8 score. These were Greig City with -0.17 and Harris Tottenham with their first ever GCSE results - 0.26.
- 4.8 In terms of progress, Girls scored fairly well in the progress 8 scores across the 4 schools. Low prior attainment pupils also progressed well. It is a mixed picture with the different ethnic groups. Black Caribbean progressed least in Dukes and Greig, Black Africans progressed least in Harris and Park View, Turkish in Greig and Harris.
- 4.9 Priority 2 People (Outcome 7) **Healthy & fulfilling lives: Non-elective admissions**. In the year to August 2019, there has been a 2.9% reduction in non-elective admissions exceeding the 1.9% reduction target, so this Better Care Fund indicator is on green status and making good progress.

- 4.10 Priority 3 Place (Outcome 9) **A healthier, active, greener place.** The four performance indicators related to this outcome have remained 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.
- 4.11 Priority 3 Place (Outcome 11) **A culturally engaged place.** Haringey with partners in the arts and culture sector has recently submitted its application for London Borough of Culture, in competition with other London boroughs. Haringey has a diverse cultural offer with more than 70 annual events held in Haringey each year, mostly clustered around parks and mostly in the east of the borough. Attendance among Haringey residents is now above the London average for events such as theatre and popular/rock concerts and significantly above for classical and jazz concerts, ballet and opera. Haringey's attendance has increased in all categories since 2016 by 1-2%, and notably theatre attendance has increased from 46% to 51%.
- 4.12 Priority 4 Economy (Outcome 14) **Supported into work: Haringey residents supported into employment** has a number of contributing programmes: 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. The target is to support 500 residents per year into employment and in Quarter 2 we supported 152 residents into employment against a quarter target of 125. The figures are conservative to ensure that double counting between programmes has been avoided. At the current rate of performance, the annual target should be exceeded.
- 4.13 Priority 5 Your Council (Outcome 20) **Value for Money 2-part composite indicator** has been given an amber green rating due to evaluation of progress against target for the 54 indicators aligned to Borough Plan priority outcomes and overall savings achieved against these priorities as at Quarter 1. As measuring value for money objectively is difficult, it was agreed that progress against outcomes and delivery of savings identified as part of our medium term financial strategy together would provide a good indication as to whether the council is using its resources in a sustainable and efficient way. In summary, taking account of progress against the 5 main priorities on both activity/performance and financial elements, achievement is more positive than it is negative across the board.
- 4.14 53% of the Borough Plan performance indicators were rated either green or green amber as at Quarter 1 which forms the baseline position and of the 46 proposed savings only 3 of them, or 6% of the total, have been rated as red (fully or partially unachievable in the required time frame and no mitigations in place), 67% of savings are rated green and have been met on time, and the remaining 26% not yet on track, but with mitigations identified.
- 4.15 In the following section, we highlight objectives which are not on track to achieve their targets and which were not reported in Quarter 1. We have sought

to reflect the mitigating actions officers and other stakeholders are taking to respond to the new data:

- 4.16 Priority 1 Housing (Outcome 1) **Net additional homes** Haringey has committed to providing a total of 19,802 additional homes over the period from 2011 – 2026. In the year 2018/19 total net completions were 568 homes, against a target of 1,502. This was also 642 homes fewer than the average for previous years. As a result, the current shortfall against the cumulative housing target to date to deliver the overall 19,802 target (i.e. 9,288 net overall completions by the end of 2018/19) has increased from 1,301 to 2,159 homes. This is mainly due to the lack of major housing schemes finishing during 2018/19.
- 4.17 In terms of upcoming supply, 7,848 homes have planning permission, with 4,745 of these now recorded as having started on site as of April 2019. This includes significant developments that are likely to complete before 31 March 2020 such as Apex House and Railway Approach. So, in the medium term the shortfall is likely to be corrected. However, in the context of a challenging housing market, there are concerns relating to the delivery of additional homes over the coming years.
- 4.18 Priority 2 People (Outcome 6) **Pathway to success – Permanent and Fixed term secondary school exclusions** have shown an increase according to the latest published data for academic year 2017/18. Fixed term exclusions increased to 11.07 up from 9.16 the previous academic year and permanent exclusions more than doubled at a rate of 0.51 up from 0.22. For both permanent and fixed term secondary school exclusions Haringey is in the 3rd quartile nationally. The England average for fixed term exclusions is 9.4% and for permanent exclusions is 0.2%. We are undertaking a comprehensive review of Alternative Provision with partners in order to reduce numbers of children and young people excluded and to ensure appropriate education pathways are in place for all.
- 4.19 Priority 2 People (Outcome 7) **Healthy & fulfilling lives: The rate of Delayed Transfers of Care (DTC)** has increased in the 5 months to August 2019 and the Better Care Fund 11% reduction target is not being achieved. In August 2019 the rate of DTC delayed days per 100,000 population was 1422 compared to 1144 in 2018. DTC delayed days were in line with the target up until May this year but then increased in June, July and August due to an increase in more complex cases in the acute hospital and a corresponding increase in the number of 7 day and, particularly, 21-day patients recorded from BEH figures. BEH MHT now has the highest number of days delayed for Haringey residents and represents 26% of all delayed days after an 84% increase between April – August of 2019 in comparison with the same period in 2018.
- 4.20 Although the overall DTC rate has fallen since July the rate remains high and the year to date position is **24%** higher compared to the same period between April and August 2018/19. There have been 3201 DTC delayed days between April and August 2019, 657 more days compared to the same period last year. Year to date there have been an average of 20.9 delayed beds per day.



- 4.21 In response, we have increased the level of investment in acute-community interface, in order to improve capacity within the system and to respond and move people back into the community. Increased convalescence beds have been created at Priscilla Wakefield House to manage patients who need to recuperate out-of-hospital. We are also working with North Central London (NCL) system partners to ensure we mutually support each other to progress discharges across NCL.
- 4.22 In addition, we are working with all our providers, particularly BEH MHT, to improve operational management particularly 'quick wins' and maximising throughput of intermediate care beds by working with housing for those who are unable to return home. We anticipate that these measures will have an impact on performance during Quarter 3.
- 4.23 Priority 3 Place (Outcome 12) **A safer borough: Violence with Injury non-domestic abuse related & robbery rates** have shown an increasing trend over the last four years. Updated data on robberies and incidences of violence with injury will be available from the Metropolitan police in December 2019. Quarter 2 activities around this indicator included:
- Extensive and ongoing police operation including dedicated robbery team deployed around Hale Village, Tottenham Hale, Seven Sisters Market to respond to recent spike in robberies. This has had a significant impact in reducing robberies in that location.
  - Ongoing partnership working and potential Public Spaces Protection Order being planned with colleagues from Hackney and Islington to address ASB and Criminality both in Finsbury Park and surrounding streets.
  - Planning meeting to take place in the next week to discuss re-emerging criminality in and around Ducketts/surrounding streets and the high road to respond to increased drug dealing, low level ASB and Serious Violence.

This indicator will maintain its red amber status pending the publication of new data in December 2019.

- 4.24 Priority 4 Economy (Outcome 14) **Supported into work: Haringey residents starting an apprenticeship.** 19 residents have started an apprenticeship so far in the first two quarters of this year. The target is for 200 Haringey residents to start a full apprenticeship between 2019-2023, the majority of whom should be young people under the age of 26. The trajectory of apprenticeship starts shows that we are slightly behind target hence the Red/amber rating at this stage. We continue to work with organisations across the borough to collect accurate data on the numbers of young people starting apprenticeship and whilst Quarter 2 performance data excludes data from a key partner, it will not affect the numbers significantly once received. As the work of the Haringey Construction Partnership (HCP) grows, we expect the performance for this outcome to slowly improve. HCP's partnership with the Mayor's Construction Academy at the College of North East London has already doubled apprenticeship numbers in the pipeline for the next quarter.
- 4.26 Priority 5 Your Council (Outcome 17) **Commitment to develop deeper understanding of resident perception, confidence and trust:** We have made a commitment in the Borough Plan to establish a Citizens' Panel, which we will use to develop a deeper understanding of resident perceptions,

including confidence and trust in public services. The launch of the Panel is delayed by 6 months to April 2020. The procurement of the online platform is underway, to be followed in the new year by recruitment of Haringey residents to the Panel. We are using a specialist organisation to carry out the recruitment to ensure that we have a large and representative sample of residents to engage with, which means that we will be able to rely on the findings in decision-making.

4.27 We will use the findings from the engagement work carried out as part of Haringey's independent Fairness Commission to better understand the reasons for lack of trust in some areas of public services and to address those reasons. The Commission's final report will be launched in January, and we will respond to recommendations following the publication of the report.

4.28 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>

**Report for:** Overview and Scrutiny Committee – 25 November 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](mailto: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; and

**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. The draft report was considered at the last meeting of the Committee and its final version, following receipt and consideration of comments regarding factual accuracy, is scheduled to be approved by this meeting.

4.3 In the light of this, work on the Committee's review on Business Support – Procurement and the Local Supply Chain – has restarted. This was temporarily suspended due to the Committee's work on the Wards Corner review. An

evidence session of the Committee took place on 21 October 2019 as part of the review. The Committee is intending to undertake a visit to a number of local small and medium sized businesses in order to listen to their feedback on their experience of working with the Council. In addition, it is also hoped to receive evidence from the Federation of Small Businesses.

#### *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"> <li>• Working together with local voluntary/community sector, strengthening their capacity and working with them to attract external investment in the borough;</li> <li>• Building on examples of good co-operation and joint working between Council services and</li> </ul>	4.

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

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.

<b>Date</b>	<b>Potential Items</b>	<b>Lead Officer/Witnesses</b>
<b>4 June 2018</b>	Terms of Reference	Scrutiny Support Officer
	Work Plan	Scrutiny Support Officer
<b>23 July 2018</b>	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
<b>2 October 2018</b>	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
<b>19 November 2018</b>	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
<b>14 January 2019</b>	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

<b>28 January 2019</b>	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
<b>25 March 2019</b>	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
<b>30 April 2019</b>	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
<b>2019-20</b>		
<b>3 June 2019</b>	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
<b>22 July 2019</b>	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
<b>15 October 2019</b>	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
<b>25 November 2019</b>	Performance	Performance Manager

	Complaints Annual Report. To include learning from complaints and LGO's annual review letter	Assistant Director (Corporate Governance)
	Universal Credit – Impact on Rent Arrears	Head of Income Management, Homes for Haringey
	Scrutiny Review of Wards Corner – Final Report	Chair
<b>14 January 2020</b>	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
	Insourcing & Facilities Management	Head of Organisational Resilience

<b>23 January 2020 (Budget Scrutiny)</b>	Cabinet Member Questions – Finance and Strategic Regeneration (N.B. Finance Issues)	Cabinet Member for Finance and Regenerations and officers
	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 – 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
	Budget Monitoring – Q3	Cabinet Member - Finance Chief Finance Officer
	Performance update – Q3	Performance Manager



	Debt Recovery	Director of Customers, Transformation and Resources
	Consultation and Engagement	Assistant Director for Strategy and Communications

TBA:

1. 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"> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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.</li> </ul> <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"> <li>• 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?</li> <li>• What are the waiting times for parents requesting an assessment, obtaining a diagnosis and</li> </ul>	1.

	<p>receiving the extra support required?</p> <ul style="list-style-type: none"> <li>• What are the outcomes of children with SEMH and autism in relation to their diagnoses?</li> <li>• 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?</li> </ul>	
<p>Fragmentation of school structures</p>	<p>The review will consider the range of different types of school that there currently are within the borough. The resulting fragmentation presents challenges for local authorities. These include the planning and co-ordination of school places and ensuring that all schools are providing a good standard of education. In addition, schools are subject to varying degrees of local democratic control.</p> <p>The scope and terms of reference for the review have yet to be finalised but, amongst other issues, it could:</p> <ul style="list-style-type: none"> <li>• Seek to identify the range of schools that there are within Haringey and their respective status as well as the challenges that this presents for the Council;</li> <li>• Consider ways that might be available to the Council to co-ordinate and influence all schools within the borough and what might work most effectively; and</li> <li>• Look at practice in other local authority areas and what appears to have been most effective.</li> </ul>	
<p>Alternative Provision</p>	<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"> <li>• What are the reasons why children in Haringey enter AP?</li> <li>• Once entering alternative provision, what are their outcomes and attainment levels when compared to mainstream schools?</li> <li>• How many children going through the AP route later enter the youth justice system?</li> <li>• How many children enter alternative provision as a result of SEND needs and how many have a statement or a EHCP plan?</li> <li>• The demographics of children entering AP including ethnicity, gender, areas of the borough where</li> </ul>	

	<p>children in AP are drawn from and levels of children receiving free school meals prior to entering AP;</p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Are the outcomes from AP providers uniform within Haringey?</li> <li>• How cost effective is AP.</li> </ul>	
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<p>2. <b>“One-off” Items; These</b> will be dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.</p>	
<b>Date</b>	<b>Potential Items</b>
<p><b>6 September 2018</b></p>	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Service Overview and Performance Update</li> <li>• Cabinet Member Questions; Children and Families and Communities (to cover areas within the Panel’s terms of reference that are within their portfolios).</li> <li>• Work Planning; To agree items for the work plan for the Panel for this year.</li> </ul>

<p><b>8 November 2018</b></p>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions – Children and Families.</li> <li>• New Safeguarding Arrangements.</li> <li>• Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 1.</li> <li>• Joint Targeted Area Action Plan – Update.</li> </ul>
<p><b>18 December 2018</b></p>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> <li>• Cabinet Member Questions – Communities</li> </ul>
<p><b>4 February 2019</b></p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Chair of LSCB &amp; Annual Report.</li> <li>• Review on Support to Children from Refugee Families (N.B. including NRPF): Update on Implementation of Recommendations</li> </ul>

<p><b>19 March 2019</b></p>	<ul style="list-style-type: none"> <li>• Transition (to be jointly considered with the Adults and Health Panel).</li> <li>• Cabinet Member Questions – Children and Families</li> <li>• Ofsted Inspection – Action Plan</li> <li>• Services to Schools</li> <li>• Review on Child Friendly Haringey: Update on Implementation of Recommendations</li> </ul>
<p><b>2019 - 2020</b></p>	
<p><b>13 June 2019</b></p>	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Work Planning; To agree items for the work plan for the Panel for year.</li> <li>• Cabinet Member Questions – Communities</li> <li>• Youth Services</li> <li>• Review on Restorative Justice: Update on Implementation of Recommendations</li> <li>• Apprenticeships</li> </ul>

<p><b>19 September 2019</b></p>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions – Children and Families</li> <li>• Alternative Provision</li> <li>• Financial Monitoring</li> <li>• Multi Agency Safeguarding Arrangements</li> <li>• The Role of the LADO</li> <li>• Independent Reviewing Officer (Annual Report)</li> <li>• OFSTED Action Plan – Progress</li> </ul>
<p><b>7 November 2019</b></p>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions – Communities</li> <li>• Childhood Obesity</li> <li>• Mental health services for teenagers and young people (CAMHS)</li> <li>• 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.</li> <li>• School improvement and action to address under performance by particular groups of students.</li> </ul>



<b>19 December 2019 (Budget Meeting)</b>	<ul style="list-style-type: none"> <li>• Budget scrutiny</li> <li>• Cabinet Member Questions – Children and Families</li> <li>• Support to Children from Refugee Families – Update on implementation of recommendations of scrutiny review</li> </ul>
<b>2 March 2020</b>	<ul style="list-style-type: none"> <li>• Play and leisure</li> <li>• Chair of LSCB &amp; Annual Report</li> <li>• Unregistered schools</li> <li>• Home schooling and safeguarding</li> </ul>

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.
5. Capital programme for schools, including Fortismere.

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**Adults and Health Scrutiny Panel - Draft 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
Care Home Commissioning	Report submitted to Overview & Scrutiny Committee – June 2019.
Day Opportunities	Report submitted to Overview & Scrutiny Committee – June 2019.
ASC Commissioning	Briefing session for Panel on 18 <sup>th</sup> Nov. ToR to be submitted to OSC for approval on 25 <sup>th</sup> Nov. Further evidence sessions to be scheduled shortly.

**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
<b>4 September 2018</b>	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Appointment of Non-Voting Co-opted Member</li> <li>• Performance Update</li> <li>• Cabinet Member Questions; Adults and Health</li> <li>• Community Well-Being Framework</li> </ul>
<b>4 October 2018</b>	<ul style="list-style-type: none"> <li>• Care Homes Review – Evidence Session</li> </ul>
<b>1 November 2018</b>	<ul style="list-style-type: none"> <li>• Haringey Safeguarding Adults Board Annual Report 2017-18</li> <li>• Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 2.</li> <li>• Suicide Prevention</li> </ul>
<b>13 December 2018</b>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> </ul>
<b>29 January 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions; Adults and Health</li> <li>• Mental Health</li> </ul>
<b>4 March 2019</b>	<ul style="list-style-type: none"> <li>• Physical Activity for Older People – update</li> <li>• Improving Primary Care in Haringey</li> </ul>

<b>20 June 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions</li> <li>• Budget overview</li> <li>• Locality working in North Tottenham</li> <li>• Suicide Prevention update</li> </ul>
<b>5 September 2019</b>	<ul style="list-style-type: none"> <li>• Budget overview</li> <li>• Osborne Grove update</li> <li>• Prevention &amp; early intervention</li> </ul>
<b>14 November 2019</b>	<ul style="list-style-type: none"> <li>• Budget &amp; performance update</li> <li>• Haringey Safeguarding Adults Board (HSAB) 2018/19 annual report</li> <li>• CQC update</li> <li>• St Ann's Hospital update</li> <li>• Violence Against Women &amp; Girls (VAWG) strategy</li> </ul>
<b>6 January 2020</b>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> <li>• Joint funding – Council/CCG</li> </ul>
<b>25 February 2020</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions</li> <li>• Budget &amp; performance update</li> <li>• Canning Crescent update</li> <li>• Review of service improvement</li> </ul>

From March 2020: An expected follow-up item on locality working in North Tottenham

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

<p><b>1. Scrutiny review projects;</b> 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"> <li>• What are residents’ experiences of accessing and using a Blue Badge;</li> <li>• 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;</li> <li>• What do disability organisations say about our Blue Badge and disabled parking services? How accessible is our parking services interface;</li> <li>• How helpful is our written correspondence to residents around Blue Badges.</li> </ul>	
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"> <li>• 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.</li> </ul>	

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



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

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

**2019-2020**

11 June	<ul style="list-style-type: none"> <li>• Membership &amp; Terms of Reference.</li> <li>• Appointment of Non-Voting Co-opted Member.</li> <li>• Community Safety Strategy</li> <li>• Update on Youth at Risk Strategy</li> <li>• Work Programme</li> </ul>
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	<ul style="list-style-type: none"> <li>• Cabinet Member Questions; Communities, Safety and Engagement (to cover areas within the Panel’s terms of reference that are within that portfolio).</li> </ul>
3 <sup>rd</sup> October	<ul style="list-style-type: none"> <li>• Cabinet Member Q&amp;A –Neighbourhoods: To question the Cabinet Member for Neighbourhoods on current issues and plans arising for her portfolio.</li> <li>• Veolia Performance - Waste and Street Cleansing update.</li> <li>• Parks update including vehicle access and locking gates at night.</li> <li>• Update on the Parking Transformation Plan.</li> <li>• Update on Parking reports going to Cabinet.</li> <li>• Work Programme.</li> </ul>
5 <sup>th</sup> November	<ul style="list-style-type: none"> <li>• Cabinet Member Q&amp;A –Communities, Safety and Engagement (to cover areas within the Panel’s terms of reference that are within that portfolio).</li> <li>• Community Safety Partnership; To invite comments from the Panel on current performance issues and priorities for the borough’s Community Safety Partnership. To also include an update on statistics on hate crime.</li> <li>• Update on the merging of Haringey and Enfield Borough Command Units.</li> <li>• Liveable Streets</li> <li>• Update on Events in Finsbury Park – Adobe Festival &amp; damage to the bandstand field.</li> </ul>

<p>17<sup>th</sup> December (Budget Scrutiny)</p>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> <li>• Cabinet Member Q&amp;A – Climate Change and Sustainability; To question the Cabinet Member for Climate Change and Sustainability on current issues and plans arising for her portfolio.</li> <li>• Single use Plastics.</li> </ul>
<p>2<sup>nd</sup> March</p>	<ul style="list-style-type: none"> <li>• Cabinet Member Q&amp;A –Neighbourhoods: To question the Cabinet Member for Neighbourhoods on current issues and plans arising for her portfolio.</li> <li>• Waste, recycling and street cleansing data</li> <li>• Performance update – Q3</li> <li>• Budget Monitoring Q3</li> </ul>

## Housing and Regeneration Scrutiny Panel - Draft 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.

Projects	Comments
Wards Corner	Report submitted to Overview & Scrutiny Committee - Oct 2019. Updated report submitted to Overview & Scrutiny Committee – Nov 2019.
High Road West	First site visit scheduled for 22 <sup>nd</sup> Nov. ToR to be submitted to OSC for approval on 25 <sup>th</sup> Nov. Further evidence sessions to be scheduled shortly.
CIL/S106	In reserve.
Wood Green Area Action Plan (AAP)	In reserve.

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

Date	Items
<b>17 September 2018</b>	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Service Overview and Performance Update</li> </ul>

	<ul style="list-style-type: none"> <li>• Cabinet Member Questions; <ul style="list-style-type: none"> <li>○ Housing and Estate Renewal; and</li> <li>○ Strategic Regeneration</li> </ul> </li> <li>• Work Planning; To agree items for the work plan for the Panel for this year.</li> </ul>
<b>15 November 2018</b>	<ul style="list-style-type: none"> <li>• Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priorities 4 &amp; 5.</li> <li>• Cabinet Member Questions - Strategic Regeneration</li> <li>• Wood Green/Tottenham landowner forums</li> <li>• GLA Grant Allocation</li> </ul>
<b>17 December 2018</b>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> </ul>
<b>15 January 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions – Housing and Estate Renewal</li> <li>• Additional scrutiny on capital budget</li> <li>• Community Infrastructure Levy (CIL) overview</li> </ul>
<b>21 February 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Strategic Regeneration</li> <li>• Wood Green/Tottenham landowner forums</li> </ul>
<b>14 March 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Housing and Estate Renewal</li> <li>• High Road West - update</li> <li>• Review on Social Housing: Update on Implementation of Recommendations</li> </ul>
<b>10 June 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Housing and Estate Renewal</li> <li>• Temporary Accommodation</li> </ul>

	<ul style="list-style-type: none"> <li>• Child yield calculator and segregation issues in planning</li> </ul>
<b>12 September 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Strategic Regeneration</li> <li>• Update - Review of management process for Community Infrastructure Levy (CIL) - DEFERRED</li> <li>• Update - Socio-economic programme linked to High Road West regeneration scheme - DEFERRED</li> <li>• Wood Green AAP</li> </ul>
<b>4 November 2019</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Housing and Estate Renewal</li> <li>• Update - Review of management process for Community Infrastructure Levy (CIL)</li> <li>• Update - Socio-economic programme linked to High Road West regeneration scheme</li> <li>• Housing Strategy</li> <li>• Council Housing Team capacity building</li> </ul>
<b>16 December 2019</b>	<ul style="list-style-type: none"> <li>• Budget Scrutiny</li> </ul>
<b>3 March 2020</b>	<ul style="list-style-type: none"> <li>• Cabinet Member Questions - Planning</li> <li>• Broadwater Farm</li> <li>• Housing Associations</li> <li>• Local Plan</li> </ul>

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