

## NOTICE OF MEETING

# HOUSING AND REGENERATION SCRUTINY PANEL

**Monday, 4th November, 2019, 7.00 pm - Civic Centre, High Road,  
Wood Green, N22 8LE**

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

Quorum: 3

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

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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 as noted 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 - 8)**

To approve the minutes of the previous meeting.

**7. UPDATE - REVIEW OF MANAGEMENT PROCESS FOR CIL (PAGES 9 - 28)**

DEFERRED FROM PREVIOUS MEETING - To provide the Panel with an update on the Section 106 and Community Infrastructure Levy (CIL) Health Check Report.

**8. SOCIO-ECONOMIC PROGRAMME - HIGH ROAD WEST REGENERATION SCHEME (PAGES 29 - 32)**

DEFERRED FROM PREVIOUS MEETING - To provide more details to the Panel about the £10m programme for social and economic support for businesses and residents to be provided by the developer Lendlease as part of the High Road West regeneration scheme.

**9. CABINET MEMBER QUESTIONS - HOUSING AND ESTATE RENEWAL**

An opportunity to question the Cabinet Member for Housing & Estate Renewal, Cllr Emine Ibrahim, on developments within her portfolio.

**10. HOUSING STRATEGY UPDATE (PAGES 33 - 36)**

To update the Panel on progress towards the new draft Housing Strategy which is expected to be presented to Cabinet in early 2020.

**11. COUNCIL HOUSING TEAM CAPACITY BUILDING**

Paper to follow.

**12. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at item 3 above.

**13. DATES OF FUTURE MEETINGS**

- 16<sup>th</sup> December 2019 (7pm)
- 3<sup>rd</sup> March 2020 (7pm)

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Friday, 25 October 2019

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**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 as 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:** Housing and Regeneration Scrutiny Panel, 12 September 2019

**Title:** Section 106 (S106) and Community Infrastructure Levy (CIL) Health Check Report – Action Plan

**Report authorised by :** Dan Hawthorn, Director of Regeneration, Housing and Planning

**Lead Officer:** [Rob.Krzyszowski@haringey.gov.uk](mailto:Rob.Krzyszowski@haringey.gov.uk), Head of Planning Policy, Transport & Infrastructure, x3213

**Ward(s) affected:** All

**Report for Key/ Non Key Decision:** Non Key – For Information

## 1. Describe the issue under consideration

- 1.1 The Housing and Regeneration Scrutiny Panel on 15 January 2019 considered a report on 'S106 and CIL Overview'.
- 1.2 This report does not repeat the background provided in the 15 January 2019 report but instead provides an update on an action arising from that meeting, which was to review the management process of CIL.
- 1.3 The scope of the review has widened and is now known as the **Section 106 (S106) and Community Infrastructure Levy (CIL) Health Check Report**. The Health Check Report is provided as Appendix A and the Council has produced an **Action Plan** provided in the main body of this report.
- 1.4 The report concluded that “Haringey Council has S106 and CIL systems in place which align with the principal legislative and regulatory requirements. There are elements of good practice in the Council’s approach” and “The Assistant Director of Planning maintains a good oversight of the systems including in particular expenditure from the S106 and CIL funds by ensuring compliance with relevant legislation or individual S106 agreements”. However “there are a number of deficiencies that reduce the efficiency, effectiveness and resilience of the service” (paragraphs 11-12). The Action Plan focuses on addressing these deficiencies.

## 2 Cabinet Member Introduction

- 2.1 N/A

## 3 Recommendations

- 3.1 This report is for information only.

## 4 Reasons for decision

4.1 N/A

**5 Alternative options considered**

5.1 N/A

**6 Background information**

6.1 A report on 'S106 and CIL Overview' to the Housing and Regeneration Scrutiny Panel on 15 January 2019 said:

A review of the management of CIL collection, spend and reporting was an outstanding item from the Planning Service Improvement programme. A recent review of the CIL process by the Assistant Director has led to the conclusion that, given the level of development expected in the coming years and the level of complexity of the queries received that another post should be proposed in the forthcoming restructure.

In addition a review by a specialist CIL management consultancy will be taking place in February 2019. The initial review by the Assistant Director, after discussion with staff involved in the process and a desktop analysis of the processes, suggests potential matters to be improved following this review would potentially be the procurement of a specialist database, succession planning and improvement of reporting processes.

(Paragraphs 2.38 – 2.39)

6.2 The minutes of this meeting confirmed:

A review of the management process of CIL is due to be carried out by a specialist consultancy in Feb 2019

6.3 In January 2019 the Council commissioned Citiesmode to undertake the independent Health Check. The review undertook research in February and March 2019 including:

- A two-hour workshop with the Assistant Director of Planning, Development Management Team Leaders, the previous Policy Team Leader, the S106 and CIL Monitoring Officer and Finance officers;
- A two-hour meeting with the S106 and CIL Monitoring Officer to go through the existing procedures and databases in detail;
- Telephone interviews with officers involved in the spend of S106 for delivery of projects in their service area; and
- A review of written internal and external policy and procedure documents.

6.4 The Health Check Report setting out the findings from the research was finalised in May 2019 and agreed by the Assistant Director for Planning,

Building Standards and Sustainability in July 2019 and is provided at Appendix A. The report concluded that “Haringey Council has S106 and CIL systems in place which align with the principal legislative and regulatory requirements. There are elements of good practice in the Council’s approach” and “The Assistant Director of Planning maintains a good oversight of the systems including in particular expenditure from the S106 and CIL funds by ensuring compliance with relevant legislation or individual S106 agreements”. However “there are a number of deficiencies that reduce the efficiency, effectiveness and resilience of the service” (paragraphs 11-12).

- 6.5 The detailed commentary and findings of the Health Check can be found in the Report (Appendix A) and are not duplicated here. However, the key issues, recommendations and actions of the report are provided below, making up the Action Plan:

## Action Plan

Recommendation / Action extracts from Health Check Report (re-sorted by topic, rather than in the order in the report)	Council Action	Target Date & Status
<b>Issue 1: Roles, responsibilities and process</b>		
<b>Recommendation 1:</b> Develop a Section 106 and CIL manual with protocols that clearly establish who is responsible for which stage this should clarify matters in relation to monitoring (not policy or legal agreements).	<b>Action 1.1:</b> Finalise a CIL Procedure Manual	<b>October 2019</b> Initial draft started on Monday 19 August 2019
<b>Priority Action 1:</b> Prioritise production of a first draft working manual based on the knowledge of the S106 officer of process in the first instance (wider engagement/ sign up can be programmed in)	<b>Action 1.2:</b> Finalise a S106 Procedure Manual	<b>December 2019</b>
<b>Other Actions:</b> land charge data was not recorded in S106/ CIL records and no evidence of spot checking of this – whether the charge is applied or when it is removed. Particular attention should be given to ensuring Stage 2 (Demand notice) charges stay on for 7 years.	<b>Action 1.3:</b> Include procedures for adding / removing land charge records in the aforementioned Procedure Manuals	<b>As above</b>
<b>Recommendation 4:</b> Instigate a regular programme of training for Development Management officers on CIL. Training of officers should not be considered as a one off and should be carried out on a quarterly basis to deal with staff changes and as a refresher to ensure compliance with regulations and build the capability of officers to administer CIL.	<b>Action 1.4:</b> Undertake training for all Development Management and Land Charges officers on CIL and S106, initially with reference to the CIL Procedure Manual	<b>October 2019</b>
<b>Priority Action 2:</b> Carry out training for all Development Management officers on CIL liability calculations and clarify their role in the S106 monitoring process – including what information and approvals should be fed back to the S106 officer	<b>Action 1.5:</b> ...and a subsequent refereshers with reference to the S106 Procedure Manual	<b>January 2020</b>
<b>Issue 2: Data / recording systems</b>		



Recommendation / Action extracts from Health Check Report (re-sorted by topic, rather than in the order in the report)	Council Action	Target Date & Status
<b>Recommendation 2:</b> Invest in a S106 and CIL database to make monitoring and reporting more efficient, bring records into a single location and standardise approaches to record keeping.	<b>Action 2.1:</b> Initiate procurement for specialist S106/CIL software and initiate making records ready for transfer of records from old to new system	<b>April 2020</b>
<b>Recommendation 2 continued:</b> This will help the council respond to the emerging requirements from Government notably Infrastructure Funding Statements, make reporting easier and provide a more secure platform to hold important information.	<b>Action 2.2:</b> Publish an Infrastructure Funding Statement by the statutory date as required by the CIL (Amendment) (England) (No.2) Regulations 2019	<b>December 2020</b>
<b>Recommendation 2 continued:</b> The Council should buy access to BCIS indices to ensure the index applied is up to date (it may be that the license costs can be shared with other council departments it should be noted that RICS members may be able to access it at a discount).	The CIL (Amendment) (England) (No.2) Regulations 2019 replace the BCIS index of inflation with a new publicly-available RICS CIL Index from 2020 and so purchase of a license is no longer needed	✓ <b>N/A</b>
<b>Recommendation 2 continued:</b> In the interim, regular back-ups of all CIL and S106 files are essential and advice on how to do this from the council's IT support should be sought (other than as per IT standard on the server).	<b>Action 2.3:</b> Create manual 'backup' copies of folders	<b>August 2019</b>
<b>Priority Action 3:</b> Back up of records (CIL and S106 files) securely and regularly (in addition to as per IT standard on the server)	<b>Action 2.4:</b> Seek advice from IT colleagues	<b>August 2019</b>
<b>Other Actions:</b> In addition, neighbourhood CIL pots are not being calculated or recorded correctly as the relevant cap is not being applied. Even though the sums identified are unlikely to differ the system should use the correct method of calculation.	Calculations suggest the cap does not currently apply so there is no need to amend formula.	✓ <b>N/A</b>

Recommendation / Action extracts from Health Check Report (re-sorted by topic, rather than in the order in the report)	Council Action	Target Date & Status
<b>Issue 3: Resource challenges</b>		
<b>Recommendation 3:</b> Expand the CIL and S106 resource to more officer resource to improve systems, minimise resource risk, prepare for new reporting requirements (e.g. infrastructure funding statements) and adopt more proactive approaches that are likely to help optimise receipts and efficiency.	<b>Action 3.1:</b> Draft a Job Description / Person Specification (JD/PS) for a Principal Officer post	<b>October 2019</b>
<b>Recommendation 3 continued:</b> Creating a new S106 and CIL Post at PO4 level to better reflect the existing scope of responsibilities especially in connection to Finance and strategic relationship management. This would also encourage responsibility for more proactive monitoring/ system checks and to introduce new supervisory responsibilities. Linked to this it may be appropriate to provide this role with greater exposure to spend decisions and regular reporting to senior management teams (including in the context of the IFS). This will ensure that there is a greater sense of where the role fits in the council's structure, what it delivers and provide the greater visibility internally that the position requires.	<b>Action 3.2:</b> Job evaluation of JD/PS	<b>December 2019</b>
	<b>Action 3.3:</b> Advertise post	<b>January 2020</b>
<b>Recommendation 3 continued:</b> The existing CIL / S106 officer post (PO2 level) should be retained to focus on day to day S106 monitoring and issuing the required CIL notices.	<b>Action 3.4:</b> Post filled	<b>April 2020</b>
<b>Priority Action 4:</b> take steps advertise for additional resources.		
<b>Recommendation 3 continued:</b> Ensuring that a single manager within planning has a greater role in the day to day management ensuring adherence to the manual/ protocols across the council. They should also ensure that they have oversight of the dedicated S106 and CIL staff resource needs, performance and an awareness of any team member support requirements.	<b>Action 3.5:</b> Ensure Head of Planning Policy, Transport & Infrastructure has management oversight and responsibility for S106 and CIL, with regular 1-1 meetings with the S106 and CIL Monitoring Officer	<b>April 2019</b> ✓ Post permanently filled on a full time basis with monthly 1-1s and day-to-day line management established
<b>Priority Action 4:</b> Ensure there is more oversight of CIL and S106 tasks at a day to day operational level		

<b>Recommendation / Action extracts from Health Check Report (re-sorted by topic, rather than in the order in the report)</b>	<b>Council Action</b>	<b>Target Date &amp; Status</b>
<p><b>Other Actions:</b> consideration should be given to the provision of a standalone CIL and S106 inbox so that emails are accessible (not limited to one officer) to support service continuity</p>	<p><b>Action 3.6:</b> Set up new email inboxes:</p> <p><a href="mailto:section106@haringey.gov.uk">section106@haringey.gov.uk</a></p> <p><a href="mailto:cil@haringey.gov.uk">cil@haringey.gov.uk</a></p> <p><b>Action 3.7:</b> Update website and letter/notice templates with new addresses</p>	<p><b>August 2019</b></p> <p><b>September 2019</b></p>

**7 Contribution to strategic outcomes**

7.1 Improving processes for collecting, spending and reporting on S106 and CIL contributes to many Borough Plan objectives indirectly, but the most explicit Borough Plan reference to S106 and CIL is:

- Outcome 16) Regeneration with social and economic renewal at its heart
- Objective 16)b) Take account of how people feel about the way their local areas are changing, building cohesive and resilient communities
- Action: Seek to bring in external funding and use Section 106 and Community Infrastructure Levy budgets [to] achieve maximum impact

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

8.1 N/A

**9 Use of Appendices**

Appendix A: Section 106 (S106) and Community Infrastructure Levy (CIL) Health Check Report

**10 Local Government (Access to Information) Act 1985**

[Tuesday 15 January 2019 Scrutiny Panel minutes item 43](#)

## Haringey Council S106 and CIL Health Check Report May 2019



### 1. Introduction and Background

1. In January 2019 the London Borough of Haringey (client Officer Emma Williamson, Assistant Director of Planning) commissioned Citiesmode to undertake a high-level review of the council's processes associated with the administration, monitoring and governance of Section 106 (S106) legal agreements and the Community Infrastructure Levy (CIL). In the case of CIL this includes the collection of the Mayor of London's CIL as well as the collection and spend of Haringey's own CIL. Both regimes were considered in the context of their association with the grant of planning permission for development within Haringey.
2. The objective of the review was to analyse the effectiveness of the current processes, including acknowledging areas of good practice, and to identify opportunities for improvement in order to optimise the service and make it more successful. The review included:
  - A two-hour overview workshop held on the 6<sup>th</sup> February 2019 with the Assistant Director of Planning, Development Management Team Leaders, Policy Team Leader, the S106 and CIL monitoring officer and business managers from Finance.
  - A two-hour follow up meeting held on the 7<sup>th</sup> February with the S106 and CIL monitoring officer who is principally responsible for undertaking the daily tasks involved with the monitoring of S106 legal agreements post the grant of planning permission and the administration of the collection and spend of Haringey Council's CIL and the collection and transfer of the Mayor of London's CIL. This allowed a deeper dive in to a number of matters including:
    - The functionality and utilisation of current databases and spreadsheets that are used for the monitoring of the processes associated with S106 and CIL; and
    - Filing and data storage management.
  - Telephone interviews with officers involved in the spend of S106 (but not yet the spend of CIL) for delivery of projects within their service areas in March 2019. This included interviews with an officer from the council's Regeneration service working primarily on public realm projects and an officer leading the council's employment agenda (and with oversight of associated S106 employment and training matters).
  - A review of written internal and external documents linked to S106 and CIL monitoring, collection, spend and reporting.
3. The purpose of this report is to provide the council with a summary of the findings of the review, including an analysis of the current processes, along with detailed recommendations for improvement that are practical and specific to Haringey Council. The report also identifies relevant training needs to support officers involved in the process and recommendations for further support that might be required or accessed from other sources.

4. It should be noted that the review and assessment was focused on the processes associated with the administration, monitoring and spend of S106 and CIL only. It did not therefore include consideration of matters associated with S106 policy or the setting of a CIL charging schedule and neither can it be considered to be a formal audit of the systems.

## 2. S106 and CIL in Context

5. The main planning tools for securing developer contributions to be used towards infrastructure that is required to support development are planning obligations, as secured through Section 106 (S106) legal agreements, and the Community Infrastructure Levy (CIL). The way each of these tools can be used is prescribed in the CIL Regulations 2010 (as amended). S106 is used to address site specific impacts arising from individual developments and to secure planning policy requirements. It is the main tool used to secure affordable housing linked to the grant of planning permission. CIL on the other hand is a strategic tool that is used to address the area wide and cumulative impacts of development.
6. Guidance on how planning obligations are used and secured through S106 legal agreements linked to the grant of planning permission in Haringey is set out in its [“Planning Obligations” supplementary planning document](#) that was adopted by the Council in March 2018. This document sets out the Council’s approach, policies and procedures on the requirement and use of planning obligations. It also sets out the relationship between them and the application of the Haringey CIL.
7. [Haringey’s CIL Charging Schedule](#) was adopted by the Council in July 2014 and came in to effect on 1<sup>st</sup> November 2014. This sets out differential charging rates for residential development (including student accommodation) across three defined zones in the borough. For other types of development single rates apply across the borough and there is no charge for office, industrial, warehousing, defined small scale retail development, health and educational uses. CIL is generally chargeable on most new developments and extensions that include 100 square metres or more of new build floorspace or comprise one or more dwellings. As of June 2018, the Council had collected £4,861,852 of Haringey CIL.
8. In accordance with the CIL regulations the Haringey CIL must be allocated for spend in the following proportions:
  - 70 – 80% on the provision, improvement, maintenance or operation of infrastructure to support the development of the London Borough of Haringey.
  - 15 – 25% of receipts collected within a “neighbourhood” to be ring fenced and spent in agreement with the community on infrastructure to support the development of their area or anything else that supports the development of their area.

It is important to note that where there is a neighbourhood plan made in the area the portion of CIL receipts ring fenced should be 25%. Where there is no neighbourhood plan the amount of CIL ring fenced should be 15% **BUT** capped at £100 per council tax paying dwelling.

  - Up to 5% on the costs associated with the administration of the CIL.
9. In December 2018, the [Government undertook a technical consultation](#) on draft regulations which included a proposal to introduce a requirement for authorities to publish an Infrastructure Funding Statement (IFS) by December 2019. If implemented this will mean that

the Council must report on S106 and CIL receipts received, spent and being held as well as identify projects that funds will be spent on over the proceeding five years. The draft regulations associated with this proposal also set out a requirement to provide forecast figures for receipts in future years. Whilst the IFS is not yet a legal requirement it is already referenced in [National Planning Policy Guidance](#) as a tool which can be used for effective cooperation in addressing strategic infrastructure needs.

10. The expectation is that the Regulations will be ‘made’ and take effect this summer however this is dependent upon Parliamentary timetables and availability. Given that there has not yet been a response by Government to this technical consultation it is anticipated that the requirement for an IFS is likely to be pushed back to December 2020. Notwithstanding, given that many authorities have a back log of historic records associated with the monitoring of S106 agreements it will be prudent for authorities to start to consider now how they will collate and report on this information to aid transparency in the system. This is also linked to the [wider ambition of Government](#) to have all S106, CIL and viability assessments as open data.

### 3. S106 and CIL Health Check

11. Haringey Council has S106 and CIL systems in place which align with the principal legislative and regulatory requirements. There are elements of good practice in the Council’s approach. However, there are a number of deficiencies that reduce the efficiency, effectiveness and resilience of the service. A summary of the key areas of assessment that were undertaken is provided at Appendix 1. The ‘headline’ issues and a more detailed commentary is set out below.

#### **Issue 1: Lack of clarity on roles and responsibilities and processes to be followed**

12. The Assistant Director of Planning maintains good oversight of the systems including in particular expenditure from the S106 and CIL funds by ensuring compliance with relevant legislation or individual S106 agreements. Notwithstanding, at an operational level there is a lack of clarity on the precise processes for monitoring CIL and S106 and on the roles and responsibilities of officers. For example, who does what in the process, when and how is this recorded and what are the procedures for reporting?
13. Some monitoring tasks are undertaken by the S106/CIL officer and some by Development Management officers. It is understood that each scheme about to be implemented should be allocated to a Development Management officer who uses the S106/CIL officer’s spreadsheet to actively monitor compliance with S106 agreements. The implementation of this system *has* improved the effectiveness of monitoring, particularly of non- financial obligations (known in Haringey as ‘physical obligations’). However, this process needs to be formalised and training embedded.
14. Clarity is needed on how, and who, communicate decisions on compliance with S106 agreements to developers as well as how it is recorded on the Council’s systems. Better defining these roles and the task split is also will also benefit internal and external customers who need to know *who* the point of contact is for enquiries related to S106 monitoring. Development Management officers also need to provide more regular feedback to the S106/CIL officer on progress monitoring the S106 – and when any decisions on compliance are made - to ensure records are kept up to date and consistent. Improvements are needed to

increase the efficiency of monitoring and reduce the risk of task duplication *or* of tasks being missed.

15. Council departments other than Planning also have a role in considering compliance with some non-financial obligations for example, energy and employment and training. Significant progress has been made recently with the Employment team who are looking at developing protocols for dealing with S106 obligations relevant to that service area. But the lack of clarity on roles and responsibilities reduces the effectiveness of the monitoring approach. This also inhibits effective resource planning for both the planning service and the other departments in determining who is or who *should be* involved, in the monitoring of S106 or S106/CIL spend and assessing the time needed to undertake these tasks.

## **Issue 2: Data/ Recording systems are not fit for purpose**

16. The S106 and CIL monitoring system comprises a series of Excel sheets. The record keeping is excellent but there are a number of issues:
  - the data/ records are not 'backed up' (other than as per IT standard on the server) and therefore there is a real risk of file deletion or corruption
  - the records are not in an easily accessible format – either in terms of who can access the files or the degree to which they can be easily used or interrogated.
  - the format of the records requires data input that is labour intensive and includes task duplication. For example, recording the same information in several places. This is in part a response to the difficulty in producing reports in the Excel (rather than ACCESS or other database formats)
  - there is weak / absent data on the spend and delivery of projects in the S106 and CIL monitoring systems (although these are recorded through other reporting mechanisms)
  - The records on the neighbourhood funding allocations show that the appropriate cap on funding is not being applied, although it is noted that no Neighbourhood CIL has been spent yet
  - Spend and delivery information is not integrated with the main S106 and CIL records which will raise challenges for dealing with information requests, including the multitude of freedom of information requests, efficiently and nor in the context of any challenge on spend.
17. There is a clear framework for the governance of spend which was agreed by the council's Cabinet in October 2017. This includes the requirement that all funding for new projects from the strategic CIL revenues will be required to be for projects within the Capital Programme for the borough. Projects are assessed by the Assistant Director of Planning for conformity with the relevant legislation and against guidelines set by the council. This is to ensure that projects support growth and are linked to development in the borough. S106 funding is also made available to service areas to bid for in accordance with the associated legal agreements. Spend on S106 is also reported to the Capital Board.
18. Notwithstanding, the clear governance process it is noted that there are unspent S106 receipts and no current projects held against future CIL receipts. In recent years quarterly reports on receipts are now going to the Capital Board and Borough Plan Delivery Board. However, there may be value in providing further guidance to internal officers on the processes to access funding alongside these regular updates to these officers – and the senior leadership team – on CIL and S106 contributions received and unspent sums.

## **Issue 2: Resource challenges**

19. Many aspects of S106 (and to a lesser degree CIL) monitoring are carried out by a single S106/CIL officer. The S106/CIL officer works with a high degree of autonomy. Engagement on



a day to day basis from their line manager is low compared to other work streams within the team, for example, on local plan (it is noted that the line manager is part-time). An unintended consequence of this, is that wider awareness of day to day CIL and S016 processes and record keeping across the department is low. This raises significant service continuity risks.

20. The S106/CIL Officer is experienced and highly capable and maintains good records and has excellent relationship management skills. However, working across S106 and CIL combined with cumbersome systems reduces the capacity to step back and look at the bigger picture to undertake system checks or proactive monitoring. This means that there is:
  - limited or no checking to see if CIL cases are being missed by Development Management at the planning application stage or any analysis of how the CIL liability cases relate to the information the council has on development completion data
  - no review on whether land charges are implementing Stage 1 and Stage 2 land charges effectively (including claw back provisions).
21. Better systems for allocating and monitoring neighbourhood CIL proportions need to be put in place. This should include applying the appropriate 'cap' based on the number of council tax paying dwellings for 15% of CILs in those areas not covered by a neighbourhood plan. It is noted that no Neighbourhood CIL has been spent yet and the small ward size and levels of CIL means this is unlikely to change the amount; however, circumstances may change. The neighbourhood funding should be calculated in line with the CIL Regulations and it is important that this is communicated accurately to communities so that they understand how funds are apportioned.

## 4. Recommendations

22. There is a need for the development of, and investment in, the S106 and CIL systems at Haringey to improve the efficiency and resilience of the system. Key recommendations include:
23. **Recommendation 1: Develop a Section 106 and CIL manual with protocols that clearly establish who is responsible for which stage this should clarify matters in relation to monitoring (not policy or legal agreements).** This will help in the context of any future audit and should cover:
  - The roles and responsibilities of the S106/CIL Officer and Development Management officers related to S106 including mechanisms for feedback/ information sharing and on CIL in particular how reliefs are issued by who and when
  - Locations of files and databases on potential receipts, actual receipts and spend and who has access/ who approves access
  - The role of other services in the process including finance, land charges and the legal team as well as other council departments – e.g. Employment and training, carbon offset, car free etc.
  - How and when potential and actual receipts and spend are reported internally, who receives these, and when they are published in line with legislation and by whom
  - The details of the cost centres and codes where CIL and S106 funding is held and who has access to these to (i) view transactions and (ii) journal payments to internal costs centres or make payments to external organisations
  - How to bid for/ draw down funds in accordance with the relevant legal requirements, how this is approved and signed off and how it is recorded (including capturing the details of the recipient cost centre/ account) and how delivery of the project is monitored.
  - Clearly defined roles for the S106/CIL officer and finance on responsibilities for identifying, recording payments and transferring funds for spend

- The format and frequency of reporting from the Finance team to S106/ CIL Officer, Head of Planning Policy, Transport and Infrastructure and Assistant Director of Planning on transactions in/out of the S106 and CIL cost centres and codes.
24. **Recommendation 2: Invest in a S106 and CIL database to make monitoring and reporting more efficient, bring records into a single location and standardise approaches to record keeping.** This will help the council respond to the emerging requirements from Government notably Infrastructure Funding Statements, make reporting easier and provide a more secure platform to hold important information. The costs can be met through the monitoring fees that the council retains for administration and monitoring. A bespoke S106 and CIL system should be used or as a minimum a well-designed access database that is properly backed up on a regular basis (in addition to as per IT standard on the server).
25. One option might be the EXACOM system which deals with processes end to end (so charge, collection and spend) and has an option to include a public facing module: <http://pfm.exacom.co.uk/midsuffolkbabergh/cil.php>. This system also accommodates neighbourhood CIL monitoring and reporting (and deals with the application of the relevant cap as referenced above). The Council should buy access to BCIS indices to ensure the index applied is up to date (it may be that the license costs can be shared with other council departments it should be noted that RICS members may be able to access it at a discount). In the interim, regular back-ups of all CIL and S106 files are essential and advice on how to do this from the council's IT support should be sought (other than as per IT standard on the server).
26. **Recommendation 3: Expand the CIL and S106 resource to more officer resource to improve systems, minimise resource risk, prepare for new reporting requirements (e.g. infrastructure funding statements) and adopt more proactive approaches that are likely to help optimise receipts and efficiency.** Consideration should be given to:
- Ensuring that a single manager within planning has a greater role in the day to day management ensuring adherence to the manual/ protocols across the council. They should also ensure that they have oversight of the dedicated S106 and CIL staff resource needs, performance and an awareness of any team member support requirements.
  - Creating a new S106 and CIL Post at PO4 level to better reflect the **existing** scope of responsibilities especially in connection to Finance and strategic relationship management. This would also encourage responsibility for more proactive monitoring/ system checks and to **introduce new supervisory responsibilities**. Linked to this it may be appropriate to provide this role with greater exposure to spend decisions and regular reporting to senior management teams (including in the context of the IFS). This will ensure that there is a greater sense of where the role fits in the council's structure, what it delivers and provide the greater visibility internally that the position requires.
  - The existing CIL / S106 officer post (PO2 level) should be retained to focus on day to day S106 monitoring and issuing the required CIL notices.
23. It should be noted that attempting to implement a new S106 / CIL software with one officer would significantly impact their ability to continue to undertake the current day to day work. This could therefore put the council at risk of loss by impeding the required daily monitoring functions. Indeed, the scope of any data transfer exercise should be assessed, and if appropriate consideration be given to temporary support to help with the transfer of historic records.
24. **Recommendation 4: Instigate a regular programme of training for Development Management officers on CIL.** Training of officers should not be considered as a one off and should be carried out on a quarterly basis to deal with staff changes and as a refresher to

ensure compliance with regulations and build the capability of officers to administer CIL. This should cover:

- Identifying what is a CIL case
  - CIL calculations including how to deal with existing floorspace (when it can be offset and when it cannot) and how reliefs are calculated
  - Feedback from the Development Management officer to the S106/CIL officer on any issues and protocols on information sharing
25. It may also be helpful to advise officers of the projects that have been allocated S106 and CIL funding to help them understand the important role that these planning tools have in place shaping and supporting the development of the borough

## 5. Next Steps

26. It is recommended that the council progress the actions above. It is suggested that based on this report, the following immediate actions are undertaken:
1. *Prioritise production of a first draft working manual based on the knowledge of the S106 officer of process in the first instance (wider engagement/ sign up can be programmed in)*
  2. *Carry out training for all Development Management officers on CIL liability calculations and clarify their role in the S106 monitoring process – including what information and approvals should be fed back to the S106 officer*
  3. *Back up of records (CIL and S106 files) securely and regularly (in addition to as per IT standard on the server)*
  4. *Ensure there is more oversight of CIL and S106 tasks at a day to day operational level and take steps advertise for additional resources.*
26. CITIESMODE PLANNING are available to deliver a presentation of the findings to the Assistant Director of Planning and any other officer(s) as directed. This will provide an opportunity for us to clarify the content, answer any questions and provide more detailed advice on the actions recommended.

## APPENDIX 1 Summary Health Check February 2019

Green = A good approach with no or only minor suggestions to improve effectiveness	Orange = Improvements needed to ensure effective operation of S106 and CIL systems	Red = Risk to service delivery/ continuity and non-compliance with regulations
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	INDICATOR	ASSESSMENT	RAG SCORE
	<b>Overall management of function and service</b>	The Assistant Director of Planning maintains oversight of the systems including governance and reporting.  The Assistant Director of Planning instigates service improvements and monitors outputs overall.	Green
	<b>Day to day management oversight/ checking of monitoring function</b>	The Policy manager provides useful reporting support to the Assistant Director of Planning but the part time basis means there has been less day to day engagement with the work of the S106/CIL officer (compared to other project areas), low interface with how applications are considered for CIL liability in Development Management with no overall checking of systems and process or S106 officer performance. There is also low oversight of the level of demand on the S106/CIL officer from the Finance team and the impact of this on day to day monitoring – it is noted that there are a high number of time-consuming finance tasks that are undertaken by the S106/CIL officer.	Red

	INDICATOR	ASSESSMENT	RAG SCORE
	<b>Capability (skills) and capacity of officer(s) responsible for Section 106 monitoring</b>	<p>The S106 monitoring is primarily undertaken by the S106/CIL monitoring officer (all financials and some non-financials). However, some monitoring in parallel is done by the Development Management service. The exact scope of this is unclear and appears inconsistent across the team with at times weak feedback on monitoring from the Development Management Officers to the S106/CIL monitoring officer (including the use of separate recording systems). The employment and training team are more directly involved in employment and training obligations.</p> <p>As well as good organisation skills, a major strength of the officer is good relationship management across and beyond the authority - this increases the effectiveness of the service and is under utilised at present.</p>	Orange
	<b>Capability (skills) and capacity of officer(s) responsible for CIL admin</b>	<p>CIL administration is split with Development Management calculating liability and the S106/CIL officer issuing demand notices. This split is sensible and necessary given that there is only one officer in post. It also helps minimise any lag between the issue of decision notices and CIL liability notices.</p> <p>The S106/CIL officer issues CIL demand notices effectively based on the liability notice. There may be a need for further (and ongoing training) to ensure Development Management officers are capturing CIL cases and calculating these accurately. Particular attention should be paid to calculation of reliefs and any netting off of existing floorspace</p>	Orange
	<b>Capacity of officer(s) responsible for CIL admin</b>	<p>The S106/CIL Monitoring officer is experienced and capable with high standards of work. However, the officer is stretched across S106 and CIL demands meaning there is limited capacity to undertake proactive monitoring (checking for missed CIL cases, proactive chasing up of commenced developments) or systems improvements. A substantial amount of officer time is spent on financial tasks (recording receipts and setting up journals which are checked and approved by finance). While more efficient to have the S106/CIL officer doing this from a corporate and systems perspective this is a time consuming task which is not necessarily acknowledged in the work planning for the officer.</p>	Red

	INDICATOR	ASSESSMENT	RAG SCORE
	<b>Contact points for internal and external customers</b>	Internal customers seem to know who to contact and for what. This is possibly mainly as a result of the S106/CIL officer being in post for so long rather than a clear protocol for communication of who to contact. This could raise issues for new officers. External contacts were not assessed as part of this process but there were no obvious issues. Notwithstanding this consideration should be given to the provision of a standalone CIL and S106 inbox so that emails are accessible (not limited to one officer) to support service continuity.	Green
	<b>S106 Database/Records</b>	There is good record keeping with key data recorded. But the current approach is neither secure in terms of back up, or easy to update and interrogate (other than as per IT standard on the server). Reporting from the Excel sheets is cumbersome and inefficient and unlikely to be suitable to emerging requirements from government on data transparency and standardisation. Emerging government requirements to produce infrastructure funding statements also demand more investment in systems to enable fast and comprehensive reporting.	Red
	<b>CIL Database/ Records</b>	<b>As above.</b> In addition, neighbourhood CIL pots are not being calculated or recorded correctly as the relevant cap is not being applied. Even though the sums identified are unlikely to differ the system should use the correct method of calculation.	Red
	<b>Interface with Land Charges</b>	This was not assessed as part of this projects. Scored orange primarily to flag the need for review as land charge data was not recorded in S106/ CIL records and no evidence of spot checking of this – whether the charge is applied or when it is removed. Particular attention should be given to ensuring Stage 2 (Demand notice) charges stay on for 7 years.	Orange
	<b>Identification of CIL cases and calculation of CIL (including relief)</b>	Limited cross checking of these cases is undertaken and potentially a lack of clarity about exactly how reliefs are being administered and recorded from the Development Management team. Not necessarily a compliance issue but it is clear that further training is needed for Development Management managers and no doubt other officers involved	Orange
	<b>CIL Demand notices payments</b>	Issued by the S106/CIL monitoring officer – no issues but it is noted that there is limited checking of whether cases were missed at liability stage	Green

	INDICATOR	ASSESSMENT	RAG SCORE
	<b>Calculation of S106 financials and payments</b>	Checks of calculations not undertaken as part of the assessment	Green
	<b>Ensuring compliance with S106 non-financials / physical obligations</b>	As noted above S106 monitoring is primarily undertaken by the S106/CIL monitoring officer (all financials and some physicals); However, some monitoring (physical obligations) is undertaken by Development Management. There is a lack of exact split of tasks, application appears inconsistent across the team with and there is in some instances weak/ infrequent communication back to the S106/CIL monitoring officer on compliance or non compliance with obligations. Separate recording systems are used/ notes and correspondence are not saved to the same file location. As a consequence, records <i>may</i> not be complete or up to date and it may be confusing for external customers.	Orange
	<b>Governance of spend</b>	There is a published document setting out the governance approach to CIL (although not S106). There are good controls for spend with PIDS and an application, a board to consider spend and formal sign off process by the Assistant Director of Planning. Transparent systems in place, routed through a corporate board and with clear mechanisms for sign off and a form for audit. Consideration should be given to making clear that there is delegation to Planning Managers such as the Head of Planning Policy, Transport and Infrastructure of some levels of sign off in absence of the Assistant Director	Green
	<b>Processes for accessing / transferring funding</b>	The processes are in place and do operate (based on know-how of finance/ S106/CIL officer) but should be codified so the process is clear should someone else have to pick it up as well as for transparency. There is a weak feedback loop on the delivery of projects to the S106/CIL officer.	Orange
	<b>Reporting</b>	Reporting in line with CIL Regulations is undertaken. However, more consistent reporting could be done internally particularly to push for expenditure of historic S106 receipts in line with agreements. Data on spend is not well integrated with main CIL and S106 receipts and could be clearer for audit. However, it should be acknowledged that it is not impossible as decisions on spend are recorded.	Orange

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**Report for:** Housing and Regeneration Scrutiny Panel, 12<sup>th</sup> Sep 2019

**Title:** High Road West - update

**Report**

**authorised by:** Peter O'Brien, Assistant Director for Regeneration

**Lead Officer:** Matthew Maple, Regeneration Manager

**Report for Key/**

**Non Key Decision: Report for information**

## **1. Introduction**

- 1.1 Cabinet agreed in September 2017 for the Council to select Lendlease as the preferred bidder for the High Road West scheme. In doing so, the Council confirmed a budget of over £10m for social and economic support for both businesses and residents to be provided by Lendlease as part of the agreement as well as delivery of socio-economic benefits provided through the scheme.
- 1.2 As noted previously (see App 1), the Council is currently reviewing the High Road West scheme, not least in order to increase the number of Council owned social rent homes and address the consequent viability gap. As such, spend of this funding is predominantly on hold while this is done. This is providing an opportunity for the budget to be reviewed in line with current Council priorities.
- 1.3 This briefing note provides more information about the High Road West socio-economic programme, with a particular focus on:-
  - Further clarification of the themes (e.g. 'building community capacity', 'enabling healthy lives' etc)
  - Timeframes for next steps
  - How local stakeholders (including residents and businesses) can get involved in shaping the programme as well as benefitting from it

## **2. Approach to Development of Themes and Timescales**

- 2.1 As part of their successful bid, Lendlease provided a strong response regarding the socio-economic programme as described below. Since that time, the Council has adopted a new Borough Plan and progressed a number of other strategic approaches, such as the commitment to increasing Council homes, a strategic focus on Community Wealth Building, an emerging Economic Development Strategy and the Communities First programme. The Council is taking the opportunity to review the High Road West scheme, including the socio-economic programme to ensure that it optimises its delivery in response to the needs of local people.
- 2.2 This review includes an assessment of how elements of the scheme can best meet the needs of local people, using an evidence-based approach to help ensure a high

likelihood of success of the scheme interventions in relation to the Council's core priorities (as described in the Borough Plan and supporting evidence such as last year's borough wide Residents' Survey). The scheme can address these issues in a cross-sector manner, working together with initiatives such as Communities First, through interventions such as providing healthy homes and neighbourhoods, providing new community facilities such as the Library and Learning Centre and promoting employment that relates to local need.

- 2.3 It is hoped this work will be complete in Autumn to support progress of the scheme.
- 2.4 The Council understands that in delivering the new homes and facilities provided through High Road West, that the lives of residents and businesses living within the area will face disruption and difficulties. This is why engagement and allowing people to have a say over their future has been, and will continue to be, an important priority in the delivery of the scheme.
- 2.5 Residents and businesses have already shaped the scheme, initially through consultation that initiated the scheme and defined the masterplan design, and thereafter, through initiatives such as the Resident Charter, the Resident Design Panel and the Resident Procurement Panel, which have provided residents with greater control over the types of homes and neighbourhood being created. Regular engagement with residents through these and other activities has helped the Council to understand local needs and issues, so that the scheme and specifically, the socio-economic programme can be targeted towards the most pressing local priorities.
- 2.6 A business engagement programme is being delivered through the Council's engagement team, supported by Retail Revival. Through a mix of face to face meetings, business breakfast events and business support initiatives, the Council has a good understanding of the needs of the business community both within and outside the development area, aimed at protecting and enhancing the local businesses and strengthening employment opportunities in the area.

## THE COMPONENTS OF THE PROGRAMME

- 2.7 As part of the tendering process for High Road West, the Council required that bidders commit to delivering a socio-economic programme to improve the lives of people in and around the High Road West area, in accordance with the vision and themes of the Tottenham Strategic Regeneration Framework's People Priority. We asked bidders to structure their response around 3 themes: (i) creating better prospects; (ii) enabling healthy and safe lives; and (iii) building community capacity; bidders were required to outline a funded and resourced programme that met the Council's aims and objectives.
- 2.8 Lendlease responded strongly to this requirement with a structured programme of interventions that support the Borough Plan ambitions on employment, skills and young people and provides a £10m funding contribution and officer resources.
- 2.9 Following the signing of the Development Agreement in December 2017, the Council worked with Lendlease officers to develop a HRW Socio Economic Strategy which outlines how the scheme will deliver improved socio economic outcomes for local

residents. In line with the bid and tender requirements, the socio-economic strategy and programme is structured around five areas:-

- (i) Building Community Capacity
- (ii) Creating Better Prospects
- (iii) Enabling Healthy and Safe Lives
- (iv) Business Support
- (v) Physical Changes

- 2.10 The Council is currently reviewing the High Road West scheme, not least in order to increase the number of Council owned social rent homes and address the consequent viability gap. It is likely that there will be a corresponding review of the use of the £10m funding in order that its use can be optimised to support the objectives of the scheme, in accordance with recent Council directions provided by the Borough Plan and other related strategy and policy documents. As such, apart from the ongoing Haringey Community Gold project under Building Community Capacity, work has been put on hold until this review is completed. The following descriptions are provided as a current position it has been agreed that the programme will be re-scoped in the Autumn in line with the new Borough Plan and Economic Development Strategy.
- 2.11 **Building Community Capacity** is currently based around two main areas: funding to support preventative work around Youth Crime through the Haringey Community Gold project and building community capacity through the creation of a new “Community Impact Group”. The Community Impact Group has been set up to allocate funding to community projects on Love Lane Estate and the wider North Tottenham area and is represented by local residents, stakeholders and members of the project team.
- 2.12 **Creating Better Prospects** provides funding for skills and employment programmes. This strand will deliver employment and skills programmes to support local residents to access construction, end use and wider employment and apprenticeship opportunities. Any programmes will be developed through the Haringey Construction Partnership in partnership with Conel. The theme also includes a bespoke programme to provide wrap around support and employment opportunities for those furthest from the job market via Lendlease’s Be-Onsite Service. All support will be targeted at residents who have a number of barriers to entering employment and will align will and complement existing provision. This theme also includes funding to support a youth apprenticeship programme.
- 2.13 **Enabling Healthy Lives** includes work with young people in schools to build self-esteem through promoting opportunities in STEM subjects and entrepreneurship, as well as promoting sports for young people and families through the ‘Sports Inspired’ programme.
- 2.14 The **Business Support** theme includes funding to support businesses in the area, including support by Retail Revival, who have been delivering a range of support

activities with businesses in north Tottenham, as well as funds for start-ups and relocation of existing businesses.

- 2.15 The **Physical Changes** theme sets out the schemes aspiration to ensuring that delivering better socio-economic outcomes is embedded into the to the physical design of the scheme, designing out crime and activating spaces to support healthy and active lifestyles. It also includes funding for the refurbishment of the Grange as a community facility to support community interaction and funding set aside to provide a nursery, subject to securing premises.

**Report for:** Housing and Regeneration Scrutiny Panel

**Item number:** 10

**Title:** Update on the Housing Strategy

**Report authorised by:** Dan Hawthorn, Director of Housing, Regeneration & Planning

**Lead Officer:** Alan Benson, Interim Assistant Director of Housing

**Ward(s) affected:** All

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

1. **Describe the issue under consideration**

Haringey Council has committed to developing a new Housing Strategy. Work on this new strategy is currently underway, and officers are planning to present a draft to Cabinet in early 2020.

2. **Cabinet Member Introduction**

n/a

3. **Recommendations**

To note the report.

4. **Background information**

Strategic context

- 4.1. Haringey's Housing Strategy sets the direction of travel for housing in the borough, identifying overall objectives, targets and the means to achieving these. Haringey's current Housing Strategy was adopted in 2016, and runs to 2022.
- 4.2. Many local authorities maintain a housing strategy, although it is not a statutory requirement to do so. It is, however, a particularly important document for councils that hold housing stock, and for Local Housing Authorities – and Haringey Council is both of these.
- 4.3. Following a number of changes at the national, regional and local level since the last Housing Strategy was adopted, Cabinet agreed, in November 2018, to develop a new Housing Strategy for the borough.

4.4. At the national level, the following changes have occurred since 2016:

- A number of policies that have been proposed by the 2010-2015 Government have been dropped, including policies on the forced sale of higher value council homes, on fixed term tenancies, and on 'pay to stay'.
- Affordable Rent homes has stopped being funded, and conversions of existing Social Rent to Affordable Rent have also stopped.
- The Homelessness Reduction Act has come into effect
- The Flexible Homelessness Support Grant has been introduced to fund homelessness services.
- The Social Housing Green paper was published in August 2018, marking a shift in the national mood on social housing in the past few years and in particular since the Grenfell Tower fire. However, it is as yet unclear whether the current government intends to bring this forward.
- Social rents are to return to CPI +1% increases.
- Most significantly, the Housing Revenue Account borrowing cap has been lifted, allowing councils to deliver new council housing at scale.

4.5. At the regional level, the Mayor of London has started to prioritise spending on council housing, with a higher grant rate for new council homes. Haringey has been granted £62.8m of funding. The Mayor has also introduced two new types of housing, London Affordable Rent and London Living Rent. The former is a new general needs housing, with rents based on – although higher than - social rents. The latter is a form of intermediate housing, with rents based on local incomes.

4.6. At the local level, the current administration has made delivering 1,000 new Council homes at Council rents one of its top priorities. It also launched a Fairness Commission which will be publishing a report with recommendations on making Haringey a fairer borough.

4.7. A new Borough Plan was adopted in March 2019, following consultation with residents and stakeholders. Housing is one of the five priorities around which it is organised, under which sit three outcomes:

- We will work together to deliver the new homes Haringey needs, especially new affordable homes
- We will work together to prevent people from becoming homeless, and to reduce existing homelessness
- We will work together to drive up the quality of housing for everyone

4.8. As well as a new Borough Plan, work is also currently underway on a number of other strategies which are relevant to the Council's Housing Strategy. In particular, work on a new Local Plan is underway, a statutory planning document setting out how land in the borough is to be used.

#### Process for a new Housing Strategy

4.9. In November 2018, Cabinet noted that a new Housing Strategy would be developed. It was agreed that a Member Working Group would be set up to guide this work.

4.10. Following the adoption of the Borough Plan in March, work commenced on a new Housing Strategy. The Member Working Group has been established, and has

met three times, with two more meetings planned. The Member Working Group has held an introductory meeting for members to discuss the broad housing context and the Housing Strategy's place in relation to other Council strategies. Two meetings have been held to discuss two of the three outcomes on Housing in the Borough Plan:

- A meeting to discuss the delivery of new homes, in particular new affordable homes and new supported housing.
- A meeting to discuss the Council's approach to homelessness prevention and to households living in temporary accommodation.

A third meeting will be held in the coming weeks on the final outcome on housing quality, where the Working Group will discuss housing stock in the borough, including the Council's own stock. Further meetings may be held if necessary, and the group will also discuss the final draft for Cabinet.

4.11. The Member Working Group – which is chaired by the Cabinet Member for Housing and Estate Renewal – allows members to discuss the delivery approach to the Borough Plan's outcomes. Following this process, officers will engage with residents and stakeholders.

4.12. Haringey's Housing Strategy forms part of the Council's Policy Framework. This means that it needs to be agreed by Full Council. And as a document setting out Council policy, it will also be subject to a public consultation.

4.13. The process for a new Housing Strategy being adopted is therefore as follows:

- Cabinet will be recommended a draft Housing Strategy for consultation
- Once agreed by Cabinet, a public consultation will be held
- Following consultation and consideration of consultation responses, a final Housing Strategy will be recommended to Cabinet
- Once agreed by Cabinet, Cabinet will recommend this to Full Council for final adoption

4.14. Officers are currently aiming to present a draft Housing Strategy to Cabinet in early 2020.

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

5.1. The development of a new Housing Strategy supports, and directly flows from, the outcomes for Housing in the Borough Plan.

### **Background Documents**

Housing Strategy <https://www.haringey.gov.uk/housing/housing-strategies-policies-and-plans/housing-strategy>

Borough Plan <https://www.haringey.gov.uk/local-democracy/policies-and-strategies/borough-plan>

Housing Strategy Cabinet Report November 2018

<http://www.minutes.haringey.gov.uk/documents/s104890/Housing%20Strategy%20Cabinet%20Report%20v8%20-%20final%20version.pdf>

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