

# **MINUTES OF MEETING Housing and Regeneration Scrutiny Panel HELD ON Thursday, 4th November, 2021, 6.30 pm**

## **PRESENT:**

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

## **ALSO ATTENDING:**

### **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**

There were no apologies for absence

### **15. URGENT BUSINESS**

There were no items of Urgent Business

### **16. DECLARATIONS OF INTEREST**

None.

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

None.

### **18. MINUTES**

Cllr Hare requested to see preview of the employment land study. The Clerk agreed to ask David Joyce. **(Action: Clerk).**

In relation to a previous action, the Panel sought the Cabinet Member's view on whether there had been any consideration of the Council building its own homes going forwards. In response, Cllr Gordon advised that officers had provided a response on this point but that from her perspective, there was no reason why the delivery of house building in-house would not be discussed in the future but that those discussions had not gone forward at present.

As a follow up, the Panel sought clarification around what the Cabinet Member's view was around direct delivery of Council housing and the feasibility of building up the existing team to facilitate this. In response, the Cabinet Member advised that the Housing Delivery team contained an array of talent within it, including staff who had experience of project management and managing building projects and that this team was going to be expanded upon further. However, there were no plans at present to expand upon the roles in that team to include bricklayers and carpenters, for example. Any consideration of direct delivery of housing would have to be looked at in the round and there would need to be consideration of whether it was financially prudent for the Council to build its own homes or whether the costs of doing so were more than the Council could afford. The Cabinet Member acknowledged that there were some conceivable benefits to having a direct labour force but that these costs would need to be considered in the round.

In response to a further request for clarification, the Cabinet Member set out that she had not had any discussions about the direct delivery of housing and that no consideration of this had been undertaken at present.

In response to further questions around whether there would be any discussions on this issue in the future and whether there were any plans to, for example, undertake a feasibility study on this, the Cabinet Member advised that there were no plans at present but that she may look at the issue in the future.

## **RESOLVED**

That the minutes of the meeting on 13<sup>th</sup> September 2021 were agreed as a correct record.

### **19. ST ANN'S DEVELOPMENT**

The Panel received a report which provided an update on the proposed development of the St Ann's site, as requested previously by the panel. The report was introduced by Peter O' Brien, AD for Regeneration as set out in the report pack at page 13.

The Panel noted that Catalyst had been selected as the Mayor of London's preferred development partner for a site adjacent to St Ann's Hospital. This site was purchased by the Mayor in 2018 as part of the Mayor's Land Fund. The redevelopment would deliver around 930 new homes, 60% of which will be affordable. It will also provide a new and enlarged Peace Garden, improved streets as well as new retail and affordable workspaces. The Council was in negotiations to purchase 50% of the affordable rent homes. The proposals would equate to 147 Council homes, in addition to circa 34 homes being provided to Commissioning for Sheltered Housing.

The following arose during the discussion of this report:

- a. The panel queried the sums behind the Council's allocation of 147, suggesting that 50% should be 152. Officers agreed to come back on that point. **(Action: Peter O'Brien).**

- b. The Panel sought assurances that the Council was going to acquire the full 50% allocation of affordable homes. In response, officers advised that this was the intention and that part funding had been received from TfL for this purpose.
- c. The Panel raised concerns around potentially high levels of service charges and sought clarification as to what the cost of the service charge would be. In response, officers advised that discussions on the service charge were ongoing with TfL and that they were unable to comment further at this stage as it was an ongoing negotiation.
- d. The Panel commented that service charges should be the same across all Council properties and noted concerns with any arrangement that created variable service charges in council homes. Officers advised that the AD for Housing would respond to this point in writing. **(Action: Robbie Erbmann)**.
- e. The Panel requested that the Cabinet Member make a firm commitment that all Council tenants should be treated the same in regards to service charges. In response, the Cabinet Member acknowledged that this would be something that she would strongly encourage but cautioned that without knowing all of the facts she could not make a firm commitment at the meeting, there may for example be cost implications to the HRA.
- f. The Panel noted with concern that Paragraph 3.4 suggested that the service charges would be set by Catalyst and advocated that this should be managed by HfH. The Scrutiny Panel asked for a written response about if/why Catalyst would be responsible for setting the estate/service charges rather than say HfH, in respect of the 50% affordable homes that the Council intended to acquire as part of the development. **(Action: Robbie Erbmann)**.
- g. The Panel commented that although 60% of homes on the site were affordable, only 20% of homes would be at social rents. The Panel commented that they would be disappointed if only 20% of the homes were at social rents. The Panel sought clarification as to what the barriers were to increase this figure. In response the Cabinet Member advised that the affordability breakdown was agreed at the time the deal was negotiated with the GLA, which preceded Cllr Gordon's tenure as Cabinet Member. Cllr Gordon advised that given that the deal had already been agreed, there were not many planning tools left in the toolbox to improve the affordability.
- h. The Cabinet Member acknowledged that some of the elements of the 60% figure were not genuinely affordable, however in planning terms they were designated as being so. Officers advised that the procurement process was undertaken by the GLA, as it was a GLA site, and as part of this they had undertaken a competitive process to appoint a third party. Catalyst had signed a development agreement and would be expected to meet the terms of that agreement, including the agreed level of affordable homes, Officers commented that, notwithstanding the panel members comments, the affordability breakdown was quite good compared to other schemes across London.
- i. A member of the Panel commented that it was unlikely that the Council would be able to acquire any more homes on the site as the other 50% were owned by Catalyst who, as a housing association, would use those homes for their own housing stock. However, the other 50% of homes may also include homes at social rent, it's just that they would be managed by a Housing Association, rather than the Council. The Council would not be the landlord for all of the homes on the site, as it had only agreed to acquire 50% of them.

- j. The Panel sought assurances as to whether the Council would have full nomination rights to the 50% of homes owned by catalyst, as it would for any other housing association homes in the borough. **(Action: Robbie Erbmann)**.
- k. The Panel enquired why the Council could not go back to Catalyst and try to purchase some of the homes that had been allocated as London Living Rent homes and Shared Ownership homes in order to use those as homes at genuinely affordable social rents. It was suggested that the Council had, in other instances, gone back to a developer about a previously signed agreement and attempted to purchase a greater proportion of the homes being built. In response, the Cabinet Member suggested that Hale Wharf was a different proposition as they were receptive to the idea of the Council purchasing more homes. Officers advised that as a housing association, Catalyst would likely see themselves as being in the business of offering a wide spectrum of affordable housing and it was not thought very likely that they would want to sell any additional units to the Council. Officers also set out that homes purchased at London Living Rent were more cost effective than properties designated as Shared Ownership, so there would be a cost to the HRA in doing this. As a follow-up the panel suggested that the Council should at least be asking the question.
- l. The Panel sought assurances around whether the Cabinet Member had looked at acquisition of the additional homes through a CBS model as this would have different cost implications. The Panel requested that the Cabinet Member make enquiries and come back to the panel with an update at a subsequent meeting. **(Action: Cllr Gordon )**.
- m. The Panel referred to comments from Catalyst that it was looking to build a number of 3 to 4 bedroom town houses as part of the development, largely at the Council's behest. The Panel raised concerns that 3 to 4 bedroom town houses did seem to be especially cost effective. The Panel sought clarification as to whether there had been any actual discussions on this between the Council and the developer. **(Action: Robbie Erbmann)**.
- n. The Chair sought clarification around the stated aim to provide an appropriate level of parking provision on the site and how this fitted in with the wider goal to create a modal shift of 88% of all trips in the borough being undertaken by cycling, walking or public transport by 2041. The Chair also queried why demand was the determining factor, rather than the goal of reducing demand on cars, which is where the Council wanted to get to.
- o. A panel member commented that they would be unhappy with any provision that set a lower level of parking space allocation in council homes than was the case in the private sector.
- p. A panel member suggested that as a Ward Councillor, the residents of St Ann's did not want to see an additional increase of 200 cars in the ward, when 70% of households in that ward did not own a car.

In response to the above points, Cllr Gordon advised that she was personally in favour of as many car-free developments as was possible, with the provision that disabled parking spaces were available. However, the Cabinet Member advised that she also recognised that there would be some issues with this and in particular there was potentially a need to have car parking available for family sized homes. The Panel cautioned against having a hierarchy of who needed a car parking space as it was not as straight forward as family homes needing car parking spaces at the exclusion of other groups.

- q. Officers advised that planning standards were set out in the adopted Local Plan, as well as the London Plan and that there was no differentiation in those documents between public and private developments. The Panel was advised that planning policies would be used to determine any future planning application on this site. Officers set out that the public transport accessibility score for this site was between 2 and 4, which was considered low to medium. As a result, it was not possible to pursue an entirely car-free development, but it was possible to adopt a car-capped development, which would result in a limited number of car parking spaces, as per the Local Plan.
- r. Officers also outlined that the draft Walking and Cycling Action Plan was out for consultation, which set out the wider ambitions for the Council in relation to walking and cycling.
- s. The Panel noted that paragraphs 4.1 & 4.2 of the report seemed to be contradictory to some extent, and it was suggested that further thought should be given by the Cabinet Member as to what the position was in regard to car parking and the St Ann's Development.
- t. The Cabinet Member for Planning echoed the earlier comments of officers and reiterated that GLA and local planning policies would be applied when considering any planning applications. The Council had also made an emergency climate declaration and that the local planning policies were all part of the process of getting to that target. It was also noted that every site was different and would be determined on its own merit.
- u. The Panel sought assurances around any potential loss of parking in the southwest corner of the site and whether additional parking would be provided to existing residents to offset the possible loss of four parking spaces. In response, the Cabinet Member advised that every new scheme contained a number of conflicting requirements, and the best outcome overall was sought within those competing requirements. The Cabinet Member for Planning urged councillors and residents to input into any planning consultations that took place in relation to this site. In regard to a follow-up requesting what assurances could be given to residents around the potential loss of four parking spaces as part of a cycling and walking through-route. In response, the Cabinet Member advised that he was unable to give a response to this as it was not Council site. Cllr Gordon noted that the potential loss of parking would be part of the S105 consultation and that the administration would be in a better position to comment on this once the results of the consultation had been received.
- v. The Panel commented that they would like to hear a political commitment from the Cabinet Member about whether the administration would be happy to see a loss of four parking spaces (as per paragraph 5 of the St Ann's report) if the S105 consultation responses were against this loss of amenity and what other options had been considered in regard to this. Cllr Gordon agreed to provide a written response on this point. **(Action: Cllr Gordon)**.
- w. Officers commented that the adopted Local Plan set out that the new connection towards Green Lanes should not adversely impact the occupants of the residents of the block at the southern end of Warwick Gardens. This was something that would be considered through planning process, when a planning application was submitted.

## RESOLVED

Noted.

## 20. CLIMATE CHANGE

The Panel received a report on Climate Change, regarding how portfolios and services were contributing to reducing carbon emissions. The Cabinet Member for Planning, Licensing & Housing Services and the Cabinet Member for House Building, Place-Making and Development introduced how their portfolios were contributing to carbon emissions, as set out on the report, which was on page 3 of the addendum report pack. The Assistant Director, Planning, Building Standards & Sustainability, The Assistant Director for Regeneration & Economic Development and the Head of Carbon Management were all present for this agenda item. The following arose during the discussion of the report:

- a. The Panel queried where the authority had got to with the Local Plan and questioned what was being done to engage with a wide array of people. In response, the Cabinet Member for Planning advised that the consultation on the Local Plan was ongoing and that he had specifically requested that the views of groups who did not regularly engage with the Council were sought. Officers added that they were engaging with the Bridge Renewal Trust and the Youth Advisory Board to seek their input. Officers also set out that Haringey had received feedback from the government that its latest engagement strategy around planning policy was a best practice example.
- b. The Cabinet Member for Planning advised that the Cabinet was due to meet in a few weeks to review progress to date across a raft of measures related to climate change that were set out in the Local Plan.
- c. In response to a question, the Cabinet Member for Planning advised that all 33 London Boroughs were working together to try and agree proposals around Energy retrofit works that would cover a ten year period, as having an assured funding stream and assured programme of works was the only way to make significant progress. The Energiesprong pilot was underway in relation to retrofitting homes in the agreed pilot locations. 50 homes in White Hart Lane had been selected as part of the pilot scheme, the works would be delivered in 2022.
- d. The Panel sought assurances around the Council meeting its carbon reduction targets. In response, officers advised that Haringey had agreed that the borough would be carbon net-zero by 2041 and that the Council's buildings and vehicle fleet would be carbon net-zero by 2027. The Council had started the procurement process for a number of electric vehicles and officers were working with the Corporate Landlord to understand key issues going forwards. The Council had allocated £101m to retrofitting Council housing stock and officers advised that they were working through a strategy to deliver that programme, which included focusing on the worst performing buildings first. The target for these works being completed was 2035. In relation to wider engagement, the Panel were advised that at a Cabinet away-day earlier in that

- week, Cabinet had undertaken to do more to reach out into the community and speak to harder to reach groups.
- e. One of the panel members suggested that the Council should be seeking to engage more with Extinction Rebellion around the climate change agenda.
  - f. Cllr Hearn agreed to circulate her questions in writing for a subsequent response. Officers to provide a written response. **(Action: Cllr Hearn/Officers)**
  - g. The Chair noted with concern the fact that 50% of the borough's carbon emissions emanated from housing and only 7% of that was from Council housing stock. Therefore, the vast majority for emissions were from the owner/occupier sector and the private rented sector. The Chair suggested that, given the nature of the properties, the majority of carbon emissions were likely to be from the private rented sector and asked what the Council was doing in this area to meet its requirements on net-zero, above and beyond reviewing energy performance certificates. In response, the Cabinet Member for Planning advised that government issued guidance was that private rented homes had to achieve an 'E' grade on their energy performance certificate otherwise they could not be rented out. The Cabinet Member commented that in terms of owner/occupiers this was something for central government to lead on. The Cabinet Member expressed concerns around a perceived scattergun approach to this by the government and the collapse of the government scheme after only around 16,000 homes were retrofitted.
  - h. Officers advised the Panel that, through the licensing scheme, the Council would be enforcing minimal standards around energy efficiency and that the Council would also signpost and support landlords to access alternative funding schemes. The example of the Green Home Grant scheme was given, which was ran by GLA and was available to all homeowners/landlords. Officers advised that the ambition for this funding was to get all of the housing stock across the board up to a mid 'B' efficiency rating.
  - i. The Panel sought assurances around retrofitting council housing stock and potential costs to leaseholders. The Panel asked whether funding for leaseholders had been put budgeted for and whether any thought had been given on how to manage this process and mitigate any costs to leaseholders. In response, the Cabinet Member for Planning advised that any costs would vary according to the type of property and the type of retrofitting scheme that was being used. The Panel requested that the Cabinet Member provide a written response to this question. **(Action: Cllr Bevan)**.
  - j. In reference to wrapping of properties as a method of improving energy efficiency, the Panel sought assurances around how this could be done in a conservation area and whether this would raise planning questions. In response, officers advised that the planning policy supported the retrofitting of properties and improving energy efficiency performance as well as supporting heritage and conservation areas. Officers advised that the purpose of the planning process was to try and achieve a good balance between the relevant considerations. The role of pilot scheme was highlighted as being crucial in this respect as it allowed a forum for testing and refining the process.

## RESOLVED

Noted.

## 21. LOVE LANE BALLOT

The Panel received a report, which provided an update on the resident ballot undertaken on the Love Lane estate as part of the High Road West Regeneration scheme. It was noted that the ballot took place from 13 August to 6<sup>th</sup> September. The GLA stipulated that the ballot was administered by an independent body, the Council appointed Civica Election Services (CES) to this role. CES had managed over 90% of resident ballots undertaken in London. The results of the ballot were that 55.7% voted in favour of the proposals, with a turnout of 69.4%. CES have advised the Council that they were satisfied that the ballot process was conducted in accordance with GLA regulations. The following was noted in discussion of this report:

- a. A member of the Panel enquired as to whether he may be able to review the ballots cast during the election in order to verify concerns around spoiled ballots etc, given that there was only a dozen or so ballots in it.  
*N.B. Clerk's note – Officers have subsequently advised that there was only one spoiled ballot and the margin of votes between yes and no was 23. Officers advised that they were unsure whether this was permissible and that it may be counter to GDPR regulations. Officers agreed to ask Civica as to whether it was possible for a Councillor to review the ballots in some redacted form. (Action: Peter O'Brien).*
- b. Cllr Ibrahim suggested that Civica administered the election and that they would have process in place for tallying up and verifying spoiled ballots.
- c. Members of the Panel commented that they were more concerned with allegations that the Council had been improperly involved in the process. In response, Cllr Gordon commented that CES administered the election and that any questions around the process should be directed to them. Cllr Gordon advised that as part of the engagement process for the ballot, officers were instructed to be clear about the Council's landlord offer with tenants and be able to answer questions. Cllr Gordon set out that there was no evidence that officers had done anything to invalidate ballots or in any way undermine the result of the ballot. The Panel was advised that Civica concurred with the Council on this and had clearly advised that the ballot was run according to the GLA guidance.
- d. The Panel commented that encouraging people to take part in the ballot was fine but that they were concerned about allegations from Defend Council Housing that officers handled ballot papers or were involved in the collection process for the ballots in some way. In response, the Panel was advised that the Council had followed Civica advice to the letter. Officers advised that there were categorically no instances of officers collecting unsealed ballot papers or helping to fill ballot papers in. Officers advised the Panel that there were four instances where officers posted sealed ballot papers on behalf of residents at their request, for example due to mobility issues. It was noted that this was done as a last resort and was in line with Civica's advice.
- e. Officers advised that they had contacted Civica to request advice around whether it was permitted to post sealed ballot papers on a residents' behalf. Civica had provided advice stating that this should only be done as a last resort and at the residents' insistence. Officers reiterated that what was being referred to was a very limited number of instances where sealed ballots in sealed

- envelopes had been collected from people with serious mobility issues, and that this was done only as a last resort upon the resident's request, not as a proactive exercise instigated by officers. This was therefore in line with the guidance provided by Civica. These sealed ballots were collected by engagement officers who were highly visible and had been working in the community for a number of years.
- f. The Panel commented that collecting sealed ballots was not something that would be undertaken during other types of election processes. Councillors commented they were forbidden from collecting ballots on behalf of residents during a Council election, for instance.
  - g. The Panel suggested that in hindsight, one side should not have been the only one who collected sealed ballots and that a clear process should have been in place for dealing with this eventuality.
  - h. In response to further questions, officers advised that they were certain that there were only four instances of sealed ballots being collected by officers. In response to another question, officers gave firm assurances that the collection of sealed ballots did not invalidate the ballot in anyway. Civica had significant experience in carrying out resident ballots and they were happy that the result was valid. Officers advised Members that any concerns about how the ballot was run should be put in writing to Civica Election Services.
  - i. The Panel raised concerns with some community organisations having allegedly received letters that stated that Civica had advised the Council not to collect ballots in person. The Panel sought clarification as to what advice the Council received from CES around collecting ballots and whether this advice was followed. Officers commented that they were not aware of the letters referred to or any statement from Civica to that effect, but it was reiterated that the Council had consulted Civica about the collection of sealed ballots and had followed all of the guidance provided. Civica were happy that the ballot had been properly undertaken. In response to further questions on this, officers agreed to circulate the text of the advice that they received from Civica.  
**(Action: Peter O'Brien).**
  - j. The Panel asked the Cabinet Member for House Building, Place-Making and Development whether she would consider a re-run of the ballot in light of the issues raised by the Panel. In response, Cllr Gordon advised that there was no reason to overturn the ballot, as the Scrutiny Panel had received multiple assurances from officers about the integrity of the process and the fact that all of the relevant guidance had been followed. The Cabinet Member reiterated that there was no evidence of any irregularities having taken place.
  - k. In response to alleged photographs on social media, the Panel was advised that officers did not carry around a bag or box to put ballots in as part of the election process. Officers advised that any ballot box for in-person ballots would have been with Civica staff and would have been clearly labelled with CES on it, rather than Haringey Council. Officers set out that the Council had absolutely nothing to do with ballot boxes and the management thereof.
  - l. The Panel recommended to the Cabinet Member that the collection of sealed ballots by officers was not done again in any future ballot process, regardless of whether this was permissible or within the relevant guidance.
  - m. The Panel also recommended that the Cabinet Member for House Building, Place-Making and Development give consideration to re-running the ballot in light of the concerns raised during the meeting.

**RESOLVED**

That the report was noted.

**22. WORK PROGRAMME UPDATE**

The panel reviewed its work programme.

**RESOLVED**

- I. That the work programme was agreed.
- II. That the Scoping Document for the Scrutiny Review on Wards Corner was agreed and that this should be sent to Overview and Scrutiny Committee for formal approval.

**23. NEW ITEMS OF URGENT BUSINESS**

N/A

**24. DATES OF FUTURE MEETINGS**

9<sup>th</sup> December

28<sup>th</sup> February

CHAIR: Councillor Matt White

Signed by Chair .....

Date .....