

**APPENDIX 1 - August 2021 Response to HRSP Scrutiny Panel  
Recommendations on Wards Corner**

	<b>Recommendation</b>	<b>Response (Jan 2020)</b>	<b>Current progress as at August 2021</b>
<b>4</b>	Any replacement market facilitator should be genuinely independent and hold the confidence of all parties. The Council should request Grainger to appoint an independent, qualified market facilitator. This needs to be done in full consultation with the traders. It is essential that adequate due diligence is carried out ahead of any appointment.	<p>The Council concurs with this recommendation. It firmly believes, and has consistently made clear, the absolute necessity of there being an independent Market Facilitator, and a process which can command the confidence of all the key stakeholders. Therefore, this recommendation is <b>agreed</b>.</p> <p>The Planning Authority has made its own recommendations on the Market Facilitator role as part of its investigation. The key recommendations are:</p> <ol style="list-style-type: none"> <li>1. That the Developer, with the assistance of the Council, procures a temporary Market Facilitator pending the appointment of a permanent Market Facilitator.</li> <li>2. That the Developer widely advertises the post of the Market Facilitator.</li> <li>3. That the Market Facilitator should be independent from the Developer and anyone connected with the running of the market.</li> <li>4. That the Developer meets with the Council and traders bi-annually to review the progress towards meeting the obligations in the principal agreement.</li> <li>5. That the Developer randomly selects two traders, from a pool who have indicated their willingness to participate, to assist in the identification, selection and appointment of the Market Facilitator.</li> </ol>	<p><b>Acting Market Facilitator (AMF)</b></p> <p>The process for the procurement of an AMF for Seven Sisters Market (SSM) was led by Grainger with the assistance of the Planning Authority.</p> <p>On 26<sup>th</sup> February 2020, Grainger appointed Working Places for the AMF role primarily due to their experience of working with the SSM traders on the independent review of the options for the future management of SSM for the Wards Corner Policy Advisory Group (PAG).</p> <p>Grainger set out a clear scope for the AMF role which included:</p> <ul style="list-style-type: none"> <li>• Preparing and agreeing governance arrangements for the establishment of a Partnership Working Group (PWG) to oversee SSM traders move to the temporary SSM at Apex Gardens</li> <li>• Establishment of the PWG including overseeing the SSM trader representation selection process</li> <li>• Development of a Market Strategy for the temporary SSM at Apex Gardens</li> </ul> <p>Following the closure of SSM in March 2020, (due the main power supply being disconnected and the introduction of Government Covid-19 restrictions) the role of the AMF was expanded to include providing support and advice to SSM</p>

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		<p>6. That before the placing of the advertisement for the post, the Developer develops shortlisting and weighting criteria to be used in the selection and appointment of the Market Facilitator. The Developer should consult the Council and traders before finalising such criteria.</p> <p>7. That the shortlisting and interviewing be carried out by a panel comprising representatives of the traders, the Council and the Developer.</p> <p>8. That, when appointing a Market Facilitator, the Developer takes into account the views of the traders selected to participate in the identification, selection and appointment of the Market Facilitator unless there are material considerations which outweigh the traders preferred candidate. In that case the Developer should submit a report to the Council explaining the considerations and for the Council to agree to that assessment in writing.</p> <p>9. That the traders and any interested parties report any future alleged non-compliance with the provisions of the principal agreement to the Interim Manager – Planning Enforcement and Appeals for investigation in the first instance.</p> <p>10. That the Developer develops a set of Key Performance Indicators (“KPIs”) which will be used to measure the Developer’s progress towards the objectives of the agreement.</p> <p>11. That the temporary Market Facilitator and the permanent Market Facilitator present progress reports to the Steering Group or its successor(s) OR, in the</p>	<p>traders to help them deal with the impacts of Covid-19 and access Government grant support.</p> <p><b>Permanent Market Facilitator (PMF)</b></p> <p>Grainger commenced the process for the appointment of a PMF in April 2020.</p> <p>The job description for the PMF role was prepared by the Planning Authority in consultation with Grainger and SSM traders.</p> <p>The Planning Authority selected 2 SSM traders to be included on the PMF interview panel. The 2 traders were randomly selected from a list of SSM traders who expressed an interest in participating in the PMF selection process.</p> <p>Grainger prepared evaluation criteria (including shortlisting and weighting criteria) for the PMF selection process which were agreed with the Planning Authority and the 2 SSM trader representatives.</p> <p>The PMF role was advertised for 2 weeks on the Guardian website but there was limited interest and those who applied did not have relevant experience. Grainger did not have a long list of potential applicants but received expressions of interest from two suitably qualified candidates.</p> <p>The PMF interview panel (comprising Grainger, a council Planning Officer and the 2 SSM trader representatives) interviewed the 2 selected candidates on 6<sup>th</sup> July 2020. The interview panel selected the Assembly Line for the PMF role and Grainger confirmed the appointment on 8<sup>th</sup> July 2020.</p>

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		<p>alternative, report progress directly to the Council. The report should be presented every 6 months.</p> <p>12. That the Developer reconstitutes the Steering Group with clearly defined terms of reference and a democratic way of operation.</p> <p>13. That the Council has a formal observer role in the Steering Group (and any successor).</p>	<p>Following a handover period with the AMF the Assembly Line took over the Market Facilitator role at the end of August 2020.</p> <p>Following their appointment, the Assembly Line's main work was facilitating the engagement process with SSM traders on the design and unit allocation at the temporary SSM at Apex Gardens. This work continued up until the Grainger announcement in April 2021 that due to viability issues they were not currently able to proceed with the temporary SSM at Apex Gardens.</p> <p><b>SSM Steering Group</b></p> <p>In order to ensure that traders had a forum to input into the Market Strategy (including the design of the temporary SSM at Apex Gardens) it was decided in February 2020, that a Partnership Working Group (PWG) would be formed.</p> <p>In March 2020, Grainger delayed the process for the establishment of the PWG due to Covid-19 restrictions.</p> <p>In June 2020, SSM traders expressed their view to Grainger that it was the right time for the PWG to be established.</p> <p>In July/August 2020, the SSM AMF led a process for the SSM trader elections to the PWG. A total of six licenced SSM traders were selected on to the PWG alongside representatives from Grainger, the Council (1 officer and Councillor Gunes – local ward member) and TfL. The SSM trader representatives were chosen following a nomination and ballot process.</p>

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			<p>The first meeting of the PWG was held in August 2020 and there were 3 further meetings held in September and October 2020 and January 2021. Grainger cancelled the PWG meetings scheduled for February and March 2021 but provided written updates to the group. There have been no further meetings of PWG since Grainger's announcement in April 2021 that they were not currently able to proceed with the temporary SSM at Apex Gardens.</p>
8	<p>The Council, in its regulatory health and safety role should work with TfL, Grainger and any other stakeholders to draw up a plan of action to address all outstanding and ongoing maintenance work at Seven Sisters Market in order to secure a working environment which complies with all regulations.</p>	<p>It is important to remember that the Council does not own either the leasehold or the freehold of the Seven Sisters Market which includes the Latin Village Market. Therefore, the Council has only two regulatory functions relating to Health and Safety at Seven Sisters Market, namely Building Control and Environmental Health and Safety.</p> <p><u>Seven Sisters Market – Day to Day Maintenance and Health &amp; Safety</u></p> <p>The freehold of the building which the Seven Sisters Market (SSM) is situated is owned by London Underground Limited (LUL) and managed by TfL. Market Asset Management Limited (MAM) has a lease of the ground floor of the building occupied by SSM.</p> <p>MAM is responsible for the internal maintenance of SSM with insurance maintenance and repairs of the structural shell of the building remaining the responsibility of LUL. Both LUL and MAM have Health</p>	<p><b>Seven Sisters Market – Day to Day Maintenance and Health &amp; Safety: TfL Health &amp; Safety investigation</b></p> <p>The final WSP safety and compliance survey report (WSP report) was issued to the council and the market operator - Market Asset Management Seven Sisters Ltd (MAM) on the 14<sup>th</sup> February 2020 followed by SSM traders and other key stakeholders on the 17<sup>th</sup> February 2020. The WSP report identified the following key issues at SSM:</p> <ul style="list-style-type: none"> <li>• Market stalls mezzanine floors were not structurally sound and needed to be unloaded and taken out of use.</li> <li>• Fire alarm system needed to be improved and emergency lighting upgraded.</li> <li>• Electrical installation throughout the Market and within individual units is in an unsatisfactory condition and in places dangerous.</li> <li>• No gas safety certificates were available for trader units.</li> </ul> <p>In March 2020, SSM closed due the main power supply being disconnected as it was deemed unsafe and the introduction of Government Covid-19 restrictions requiring all non-essential retail premises to close.</p>

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		<p>and Safety responsibilities for SSM and the building. The Council holds no such responsibilities.</p> <p>TfL in its role as freehold owner of the Wards Corner building has commissioned a series of inspections to assess the structural and overall condition of the building and to ensure it complies with all applicable legal requirements. These inspections commenced on the 18<sup>th</sup> November 2019 and are scheduled to be completed by mid-January 2020.</p> <p>TfL wrote to all the traders in early November to notify them of this investigation and held an all traders meeting to answer traders' questions in advance of work starting.</p> <p><u>Building Control</u></p> <p>Building Control's statutory responsibility relates to building work and not to ongoing maintenance work. Building Control do not have record of any building works being undertaken at the premises over the last 7 years and have not received any notification of either unlawful building work or any reports of dangerous structures.</p> <p><u>Environmental Health &amp; Safety</u></p> <p>The role of the regulatory service in Environmental Health is to ensure compliance with various statutory provisions mainly in food safety, health and safety and</p>	<p>The SSM main market hall did not reopen when Covid-19 restrictions were lifted in June 2020 as TfL identified serious Health &amp; Safety issues and the risks were too high to safely reopen the market hall. Apart from 6 SSM units fronting the High Road, SSM has remained closed.</p> <p>In August 2020, TfL made the decision that due to the scale of the Health &amp; Safety works required to safely re-open SSM and the timeline for undertaking the works they would pursue the option of providing a temporary outdoor market on land immediately adjacent to the SSM building.</p> <p>In October 2020, following a review of the feasibility of providing a temporary outdoor market TfL decided to abandon the plan and, as an alternative, provide a package of support to traders to assist them during the period until they move to the temporary SSM at Apex Gardens. The proposed support package comprised an offer of alternative rent-free accommodation on the TfL estate and the establishment of a financial support fund.</p> <p>In December 2020, TfL established a Hardship Fund to provide financial assistance to all SSM traders. The total value of the fund was £500k, of which £486,550 has been evenly distributed to all the 37 SSM traders i.e. £13,150 each – 32 trader payments were made by end of December 2020 with the remaining 5 by mid-February 2021.</p> <p>Following Grainger's announcement in April 2021 that they were not currently able to proceed with the temporary SSM at Apex Gardens, TfL wrote to SSM traders on 12th April 2021 advising that they were accelerating a review of options</p>

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		<p>licensing. This role would not extend to fire safety (responsibility of London Fire Brigade) or drawing up action plans for improvements as this could result in a conflict of interest or could prejudice any regulatory action that could follow. The Council is able to advise on regulatory compliance, codes of practice or comment on any action plan (with regard to food safety, health and safety and Licensing) drawn together by the various businesses or individuals whose primary role is to ensure regulatory compliance.</p> <p>This is <b>partially agreed</b> as set out above and the Council in its health and safety, food and licensing roles will ensure ongoing compliance of regulatory functions within its remit of the market according to risks and problems which are identified.</p>	<p>for a temporary SSM and assessing the work required to restore the market hall and wider buildings.</p> <p>On 5<sup>th</sup> August 2021, Grainger made a public statement and wrote to the council confirming they were not progressing with the Wards Corner development scheme including the Apex Gardens temporary SSM</p> <p>On 5<sup>th</sup> August 2021, TfL and the council made a joint statement committing to work as quickly as possible to identify appropriate short- and long-term solutions for SSM</p> <p>The current and immediate responsibility for SSM sits with TfL and this continues to be the case whilst short- and long-term solutions for SSM are developed.</p> <p><b>Building Control</b></p> <p>Building Control have not had any recent involvement with the Wards Corner site including SSM. As previously stated, Building Control deal with ongoing building works and/or dangerous structures - the SSM market hall has not been reported as a dangerous structure.</p> <p><b>Environmental Health &amp; Safety</b></p> <p>On 21<sup>st</sup> July 2020, Regulatory Services undertook site visit to assess progress with regards to electrical and structural works, and issue of traders entering the closed site. Metal plates had been installed to prevent unauthorised entry and satisfactory electrical certificates obtained for units 7, 8 &amp; 10.</p> <p>On 12<sup>th</sup> Oct 2020, Regulatory Services obtained satisfactory electrical certificates for all units facing Tottenham High Road however, the structural integrity of mezzanine floors serving</p>

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			these units remains an issue - further action in relation to this is being considered.
9	In light of the disturbing allegations the Panel heard in the evidence sessions from former housing association residents, we recommend that the council explore the lessons that could be learned from working with housing associations to rehouse vulnerable residents.	<p>The Council was concerned by evidence presented to the Review about the way existing tenants were treated by Housing Associations. The Council has learned lessons from what has happened in this instance and has committed to a different approach in the future.</p> <p>Whilst this recommendation is <b>agreed</b>, it should be noted however that it is unusual for the Council to be involved in directly rehousing existing tenants of Housing Associations. Typically, this is the responsibility of the Housing Association.</p> <p><u>Lessons that have been learnt</u></p> <p>In situations where a development ultimately results in the demolition of inhabited residential properties to facilitate major improvement works, it is vitally important that the Council is involved in liaising with all current residents at the earliest opportunity regardless of what type of tenancy individual residents hold and who their current landlord is. In practical terms this involves the following.</p> <p>1. The relevant team within the Council working with all residents in such areas, signposting them to alternative accommodation. This also involves each resident having a dedicated contact point for</p>	<p>In late August 2020, TfL made the council aware that due to Health and Safety concerns they were in the process of obtaining vacant possession of 249a High Road, which is a self-contained flat located within the Wards Corner/SSM building.</p> <p>The flat was occupied by 5 people – 3 individuals and 1 elderly mainly Spanish speaking married couple who TfL considered to be vulnerable due the husbands ill health.</p> <p>In order to protect their position TfL served s21 Housing Act notices on the tenants on 23<sup>rd</sup> September 2020 which formally gave them until April 2020 to vacate the flat i.e. 6-month notice.</p> <p>To assist the tenants in finding alternative accommodation TfL offered them the following options:</p> <ol style="list-style-type: none"> <li>1. Offer of TfL owned rented accommodation (three studio flats) in South Kensington at a discounted rate for 6 months, then reverting to the market rent level.</li> <li>2. The tenants to find alternative accommodation of their own choice - to assist the tenants to accumulate a sufficient amount to pay a deposit and an initial rent that may be required by other landlords, TfL offered not to charge rent due for the months of July, August and September.</li> </ol>

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		<p>information both within the Council and with their current landlord.</p> <p>2. Council staff identifying at the earliest possible stage any individuals or households where there may be potential concerns. Work then takes place to provide practical assistance to help the individual or family through the rehousing process. In relevant cases this involves Council officers working with any dedicated teams the other landlord may have.</p> <p>3. All residents within such an area have a 'needs assessment' completed by Council officers. This is a formal mechanism whereby existing support networks helping the individual or family are identified, or more importantly in this context, where such support is identified as being necessary but not yet in place. Such gaps can then be filled either through the Council itself, (eg social services), or another supporting agency.</p> <p>4. Individuals and families who are asked to move often feel particular pressure when trying to find alternative accommodation. Such pressure is intensified if the individual or family have vulnerability issues. It is therefore important that such individuals and families are supported through the rehousing process as outlined above, but also have access to additional support mechanisms once their new tenancy has started. This requires support packages</p>	<p>The council's re housing team wrote to all the occupiers on 13<sup>th</sup> October 2021 (letter also translated into Spanish) offering a meeting to discuss how best the Council could provide support in the process of finding/moving to alternative accommodation.</p> <p>The council's re-housing team interviewed the married couple on the 23<sup>rd</sup> October 2021 with a Spanish translator present.</p> <p>By the end of October 2020, the 3 individual tenants moved out of the flat into alternative private rented accommodation which left the elderly married couple in occupation.</p> <p>The council's re housing team provided support to the couple during November and December 2020. Also, a dedicated Spanish speaking housing officer from Homes for Haringey (HfH) assisted the couple in finding alternative accommodation in the private sector. On 23<sup>rd</sup> December 2020, the couple accepted the offer of a 1 bed flat in Hackney which they moved into on 30<sup>th</sup> December 2020.</p>

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		that will enable the residents to sustain their tenancies.	
14	The Regeneration department should ascertain and publish details on the amount of public money, including grants, which have been allocated to this development. This report should include reasons funds were allocated, the source and purpose of the funding and establish the amounts spent, what it was spent on, and how much remains.	<p>This is <b>agreed</b> and the Council can confirm that the only public funding that has been allocated/paid in respect of the Wards Corner project is as follows, details of which are already in the public domain.</p> <p>1. £1.5m interim gap funding has been paid to Grainger Seven Sisters Ltd against site acquisition costs paid on the Wards Corner site. The funding was paid by the Council using funding from the Bridge New Deal for Communities initiative (NDC) i.e. as Accountable body. In addition, a further £500k of gap funding is to be provided to Grainger SSL by way of a deduction to the sale price of the Council owned property within the Wards Corner development. The total £2m of gap funding is repayable to the Council (with interest and a possible 'additional consideration'), subject to conditions, in the event a minimum profit level (20%) is realised on the completed development.</p> <p>2. The Mayor of London through TfL has agreed to provide £284,500 of funding to the Council to provide financial support to the small businesses to assist in resourcing the temporary relocation of Seven Sisters market following its temporary closure.</p>	No further action required as the details of the <a href="#">interim grant funding to Grainger</a> and the <a href="#">Mayoral funding</a> were already in the public domain.