

Appendix 3

Response to separate recommendation by Overview & Scrutiny Committee in relation to the Love Lane ballot

Recommendation by Overview & Scrutiny Committee:

That Cabinet consider taking forward an Independent Review of the conduct of Love Lane Estate Ballot.

Response to this recommendation:

The resident ballot on the Love Lane Estate was undertaken in line with the requirements set by the Greater London Authority (GLA) in their [Capital Funding Guide](#). As required under the guidance, the Council appointed an independent body, Civica Election Services (CES), to administer the ballot. CES have confirmed that the ballot was compliant with this guidance, and no evidence has been provided to indicate a deviation from this. At all times the Council followed the advice provided by the independent body in relation to complying with the guidance and meeting best practice for resident ballots.

The Council has also not received evidence relating to misconduct by officers during the Love Lane ballot to warrant an independent review. The allegations presented by a third-party source have been investigated and responded to in this report. The Council has a corporate complaints procedure in place to respond to such concerns, and no evidence has been received in relation to these allegations through this or any other channels. As of January 2022, two complaints have been received in relation to the ballot, neither of which have been upheld nor subsequently appealed. Information on the Council's corporate complaints procedure can be found at the following link: [Haringey Council Complaints Procedure | Haringey Council](#).

The Council recognises the need to learn from the experiences and practices undertaken during this period and will draw on these to continue to refine its engagement approach. The Council has agreed to the recommendation by OSC of a lessons learnt review, see Appendix 2 of the Cabinet report.

This recommendation is therefore **not agreed** for the reasons set out above. The issues raised at the OSC meeting of 29 November 2021 in relation to the ballot have been responded to below.

	Issue	Officer response
1	That the Council had targeted contact with residents that were vulnerable in respect of their uncertainty on a yes or no vote for demolition.	<p>The Council did not target contact with vulnerable residents to influence the ballot outcome.</p> <p>The engagement approach taken by officers aimed to speak to all residents (aside from those that had already voted, see below). The purpose of this was to ensure they were able to participate in the ballot, regardless of whether they intended to vote 'yes' or 'no'.</p> <p>This included ensuring that voters had received their Landlord Offer and ballot papers, had the opportunity to ask an officer any questions around the offer, and were aware of where to access support, e.g. access to an interpreter and/or translated copies of the documents, and independent advice.</p> <p>The use of door-knocking as one of the range of engagement methods was mindful of the needs of vulnerable residents, whom may be unable or uncomfortable with visiting the engagement events and activities or may not be familiar with using the digital channels available. It is important that the Council makes efforts to ensure that all residents can participate in engagement exercises, regardless of their individual needs.</p>
2	There was a significant number of officer contacts with Love Lane residents to ensure completion of the ballot responses.	<p>The Council sought to take a measured approach in its engagement. It was important that the Council took appropriate measures to ensure that residents were able to participate in the vote. At the same time, it is recognised that methods such as door-knocking and phone calls need to be used sensitively. Most residents were spoken to once or twice during the ballot, and it was not intended that households would be visited more than twice.</p> <p>During the ballot period the independent body, Civica Election Services (CES), provided the Council with a biweekly update confirming the voters who had submitted their vote at that time. This information meant that the Council could ensure that residents were not contacted if they had already voted. For clarity, the Council was not informed which way individual residents had voted (the vote was confidential), nor was it aware of the overall vote on the estate until the ballot closed.</p>
3	Concerns raised that there had been collection of ballots by officers, which the ballot registration company had	At no stage did officers seek to collect ballot papers from residents. On the four occasions referenced, officers posted a sealed ballot paper at the resident's request, mindful to the needs of vulnerable residents. This was done as a last resort and was in line with the advice provided by CES. Officers always encouraged residents to use the online or telephone voting methods where possible.

	advised against but had still been taken forward on 4 occasions.	In response to officers being presented with such scenarios, the Council organised for CES to undertake a door-knocking exercise, which took place on Thursday 2 September. This was to provide an opportunity for residents to vote in person if they wished to, with CES staff carrying a mobile ballot box. Council officers did not accompany CES staff on the door knocking exercise.
4	A statement read out from a resident advising repeated phone calls from officer and door being knocked on several times. The Committee heard from the deputation that this resident had indicated that they were uncertain and did not understand the choice being given. The resident had then received follow up calls, and a visit to their home. The resident then decided their vote and was helped to complete this online. In the deputation's view, this statement was enough information to warrant a review of the conduct of the ballot process, before any further steps on the demolition were taken.	As described in response 2, phone calls and door knocking were used sensitively to ensure that residents were not spoken to on numerous occasions. While officers would provide information to residents on how to vote (e.g. how to access the online voting platform), officers did not vote on behalf of residents nor tell them to vote a certain way.
5	The deputation felt that the Council were being guided by the GLA deadlines and access to the GLA funding, and there was a need to pause and consider the ballot issue and examine concerns.	<p>The Council is committed to undertake engagement exercises, including ballots, to a high quality and in line with the Council's and other good practice procedures. CES have communicated that the ballot was undertaken in line with GLA guidance, and no evidence has been received to question the validity of the ballot result.</p> <p>The Council recognises the need to continually learn in regard to its engagement exercises and has agreed to a lessons learnt review to inform any future ballots.</p>

6	<p>There were further doubts about Civica undertaking the independent review as it was no longer part of the electoral reform society.</p>	<p>The Council procured CES as the independent body for the ballot. The role of the independent body is defined in paragraphs 8.5.2. to 8.5.6. of the GLA's Capital Funding Guide, Section 8, see following link: 8. Resident Ballots for Estate Regeneration (london.gov.uk). CES has over 120 years' experience of administering elections, ballots, and consultation processes, and has administered most resident ballots in London.</p> <p>The recommendation for an independent review of the ballot is not agreed for the reasons described on page 1.</p>
7	<p>The recent Lendlease Planning application was not consistent with the basis of the ballot. Therefore, concerns about the ballot would need to be responded to by the Council, at this stage before the scheme developed as this issue could not be rectified in the future.</p>	<p>The planning application for the High Road West scheme submitted by Lendlease is in line with the information provided by the Council in the Landlord Offer, which was the subject of the resident ballot.</p>
8	<p>Considering the impact of what a no vote outcome would have meant which was temporary tenants on Love Lane being added to the Council Housing waiting list, and likely waiting far longer for permanent accommodation, the deputation's position was:</p> <ul style="list-style-type: none"> ➤ That the need for providing secure tenancies to the Love Lane residents remained an issue. ➤ There would be residents living on the Love Lane Estate that pay rent and Council tax but will not 	<p>The Council provided a Q&A as part of the Landlord Offer, which included a question in relation to a 'no' vote. This was as follows:</p> <p>Q. What happens if residents vote "no" in the ballot?</p> <p>A. <i>If most residents on the estate vote 'no', then there would not be any immediate changes for residents. The Council would ensure that residents are able to stay in their current properties whilst a process is undertaken to work with them to understand why they voted 'no', before considering next steps. This means that residents living in temporary accommodation would stay in their current properties while this is taking place. Residents would continue to have support and advice from the High Road West Rehousing and Engagement Team throughout this period.</i></p> <p>As stated in the Landlord Offer, in the event of a 'no' vote the Council would have worked with residents to understand why they voted 'no', before considering next steps.</p>

	<p>have security of a secure tenancy.</p> <ul style="list-style-type: none"> ➤ Offering secure tenancies to the Love Lane residents was a positive thing that the Council should do - there could be a local allocations policy as a way forward? ➤ This was ultimately an issue for the resident to decide in the ballot. ➤ There was still a need to consider the legacy of the ballot outcome on Love Lane. 	
9	<p>Responding to a Committee question on whether the deputation held any compelling evidence that the ballot process was not properly run, given 70% of residents were in favour of demolition, the deputation had evidence. They wanted this considered as part of the independent review process. The deputation acknowledged that they were not a neutral body and there was a need for another body to come in and consider this information and take statements.</p>	<p>The recommendation for an independent review of the ballot is not agreed for the reasons described on page 1.</p>
10	<p>The deputation considered that they had enough evidence to suggest that this was needed and referred to the information considered by the Housing</p>	<p>See responses 1-4.</p>

	and Regeneration Scrutiny Panel which noted that four postal ballots had been handled. The deputation believed that there was more than this number handled with both visits to homes and help provided to residents to use their phones to vote.	
11	There was acknowledgement that the Council had not run a ballot process before and the current situation indicated that the ballot process needed a review. The deputation felt that the Council should be setting the highest standards, given this was a policy taken forward by the Mayor of London in response to the local Labour party motion which was agreed by the Labour party conference.	While this was the first ballot of this type in Haringey, the ballot itself was administered and overseen by the independent body CES. As stated in response 6, the CES have over 120 years' experience in this field and have administered most resident ballots in London. At all times the Council followed the advice provided by the independent body in relation to complying with the GLA guidance and meeting best practice for resident ballots.
12	The deputation party had spoken with four tenants who had advised that they had their ballot paper taken away by officers. Another tenant ,who was voting no, had had their door knocked on 6 times and was called 7 times, and answered once. Officers said that they could come round and collect his ballot paper as they could see he had not voted.	See responses 1-4.
13	The deputation party respondent advised that she had seen officers	See responses 1-4.

	knocking on doors in multiple properties and another no voter, who was blind, was also offered to take his ballot paper but the offer was not accepted. She had spoken with another temporary tenant who was happy with her flat and would prefer a permanent tenancy and did not want her block to be knocked down. She had voted yes, as this would lead to a permanent tenancy.	
14	A deputation party spokesperson, spoke of her contact with vulnerable people on the estate through their disability and through their circumstances who did not know the ballot was taking place. There were language barriers and she spoke to residents where English was not the first language. They spoke Portuguese, Turkish, Kurdish and Bengali and were not fully aware of the process.	<p>As stated in response 1, the engagement approach was mindful to the needs of vulnerable residents, in recognition that not all residents may be able or comfortable to visit the engagement events, and/or may not be familiar with using digital channels.</p> <p>A primary purpose of door-knocking was to identify if residents required translated copies of the documents and/or access to an interpreter. During the ballot period, interpreters were provided for residents whose first language included Turkish, Portuguese, Spanish, Mandarin and Bengali.</p> <p>The Council will always seek to continue to improve its engagement processes to ensure that information is easily accessible and digestible to a wide range of demographics.</p>
15	The deputation party spoke about the poor conditions of the estate, where there were areas of drug use, maintenance issues and it was felt that there was a narrative being provided that if residents voted for the	The Landlord Offer did not include discussion on the issues of the current estate and focused on the proposed plans and the housing offer to residents. During the ballot, many residents raised concerns about their current homes or issues such as anti-social behaviour on the estate. This feedback was provided to relevant teams in the Council and Homes for Haringey to be responded to accordingly.

	demolition, this would change their situation.	
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