

Appendix 2 – Responses to the Housing and Regeneration Scrutiny Panel Review Recommendations

The Future of the Seven Sisters Market site (Wards Corner)

	Recommendation	Response (Agreed / Not agreed / Partially agreed)
1.	<p>That the Council has representation on the partnership board and that the role of the Council’s representative should be clear in respect of its safeguarding and fiduciary responsibilities. The administration should actively engage all sides and ensure that the Council is part of any future governance arrangements both in the immediate and long term. The Panel notes that TfL have advised that the Council will be excluded from the decision-making process around the award of the lease.</p>	<p>The council is supportive of TfL’s approach to set up a Partnership Board with an Independent Chair to lead on the process for TfL to grant a long-term community asset lease for the Seven Sisters Market (SSM) buildings.</p> <p>The council’s involvement in TfL’s Partnership Board will to a large part be shaped by the Boards precise Terms of Reference. The council will not for example be able to participate in a decision to award a community asset lease for the SSM buildings.</p> <p>This recommendation is therefore agreed.</p>
2.	<p>That the Cabinet seek assurances about how the Community Benefit Society (CBS), or any other organisation that gets the leasehold of the market, will work to bring the different groups of traders together in the hope that, whatever the outcome of the bidding process and the establishment of the temporary market, the ongoing and future arrangements for the development and management of the market and the site are not seen as being at the expense of one group over another. The way forward for Seven Sisters market should be through consensus between the two groups of traders.</p>	<p>The council understands that as part of the process for the establishment of the Partnership Board and the bidding process for the community asset lease TfL are leading on undertaking mediation to bring the different trader parties together.</p> <p>This recommendation is therefore agreed.</p>
3.	<p>That the Council seeks assurances from TfL that the terms of any lease to a third party explicitly and completely prohibit that lease being transferred to a party that is neither a community organisation nor a public body or used as collateral in any future sale or development of the site.</p>	<p>The council is not able to dictate the terms of the TfL community asset lease. The council understand that TfL will retain the freehold of the land whilst granting a long lease of the SSM buildings to a third-party community asset operator. The council would wish the asset to be retained as a community asset in perpetuity and will use its strategic relationship with TfL to advocate this position.</p> <p>This recommendation is therefore agreed.</p>

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4.	<p>That, prior to committing any financial resources or other forms of material assistance, Cabinet should conduct due diligence, including reference to external expertise, regarding the viability of the Community Plan (or other similar proposals), in potential future financial climates and the indicative costs attached to any proposal. Of particular concern to the Panel is the impact external financial shocks could have on the borrowing assumptions in the Community Plan, particularly regarding the need to pay interest, principal and returns on loans and investments.</p>	<p>Whilst the council has no current plans to invest in the SSM buildings (largely as responsibility for the buildings rests with TfL), were it ever to do so this would require a cabinet report which received input and statutory comments from the borough monitoring and s151 officers.</p> <p>This recommendation is therefore agreed.</p>
5.	<p>That the Council uses its influence and explores what action it can take to ensure that the governance and ownership arrangements for the Seven Sisters Market will keep the site, including the long leasehold on the site, in public ownership.</p>	<p>The council understand that TfL will retain the freehold of the land whilst granting a long leasehold of the SSM buildings to a third-party community asset operator.</p> <p>It is the council’s strong view that the SSM buildings should remain as a community asset in perpetuity and will use its strategic relationship with TfL to advocate this position. Although the council cannot dictate the terms of the TfL community asset lease it can take comfort that due to the need to protect their rail infrastructure TfL will retain the freehold ownership of the land.</p> <p>This recommendation is therefore agreed.</p>
6.	<p>In the eventuality that the Council decides to provide funding to the CBS via a loan, investment or grant, the Council should ensure that it has direct representation on the CBS. In the case of a grant that representation should be permanent. In the case of a loan or an investment, the representation should last at least until the loan or investment is repaid or recovered.</p>	<p>Whether or not it would be possible or appropriate to make a financial investment to any party connected with Seven Sisters Market would need to be subject to full consideration of all related circumstances at the time of any assessment. This assessment would require a cabinet report which received input and statutory comments from the borough monitoring and s151 officers.</p> <p>This recommendation is therefore agreed.</p>

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7.	<p>In the event that the Council wishes to support the project financially, whether through a loan, an investment, a grant or a gift, that the advice of both the Council’s Director of Finance and the Head of Legal Services form part of a public report to Cabinet. We note that the provision of support to commercial concerns, whether market traders or any other businesses operating in the Wards Corner buildings, is not a primary role of the Council, and that investment must be justified in terms of wider community and social benefit.</p>	<p>Whilst the council has no current plans to invest in the SSM buildings (largely as responsibility for the buildings rests with TfL), were it ever to do so this would require a cabinet report which received input and statutory comments from the borough monitoring and s151 officers.</p> <p>This recommendation is therefore agreed.</p>
8.	<p>That the Council is clear about what its role in the governance process would be in the eventuality that a decision is made by TfL and the partnership board to grant the CBS as the leaseholder of the market. The Panel notes that the Cabinet has already publicly backed the Community Plan and that the Council needs to be seen as above any conflicts of interest.</p>	<p>The council’s involvement in TfL’s Partnership Board will to a large part be shaped by the Boards precise Terms of Reference. The council will not for example be able participate in a decision to award a community asset lease for the SSM buildings.</p> <p>This recommendation is therefore agreed.</p>