

MINUTES OF THE MEETING OF THE CABINET HELD ON TUESDAY, 12TH JULY, 2016, 6.30pm

PRESENT:

**Councillors: Peray Ahmet, Jason Arthur, Ali Demirci, Alan Strickland,
Bernice Vanier and Elin Weston**

In attendance – Councillor Gideon Bull, Councillor Kirsten Hearn

37. FILMING AT MEETINGS

The Deputy Leader referred to agenda item 1 as shown on the agenda in respect of filming at this meeting and Members noted this information.

38. APOLOGIES

Apologies for absence were received from Councillor Claire Kober, Leader of the Council and Councillor Joe Goldberg. Apologies for lateness were later received from Cllr Ayisi.

39. URGENT BUSINESS

There were no items of urgent business considered.

40. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

41. NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS

There were no representations received.

42. MINUTES

The minutes of the Cabinet meeting held on the 14th of June 2016 were agreed as a correct record of the meeting.

43. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE

The Deputy Leader invited Councillor Hearn, Chair of the Children and Young People's Scrutiny Panel to introduce the Scrutiny Review on Youth Transition.

Councillor Hearn started by speaking briefly about young people that have successes in their lives and the difference made by having a support network of: parents, family members, teacher, and mentors. The review had focused on examining the key areas of support that can help young people in Haringey make a success of their lives. It was important to consider that going to university was not the only option to achieving success in life and there was a need to promote the many ways for young people to achieve goals in life, for example through apprenticeships.

The Panel had understood the importance of schools helping prevent exclusions and stopping young people from becoming NEET [Not in School, Education, Employment and Training]. The Panel noted that often schools had a good internal knowledge of the young people most at risk of leaving school without skills and educational aspirations. Schools were doing some good individual work with these pupils and achieving successes in this area, in turn, making a difference to the young person's future prospects

During the review, the Panel recognised that, sadly, equality and diversity issues still had an effect on outcomes for young people and these were caused by wider external issues out of the control of the Council and schools.

Cllr Hearn was further interested in finding out why three of the recommendations were partially agreed instead of fully agreed.

The Deputy Leader thanked Councillor Hearn for her presentation and in Councillor Goldberg's absence, responded to the review recommendations.

The Deputy Leader agreed that the review provided a powerful set of evidence and a steer for how Haringey Council and its partners can enhance and develop the range of services they provide, or facilitate, for young people. The life chances of young people would be greatly affected by the choices they make while at school and the influences around them. The recommendations of this scrutiny review helped to set out a way of supporting young people to make effective choices and so improve their lives. The Deputy Leader continued to highlight some key positive changes already being achieved to support these choices:

- Every Post 16 school and college has a good or outstanding rating with results now the highest they have ever been.
- Residents taught in Haringey make more progress than those taught out of borough
- A level exam results are significantly above the national average.
- The STEM commission will also publish its findings soon and the Council anticipate this will help Haringey to improve further by proving clear recommendations for targeting those areas vital for the area and country's growth and for young people's opportunities.

The Deputy Leader thanked the Scrutiny Panel and all those who participated in the review for their hard work.

RESOLVED

That the Scrutiny Review be noted and the responses to the review recommendations as outlined in Appendix 2 of the report be agreed.

Reasons for Decision

The evidence supporting the Panel's recommendations was outlined in the main body of the report [Appendix 1]

Alternative Options Considered

The evidence supporting the Panel's recommendations was outlined in the main body of the report [Appendix 1]. The Cabinet could have chosen to not accept the recommended response by officers to them, as outlined at Appendix 2. The potential implications of alternative courses of action were referred to within this as appropriate.

44. DEPUTATIONS/PETITIONS/QUESTIONS

There were no deputations, petitions or questions put forward.

45. ESTATE RENEWAL RE-HOUSING AND PAYMENTS POLICY - FINAL POLICY TO BE ADOPTED

The Cabinet Member for Housing, Regeneration and Planning introduced the policy which brought together the Council's commitment to estate renewal and rehousing and set out the approach to be taken forward.

The policy endeavoured to meet the expectation of residents who maybe required to be re-housed in the estate renewal process and brought together all the advice and support currently listed in a range of different documents on rehousing, housing allocations and compensation payments, into one accessible document. Through this policy, residents would be able to access and understand the Council's position on rehousing and compensation payments for moving from their homes when the estate renewals take place in the future.

The Cabinet Member highlighted that whenever the Council talk to tenants and leaseholders about estate renewal and rehousing situations in the future, they will be at the centre of this process. The policy also makes clear that these residents will be fully consulted in this process with support through independent advice. There will be full package of support and compensation where re housing does happen. The Council were committed to providing right of return to properties, where it can, but this will be subject to individual schemes and viability.

The Cabinet Member concluded that the policy was clear on what residents can expect in a consultation process when an estate is being renewed and rehousing is required. He further reiterated that residents will be fully supported and helped through the process of rehousing.

RESOLVED

1. That the responses to the consultation with tenants, leaseholders and freeholders on the proposed Estate Renewal Rehousing and Payments Policy be noted.
2. That the immediate adoption the Estate Renewal, Rehousing and Payments Policy set out in appendix 2, as amended in the light of consultation and having considered the Equalities Impact Assessment be approved.
3. That delegated authority be provided to the Director of Regeneration, Planning and Development to make any minor changes to the Policy that may be required as a result of legislative change.

Reasons for decision

A decision to adopt the Estate Renewal, Rehousing and Payments Policy was required to ensure that the Council applies a consistent policy across the whole borough for all estate renewal schemes. This will ensure that tenants and leaseholders will have a clear understanding of what they may expect if an estate renewal scheme is proposed for their estate and also ensure that tenants and leaseholders are treated fairly and consistently, wherever they live and whenever the scheme starts.

A delegation to the Director of Regeneration, Planning & Development to make minor amendments to the policy is required. The policy includes statutory provisions that will need to be maintained in line with any legislative changes, which may include matters arising from the Housing and Planning Act.

Alternative options considered

The alternative options of developing an estate renewal rehousing policy only or a set of procedures for staff covering the issues in appendix 2 were considered. It was concluded that it was important to bring together all the policies relevant to rehousing and compensating residents in one document, rather than just cover rehousing matters. Also, a set of procedures would not best represent a statement by the Council of its commitments to affected residents, which is an important objective of the proposed policy.

In developing the proposed policy, alternative approaches to how the policy should be applied to individual estate renewal schemes were considered. Broadly, 3 approaches were considered:

- (a) Apply the statutory entitlements and relevant existing policy commitments across all schemes;
- (b) Consider the rehousing and payment commitments to residents on a scheme by scheme basis;
- (c) Apply (a) above, but consider additional discretionary entitlements on a scheme by scheme basis.

The approach set out in paragraph 5.2(a) above had been broadly adopted within the policy at appendix 2, as this provides consistency across different schemes and amongst residents from different areas. It also provides a better balance between meeting the rehousing needs of residents affected by estate renewal and other households on the Housing Register. It should be noted that the proposed policy provides consistency in key areas, such as rehousing and compensation for tenants. However, the proposed policy does provide for flexibility on a scheme by scheme basis, when dealing with the right of residents to return to the same estate, options for leaseholders and the provision when appropriate of local lettings plans.

Option (b) was rejected, because it was felt that it was important to ensure that as far as possible residents everywhere were treated consistently. Option (c) was rejected, because additional discretionary housing and payments would have a detrimental effect on remaining tenants who are not subject to estate renewal.

46. SEND HASLEMERE ROAD

The Cabinet Member for Children and Families introduced the report which provided options for future care at Haslemere Respite Centre, a current specialist unit providing respite accommodation and day services for children with disabilities or other special additional needs.

The Cabinet Member highlighted the consultation undertaken with parents and carers of current service users where Option 2[outlined at appendix 1] was favoured as this ensured local provision continued and would enable more consistent stable standards of service provision.

RESOLVED

1. To approve option 2, as set out at appendix 1, allowing the Council to commission Haslemere Road Respite Centre either under a block contract with a specialist provider, or by renting out the Centre to a specialist provider from whom the Council and parents can spot purchase beds.
2. To provide the Assistant Director of Commissioning, after consultation with the relevant Cabinet Member, with delegated authority to make the decision on whether to commission the Centre under a block contract or by renting out the Centre.

Reasons for decision

The Council had gone through a robust Commissioning Review of Haslemere Road Respite Centre, through which three options have been appraised (more details can be found in Appendix 1).

By commissioning the Centre (Option 2), the Council would ensure that:

The Centre would be commissioned to a single specialised provider, which would provide the packages of respite we need under a block contract.

Or

The Centre would be commissioned to a single specialised provider through a rental agreement of the premises, which provider would provide the packages of respite we need on a spot purchasing basis.

This option would offer the possibility of fully utilising the centre on Mondays, and Tuesdays and during the day on Wednesdays, Thursdays and Fridays.

By commissioning the centre, service users would get better Value for Money (VfM), both in terms of Quality (all the suppliers we engaged have Good or Outstanding Ofsted Ratings) and Price.

Through commissioning the Centre, the Council would keep its service local to the community, thus keeping transport costs down and families happy.

Through block-contracting, the Council would continue to be able to manage the prioritisation of cases and the acceptance criteria for the Centre's use.

Through renting out the Centre to a specialist provider the Council would:

- Have more flexibility in reviewing this provision in the future.
- Offer the supplier the possibility of having a more sustainable model, as they can develop a business model that fully utilises the asset, without relying on the Council for full funding
- Offer the possibility for other Boroughs to use the centre through spot purchasing (with the possibility of the Council receiving preferential rates from the supplier)
- Be receiving rent for the building (currently estimated at £71k per annum).
- Transferring Ofsted accountability to the new provider.

Through commissioning the Centre, the Council has the potential to address the overspend and come back to budget, in time even be able to have a surplus of cc £50k-£121k.

Under this option, the 14 staff assigned to the Centre would most likely transfer to the new provider under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"). Terms and conditions would be protected at the point of transfer. If following the TUPE transfer the new provider sought to change the contracts of the transferring staff, and the sole or main reason for its seeking to make those changes was the transfer, then unless the contracts allowed the new provider to make the changes, then :-

- the staff would need to agree to the changes; and
- The new provider would need to have an ETO reason for the changes.

- An ETO' reason is an 'economic, technical or organisational reason entailing changes in the workforce"

The maintenance of the building will remain the Council's responsibility, unless it is differently stipulated in the Contract or Rental Agreement with the supplier.

This option also offers the opportunity for the Council to plan and review the location of the Centre in the future, in line with our Regeneration objectives and the proximity to young people's homes (most being in Tottenham and Wood Green).

An Equality Impact Assessment (Appendix 5) has been carried out for the service users group and staff. It has found that the changes proposed would have a positive impact on the service user groups and little to no impact on staff.

Alternative options considered

Option 1 – Keep the Centre In-House

- By keeping the Centre in-house we would maintain the resource locally, however we would be still held to account by Ofsted on the service provision.
- Moreover, based on current costs, the Centre would be forecast to have a yearly overspend of £150k.
- The Centre would continue to be underutilised by keeping it closed Monday-Tuesday, and during the day Wednesday-Friday.
- This option cannot be recommended, as it does not change the status quo and does not improve the outcomes we seek for our children and young people with SEND.

Option 3 – Sell the Centre to a Specialised Provider at Market Value

- In this option, the Council would be selling off the building (at market value) to a private provider and would have spot purchasing packages with that provider or with other providers.
- The provider that expressed interest in buying the Centre said that they would not be using it solely for short breaks but also residential, with a 10%-90% split. As a result, we would have to spot purchase most of the beds we require from other providers.
- At the 17th of May 2016, nearby providers had only 20 beds available for the rest of the year, if we were to spot purchase from other providers. Thus, for the remaining 24 of our current service users there would be no service provision in the proximity of Haringey. Moreover, transport costs to out-of-borough providers would increase.

- Through selling the Centre, children, young people and parents would be losing a local resource to which they have become attached to.
- However, through this option, the Council could gain around £2.9m worth of capital receipts by selling the building.
- This option cannot be recommended, despite the gain in capital funding, as it would not be in the best interests of children and young people with SEND.

47. SMOKE & CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015 - FIXED PENALTY SANCTION

The Cabinet Member for Environment introduced the report which set out the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 which imposed obligations on the Council to inspect premises and enforce the requirements for landlords to provide tenants with smoke detectors and carbon monoxide alarms in their premises.

It was noted that this fire protection related regulation already applied to HMO's and was now applied, through the new legislation, to all rented accommodation, including family dwellings, of which, there were a significant number in the borough.

Enforcement of this new policy would have huge resource implications for the Council. Therefore there would be a sound communications strategy to alert landlords, letting agents and tenants of the statement of principles and penalty charges process for related to these mandatory regulations. During the early stages of the communications strategy, the Cabinet Member was recommending there be limited use of the penalty fines to allow landlords and letting agents the opportunity to be informed of the new legislation and to conform to the new requirements.

The report was also recommending a sliding scale of charges applied, reflecting the type of properties in the occupancies in rental sector.

RESOLVED

1. To adopt the policy statement set out at Appendix 1.
2. To agree that Penalty Charges Notices (PCN) administered follow the Statement of Principles as set out in Appendix 3.

Reasons for decision

A penalty charge of up to £5000 can be imposed for failure to comply with a Remedial Notice served under these regulations. However, as per Appendix 3 and the guidance provided by the legislation, officers were recommending a sanction which is based on a sliding scale and an early discount for not progressing to the review and appeal stage.

In keeping with this it was recommended that each landlord should be charged accordingly based on each individual offence, thus averting any challenges by landlords or variations following First Tier Tribunal hearings.

Any penalty charge should be set at a level which is proportionate to the risk posed by non-compliance with the requirements of the legislation and which will deter non-compliance. It should also cover the costs incurred by the Council in administering and implementing the legislation. The authority has no other means of recovering the cost of remedial action than by imposition of a penalty charge.

Fire and Carbon Monoxide are two of the 29 hazards prescribed by the Housing Health and Safety Rating System and can result in death and serious injury. In the case of fire, the absence of working smoke alarms in residential premises is a significant factor in producing worse outcomes.

As previously stated, the provision of smoke detectors and carbon monoxide alarms does not place an excessive burden on a landlord. The cost of the alarms is low and in many cases they can be self-installed without the need for a professional contractor. The impact on occupiers, damage to property and financial costs resulting from a fire or Carbon Monoxide poisoning event are far out of proportion to the cost of installing alarms.

For these reasons, an effective incentive to comply with these Regulations must be set, as the enforcement of these regulations and the attributed penalty charge is the deterrent in these cases. It is understood that the imposition of the maximum potential fixed penalty charge, that being £5,000 under the regulations or the penalty proposed under our sliding scale, can present an excessive financial burden in relation to the low cost of the works. This is however balanced against the risk and the fact that all reasonable opportunity will have been given to landlords to comply with the regulations prior to any penalty charge being levied. A recipient of a fixed penalty charge has a right of appeal.

Having an effective penalty charge to act as a deterrent in these cases is being sought. It is however hoped that with an effective communications strategy in place the need to use these regulations, certainly the issuing of a Fixed Penalty Notice for failing to comply should be substantially reduced.

It is proposed that a successful communications program that targets both landlords, letting agents and tenants will reduce if not eliminate the need for Council intervention under these regulations. Informing landlords and agents of their duty and through promoting the Fire Authorities free smoke detectors we hope landlords will proactively respond to such a campaign and ensure that detectors are in place and that existing detection works.

It was also essential that the communications programme is designed in such a way that it educates tenants on their rights at the same time as empowering them to also be responsible for their own safety, to take action for themselves, to check that these measures are in place, especially at the beginning of new tenancies and to confront agents and landlords who have failed in their duty themselves before involving the local authority.

Alternative options considered

The Regulations oblige the Council to enforce them, and to publish a statement of the principles upon which it will calculate penalty charges. It is not therefore open to the authority to opt-out.

The issuing of a civil penalty is what the Regulations provide as a sanction for non-compliance. The alternative option to be considered would be to charge the maximum sanction on each occasion non compliance takes place.

The £5000 figure is specified within the regulations as the upper figure for the penalty sanction.

This is not considered appropriate; the structure of the Regulations assumes that the amount of the penalty charge will be determined by the application of stated principles, and the landlord affected is entitled to appeal to the First Tier Tribunal on the ground that the penalty charge imposed is unreasonable.

If it had been intended that a local authority should have power to impose the maximum penalty for any and every breach of the Regulations, then the First Tier Tribunal would not have been given power to reduce a charge as “unreasonable”.

The requirement to publish a statement of principles on the basis of which the charge will be calculated would be unnecessary if there were no requirement to take the circumstances of each case into account in calculation of the charge.

Furthermore, breaches of Housing legislation punishable as offences rarely attract, on conviction, a fine of the maximum available. The punishment is tailored to fit the crime. By analogy, so must the penalty charge.

48. NEW COUNCIL HOMES PHASE 1

The Cabinet Member for Housing, Regeneration and Planning was pleased to inform Cabinet that the first phase of new rented Council homes, included in the Council's new build programme, were nearing completion and would be available for social letting in September 2016. In order for the homes to be let, the Cabinet would need to agree rent levels to be applied which the report set out.

Cabinet were asked to note planned changes to the unit mix and tenure type since the programme had started, two years ago. This was due to significant changes in the housing landscape, including: decreased housing funding and income for local authorities, a 30% increase in construction inflation. This meant that the cost of this first phase of housing had increased. However instead of selling these units, the Council were keen to keep these units in their much needed housing stock .

Therefore, the rents were proposed to be set in accordance with the guidance in draft Housing strategy; for example the maximum rent levels of 70 % of market rent value for 1 bedroom accommodation instead of 80% of market value would be applied. While the rents were higher than envisaged, the levels were still in the affordability range of residents on benefits who would still be able to afford the rents.

RESOLVED

1. To approve the setting of rent levels for the Council's Phase 1 new homes in accordance with the affordable rents guidance set out in the draft Housing Strategy, as set out in paragraphs 6.13 - 6.14.
2. That the revised unit type and tenure mix as described in paragraph 6.11 and detailed in table 3 in appendix B be noted.

Reasons for decision

The Council's Phase 1 new homes were anticipated to be available in phases between September 2016 and March 2017. The Council needs to set rent levels on the properties for rent prior to their completion and availability in order to advertise the properties to prospective bidders.

Changes affecting the programme since it was originally approved mean that it will not pay back over thirty years as planned. Approval of the proposals will contribute to improving the financial viability of this phase of the Council's new build housing programme.

Alternative options considered

The option of proceeding without any changes to the planned tenure mix, unit sizes and rent levels was considered. This is not favoured because it would not increase the number of units, or improve the bedroom size mix, or make any contribution to reducing the current financial deficit on the programme.

Outright market sale of some units was considered. This option would reduce the supply of much-needed affordable homes and in addition to this, the Council has already drawn down monies from the GLA through the grant funding agreement with a commitment to deliver these affordable dwellings. Changing to outright sale is thus not considered a viable approach.

49. TOTTENHAM HALE: STRATEGIC DEVELOPMENT PARTNERSHIP

The Cabinet Member for Housing, Regeneration and Planning outlined the work to date on the Tottenham Hale Housing Zone which had involved important consultation with residents and having the underpinning Council plans in place bring forward this important regeneration .

The report was confirming a strategic development partnership with Argent Related Limited, a renowned regeneration partner that had previously worked on the Kings Cross regeneration and the regeneration of Central Manchester and Central Birmingham. They would in partnership, with the Council, take forward comprehensive delivery of a new District Centre at the heart of Tottenham Hale and a significant part of the first phase of the Tottenham Housing Zone. This was a new exciting phase for Tottenham Hale and would ensure that the areas fragmented by rail, water and roads would become connected into a single neighbourhood.

The Cabinet Member for Housing, Regeneration and Planning continued to thank the Regeneration team for their efforts in bringing forward these recommendations and further thanked the Chief Executive for his leadership in bringing this important project to fruition.

RESOLVED

1. That the Council enter into a Strategic Development Partnership Agreement with Argent Related based on the draft Heads of Terms attached in the exempt part of this report and to grant delegated authority to the Director for Regeneration, Planning and Development in consultation with the Chief Operating Officer, the AD Corporate Property and Major Projects and the Assistant Director of Corporate Governance [after consultation with the Lead Member for Housing, Regeneration and Planning and the Lead Member for Finance and Health]to agree the final Heads of Terms and the final contract.
2. That the following Council owned freehold sites shown edged in red on the plan ("Plan") in Appendix 1A be declared surplus to requirements and subject to title investigations be disposed of and for the considerations as set out in the draft Heads of Terms (attached in the exempt part of this report) Argent Related:
 1. Welbourne Centre Site
 2. 4 Ashley Road
 3. 5 Ashley Road
 4. Land to rear of 4/5 Ashley Road, along Monument Way
 5. Land at the corner of Station Road and Hale Road
 6. Tottenham Hale Bus Station, Bus Stand lands
 7. Land at corner of The Hale and Hale Road
 8. Land fronting Watermead Way to the east of Ashley Road
 9. Land to the south of Station Road, along Ferry Lane/The Hale
 10. BP Garage Site, Hale Road, Ashley Road
3. That the disposal of the Welbourne Centre site referred to in recommendation 3.2[Minute item 49 resolution 2] shall comprise both of a cash consideration and a long lease back (terms to be agreed as per recommendation 3.1 – [Minute item 49 resolution 1) to the Council of the health centre to be constructed on the site (to shell and core) and that a further report be brought back to Cabinet at a later date once an agreement has been reached with NHS England on the financial and operational arrangements for the health centre.

4. That the sales receipts from the disposals set out in recommendation 3.2[Minute item 49 resolution 2] above be used by the Council to support the provision of affordable housing within the Tottenham Housing Zone and capital projects in the Tottenham Hale DCF.

Reasons for decision

The proposed new Tottenham Hale District Centre is the first phase of the Tottenham Housing Zone and will be key to achieving long term sustainable change in the area. The aim is to provide a new mixed use development at the heart of the District Centre, along with the necessary infrastructure through a new north/south street, and to provide a new health facility.

The sites within the Strategic Development Partnership Area (see figure at section 4.3) and which will be the subject of the Strategic Development Partnership Agreement are critical to the delivery of the Tottenham Hale District Centre. The sites are held in a small number of ownerships including some owned or about to be acquired by the Council. However, in order to ensure co-ordinated and comprehensive delivery the land ownerships must be pulled together in a cohesive fashion.

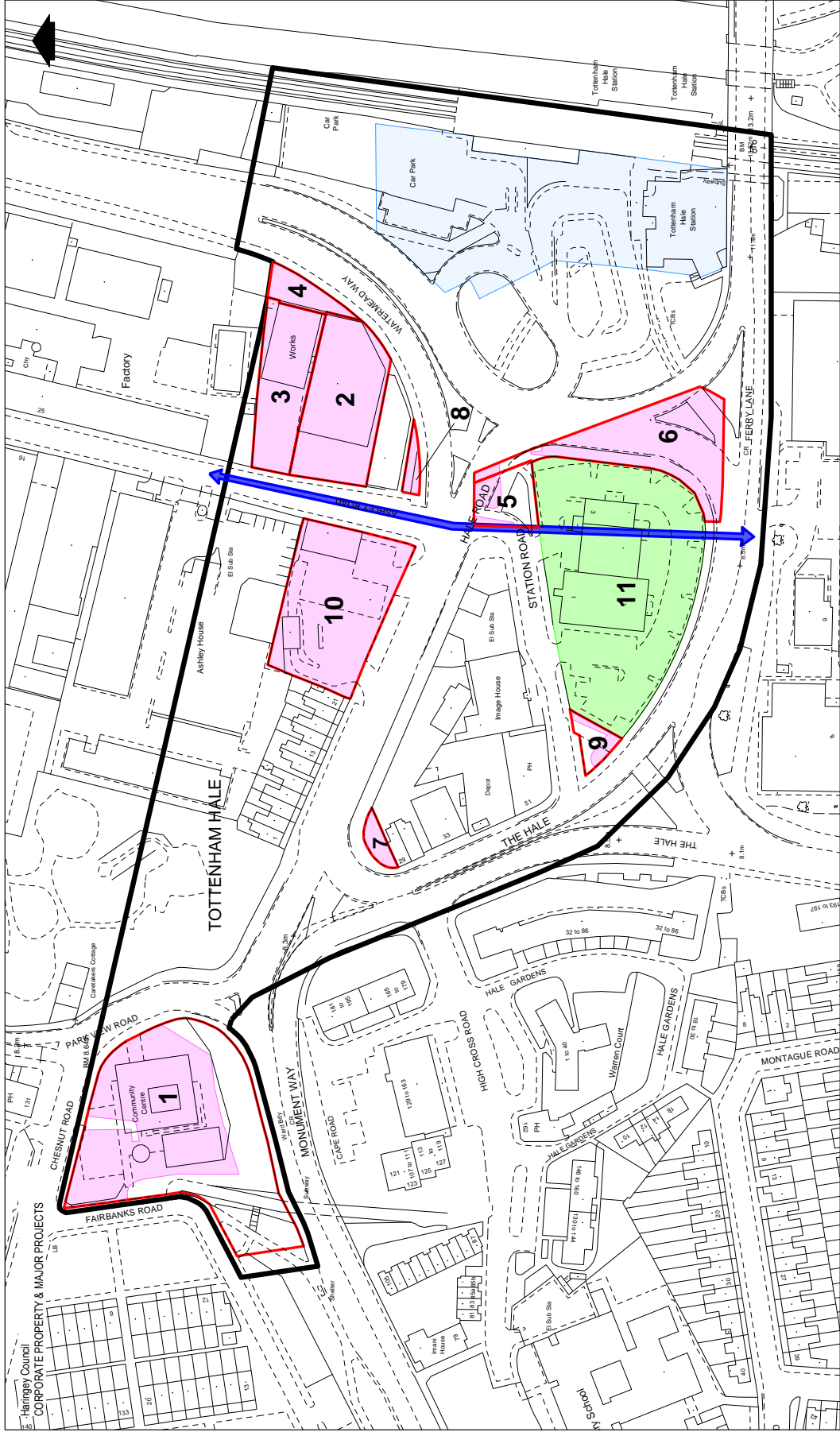
Figure 1 below shows the key landowning parties, who either control or are in advanced negotiation to control, key sites.

A key part of the SDP Area is the Ferry Island Retail Park (site 11) has been acquired by Argent Related. Given the significant extent of the Argent Related controlled land, it has become clear that it would not be possible to deliver on the Council's policy position (as set out in the Tottenham Area Action Plan) for a comprehensive redevelopment of this District Centre without entering into a partnership with this landowner.

In particular, it is only by entering into a partnership with Argent Related that the Council can deliver the new north-south link that will connect the Ashley Road area, through the centre of the District Centre and ultimately onwards into the Retail Park.

These two points form the core of the Council's Exclusive Right's rationale for treating solely with and entering into the Strategic Development Partnership Agreement with Argent Related.

Figure 1:[below] map of the Tottenham Hale Strategic Development Partnership Area



The product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright 2016 LBA. All rights reserved. Licence number: 100019189

Scale 0 10 20 30 40 m
 Scale 1:1250 @ A3
 Overlay - Regen JAD
 Plan produced by Janice Dabnett on 20/06/2016
 BVES Drawing No. A3 0379c Revision 2

1. Former Weibourne Centre 3816m²
2. Site 4 Ashley Road 1383m²
3. Site 5 Ashley Road 956m²
4. Land rear of sites 4 & 5 Ashley Road 241m²
5. Land on SE side of junction Station Road & Hale Road 303m²
6. Tottenham Hale Bus Station, Bus stands land 1372m²
7. Land on S side of junction Hale Road & The Hale 111m²
8. Land fronting Watermead Way (E of Ashley Rd) 92m²
9. Land on SE side of junction Station Road & The Hale 173m²
10. BP garage 1877m²
11. Fenwick Lane Retail Park 4079m²

Strategic Development Partnership Area & Key Sites

Thick black verging - Strategic Development Partnership Area
 Pink shading - Haringey Council ownership
 Blue shading - TfL ownership
 Green shading - Private ownership
 Blue arrow - DCF North-South Link

It is recommended therefore that the Council enters into a Strategic Development Partnership Agreement with Argent Related as one of the key means of delivering on the vision for the comprehensive development of a Tottenham Hale District Centre as set out in the Tottenham Area Action Plan and as a key element of the Tottenham Housing Zone.

It should be noted that this would include the disposal of the Council and assets (referred to in recommendations 3.2) with the land being drawn down by Argent Related subject to specific conditions precedents being met.

In seeking to progress the development of a new District Centre at Tottenham Hale a number of options were considered (see section 5). The preferred option is to enter into a contractual partnership with Argent Related for the reasons set out in this report.

In addition, given the proximity and importance of the Over Station Development site, the Council will work with Transport for London to understand how best the site can be brought into the same or similar arrangement in due course. This will take some time, due to uncertainties generated by the emerging Crossrail 2 proposals.

Alternative options considered

The Council has long been committed to the regeneration of Tottenham Hale and it has for some time been earmarked as a Growth Area (Haringey Local Plan: Strategic Policies, Tottenham Hale Urban Centre Masterplan SPD, Strategic Regeneration Framework, and Physical Development Framework). These plans include the development of a new mixed-use urban centre, or district centre.

In deciding whether or not to enter into a Strategic Development Partnership with Argent Related, the following other options were considered:

Option 1: Minimal intervention In this option, the Council would have relied solely on the planning system to steer and control development. This option would have seen the Council disposing of its sites on the open market.

This option was discounted on the basis that it would have resulted in fragmented land ownership, an uncertain and risky outcome and would not have resulted in comprehensive, well managed development of the District Centre. In addition, this option would have not allowed for development of the substantial land interest held by Argent Related. Non-development of these areas would substantially hinder the Council's ability to deliver on the Tottenham Area Action Plan. Furthermore, this option would have resulted in a number of small parcels of land being impossible to develop.

Option 2: Council build

This option would have seen the Council taking forward direct development on each of the sites which it owns.

This option was discounted as the scale of development envisaged is substantially greater than the Council's capacity to deliver. In addition the Council lacks the expertise to deliver a complicated mixed use District Centre of this type. This option would also have resulted in the same issues identified for option 1.

Option 3: Secure a development partner for the Council sites by procurement

A third option would have seen Council (and possibly other public sector) lands put out to tender either through an OJEU procurement procedure, or through a developer framework, such as the London Development Panel.

The Council undertook soft market testing of the London Development Panel and participants. Residential developers, in particular, were interested in taking forward some sites at Tottenham Hale. While this option would have had some benefits, in particular gaining a variety of expressions of interest from the market, there were also significant shortcomings connected with this approach.

The primary reasons for discounting this option are the same as for option 1 in that the Council does not control the majority of land at the core of the District Centre and so any developer working with Council owned assets would not be able to deliver a comprehensive redevelopment of the District Centre, unless the Council were to exercise its compulsory purchase powers. Given the proportion of land owned by the Council and the presence of landowners with their own development aspirations, the CPO case was far from clear. As a result, there would have been a significant risk that this option would not help to pull in other lands into a comprehensive development and management structure and so would fail in terms of delivering a new approach to the delivery and long term management of the District Centre.

Option 4: Comprehensive approach – a Strategic Development Partnership

This approach is the preferred option and is described in greater detail in this report. The option is based on the principle of working in partnership with a key significant landowner and developer within the core of the District Centre ("SDP Area").

The land at Ferry Island Retail Park, site 11 on the Plan has been identified as key to the delivery of a comprehensive development of the District Centre (in particular the N-S link) and was acquired on 8th June 2016 by two subsidiary companies which are holding the site in trust for a subsidiary of Argent Related. As a result, the partnership arrangement has been negotiated directly with Argent Related (as the holding company) on the basis that the Exclusive Rights exemption applies in this case.

This exemption relies on the characteristics of Argent Related's land ownership within the SDP Area and its importance to delivering the comprehensive approach envisaged by the Tottenham AAP. Working with the Council, Argent Related will be in a position to deliver on the Council's ambitions to bring forth both the comprehensive delivery described in the Tottenham Area Action Plan, but also the long-term and coordinated approach to maintenance and management envisaged by Hale District Centre Framework. Neither other land owner, nor any of the other options considered above will ensure the delivery of the comprehensive redevelopment required.

50. MINUTES OF OTHER BODIES

RESOLVED

To note the minutes of the following meetings:

- Corporate Parenting Advisory Committee - 4th April 2016
- Cabinet Member Signing on the 21st of June 2016

51. SIGNIFICANT AND DELEGATED ACTIONS

RESOLVED

To note the significant and delegated decisions taken by directors in June 2016.

52. NEW ITEMS OF URGENT BUSINESS

There were no items of urgent business to consider.

53. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the remainder of the meeting as the items contained exempt information, as defined under Schedule 12, Paragraph 3 and 5 of the Local Government Act 1972.

54. TOTTENHAM HALE STRATEGIC DEVELOPMENT PARTNERSHIP

As per item 49.

55. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR:

Signed by Chair

Date