

Report for: Cabinet – 21st January 2020

Report Title: **Wards Corner – Response to the Overview and Scrutiny and the Housing and Regeneration Scrutiny Panel Recommendations**

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1. Describe the issue under consideration

- 1.1. The report sets out the proposed Cabinet response to the recommendations of the Overview and Scrutiny Committee (OSC) and the Housing and Regeneration Scrutiny Panel (HRSP) on the Wards Corner Development – attached as Appendix 1 to this report.

2. Cabinet Member Introduction (Cllr Adje, Cabinet Member for Strategic Regeneration and Finance)

- 2.1. I welcome the recommendations by the Overview and Scrutiny Committee (OSC) and the Housing and Regeneration Scrutiny Panel (HRSP) on the Wards Corner Development.
- 2.2. The 14 recommendations put forward by Scrutiny have been carefully considered and responses to these are outlined in Appendix 2 of this report. They include how the Council can learn the lessons from the scrutiny review and improve its processes with regards to this much talked about development.
- 2.3. The Wards Corner scheme will deliver 196 new homes and a new commercial space with a vibrant Seven Sisters Market, including the Latin village, at its heart. This is a longstanding scheme; the Development Agreement was first signed in 2007, and I understand the different views that have been expressed.
- 2.4. As a council, we are committed to working with our communities so that regeneration and investment benefits our communities – this has been our constant focus and I have been working to ensure that the scheme is consistent with this Council's priorities.
- 2.5. There are significant protections in place for traders to ensure that they can continue trading while their new home is built, and a package of financial measures designed to maximise their chances to succeed into the future.

- 2.6. And in order to identify a way forward that could secure buy-in from stakeholders, the Wards Corner Policy Advisory Group has been established to identify a viable future management approach for the market. As Chair, I have been working alongside a number of Tottenham Ward Councillors and an independent market expert to review viable models for the future management of the market in its temporary location at Apex House (whilst the new market is built) and in its new permanent location in the redeveloped Wards Corner.
- 2.7. I am pleased that this work has engaged with the majority of permitted traders as well as Grainger, the Mayor of London and TfL in an effort to balance the needs and interests of the key stakeholders and recommend a sustainable solution to this ongoing concern. It is expected that a final report of this Group will be issued in January.

3. Recommendations

Members are asked:

- 3.1. To consider the recommendations of the Overview and Scrutiny Committee (OSC) and the Housing and Regeneration Scrutiny Panel (HRSP) attached as Appendix 1.
- 3.2. To agree the response to these recommendations attached at Appendix 2.

4. Reasons for decision

- 4.1. On 15th October 2019, Overview and Scrutiny Committee met to approve the recommendations of the scrutiny review of the Wards Corner Development.
- 4.2. In its work which contributed to the report, the Housing, Regeneration and Scrutiny Panel held a number of evidence gathering sessions and took evidence from Council officers and key stakeholders (A total of thirteen sessions were held between 6th February 2019 and 9th May 2019). The HRSP then made a number of recommendations, which were adopted by Overview and Scrutiny Committee at its meeting on 15th October 2019.

5. Alternative options considered

- 5.1. None.

6. Background information

The Wards Corner Scheme

- 6.1. The Wards Corner site is located on the western side of Tottenham High Road and comprises 227 - 259 High Road, 709 – 723 Seven Sisters Road, 1a – 11 West Green Road and 8 – 30 Suffield Road, which are all 2/3 storey Victorian residential and commercial properties. The site includes the former Wards Corner Department Store which is situated partially above the Seven Sisters Victoria Line Underground Station and tunnels.

- 6.2. The Bridge New Deal for Communities and the Council selected Grainger as its development partner to bring forward proposals for the redevelopment of the Wards Corner Site in July 2004. In August 2007 Grainger entered into a Development Agreement (varied in January 2015) with the Council, which set out the form of development required at Wards Corner and regulated the relationship between the parties.
- 6.3. In July 2012, the Council granted planning permission to Grainger for the Wards Corner Regeneration Project. At the same time the Council entered into a section 106 Agreement with Grainger in connection with the planning permission (varied in July 2017). The planning approved scheme is for a mixed-use development including new retail and leisure space, a re-provided Seven Sisters Market and 196 new homes.
- 6.4. On 10th November 2015 Cabinet approved the use of compulsory purchase powers to acquire the property interests required for the Wards Corner Regeneration Project in order to facilitate the delivery of the development. Following a Public Inquiry, the Compulsory Purchase Order (CPO) was confirmed by the Secretary of State (SoS) in January 2019. The High Court on 10th October 2019 dismissed a statutory challenge brought by the Appellants of the SoS's decision to confirm the CPO
- 6.5. On 6th December 2019 an application was filed directly by the Appellants at the Court of Appeal requesting permission to lodge an appeal against the High Court judgement. Both the SoS as the First Respondent and the Council as Interested Party have filed statements outlining why permission to appeal should be refused on the 17th and 19th December 2019 respectively.
- 6.6. The Council's position on Wards Corner is driven by the following key factors:
- A genuine commitment to securing the future of the Seven Sisters Market including the Latin Village.
 - The redevelopment of the Wards Corner site is embedded in the council's planning policies (Tottenham AAP: Policy SS5)
 - The Council has a limited land interest in this area (c.10%) and entered into a Development Agreement (DA) with Grainger in 2007 with a variation in 2015 to facilitate delivery of new homes, employment space and other benefits across the wider site.
 - The Council has no ownership of the buildings that currently house the Seven Sisters Market – this is owned by London Underground Limited (LUL) and managed by Transport for London (TfL). It is subject to its own separate Development Agreement between Grainger and TfL. This land ownership accounts for c.28% of the development area.
 - Grainger owns c.57% of the land at Wards Corner and with the two DAs in place with the Council and with TfL controls c.95% of the development site.
 - The building that houses the Seven Sisters Market is managed and operated by Market Asset Management Seven Sisters Limited (MAM) under a 5-year lease from TfL. The Council has no management or operational involvement in the Seven Sisters Market.

- The Council is in a Development Agreement (DA) with Grainger for the development of this site. The DA does not allow the Council to ‘buy out’ either fully or partially the property interests already acquired by Grainger.
- Driven by key issues identified through the CPO Inquiry, the Council entered into a variation of the s106 agreement with Grainger in 2017 with increased provisions for the current permitted traders including the following key provisions:
 - Temporary market to be located at Apex House
 - Free relocation to all traders who hold a valid licence from the market operator and who are trading in the market at the time when Grainger serves notice on the Council that the market will close (at least 6 months' prior notice will be provided)
 - All traders who are in the temporary market will be provided with 6 months prior notice of the closure of the temporary market and the opening of the new market
 - All traders who have been trading continuously in the temporary market for 3 months before Grainger submit details of the new market to the Council, will be offered a stall in the new market
 - The first three months in the temporary market will be rent free
 - In the new market, the licence fees for the first 18 months will be at a 30% discount against the agreed licence fee
 - Licence fees shall increase 2% per year for the duration of the temporary market and the first 30 months of the new market.
- The Wards Corner scheme is expected to deliver 196 new homes, 3693m² of commercial space, a new and improved market hall for the Seven Sisters indoor market and significant public realm improvements.

The Overview and Scrutiny Committee Review

- 6.7. Under its agreed terms of reference, the HRSP can assist the Council in developing or updating local policies to improve local service provision. In this context, the Overview and Scrutiny Committee agreed at its meeting on 19th November 2018 the scoping document for a review of the Wards Corner Regeneration project by the HRSP. The rationale for the review that was included in the scoping document said that it had been:

“15 years since the process to regenerate the Wards Corner site began, without a satisfactory outcome being achieved. The Panel believes that a scrutiny review that takes into account the historical context on this deadlocked issue will enhance the potential for the Council to bring about the best possible outcome for local residents, traders and for meeting the Council’s objectives”.

7. Contribution to Strategic Outcomes

- 7.1. The Wards Corner Development will deliver 196 new high quality homes, 3693m² of commercial space, a new and improved market hall for Seven Sisters Market and significant public realm improvements.

- 7.2. The recommendations and responses made will contribute to the successful delivery of the Wards Corner Regeneration proposals, which will contribute to achieving the priorities of the Borough Plan, and in particular Priority 1 (Housing) and Priority 4 (Economy), as well as to the more detailed expression of these ambitions in The Tottenham Area Action Plan (AAP) and Tottenham Strategic Regeneration Framework (SRF).

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 8.1. The recommendation to consider the recommendations of the Overview and Scrutiny Committee and the Housing Regeneration Scrutiny Panel in itself does not give rise to any financial implications.
- 8.2. Appendix two is the recommended response to the recommendations of the Overview and Scrutiny Committee and the Housing Regeneration Scrutiny Panel. These recommendations, if agreed, do not give rise to any financial implications for the Council.

Procurement

- 8.3. Strategic Procurement notes the contents of this report; however, comments are not applicable in relation to any of the individual recommendations.

Legal

- 8.4. The Assistant Director of Corporate Governance has been consulted on the content of this report. Legal advice has been given and incorporated into the Response attached at Appendix 2 of this report.

Equality

- 8.5. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not
- 8.6. The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

- 8.7. This report sets out the proposed Cabinet response to the recommendations of the Overview and Scrutiny Committee (OSC) and the Housing and Regeneration Scrutiny Panel (HRSP) on the Wards Corner Development. These include three recommendations (5, 6 and 7) relating to the monitoring and enforcement of Section 106 conditions which make specific reference to the council's Public Sector Equality Duty.
- 8.8. Cabinet will have due regard for the need to achieve the three aims of the Public Sector Equality Duty in developing its response to the review. Haringey Council will equally have due regard for the need to achieve the three aims of the Public Sector Equality Duty in the full course of any implementation of any of the Scrutiny Panel's recommendations.

9. **Use of Appendices**

Appendix 1: Wards Corner Regeneration Project – Scrutiny Review Report (including Appendices)

Appendix 2: Responses to recommendations

10. **Local Government (Access to Information) Act 1985**

- 10.1. Minutes of the Overview and Scrutiny Committee meeting held on 15th October 2019 are available at www.haringey.gov.uk.
- 10.2. A large amount of information about the Wards Corner Regeneration project is available on a dedicated website at www.haringey.gov.uk/wards-corner.