

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3097

Title: Further financial support fund for Seven Sisters Market traders

Executive Summary:

Seven Sisters Market is an indoor market consisting of 38 traders and plays a vital role in London's Latin American community as a specialist, culturally specific amenity. The freehold interest in the building is owned by Transport for London (TfL). Haringey Council granted planning permission to Grainger to redevelop the site in 2012. As part of this, the traders would have moved into a temporary market known as Apex Gardens in Spring/Summer 2021 whilst the redevelopment of the existing market site took place.

In March 2020 the market was closed due to a failure in the power supply and then later in line with national COVID-19 restrictions. Independent surveys commissioned by TfL identified significant health and safety issues and the building was deemed unsafe to reopen. Given the significant time and cost associated with work required to make the market safe, and that these works were unlikely to complete before the opening of Apex Gardens, TfL made the decision to cease work on reopening the market at the existing site at the time. Considering the length of time that the market was to remain closed, and the financial impact the closure had had on the livelihoods of the traders, staff and their families, the Mayor directed TfL to make available up to £500,000 in financial support to traders. This was formalised under MD2724 on 30 November 2020. Payments were made to traders during December 2020.

In August 2021, Grainger withdrew from the project. This has had an impact on the timescales for the delivery of a temporary market. Given this and the continued impact of the closure on traders, the Mayor directed TfL to make available a further £500,000 to traders. This was formalised under MD2868 on 31 August 2021. Payments were made to traders in October 2021.

TfL now has planning permission for a temporary indoor market and has submitted a planning application for a temporary outdoor market. TfL expect the temporary indoor market to open in July 2023, with the temporary outdoor market opening in October 2023. As this has yet to open, traders have faced another period where they have been unable to trade and, as such, it is appropriate to consider a further payment. As the provision of the financial support is outside the scope of TfL's statutory powers, a delegation of the Mayor's power is necessary to enable TfL to provide further financial assistance.

Decision:

The Mayor:

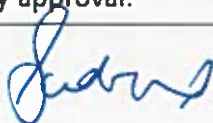
- 1) authorises Transport for London ("TfL") under section 38(1) of the Greater London Authority Act 1999 ("the GLA Act") to exercise the Mayor's powers under sections 30 and 34 of the GLA Act to undertake the activities required by the attached Direction in accordance with the terms of the attached Delegation
- 2) directs TfL under section 155(1)(c) of the GLA Act in the terms of the attached Direction.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

23/3/23

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Seven Sisters Market is an indoor market located above Seven Sisters underground station in Tottenham. The market was located in a now vacated building, also known as Wards Corner. The freehold interest in the building is owned by Transport for London (TfL). The indoor market consists of 38 traders and plays a vital role in London's Latin American community. This is the third MD on the subject; as such, this introduction cross-references with those two decisions, MD2724 signed in November 2020 and MD2868 signed in August 2021.
- 1.2. Haringey Council has long had plans to regenerate this part of the borough and in 2007 entered into a conditional development agreement with Grainger to redevelop the site, including the provision of a new purpose-built indoor market comparable to the existing market. As part of this agreement, Grainger would provide a temporary market (known as Apex Gardens) whilst the existing market was redeveloped. Paragraphs 1.2-1.6 of MD2724 provide further background on the nature of this agreement. It was expected that the Apex Gardens temporary market would be provided in Spring/Summer 2021. In March 2020 the market was still trading in its existing location, when it was closed initially because of a failure in the power supply and then later in line with national COVID-19 restrictions. Subsequently, independent surveys commissioned by TfL identified significant health and safety issues and the building was deemed unsafe to reopen. Paragraphs 1.7 and 1.8 of MD2868 provides further detail on the closure of the market in March 2020.
- 1.3. Considering the length of time that the market was anticipated to remain closed (from March 2020 until Spring/Summer 2021, when Apex Gardens market provided by Grainger was expected to be completed) and the financial impact of the ongoing closure on the livelihoods of the traders, staff and their families, the Mayor directed TfL to make available up to £500,000 in financial support to traders for financial year 2020/21. This was formalised under MD2724 on 30 November 2020. TfL distributed a total of £486,550, comprising 37 direct payments of £13,150 on a basis agreed with the traders: which is based on the principles of an equal distribution between all those trading when the market was closed in March 2020. Where two traders were joint signatories to a licence (or lease), a payment was made to each equal to that which would be paid to a single trader, and where traders were trading from two or more units, there would be a single payment equal to that which would be paid to a trader with one unit. Note that although there are 38 traders, the payments are defined by how many licenses were issued by the previous market manager (37).
- 1.4. On 5 August 2021, Grainger confirmed that it will not proceed with the Seven Sisters Regeneration project, including the installation of the temporary market at Apex Gardens.
- 1.5. The quantum of financial support provided by TfL in late 2020 was based on traders relocating to Apex Gardens in June 2021 and being able to trade again, which did not happen.
- 1.6. Following Grainger's withdrawal from the project, TfL began progressing plans for a separate temporary market, which would enable the traders to return to the market safely. In recognition of the further delay that this would cause to traders returning to the market, the Mayor directed TfL to make up to £500,000 in financial support available to traders. This was formalised under MD2868 on 31 August 2021, covering financial year 2021-22. The second payment was made in October 2021, on the same basis as the first payment and again 37 payments of £13,150 were made to the same list of traders.
- 1.7. At the time of the second Mayoral Decision (MD2868), it was expected that the temporary market would open in Spring 2022. However, further delays were caused by a number of factors, in particular the illegal occupation of 247-249 High Road from September 2021 to May 2022 that prevented access to carry out critical works, which then had to be procured and recommenced. There were also delays in the land assembly (see paragraph 1.8 below) and resourcing the project.

- 1.8. TfL received planning permission from Haringey Council for a temporary indoor market on 17 May 2022. A planning application for a temporary outdoor market to the rear of the temporary indoor market was submitted to Haringey Council in January 2023, with a decision expected in April 2023. The applications were submitted separately. This was in part because not all of the land for the temporary outdoor market was owned by TfL and therefore required TfL's property company, TTL Properties (TTLP), to work with other landowners to assemble the land and bring forward the proposals. As a result, the development was split into two planning applications to try and ensure work on site can commence on the indoor market more quickly and enable some traders to return to trading sooner.
- 1.9. The two markets will together form one larger temporary market – the temporary indoor market will primarily include spaces for professional services, retail and hair/beauty salon uses, while the temporary outdoor market will mostly provide space for food and beverage traders.
- 1.10. TfL is in the process of procuring a market management company to manage both the temporary indoor and outdoor markets during the period between opening and the long leaseholder being appointed. The appointment of the temporary leaseholder is being led by TfL but with support from the Independent Chair of the Partnership Board to give traders more input into the process. The long leaseholder will then be responsible for running the market and looking after tenants. The market management company will assist TfL in producing a Temporary Market and Community Space Management Plan, as required under condition 4 of the approved planning application for the indoor market.
- 1.11. TfL expects to open the temporary indoor market in July 2023 and subject to the outcome of the planning application for the temporary outdoor market, TfL expects to open the temporary outdoor market in October 2023.
- 1.12. Notwithstanding the progress made to open the temporary markets, a significant period has passed since the last payment was made to the traders in October 2021.
- 1.13. Following the completion of the temporary markets, TfL will undertake a further package of works to make the remaining buildings compliant, wind and watertight. These, along with the temporary markets, will become the responsibility of the long leaseholder in due course.
- 1.14. The Mayor is now invited to direct TfL to provide further direct financial assistance to the market traders. As the provision of the financial support is outside the scope of TfL's statutory powers, a delegation of the Mayor's power is also necessary.

2. Objectives and expected outcomes

- 2.1. Markets like Seven Sisters Market provide variety and diversity, history and character, offering a breadth of products and services that local people need and depend on, and bring footfall to London's high streets and town centres from further afield. Seven Sisters Market plays a vital role in London's Latin American community and provides a range of specialist products that are difficult to obtain elsewhere in London.
- 2.2. The financial support provided under MD2724 and MD2868 helped protect the market by supporting traders financially while they were unable to trade. Given Grainger's withdrawal from the project, and the unavoidable time it has taken for TfL to progress plans for a separate temporary market, traders now require further support to ensure the continued protection of the market.
- 2.3. Robust criteria were developed to ensure best value and fair allocation of funds approved under MD2724. The same process will be followed for the distribution of funds sought by the last decision, MD2868, and the same process will be followed again for this decision. The total value of further financial support across all traders is up to £500,000.

- 2.4. The situation at Seven Sisters Market is unique with TfL's role as landlord, and with Haringey Council and the GLA both having made specific commitments that Seven Sisters Market should be preserved as part of the redevelopment of the area in recognition of its status as a specialist, culturally specific amenity. Many of the traders have not had any income since mid-March 2020 and so this further financial package delivers on the Mayor's and TfL's commitment to assist in safeguarding the future of the market through providing a payment for a third financial year.

3. Equality comments

- 3.1. Under Section 149 of the Equality Act 2010 ('the Equality Act'), as a public authority, in carrying out his functions the Mayor must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This is known as the Public Sector Equality Duty. Protected characteristics under the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only). In line with best practice, the impact on groups who also have the potential to be socially excluded, in this case, people on low incomes or from deprived communities, has also been considered notwithstanding that these specific attributes are not protected under the Equality Act but may be common to people with protected characteristics.
- 3.2. The proposed financial assistance to support traders will assist in preserving a vital community amenity, which showcases London's diversity and participates in the local economic vitality of Seven Sisters. The market housed 38 traders, the majority of whom are from the Latin American community. It should be noted that the market also served as a meeting place for the Latin American community, and this decision will help support the preservation of this community asset.

4. Other considerations

Links to Mayoral strategies and priorities

- 4.1. The importance of local markets is recognised in the Mayor's report 'Understanding London's Markets' (2017). The report highlights markets as being at the heart of London's communities and local places, and offer a diverse range of economic, social, and environmental benefits. Markets provide variety and diversity, history and character, offering a breadth of products and services that local people need and depend on, and bring footfall to London's high streets and town centres.
- 4.2. Small independent traders like those at Seven Sisters Market have a vital role to play in London's recovery from COVID-19. They provide good social value as places where Londoners can positively interact and connect with others, share experiences, get involved in their local community, volunteer or start businesses. Being within a short walk or cycle of such places brings clear health and environmental benefits and a boost to wellbeing from being connected to the community. As such, support to Seven Sisters Market will support the London recovery missions. Particularly relevant is the 'High Streets for All' mission which aims to transform cities into greener and more people-friendly places and seeks to create thriving, inclusive and resilient high streets and town centres, with culture, diverse shops, and jobs within walking distance of all Londoners.
- 4.3. The Mayor's Transport Strategy (MTS) recognises the opportunity that land around stations provides to create mixed-use places that are well connected to local amenities, and to jobs and locations further afield. Local amenities also enable people to access the services they need by walking, cycling and public transport, supporting the ambition in the MTS for 80 per cent of journeys to be made by active and sustainable modes by 2041.
- 4.4. London Plan policy 4.8 sets out the need to support the range of London's markets, complementing other measures to improve their management, enhance their offer and contribute to the vitality of

town centres. In addition, the Mayor's Market Toolkit, published in 2019, provides guidance and practical advice on recording and demonstrating the value and impact of markets. Following this and the COVID-19 pandemic, the GLA's Regeneration Team is supporting market operators to test new ideas, develop localised strategies and business incubation models to link into wider high street recovery efforts.

Risks

- 4.5. There is a risk that Haringey Council will refuse the planning application for the temporary outdoor market. TfL sought to mitigate this risk from the outset through engaging with borough planning officers and seeking pre-planning application advice on the suitability of the planning application. TfL will respond to any queries from the planning officers during the determination of the application to minimise this risk.
- 4.6. There is also a risk that TfL's proposed temporary market takes longer to complete and open than anticipated. TfL will work closely with all stakeholders including Haringey Council to mitigate this risk and open the temporary market at the earliest opportunity. The continued support and cooperation of all traders will be needed to move forward TfL's proposals for a temporary market. It is important all parties act in good faith to enable a temporary market to open at the earliest opportunity.

Consultations and impact assessments

- 4.7. The GLA has consulted TfL regarding the delegation and direction and TfL's comments have been considered in the preparation of the draft direction.
- 4.8. No officer involved in the drafting or clearing of this Mayoral Decision has any interests to declare.

5. Financial comments

- 5.1. Approval is being sought to direct TfL to make available £500,000 to provide further financial support to traders at Seven Sisters Market as a result of the ongoing closure of the Market and the plan for traders moving to a temporary market at Apex Gardens being terminated due to Grainger's withdrawal.
- 5.2. There are no direct financial consequences for the GLA arising from this decision.

6. Legal comments

- 6.1. Section 30 of the GLA Act gives the GLA a general power to do anything which it considers will further one or more of the principal purposes of the GLA. The principal purposes, as set out in section 30(2) are:
 - (a) promoting economic development and wealth creation in Greater London
 - (b) promoting social development in Greater London
 - (c) promoting the improvement of the environment in Greater London.
- 6.2. Section 34 of the GLA Act allows the GLA to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any of its functions (including the functions under section 30).

Delegation of Mayoral powers

- 6.3. TfL's own statutory powers do not extend to the provision of the proposed financial support. Section 38 of the GLA Act provides that any function exercisable on behalf of the GLA by the Mayor shall also be exercisable on behalf of the GLA by TfL (as well as other bodies or persons specified in subsection

(2)). The Mayor may impose conditions on any such delegation. This decision invites the Mayor to delegate powers under sections 30 and 34 of the GLA Act to TfL so that TfL has the necessary powers to comply with the attached Direction.

- 6.4. Section 38(7) of the GLA Act gives TfL the power to exercise any functions delegated to it by the Mayor pursuant to section 38, whether or not TfL would otherwise have had that power and irrespective of the nature of the function.
- 6.5. It is considered that the provision of the proposed financial support as set out in this decision form will further one or more of the principal purposes in section 30 of the GLA Act and in particular the promotion of social and economic development and wealth creation in Greater London.
- 6.6. Funds provided by TfL pursuant to this decision should be distributed in compliance with subsidy control processes.

Mayoral Direction to TfL

- 6.7. Section 155(1) of the GLA Act allows the Mayor to issue general directions as to the manner in which TfL is to exercise its functions, or specific directions as to the exercise of TfL's functions.
- 6.8. The proposed direction by the Mayor to TfL to provide financial support to traders of Seven Sisters Market in the circumstances set out in this decision form may be made under section 155(1)(c) of the GLA Act. The direction must be in writing and is attached.
- 6.9. Officers have indicated that the GLA has consulted TfL regarding the proposed delegation and direction required to implement this decision.

7. Planned delivery approach and next steps

- 7.1. Following approval of this Mayoral Direction, TfL will make direct payments to eligible traders following the same successful process as it did when distributing funds in December 2020 and October 2021.

Appendices and supporting papers:

Appendix A – Mayoral Delegation and Direction to TfL

Appendix B – Previous Mayoral Decisions (MD2724 and MD2868)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to
confirm the
following (✓)

Drafting officer:

Vanessa Harrison has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Philip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Seb Dance has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 20 March 2023.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:

D. Gene

Date:

22/03/2023

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature:

D. Bellamy

Date:

20/03/2023

